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COMMITTEE ON JERUSALEM

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M THE HOLY PLACES

Working Paper prepared by the Secretariat

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Paragraph 7 of the Resolution on Palestine adopted by the General Assembly on 11 December 1948\* states that the Assembly resolves:

" That the Holy Places - including Nazareth - religious buildings and sites in Palestine should be protected and free access to them assured, in accordance with existing rights and historical practice; that arrangements to this end should be under effective United Nations supervision; that the United Nations Conciliation Commission, in presenting to the fourth regular session of the General Assembly its detailed proposal for a permanent international regime for the territory of Jerusalem, should include recommendations concerning the Holy Places in that territory; that with regard to the Holy Places in the rest of Palestine the Commission should call upon the political authorities of the areas concerned to give appropriate formal guarantees as to the protection of the Holy Places and access to them; and that these undertakings should be presented to the General Assembly for approval. "

The present paper consists of two sections: Part I, containing a brief explanation of "existing rights and historical practice" concerning the Holy Places in Palestine, together with an annotated list of the Holy Places; Part II, consisting of a short account of the studies and recommendations made hitherto in regard to the Holy Places by various organs of the United Nations.

/PART I.

PART I. THE STATUS QUO AND THE HOLY PLACES

Throughout the centuries, tradition has accorded to certain shrines, sites and religious buildings in Palestine a special significance, and they have accordingly been held in particular veneration by three of the great religions of mankind. Although the larger number of the sites generally known as "Holy Places" are especially revered by Christians, Palestine is a Holy Land by virtue equally of its spiritual significance to Islam and to Judaism and of its many shrines and sites sacred to those faiths.

In his Report on the Administration of Palestine, 1920 - 1925\*, the first British High Commissioner, Sir Herbert Samuel, described the problem of the care of the Holy Places as follows:

" All the chief shrines sacred to Christendom are here; Islam sends pilgrims to mosques in Palestine which rank next only to the Kaaba at Mecca and the Tomb at Medina; there are spots round which are entwined the strongest affections of Judaism. The access to these places, their ownership and care, have given rise to controversies through the centuries. Local disputes have often caused disturbances; the support, given by Great Powers, to one party or another has been a factor in diplomacy, and sometimes a contributory cause of enmity and of war. "

A. NOTE ON THE HISTORY OF THE STATUS QUO

The disputes which occurred with the passage of years concerning certain of the Holy Places related especially to questions of ownership and the right to hold religious services, and arose chiefly between the Latin and Orthodox branches of Christianity. As a result of these disputes, the Ottoman Government decreed in 1757 a modus vivendi which applied to certain Holy Places and which subsequently became known as the Status Quo.

The Ottoman Sultans tended to favour the Orthodox Christians in Palestine, who were their own subjects, at the expense of the Latin Christians, who were the subjects of European Powers with whom the Sultans were frequently at war; and the arrangement of

\* Colonial No.15, page 48, London 1925

1757 deprived the Latin Church of a number of Holy Places which had formerly belonged to it. The French Government, on behalf of the Catholic Powers, made several attempts to redress the balance in favour of the Latin Church. In the main, however, it was unsuccessful, and in 1852 the Sultan Abdul Majid reaffirmed the Status Quo of 1757. In 1853, an undertaking to maintain its provisions was made by the signatory Powers of the Treaty of Paris signed at the conclusion of the Crimean War.

At the end of the First World War, Palestine passed under the protection of Great Britain. It was felt that it was opportune to re-examine the whole question of the conflicting claims regarding the Holy Places. Therefore, while Article 13 of the Mandate for Palestine made the Mandatory responsible for the protection of the Holy Places and for the preservation of "existing rights" relating to them (i.e. the Status Quo), Article 14 provided for the appointment by the Mandatory of a Special Commission "to study, define and determine the rights and claims in connection with the Holy Places and ..... the rights and claims relating to the different religious communities in Palestine". Article 14 further laid down that "the method of nomination, the composition and the functions of this Commission shall be submitted to the Council of the League for its approval and the Commission shall not be appointed or enter upon its functions without the approval of the Council."

In 1922 the British Government put forward suggestions for the composition of the Commission, but these were not acceptable to the Catholic Powers on the League Council and were withdrawn. The Mandatory Power then suggested in 1923 that, pending the establishment of the Special Commission provided for by the Mandate, an ad hoc Commission of Enquiry, composed of one or more British judges not resident in Pales-

tine, should be appointed to deal with any disputes which might arise in connection with the Holy Places. This proposal, however, was not carried into effect, and as a consequence, the Status Quo promulgated in 1757 and reaffirmed in 1852 was applied in respect of the rights and claims of the various communities throughout the duration of the British Mandate. All disputes were referred to the Government of Palestine\*; if the Government's decision was not accepted, a formal protest was made by the interested community and it was recorded that no change in the Status Quo was held to have occurred.

Since the end of the Mandate for Palestine, no other international arrangement has been concluded concerning the Holy Places; further, the General Assembly of the United Nations, by its reference to the protection of the Holy Places, "in accordance with existing rights" \*\* would appear to have endorsed the validity of the Status Quo as presently applied. It should, moreover, be noted that in response to the invitation extended in 1947 by the United Nations Special Committee on Palestine (UNSCOP) to the heads of religious bodies in Palestine asking them to present statements on their religious interests, the Armenian, Greek Orthodox and Coptic Orthodox Patriarchs specifically urged the integral and permanent maintenance of the present Status Quo. \*\*\*

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\* Palestine (Holy Places) Order in Council, 1924 reproduced as Annex (a) Part I of this paper.

\*\* A/807, paragraph 7

\*\*\* Memorandum presented to UNSCOP by the Armenian Patriarch of Jerusalem, 15 July 1947; Memorandum presented to UNSCOP by the Patriarchal Representative of the Greek Orthodox Patriarchate, Jerusalem, 3 July 1947; Letter to UNSCOP from Coptic Orthodox Patriarch, Jerusalem, 15 July 1947.

B. THE SCOPE OF THE STATUS QUO

The Status Quo is in effect the perpetuation of arrangements approved by the Ottoman Decree of 1757 concerning rights, privileges and practices in certain Holy Places to which conflicting claims had been put forward. The conflicting claims related to disputes between religious faiths concerning a Holy Place (Cf. Rachel's Tomb, the ownership of which has been claimed by both Jews and Moslems) and disputes between branches of religious faiths (Cf. the Basilica of the Holy Sepulchre, where rights and claims have been contested by the Latin, Greek Orthodox, Armenian, Coptic and Syrian Jacobite Churches). In the main the disputes concerned

- (a) questions of ownership and matters devolving therefrom, such as the right to carry out repair work or alterations;
- (b) questions relating to the right to hold religious services.

The Status Quo may be said to have "frozen" the situation regulated in 1757, even in regard to the most minute and intricate details, such as the use of candelabra and the decoration of an altar.

In all matters of principle concerning the Status Quo in the Christian Holy Places, only the three "major communities" are taken into account. These are the Latin Church (i.e. the Roman Catholic Church and in particular the Franciscan Fraternity of the Custody of Terra Sancta); the Greek Orthodox Church; and the Armenian Church. The right to hold services at certain times is possessed by the Abyssinians, the Copts and the Syrian Jacobites.

The Holy Places and their component parts governed by the Status Quo fall into four groups:

- (1) The parts that are agreed to be the common property of the three major communities in equal shares;

/(2) The

(2) The parts claimed by one community as being under its exclusive jurisdiction, but in which the other two communities claim joint proprietorship;

(3) The parts the ownership of which is disputed between two rites;

(4) The parts of which one community has the exclusive use qualified by the right of the others to cense and visit it during their offices;

(5) The parts which are in the exclusive jurisdiction of one community but are comprised within the ensemble of the Holy Place.

In the administration of the Status Quo, certain fixed principles relating to ownership are followed. For example, authority to repair a floor or a roof implies the right to exclusive possession on the part of the restorers. The right to hang or change a lamp or a picture is held to imply exclusive possession of a pillar or wall. The right of other communities to cense at a chapel recognizes the position that the ownership of that chapel is not exclusive.

