SAFEGUARDING JERUSALEM'S ARMENIAN QUARTER AGAINST JUDAIZATION

Posted on July 3, 2023 by Keghart



Category: Opinions

By Prof. Z. S. Andrew Demirdjian, Los Angeles, 17 June 2023

Armenians are blessed to have a front seat at the birthplace of the Divine Architect of Christianity. Against the likelihood of the Judaization of East Jerusalem, Armenians must make valiant effort to preserve their presence in the Holy Land. It is not a question of regaining lost lands. It is the challenge of preserving what Armenians already have, which entails an uphill battle for our spiritual and patriotic church leaders. Therefore, safeguarding is used here as a precautionary measure to protect Armenian Patriarchate properties from being taken over by either local or foreign investors or by the Israeli government through its activities dubbed as the Judaization of Jerusalem.

The founded or unfounded theory or the conjecture of Judaization of Jerusalem is the view that the Israeli government policy, especially after Jerusalem was declared the capital of Israel in 2017, has begun to transform the physical and demographic landscape of the Holy City to enhance its Jewish character at the expense of its long-standing Muslim and Christian population. Figuratively speaking, there will be more spitting at the Armenians of Jerusalem and less government protection of them.

The outrageous scandal of Archbishop Nourhan Manougian's irresponsible activities of leasing out properties of the Armenian Quarter in Jerusalem must serve as a wake-up call to all Armenians across the globe that cherish our presence in Jerusalem.

According to reliable sources, the 5,520 sq. m. of vacant land called Goveroun Bardez is valued between $27 billion and $39 billion. To me and to many Armenians, the value of patriarchate properties are priceless.

Abp Manougian's unthinking neglect involves the leasing out parcels of the Armenian Patriarchate of Jerusalem properties to various Israeli entities, such as Danny Rubenstein, a so-called private entrepreneur from Australia, to build a hotel on the Goveroun Bardez or for a housing project, or leasing land for a parking lot for visitors to the Wailing Wall built by the municipality of Jerusalem, etc.

I will explore preventive measures to formulate strategies to safeguard the remaining Armenian