The application of the Status Quo varies in strictness. In the parts in dispute, nothing can be done in principle in the way of repairs. In the case of urgently needed repairs, under the Mandate the work was carried out by the Government or local authority and the question of payment left in suspense. Sometimes an arrangement was made whereby a community that wished to carry out work in a locality might be allowed to do so, provided the other communities were allowed to undertake equivalent work in places where they put forward a similar claim. In other cases it was sufficient for a community to give formal notice of the intended work; but any fundamental change had to be made the subject of a special arrangement.

C. HOLY PLACES TO WHICH THE STATUS QUO APPLIES

The Status Quo applies to the following nine Holy Places in Palestine (all of which are in the Jerusalem area).

1. The Basilica of the Holy Sepulchre and its dependencies, Jerusalem.
2. The Deir al Sultan, Jerusalem.
3. The Sanctuary of the Ascension, near Jerusalem.
4. The Tomb of the Virgin, near Jerusalem.
5. The Basilica of the Nativity, Bethlehem.
6. The Grotto of the Milk, Bethlehem.
7. The Field of the Shepherds, Bethlehem.
8. The Wailing Wall, Jerusalem.
9. Rachel's Tomb, near Bethlehem.

A summary note on the way in which the Status Quo applies in each of the above nine cases is given in Section D below in the note on the Holy Place concerned.

Apart from these nine Holy Places, all the remaining Holy Places in Palestine are not subject to the Status Quo because the authorities of one religion or of one community within a religion are in recognized or effective possession.\*

D. LIST OF THE HOLY PLACES IN PALESTINE

The following list of Holy Places in Palestine is in no sense comprehensive; it is merely a compilation of lists presented on various occasions to the United Nations Special Committee on Palestine by the Custody of Terra Sancta, the Greek Orthodox and Armenian Patriarchates and the Government of Palestine. All these bodies gave the Special Committee lists of shrines and sites which in their view were to be regarded as Holy Places. The list presented by the Greek Orthodox

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\* As for example the Cenacle which, though a Christian Holy Place, has been in Moslem hands since the middle of the 16th century. The position that Christians do not in effect enjoy the right to hold services there is uncontested.

Patriarchate differed somewhat from those prepared by the other bodies, in that it included a large number of monasteries and churches. The list given below, therefore, is not completely consistent since it includes a much larger number of Greek Orthodox than of Roman Catholic or Armenian religious buildings. Reference may also be made to the "Partial List of Roman Catholic Activities in Palestine" presented to UNSCOP by the Catholic Near East Foundation\*, which includes churches and monasteries not specifically regarded as "Holy Places", and to the Memorandum presented to UNSCOP by the Consul-General of France\*\*, which lists French religious and educational institutions in the Holy Land.

It should moreover be pointed out that neither the Moslem nor the Jewish religious authorities submitted lists of Holy Places to the Special Committee; those listed below were brought to the attention of the Committee by the Government of Palestine as being the more important shrines in Palestine sacred to Islam or Judaism.

Since the Conciliation Commission's terms of reference differentiate between the Holy Places in the Jerusalem area and those in the rest of Palestine\*\*\*, the list is divided into two sections: the Jerusalem area, and the rest of Palestine. The Holy Places are listed in each section alphabetically under three groups: Christian, Moslem and Jewish. Those to which the Status Quo relates are indicated by an asterisk. An index is appended.

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\* Annex to Memorandum presented to UNSCOP by the Catholic Near East Foundation, 5 June 1947

\*\* Jerusalem, June 1947

\*\*\* A/807, paragraph 7 (quoted on page 1 of this paper)

INTERNATIONAL AREA OF JERUSALEM

A. CHRISTIAN HOLY PLACES

AIN KARIM

Ain Karim is venerated by Christians as the place of the visitation of the Virgin Mary and as birthplace of St. John the Baptist.

1. The Church of the Visitation is built on the traditional site of one of the two houses of the High Priest Zachary (St. Luke I, 40), the house where the Virgin Mary visited Elizabeth and spoke the Magnificat. A church stood on this site before the end of the 4th Century. It fell in ruins towards the end of the 15th Century. The Franciscans bought the ruins from the Ottoman Government in 1679 and were permitted to rebuild the lower part of the original church, but not the upper part, which remained in ruins until a few years ago, when the Franciscans built a new church incorporating all that still remained of the original building. The Latin rite regards the Church of the Visitation as coming under its exclusive jurisdiction. According to the Armenian Patriarchate, the Armenian Church at one time owned the Church.
2. The Church of St. John the Baptist is built on the traditional site of the other house of the High Priest Zachary, the birthplace of St. John the Baptist.

The first church on this site was built during the 5th Century. It was destroyed by the Samaritans during their revolt against the Byzantine Empire (A.D. 521-531) and the Greek brethren who served it were martyred. The church was soon afterwards restored; by the beginning of the 12th Century it was again in ruins, but shortly afterwards it was once more restored. After the expulsion of the Crusaders, it was transformed into an inn and stables, but was still a place of pilgrimage for all rites. The Franciscans finally purchased the site. The present church dates from the latter part of the 19th Century. The traditional birthplace of St. John the Baptist is venerated in a grotto at the east end of the northern nave.

The Latin Church regards the Church and the Grotto as coming under its exclusive jurisdiction. The Greek Orthodox Church lists a Church of St. John as a Holy Place under its guardianship.

3. The Desert of St. John the Baptist.

This site is a short distance to the west of Ain Karim; it includes the Grotto where St. John traditionally lived his hermit's life, and the small Franciscan Chapel of St. John the Baptist in the Desert.

The whole site is a Holy Place under the jurisdiction of the Custody of the Holy Land.

BEIT JALA

- 4, 5, 6. The Greek Churches of the Blessed Virgin Mary, St. Nicholas and St. Michael are regarded by the Orthodox Church as Holy Places under its guardianship.

BEIT SAHUR

See below under BETHLEHEM: Shepherds' Field.

BETHANY

The village of Bethany as a whole is sacred in Christian tradition as the home of Martha, Mary and Lazarus. From the neighbourhood of Bethany and the adjacent village of Bethphage Jesus set out upon His triumphal entry into Jerusalem on the first Palm Sunday. The following shrines are especially venerated:

7. The Tomb of Lazarus (where Jesus performed the miracle of raising Lazarus from the dead). The Tomb was venerated from an early date; by the time of St. Jerome (A.D. 349-419) a church had already been built over it. In 1134 Queen Melisande built an abbey a short distance east of the Tomb; it fell into ruins some years after the capture of Jerusalem by Saladin in 1187. Towards the end of the 16th Century the remains of the ruins of the original church were transformed into a mosque which Christians were forbidden to enter. Shortly afterwards, however, the Custos of the Holy Land obtained permission from the Ottoman Government to open a new entrance into the Tomb, which has ever since been available to the veneration of Christians.

The Custos of the Holy Land lists the Tomb as being used "in common" - presumably by the Latin, Armenian and Greek Churches.

8. The Stone of Meeting. The Custos of the Holy Land lists this as being "used in common".
9. The ruined Church of St. Lazarus, also known as the House of Martha and Mary, and the adjoining ruins of monastery. The Latin Church claims exclusive jurisdiction over these.
10. The Monastery of Bethany. The Greek Orthodox Church claims guardianship of this monastery.
11. The site of the House of Simon the Leper, where the friends of Jesus invited Him to take supper. The Latin Church claims exclusive jurisdiction over this site.
12. The site of the departure for the triumphal entry into Jerusalem is under the custody of the Latin Church.
13. The Monastery of Bethphage is regarded by the Orthodox Church as a Holy Place under its guardianship.

BETHLEHEM

14. The Basilica of the Nativity \*

The Basilica of the Nativity in Bethlehem is built over the Grotto where Jesus was born. It is held to be probably the oldest Christian place of worship still in constant use. It was originally built by the Emperor Constantine in A.D. 330 and was restored and enlarged in the 6th Century. The basilica was again restored and enlarged in the 6th Century by the Byzantine Emperor Manuel Comnenus; the mosaics date from this period.

The Status Quo applies to the Basilica. The details of its application are too complicated to be described in this paper: reference should be made to the annexe to L.G.A. Cust's Memorandum on the Status Quo in the Holy Places: "The Status Quo in the Church of the Nativity, Bethlehem, by Adbullah Effendi Kardus."

Briefly speaking, the Orthodox Church claims exclusive ownership of the Church as a whole, but parts of the Church belong to the Latin and Armenian Churches, and the right to hold religious services under certain conditions is shared by Latins, Armenians, Copts and Syrian Jacobites.

At the Christmas festivals the three Patriarchs enter the Church in solemn procession. Under the Mandate they were accompanied from Jerusalem by an escort of mounted police.

The Parvis. The Orthodox claim sole ownership, but no work can be carried out except with consent of the other communities. The Armenian Patriarchate in its Memorandum to UNSCOP claimed equal ownership of the Parvis with the Orthodox.

The Entrance Doorway. The key is kept by the Orthodox.

The Narthex (space between the Nave and the entrance door) is Orthodox property and cleaned daily by them, with the exception of the strips leading to the Armenian Convent, which are Armenian property. One lamp belongs to the Greeks and the other to the Armenians.

The Nave. The cleaning of the Nave is undertaken exclusively by the Orthodox, to whom all ikons, lanterns and lamps belong. The Orthodox also hold the key to the "common door" of the Nave. The Armenians enjoy right of passage through the Nave to their Church on certain feast days and special occasions. The Latins have the right of passage from the entrance to their Convent door between the first and second pillars of the Convent doors; any attempted departure from this practice is immediately contested by the other communities. Urgent repairs to the roof of the Nave had to be carried out by the Government of Palestine in 1926 because the Latins and Armenians strongly contested the Orthodox claim to the exclusive right to undertake this work.

The Katholikon is exclusively used by the Orthodox. Cleaning may not take place when the Armenians are using their Church.

The Church of St. Nicholas in the south transept is exclusively Orthodox property.

The Armenian Church of the Nativity in the north transept is under the exclusive jurisdiction of the Armenian Church. The Latins have the right of passage from the door in the north-west corner of the Armenian Church to the door of the Grotto. The Syrian Jacobites and Copts have the right to hold services in the Armenian Church on certain occasions and the Syrian Jacobites claim that the altar on which they officiate is their property. The arrangements for cleaning the Armenian Church are very complicated; in certain parts under dispute, cleaning was formerly undertaken by the Government of Palestine.

The Grotto of the Nativity consists of two parts: the Altar of the Nativity, shared by the Armenians and Orthodox, the Copts and Syrian Jacobites enjoying the right to officiate; and the Altar of the Manger, exclusively under Latin jurisdiction. There is a highly complicated system of rights of ownership of hangings, curtains, pictures and lamps, which is rigidly adhered to. To take only one example, the silver star of the Nativity has been the subject of so many disputes that both Ottoman and British administrations stationed a guard in the Grotto to watch over it. The Star is dusted daily by the Orthodox and is washed by the Orthodox and Armenians, twice a week by each; the Altar above it is cleaned by the Orthodox only.

In 1924 a member of the Polish consular staff was married in the Grotto. The Orthodox claimed a breach of the Status Quo, but the right of all three communities to hold services in the Grotto was upheld.

The Latin Church further claims exclusive jurisdiction over the following altars and shrines:

Site and Altar of the Adoration of the Magi.  
Cave and Altar of the Holy Innocents.  
St. Jerome's Grotto.  
Altar of St. Joseph dedicated to the Flight into  
Egypt.  
Tomb and Altar of St. Jerome.  
Tomb and Altar of St. Eusebius.  
Tomb and Altar of St. Paula.  
Tomb and Altar of St. Eusiochium.

15. Cistern of David. One of the three cisterns situated to the north of Bethlehem and known as the "Cistern of David" is regarded by the Latin Church as a Holy Place under its exclusive jurisdiction.

16. Milk Grotto \* (Mgharet es-Saiydi)

The Grotto lies a short distance to the south-east of

/ the Basilica

the Basilica of the Nativity. According to local tradition, the Virgin Mary stayed in the Grotto before the Flight into Egypt, and a few drops of her milk dropped the ground. The spot is highly venerated by Christians and Moslems in the neighbourhood, and the white stones of the Grotto, in powdered form, are held to increase the flow of mother's milk.

The shrine is preserved and maintained by the Latin Church, and, together with the adjacent chapel of St. Joseph, is considered by the Latins as coming under their exclusive jurisdiction.

The Milk Grotto is in general subject to the Status Quo, but in this connection there is nothing to record concerning the site.

17. The Armenian Monastery of Bethlehem.

This 5th Century Monastery, adjacent to the Basilica of the Nativity, is regarded by the Armenian Church as a Holy Place in its exclusive custody.

18. The Greek Monastery of Bethlehem

The Greek Orthodox Church regards this Monastery as a Holy Place under its guardianship.

19. Shepherds' Field \* (near Bet Sahur, the "Village of the Shepherds")

An olive tree, held to be sacred, is said to mark the spot where the angel appeared to the shepherds.

The Status Quo applies in general to the Shepherds' Field, but in this connection there is nothing on record concerning the site. The Latin Church claims exclusive jurisdiction over a part of the Field.

The Field has been venerated since the 4th Century. At the time of the Crusades a field about 2 km from Bethlehem known traditionally as the spot where Ruth met Boaz, was identified with the Shepherds' Field.

The Greek Orthodox Rite regards the Church of the Shepherds at Bet Sahur as a Holy Place under its guardianship.

BETHPHAGE: see above BETHANY.

EL-KHADER

20. The Greek Monastery of St. George is regarded by the Orthodox Church as a Holy Place under its guardianship. (El-Khader is a small village situated to the right of a point on the Jerusalem-Hebron road, 3 kms south of Rachel's Tomb.)

JERUSALEM

21. The Basilica of the Holy Sepulchre\*

The first Basilica of the Holy Sepulchre was built on the site of the Crucifixion and the Resurrection of Christ at the order of the Emperor Constantine. It was solemnly dedicated in A.D. 335. The Basilica was burnt when King Chosroes of Persia captured Jerusalem from the Romans (A.D. 614). It was partly rebuilt by the Byzantine Emperor Constantine X in 1048, and further rebuilt by the Crusaders, in A.D. 1149. The Rotunda was destroyed by fire in 1808 and restored by the Orthodox Church.

The whole ensemble of the Church, including its commemorative shrines and chapels, is subject to the application of the Status Quo. The details of application are too complicated to be summarized adequately in this paper; reference may be made to the Memorandum on the Status Quo in the Holy Places by L.G.A. Cust, pp. 13-30.

Briefly speaking, the Latins, Orthodox and Armenian Churches share possessory rights in the Basilica, with the exception of a small chapel which belongs to the Copts. The Copts and Syrian Jacobites also possess the right to hold religious services under certain conditions. The Abyssinians hold this right only during Easter Week and then only on the roof of St. Helena's Chapel.

The Entrance Doorway and the Facade, the Stone of Unction, the Parvis of the Rotunda, the great Dome and the Edicule are owned in common by the three rites, who consent to share the costs of any repair work. The Entrance Courtyard is in common use, but the Orthodox alone have the right to clean it. The keys of the entrance doors are in the custody of Moslem guardians, traditionally since the time of the Caliph Omar.

The Dome of the Katholikon is claimed by the Orthodox as being under their exclusive jurisdiction. The other two rites contest this claim and demand a share in any repair costs. The Latin Church similarly maintains a disputed claim to the Chapel of the Invention of the Cross, and the Armenian Church to the Chapel of St. Helena.

The Latins and the Orthodox dispute the ownership of the Seven Arches of the Virgin; the Armenians and the Syrian Jacobites dispute the ownership of the Chapel of Nicodemus. In both cases neither party will admit the right of the other to do any repair work or to divide the costs.

The Chapel of the Apparition, the Calvary Chapels and the shrines commemorating incidents of the Passion are in the sole possession of one or other rite, but the others enjoy certain rights of office therein.

The Katholikon has been Orthodox property since the 14th Century, but as the Status Quo applies to the whole of the Basilica, any important structural repair or alteration has to be notified to the Latins and the Armenians.

22. The Cenacle (Mount Zion)

The Cenacle is the place of the Last Supper and of the descent of the Holy Ghost at Pentecost. It was the first meeting place of the Early Christians in Jerusalem.

Since 1552 the Cenacle has been under Moslem control and no Christian services may be held therein.

The Cenacle was already in use as a church as early as A.D. 135. During the 4th Century a basilica was built on the site of the primitive church. The basilica was destroyed by Moslems and Jews in 966; rebuilt by the Crusaders in the 12th Century; and destroyed once again by the Sultan of Damascus in 1219, on which occasion the Cenacle itself escaped destruction. It passed into the care of the Franciscans in the early 14th Century and remained so until 1552, when the Franciscans were ejected by the Ottoman government.

The "Franciscan Chapel of the Cenacle" is listed by the Custos of the Holy Land as being under the exclusive jurisdiction of the Latin Church.

23. Church of St. Anne

This church is built on the site of the house belonging to St. Anne (Mother of the Virgin Mary), where the Virgin was born.

The Church and its site have been, since 1856, the exclusive property of the French Government.

The present Church was built by the Crusaders in the 12th Century, on the site of a 6th Century Church. It was seized by Saladin in 1187 and converted into a Moslem theological school (the Salahiyeh, by which name it is still known to the Arabs today).

24. Church of St. Demetrios

This Church is regarded by the Orthodox Patriarchate as a Holy Place under its guardianship.

25. Church of St. George (Nikephoria)

This Church is regarded by the Orthodox Patriarchate as a Holy Place under its guardianship.

26. The Church of St. James the Great, on Mount Zion.

The Church is the Cathedral of the Armonian Patriarchate of Jerusalem. It is built over the traditional site of the martyrdom of St. James the Great. The Church, with the residence of the Armonian Patriarchate, and its hostel, monastery, convent, and school occupies the greater part of the southwest corner of the Old City.

It is a place of pilgrimage for members of all Churches, and the Latin Church in particular enjoys certain usages.

/ The present

The present Cathedral was built in the 11th Century on the foundations of a 5th Century Church which was destroyed in 614. The North Wall is a remnant of the 5th Century Church

27. Church of St. James (Cathedral Church)

This Church, which encloses the Chapel of Mary Magdalene and of the Forty Martyrs, is regarded by the Orthodox Patriarchate as a Holy Place under its guardianship.

28. The Church of St. Mary-Mark.

This Church is built on the traditional site of the house of Mary, the mother of John surnamed Mark; St. Peter went to this house after his miraculous deliverance from Prison.

It is the seat of the Syrian Jacobite Bishop of Jerusalem; the Latin Church possesses the right to visit on certain feasts.

The present Church dates from the 12th Century. It stands on the site of a 6th Century Church.

29. Church of St. Panteleimon

This Church is regarded by the Orthodox Patriarchate as a Holy Place under its guardianship.

30. Central Convent of Saints Constantine and Helena.

The Convent is the residence of the Greek Orthodox Patriarch and of the Holy Synod and the Brotherhood of the Holy Sepulchre. It is considered by the Orthodox Patriarchate as a Holy Place under its guardianship.

31. Deir al Sultan\*

The Convent of the Deir al Sultan is situated on the east side of the Basilica of the Holy Sepulchre, on the site of the cloisters of the Augustinian Canons of the Latin Kingdom. The Convent consists of a courtyard and a cluster of hovels occupied by Abyssinian monks under a Coptic guardian. The Chapels of St. Michael and the Four Martyrs are attached to the Convent.

The Status Quo applies to the Deir al Sultan, possession of which is claimed by both Copts and Abyssinians. The Abyssinians contend that when they lost their holding in the Church of the Holy Sepulchre in the 17th Century, being unable to pay the dues exacted by the Ottoman Government, they obtained possession of the Deir al Sultan which they have occupied till today. The Copts, on the other hand, maintain that the Convent has always been their property but that they took in the Abyssinians out of charity when the latter were expelled from their possessions. In the view of the Copts the Abyssinians now living in the Convent reside there on sufferance only and as guests. The dispute between the two rites began early in

the 19th Century and has continued intermittently ever since. As according to the Status Quo no repairs can be carried out, the Convent is in very bad condition. Essential repairs were carried out during the Mandatory regime by the Municipality of Jerusalem or by the Government.

32. Gethsemane: the Gardens of Gethsemane

The Gardens of Gethsemane are sacred to Christians as the place of the Agony, Betrayal and Arrest of Christ, and also as the place to which He withdrew with His Apostles, in order to instruct them. The Gardens include the Grotto of the Apprehending of Jesus and the Grotto of Isaias; adjacent to these, in the Vale of Kidron, is the Tomb of the Virgin Mary (see No. 34 below).

33. In or near the Gardens are two churches: the Basilica of the  
34. Agony, built in 1919 by the Franciscans on the site of a church erected by the Byzantine Emperor Theodosius (AD 379-395); and a church dedicated to St. Mary Magdalene and built by the Tsar Alexander III in 1888. It belongs to the Orthodox Russians.

The Status Quo does not apply to the Gardens of Gethsemane. The Latin Church regards the Gardens, together with the Basilica  
35. of the Agony, the Grotto of the Apprehending of Jesus and the  
36. Grotto of Isaias, as coming under its exclusive jurisdiction. In 1925, during the building of the Basilica, a dispute arose between the Latin and Orthodox Churches concerning the demolition of a wall near the Pater Noster Column (which marks the spot of the Betrayal). The Orthodox Patriarchate made some concessions to the Latins, who in turn abandoned their former right of holding a service in the Orthodox Church of Viri Galilaei on the Mount of Olives. But the right of access had to be maintained. The column was eventually replaced opposite to the entrance to the Russian Garden, on the Public way.

37. The Orthodox Patriarchate lists the Monastery of Gethsemane as a Holy Place under its guardianship.

38. Gethsemane: the Tomb of the Virgin\*

The Church of the Tomb of the Virgin (Sitna Miriam) is built over the place in the Vale of Kidron where, according to Christian tradition, the Virgin Mary was buried and three days later transported bodily to heaven.

The Church is governed by the Status Quo. It was at one time the exclusive possession of the Latin Church; but by the beginning of the eighteenth century the Orthodox and Armenian Churches each possessed an altar. The Latins were finally dispossessed in 1757 (1), and at present hold no services in the church. One of the claims that the Latin Church presses

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(1) According to Survey of Palestine, Vol. III, p. 1358, but the Custos of the Holy Land mentions 1740 (List of Holy Places submitted to UNSCOP).

with great insistence is, however, the possession of this church. The Firman of 1852 gave it the right to hold services in the church but this right has never been exercised.

The ownership of the church and responsibility for repairs to it are shared by the Orthodox and Armenian Churches. Both churches enjoy the same privileges of worship.

Inside the church, the first Chapel on the right, dedicated to SS. Joachim and Anne; the Altar of St. Nicholas; the hangings and lamps on the right section of the Tomb of the Virgin; the altar of St. Stephen and all the end part of the Church belong to the Orthodox. The Armenians own the Chapel of St. Joseph, the altar of St. Bartholomew, the Chapel of the Presentation and the hangings and lamps on the left section of the Tomb of the Virgin. The Syrian Jacobites possess the right to officiate once a week on the Armenian altars and further claim that the altar of St. Bartholomew is their property. A dispute occurred between them and the Armenians in 1923, concerning the changing of two delapidated icons on this altar by the Armenians. The Armenians eventually proved that the icon had Armenian inscriptions, and were therefore allowed to change them. The Copts also have the right to hold services in the church; they are allowed to use the Armenian Chapel of the Presentation twice a week.

A church existed on this site in the 4th Century. Bernard the Wise in the 9th Century described a round church "on which rain never falls, although there is no roof on it". This church was destroyed in 1010 by the Caliph Hakim. It was rebuilt by the Crusaders in the form in which it stands today, Queen Melisande being its founder. It is largely constructed underground and has two semi-circular apses.

39. House of Annas the High Priest

The site of the house of Annas, with its 12th century church and convent, is regarded by the Armenian Church as a Holy Place in its exclusive possession.

40. The House of Caiaphas and the Prison of Christ.

The sites of the House of Caiaphas and the Prison of Christ (where He passed the night of Holy Thursday before His Crucifixion on Good Friday) are traditionally located beneath the Armenian Church on Mount Zion. Some archeologists hold, however, that they are located a few hundred yards away, beneath and adjoining the Church of St. Pierre en Galicante.

The site, with its 12th Century Chapel and courts and 5th Century mosaic floor, is the property of the Armenian Patriarchate. It contains the stone that traditionally covered the Tomb of Christ and was rolled away by the Angel.

The Latin Church possesses the right to visit the site at stipulated times.

41. Martyrdom of St. James the Less, Site of

The site of the martyrdom of Saint James the Less in the Valley of Josaphat is regarded by the Armenian Patriarchate as a Holy Place in its exclusive possession.

The following monasteries and convents in Jerusalem are considered by the Greek Orthodox Patriarchate as Holy Places under its guardianship:-

42. Monastery of Abraham
43. Monastery of the Archangels
44. Monastery of the Blessed Virgin Mary (Nunnery)
45. Monastery of Praetorium
46. Monastery of St. Anna
47. Monastery of St. Basil (Nunnery)
48. Monastery of St. Charalambos
49. Monastery of St. Efthymios
50. Monastery of St. George (Jewish Quarter)
51. Monastery of St. George (Near Latin Quarter)
52. Monastery of St. John the Baptist
53. Monastery of St. Katherine
54. Monastery of St. Nicodemus
55. Monastery of St. Nicholas
56. Monastery of St. Spyridon
57. Monastery of St. Theodorus
58. Mount of Olives (see also No. 64 below, Sanctuary of the Ascension).

The Mount of Olives is sacred to Christians not only as the place of the Ascension but as the scene of Jesus weeping over Jerusalem, the resurrection of Lazarus, the triumphal entry into Jerusalem, the prophecy of the Last Judgment and Jesus' last words to his Apostles. From the 4th Century to the 7th Century the Mount of Olives was covered by churches and monasteries.

59. The site and the Chapel of Jesus weeping over Jerusalem (Dominus Flevit) is in the custody of the Latin Church.
60. The 5th Century mosaics in the Museum were formerly the property of the Armenian Church, and now belong to the Russian Orthodox.

61. The Greek Monastery of Viri Galilaei is regarded by the Greek Orthodox Church as a Holy Place under its guardianship.

62. Pater Noster, Site of

This site is considered by the Custos of the Holy Land as a Holy Place which the Latin Church has the right to visit on certain occasions. The French Government, however, claims that full rights to this property were ceded to it in 1874, since when France has maintained full and undisputed ownership and enjoyment of this site.

63. The Pool of Bethesda.

This was the scene of the miracle of the healing of the paralytic. It is in the custody of the Benedictines.

64. The Sanctuary of the Ascension.\*

The Sanctuary of the Ascension, in El Tor village on the Mount of Olives, is built over the site of the Ascension of Christ. It is venerated by all Christian communities in Palestine.

The Sanctuary consists of a circular yard enclosed by a high wall. In the centre of the yard is a round domed building covering the rock which is regarded as the spot of the Ascension and which bears the imprint of the foot of Jesus.

The Status Quo applies to the Sanctuary. The whole of the Sanctuary has for many centuries belonged to the Moslems. It is attached to the Assadieh Takya but it is not used as a mosque, and the Armenian, Latin and Orthodox Churches and the Copts and Syrian Jacobites are permitted to hold services there. The Orthodox, Armenian, Copts and Syrians each have an altar outside the actual shrine, where they hold their services on the Eastern Churches' Ascension Day. The Orthodox were permitted by the Firman of 1852 to hold their service within the shrine, but they have never exercised this right. The Latins hold a service on their Ascension Day inside the shrine. In 1922 they placed an altar outside in the yard, and aroused a protest from the Orthodox Patriarch. The Latins maintained, however, that they had the right of worship outside or inside the shrine as they chose, and the matter closed. In 1926 the Orthodox carried out some repairs to the outside of the surrounding wall, but this in turn gave rise to a protest from the Latins, on the ground that the shrine and enclosure were common property, and the work was stopped. Some repairs were carried out by the Jerusalem Municipality, at the joint expense of the three rites and it was agreed that any future repairs would be carried out at the expense of the three Patriarchates.

The Sanctuary is open at all times and is regularly visited by pilgrims and visitors.

/The earliest

The earliest church on this site was built between A.D. 333 and A.D. 378. It was damaged by the Persians in 614 and restored under the Byzantine Emperor Heraclitus in 630. Travellers in the 8th and 9th centuries report having seen a round church with an open roof "to admit of the passing of Our Lord's Body". The church was again restored by the Crusaders early in the 12th century. Saladin transformed it into a mosque in 1198. It was almost completely destroyed about 1530; all that now remains is the Aedicule, built by the Crusaders.

#### The Stations of the Cross (Via Dolorosa)

The Via Dolorosa is the road which Christ followed bearing his Cross, from the Palace of Pontius Pilate to Calvary. The first nine Stations of the Cross form part of the Via Dolorosa, the last five are actually a part of the Basilica of the Holy Sepulchre.

A procession, presided over by the Franciscans, visits the Stations of the Cross each Friday, and on special Holy Days, such as Good Friday, there are solemn processions.

The Stations of the Cross are as follows:

65. 1st Station. The Condemnation of Jesus to death; the Judgment; the Crowning with Thorns; the Flagellation and Presentation to the people. The Chapels of the Flagellation and of the Condemnation are under the exclusive jurisdiction of the Custody of Terra Sancta.
66. 2nd Station. The Imposition of the Cross.
67. 3rd Station. Jesus falls for the first time.
68. 4th Station. Jesus meets His Mother.
69. 5th Station. Simon the Cyraenean helps Jesus to carry His Cross. The spot is marked by a small Chapel, which is under the exclusive jurisdiction of the Custody of Terra Sancta.
70. 6th Station. Saint Veronica wipes the face of Jesus.
71. 7th Station. Jesus falls for the second time. The Chapel built at this spot is under the exclusive jurisdiction of the Custody of Terra Sancta.
72. 8th Station. Jesus consoles the women of Jerusalem.
73. 9th Station. Jesus falls for the third time.
74. 10th Station. Calvary: the place of the Divesting of Garments. This site is under the exclusive jurisdiction of the Latin Church.
75. 11th Station. Calvary: the place of the Nailing to the Cross. The site is under the exclusive jurisdiction of the Latin Church.

/76. 12th Station

76. 12th Station. The place of Crucifixion.

77. 13th Station. The place of Stabat Mater.

78. 14th Station. The Holy Sepulchre.

Viri Galilaei, See above Mount of Olives, No. 55.

79. Mar Elias.

The Greek Monastery of Mar Elias, situated on the Jerusalem-Bethlehem road, is regarded by the Orthodox Church as a Holy Place under its guardianship.

80. Saint Sabas, Monastery of (Mar Saba)

This Orthodox Monastery, which the Greek Church regards as a Holy Place under its guardianship, was founded by St. Sabas, a disciple of St. Euthymius, in A.D. 484.

B. MOSLEM HOLY PLACES

The following are some of the more important Moslem shrines in the Jerusalem area, at most of which religious ceremonies are held periodically:

BETHANY

81. The Tomb of Lazarus.

BETHLEHEM

82. The Milk Grotto\*  
83. Rachel's Tomb\* (See No. 88 below)

JERUSALEM

84. El Burak esh-Sharif.

The Koran states that on the night on which Mohammed ascended to Heaven, his horse, Burak, was accommodated beside what is now called the Western or Wailing Wall of the Temple Area of Jerusalem (See also No. 97 below).

85. Haram esh-Sharif

The Temple Area of Jerusalem is known to Moslems as the Haram esh-Sharif, "the Noble Sanctuary". The Koran relates that Mohammed was transported by night from Mecca to Jerusalem and that from the top of Mount Moriah (the site of the Hebrew Temple) he ascended into Heaven. Consequently, Jerusalem ranks as a Moslem Holy City next to the Holy Cities of Mecca and Medina.

The Mosque of Omar. The "Dome of the Rock" was built on the site of Mohammed's ascension from the rock on which, according to tradition, the Patriarch Abraham was preparing to sacrifice his son Isaac when God intervened. The Mosque was built in the seventh century A.D. by the Caliph Abd-el-Malik. Many Moslem schools, libraries and religious institutions are enclosed in the Temple Area.

The Mosque of Aksa. The first mosque on this site was built in the seventh century by the Caliph Omar.

86. The Mosque of the Ascension, on the Mount of Olives.

87. The Tomb of David (Nebi Daoud)

This shrine is situated according to Moslem tradition in the Cenacle on Mount Zion. (See No. 22 above).

C. JEWISH HOLY PLACES

The following are some of the more important Jewish religious sites in the Jerusalem area, at which special ceremonies are held periodically:

BETHLEHEM

88. Rachel's Tomb\*

Rachel died giving birth to Benjamin, when Jacob was travelling from Bethel to Hebron. A pillar was set up over her grave, and the spot was a familiar landmark in the time of Samuel. Several medieval writers refer to it as a Jewish Holy Place. The Arab writer Mugeir-al-Din described it as built of "eleven stones and covered with a cupola which rests on four pillars, and every Jew passing writes his name on the monument."

The tomb lies on the Jerusalem-Hebron road just before it enters Bethlehem. It consists of an open antechamber and a two-roomed shrine under a cupola containing a sarcophagus. The building lies within a Moslem cemetery, for which it serves as a place of prayer. The tomb is a place of Jewish pilgrimage.

The Jews claim possession of Rachel's Tomb by virtue firstly of the fact that in 1615 M'hammad, Pasha of Jerusalem, rebuilt the Tomb on their behalf and by a Firman granted them the exclusive use of it; and secondly, that the building, which had fallen into decay, was entirely rebuilt by Sir M. Montefiore in 1845. The keys were obtained by the Jews from the last Moslem guardian at this time.

The Moslem claim to own the building rests on its being a place of prayer for the Moslems of the neighbourhood and an integral part of the Moslem cemetery within which it lies. The Moslems state that the Ottoman Government recognized it as such and further that it is included among the Tombs of the Prophets for which identity signboards were issued by the Ministry of Waqfs in 1328 A.H. They also assert that the antechamber was specially built, at the time of the restoration by Sir M. Montefiore, as a place of prayer for the Moslems. The Moslems object in principle to any repair of the building by the Jews although (up to the recent war) free access to it was allowed at all times.

The Status Quo relates to the Tomb.

In 1912 the Ottoman Government permitted the Jews to repair the shrine itself, but not the antechamber. Three months after the British occupation of Palestine the whole place was cleaned and whitewashed by the Jews without protest from the Moslems. In 1921 the Chief Rabbinate applied to the Municipality of Bethlehem for permission to repair the shrine. This gave rise to a Moslem protest, whereupon the High Commissioner ruled that, pending appointment of the Holy Places Commission provided for under the

Mandate, all repairs should be undertaken by the Government. However, so much indignation was caused in Jewish circles by this decision that the matter was dropped, the repairs not being considered urgent. In 1925 the Sephardic Community requested permission to repair the Tomb. The building was then made structurally sound and exterior repairs were effected by the Government, but permission was refused by the Jews (who had the keys) for the Government to repair the interior of the shrine. As the interior repairs were unimportant, the Government dropped the matter, in order to avoid controversy.

## JERUSALEM

89. Absalom's Tomb in the Kidron Valley (Josaphat Valley)
90. Ancient and modern Synagogues.
91. The Bath of Rabbi Ishmael.
92. The Brook Siloam.
93. Cemetery on the Mount of Olives.
94. Tomb of David, Mount Zion.
95. Tomb of Simon the Just.
96. Tomb of Zachariah and various other tombs in the Kidron Valley.
97. The Wailing Wall.\*

The Wailing or Western Wall is one of the oldest antiquities in Jerusalem and one of the very few relics of the Third Temple built by Herod the Great. The lowest strata of the Wall is generally considered to be part of Herod's Temple. The Wall is an object of very great veneration by the Jews, who from time immemorial have gone there to pray on Sabbaths and other Holy Days (hence the name "Wailing Wall"). It is situated at the southwest corner of the Temple Area.

The Jewish right to pray has become linked with the Jewish claim to ownership of the Western Wall as one of the most cherished places of Judaism. This claim is, however, contested by the Moslems on the ground that the Wall is an integral part of the Wall enclosing the Haram esh-Sharif. Further, the Moslems assert that the space in front of the Wall is a public way and public property, and must not be obstructed by the placing of chairs and benches by the Jewish worshipers.

These conflicting claims as to ownership resulted in difficulties concerning repairs and even such matters as the removal of weeds from the interstices of the stones, and on several occasions led to serious incidents. The prelude to the Arab-Jewish disturbances of 1929 occurred on 24 September 1928, when the Jews attempted to introduce a screen to divide men and women worshipers at the Wailing Wall on the Day of Atonement. The Moslems protested;

/orders

orders were given that the screen should be removed, and when the Jews refused to comply, the police forcibly removed it during the course of prayers at the Wall. In 1929 a Jewish demonstration held at the Wailing Wall was followed by an Arab demonstration, which led to a series of murderous attacks by Arabs on Jews throughout the country.

The Palestine Administration interpreted the Status Quo in respect of the Wailing Wall as being that the Jewish Community had a right of access to the pavement in front of the Wall for their devotions, but that the Wall itself, the pavement in front of it and the adjacent Moroccan Quarter, were legally Moslem property. The Jews might bring to the Wall only those appurtenances of worship that were allowed under the Ottoman regime. This position was in general reaffirmed by the International Commission appointed by the British Government in 1930, with the approval of the Council of the League of Nations, to enquire into conflicting rights and claims concerning the Wailing Wall. The International Commission further ruled that although the Jews enjoyed no sort of proprietary rights to the Wall or the adjacent pavement, they should have free access to them at all times, subject to certain stipulations. The placing of benches and screens against the Wall was prohibited; the Moslems were similarly forbidden to carry out the Zikr ceremony during the progress of Jewish devotions or to cause annoyance to the Jews in any other way; no political speeches or demonstrations near the Wall were to be allowed; the Moslems' right to repair the pavement was affirmed, and if any repairs were not carried out by them in due time, the work was to be undertaken by the Government. The maintenance of the Wall itself was entrusted to the Government, but it was understood that repairs to it should be carried out only after consultation with the Supreme Moslem Council and the Chief Rabbinate.

PALESTINE OTHER THAN THE JERUSALEM AREA

A. CHRISTIAN HOLY PLACES

ACRE

The Greek Orthodox Patriarchate lists the following religious buildings in and near Acre as Holy Places under its guardianship:

1. Monastery of Acre
2. Church of Aballin
3. Church of Abu Senan
4. Church of Birweh
5. Church of Jubaidah
6. Church of Kufr Yassif
7. Church of Makr
8. Church of Safa Amer
9. Church of St. George
10. Church of Sakhnin
11. Church of Sha'ab

CANA OF GALILEE (Kefr Kannah)

12. The marriage feast of Cana and the miracle of the changing of the water into wine (St. John II, 1-11) took place in Cana of Galilee. It was already a place of pilgrimage in the Fourth Century, when it appears probable that a church was built on the site of the miracle. A Nineteenth Century Church now marks the site. The site and Chapel of the First Miracle of Jesus are considered by the Latin Church as Holy Places under its jurisdiction.
13. The Greek Orthodox Church considers the Greek Church of Kefr Kannah as a Holy Place under its guardianship.
14. The site and Chapel of the House of Saint Bartholomew, also called Nathaniel (the disciple called by Philip, St. John I, 45-51). These are considered by the Latin Church as Holy Places under its jurisdiction.

CAPERNAUM, see Galilee, Sea of.

DABOURIYEH (Dabrath) (Galilee)

15. It was at Dabouriyeh that Jesus traditionally left his disciples before His Transfiguration. When he rejoined

/them

them He performed the miracle of the healing of the young man possessed by a devil.

EMMAUS (Latrun)

16. Latrun is widely considered to be the site of Emmaus, where Christ manifested Himself to His disciples after His Resurrection (St. Luke XXIV, 13-35). Near the Trappist Monastery are the remains of a Third Century basilica which some archeologists hold was built by Julius Africanus on the site of the house of Cleophas. The basilica was destroyed during the Samaritan revolt against the Byzantine Empire in the Sixth Century and was replaced by another church a little to the north. This in turn was replaced by a third church by the Crusaders. Remains of all three churches can still be seen.

The sanctuary of Emmaus is considered by the Latin Church as a Holy Place under its custody.

GALILEE, SEA OF (Lake Tiberias, Lake Genesareth)

17. The Sea of Galilee is sacred as the scene of much of Christ's ministry and of innumerable miracles performed by Him. Christ walked on the waters of the Sea of Galilee, and among the venerated sites along its shores the following may be mentioned: -
18. The Mount of the Beatitudes, upon the slopes of which Jesus preached the Sermon on the Mount. The hill rises near the north-western end of the Lake. The site of the Trees of Benediction on its summit, as well as the Chapel of the Beatitudes and the Chapel of the Primacy conferred on St. Peter (at Tabgha on the seashore) are under the custody of the Latin Church.
19. The site of the First Multiplication of the Loaves and Fishes at Tabgha. A Byzantine Church was erected on this site in the Fourth Century and the remains of its mosaic pavement are still in good condition.
- 20-24. Capernaum. Capernaum lies on the north shore of the Lake. It is hallowed as the site of the place where Christ lived and taught. The ruined synagogue is held by some archeologists to be the remains of the synagogue where Christ taught and where He healed the man possessed by the devil. The site of the synagogue and the ancient church on the site of the House of St. Peter (where Christ lived when in Capernaum) are under the custody of the Latin Church. The Greek Church and Monastery of Capernaum are regarded by the Greek Orthodox Church as Holy Places under their jurisdiction.
- 25-27. Tiberias. Christ did not enter Tiberias, but it was traditionally the scene of an apparition of the Risen Christ. The Chapel of St. Peter dedicated to this incident is a Holy Place under the custody of the Latin Church. The Monastery of Tiberias and the Church of the Apostles are regarded by the Greek Orthodox Church as Holy Places under their guardianship.
28. Magdala (El Mejdal), the site of the birthplace of St. Mary Magdalen, is a Holy Place under the custody of the Latin Church.

GAZA

- 29-30. The Church of Saint Porphyrios and the Monastery of Gaza are regarded by the Greek Orthodox Church as Holy Places under its guardianship.

HAIFA

31. Mount Carmel is venerated by Christians because of its associations with the Prophet Elijah and with the founding of the Carmelite Order, whose principal monastery is on its summit.
32. The Greek Orthodox Patriarchate lists the Greek Monastery at Haifa and the Church of Mar Elias as Holy Places coming under its jurisdiction.
33. The Armenian Patriarchate lists Church House in Haifa as a Holy Place under its protection.

HATTIN

34. Tradition places the site of the Second Multiplication of the Loaves and Fishes (Matthew XV, 32) just outside Hattin. The site is regarded by the Latin Church as a Holy Place under its jurisdiction.

JAFFA

- 35-36. The two Churches of Saint George in Jaffa are considered by the Greek Orthodox Church as Holy Places under its guardianship.
37. The House of Simon the Tanner was the site of St. Peter's vision of the clean and unclean beasts (Acts X, 9-29), symbolic of the spreading of Christianity to the Gentiles. It is regarded as a Holy Place by the Latin and Armenian Churches.
38. The Monastery of Jaffa is regarded by the Greek Orthodox Church as a Holy Place under its guardianship.
- 39-40. The Monastery and Chapel of St. Nicholas are listed by the Armenian Patriarchate as Holy Places.
41. The Tomb of Tabitha, the disciple who was raised from the dead by St. Peter (Acts IX, 36-43) is regarded as a Holy Place by the Latin and Armenian Churches.

JENIN

42. The Church of Jenin is regarded by the Greek Orthodox Patriarchate as a Holy Place under its guardianship.

JERICHO

43. Quarantine Mountain. According to tradition, Christ spent his fast of forty days (quadragenta-quarante) in the wilderness and was tempted by the devil.

In the Twelfth Century the mountain was inhabited by a Latin religious order called "Brothers of the Quarantine".

The Greek Orthodox Church established itself on the Quarantine Mountain in 1874 and in 1902 built a chapel in front of the Grotto where Christ traditionally kept his fast. The Greek Orthodox Monastery is situated on the mountain side. According to tradition, the top of the Quarantine Mountain was the site of the Temptation.

44. The Monastery of St. Eliash in Jericho is regarded by the Greek Orthodox Church as a Holy Place under its guardianship.
45. The Monastery of St. George at Khoziva, near Jericho. St. Jean Le Silenciaire lived there in the Fifth Century. The monastery was restored in 1234 A.D. It is regarded as a Holy Place by the Greek Orthodox Church.

#### JORDAN VALLEY (Place of Baptism)

46. According to tradition the Place of the Baptism of Christ (Bethasaba - house of passage) is the site of the miraculous crossing by the Children of Israel under Joshua. It is about 5 miles to the north of the Dead Sea, and is a place of pilgrimage, particularly for the Greek and Coptic Orthodox at the time of the Epiphany.

The traditional Place of Baptism is under the Custody of the Greek Orthodox Church, which also is the guardian of the following Holy Places in the vicinity:-

47. The Chapel of the Baptism (on the western bank of the River Jordan).
48. The Monastery of St. John the Baptist.
49. The Monastery of St. Gerassimos.
50. Another Chapel of the Baptism is under the guardianship of the Latin Church.

#### LYDDA

51. The Church of Saint George, with its Tomb of Saint George, is regarded by the Greek Orthodox Patriarchate as a Holy Place under its guardianship. The Latin Church also regards the Tomb as a Holy Place, but not as coming under its guardianship.
52. The Monastery of Lydda is also regarded by the Greek Orthodox Patriarchate as a Holy Place under its protection.

MOUNT CARMEL - see Haifa

#### MOUNT THABOR (Galilee)

- 53-59. Mount Thabor, the "Holy Mountain", is according to constant tradition the place of the Transfiguration of Christ, although it is not actually mentioned by name in the Gospels. The ruins of a Fourth Century Byzantine church are found on it. This church was destroyed after the Arab conquest of Palestine in A.D. 638, probably early in the Eighth Century. A Benedictine Abbey was erected in 1101 on the site, but was destroyed towards the end of the

Twelfth Century. A new church was built on its ruins but was in turn destroyed in 1263. Finally, in 1631, the Grand Duke of Tuscany obtained for the Franciscans permission to settle on the mountain, of which they have retained possession ever since, subject to a claim by the Greek Orthodox Church to a share in the tenure. Each of the two communities now has a church on the mountain; the Franciscan basilica was completed in 1924; the Greek Orthodox Church was built in the middle of the Nineteenth Century.

The Latin Church lists the Sanctuary of the Transfiguration, the Chapel of Nemini Dixeritis and the site of the Apparition of our Lord on a mountain of Galilee as Holy Places under its jurisdiction. The Greek Orthodox Church similarly lists the Monastery of Mount Thabor and the Church of the Transfiguration.

#### NABLUS (Jacob's Well)

60-63. Christians revere Jacob's Well as the scene of Christ's conversation with the Samaritan woman (St. John IV, 5-42). In the Fourth Century a church existed on the site; it was destroyed during the reign of the Caliph Hakim and rebuilt by the Crusaders. Towards the end of the Nineteenth Century the Greek Orthodox Church purchased the ruins of the Crusader church (destroyed some time after Saladin's conquest of Jerusalem in 1187) and partially rebuilt the church. It lists the Church of Jacob's Well, together with the Monastery of Jacob's Well and the Church of Nablus as Holy Places under its guardianship.

#### NAIM (Samaria)

64. A chapel marks the site of the raising to life by Jesus of the widow's son (Luke VII, 11-17). Both the site and the chapel are held by the Latin Church to be Holy Places under its jurisdiction.

#### NAZARETH

Nazareth is venerated by Christians as the place of the Annunciation and as the home of the Holy Family and the place where Jesus spent His childhood and youth.

65. The Church of the Annunciation was built in 1730 above the grotto which is traditionally the scene of the visit to the Virgin Mary of the Archangel Gabriel. The present church is built on the site of a basilica built by the Crusaders. It is under the guardianship of the Latin Church.

66. The Greek Orthodox Patriarchate also lists a Church of the Annunciation as a Holy Place under its guardianship.

67. The Church of the Workshop of St. Joseph is built on the traditional site of the home of the Holy Family. The original church on this site was built in the Fifth Century, destroyed in the Eighth and subsequently rebuilt by the Crusaders. A Twentieth Century church now stands on the site; it belongs to the Latin Church.

68. The ancient synagogue. A church existed in the Twelfth Century on the traditional site of the synagogue where Christ taught. In the Eighteenth Century the Franciscans bought / the ruins

the ruins and built a chapel on this spot, which they later handed over to the Greeks. The Church of the Synagogue is regarded by the Greek Orthodox Church as a Holy Place under its guardianship.

69. Mensa Christi. A Franciscan chapel, built in 1860, contains a block of granite on which, according to a Fifteenth Century tradition, Christ ate with His disciples after His resurrection. It is considered by the Latin Church as a Holy Place under its custody.
70. The Virgin's Well. The Virgin Mary, like all the women of Nazareth, must have visited this well, the only source of water of the town. A Second Century legend relates that the Angel Gabriel first appeared to the Virgin Mary while she was drawing water at the well.
71. The Mount of Precipitation (Djebel Kafzeh). According to local tradition, it was from a rock overhanging the road which descends from Nazareth into the Plain of Esdraelon that the Jews intended to throw Jesus after they had chased Him from the Temple. The Mount of Precipitation is a Holy Place under the guardianship of the Latin Church. The Greek Orthodox Church regards the Church of the Precipice as a Holy Place under its jurisdiction.
72. The site of Our Lady of the Fright. A Franciscan chapel is built over the site where, according to legend, the Virgin Mary watched Jesus being led towards the precipice. The site is regarded by the Latin Church as a Holy Place under its guardianship.
73. Jaffa of Galilee (outside Nazareth) contains the site of the house of St. James the Greater, which is regarded by the Latin Church as a Holy Place under its guardianship.

The Greek Orthodox Church regards the following churches and monasteries in and around Nazareth as Holy Places under its guardianship (in addition to those mentioned under 58, 60 and 63 above):-

74. Monastery of Nazareth
75. Church of Jiaffa
76. Church of Mujaidal
77. Church of Ma'alul
78. Church of Reneh
79. Church of Touran
80. Church of Tshajara
81. Church of Ailaboun.

#### RAMALLAH

The Greek Orthodox Church regards the following religious buildings in and near Ramallah as Holy Places under its guardianship:

82. Monastery of Ramallah
83. Church of About
84. Church of Ain Arik
85. Church of Bir Zeit
86. Church of Jifnah
87. Church of St. George
88. Church of Tavibeh

RAMLEH

- 89-90. The Monastery and Church of St. George are listed as Holy Places by the Greek Orthodox Patriarchate.
91. The site of the House of St. Joseph of Arimathea, with its church, is regarded as a Holy Place by the Latin Church.

SAINT THEODOSIUS, MONASTERY OF

92. This Monastery, which lies to the south-east of Jerusalem, is regarded by the Greek Orthodox Church as a Holy Place under its guardianship. It contains the tomb of its founder, St. Theodosius, and was for centuries a place of refuge for a large number of saints and monks.

SEPPHORIS (Galilee)

93. Sepphoris contains the site of the House of St. Anna, considered by the Latin Church as a Holy Place under its guardianship.

TIBERIAS (see Galilee, Sea of)

TULKARM

94. The Church of Tulkarm is regarded by the Greek Orthodox Church as a Holy Place under its guardianship.

B. MOSLEM HOLY PLACES

The following are some of the more important Moslem shrines outside the Jerusalem area, at most of which religious ceremonies are held periodically:

ACRE

95. Ahmad Pasha Jazzar Mosque

BALATA (Samaria)

96. The Tomb of the Prophet Joseph.

EL HARAM (near Lydda)

97. Sidna Aly Shrine.

GAZA

98. Sidna Aly Mosque.

JERICHO

99. The Tomb of Moses (Nebi Musa)

NABLUS

100. Awlad Ya'qub.

101. Rijal el Amud.

NEBI RUBIN (near Lydda)

102. Mosque and shrine.

NEBI SAMWIL

103. The Tomb of the Prophet Samuel.

RAMLEH

104. Nebi Saleh.

C. JEWISH HOLY PLACES

The following are some of the more important Jewish shrines outside the Jerusalem area, at most of which religious ceremonies are held periodically:

AWARTA (Samaria)

105. The reputed burial place of Aaron, the High Priest, and his sons.

HEBRON

- 106. Abraham's Tree.
- 107. The Cave of Machpelah.
- 108. The Tombs of Yishay.

MEIRUN

- 109. Ruins of an ancient Synagogue, since the days of the Mishna and the Talmud.
- 110. Tombs of Rabbi Simon Bar Yohai and Rabbi Eleazar.

SAFAD

- 111. Ancient synagogues and tombs of holy men.

TIBERIAS

- 112. A number of holy places and burial caves. including the tombs of Maimonides, Rabbi Yohannon Ben Zakai and others.

TIBERIAS HOT SPRINGS (Hammath)

- 113. Ancient synagogues, the College of Rabbi Meir Baal ha-Ness, and his Tomb.

ANNEX

PALESTINE (HOLY PLACES) ORDER IN COUNCIL  
25 July 1924.

WHEREAS by the Palestine Order in Council, 1922, it is (among other things) provided that the Civil Courts in Palestine shall exercise jurisdiction in all matters and over all persons in Palestine:

AND WHEREAS it is expedient that certain matters shall not be cognizable by the said Courts:

AND WHEREAS by treaty, capitulation, grant, usage, sufferance and other lawful means His Majesty has power and jurisdiction within Palestine:

NOW, THEREFORE, His Majesty, by virtue and in exercise of the powers in this behalf by the Foreign Jurisdiction Act, 1890, or otherwise, in His Majesty vested, is pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:

(1) This Order may be cited as "the Palestine (Holy Places) Order in Council, 1924."

(2) Notwithstanding anything to the contrary in the Palestine Order in Council, 1922, or in any Ordinance or law in Palestine, no cause or matter in connection with the Holy Places or religious buildings or sites in Palestine or the rights or claims relating to the different religious communities in Palestine shall be heard or determined by any Court in Palestine.

Provided that nothing herein contained shall affect or limit the exercise by the Religious Courts of the jurisdiction conferred upon them by, or pursuant to, the said Palestine Order in Council.

(3) If any question arises whether any cause or matter comes within the terms of the preceding Article hereof, such question shall, pending the constitution of a Commission charged with jurisdiction over the matters set out in the said Article, be referred to the High Commissioner, who shall decide the question after making due enquiry into the matter in accordance with such instruction as he may receive from one of His Majesty's Principal Secretaries of State.

The decision of the High Commissioner shall be final and binding on all parties.

(4) His Majesty, His Heirs and Successors in Council, may at any time revoke, alter or amend this Order.

AND the Right Honourable James Henry Thomas, one of His Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

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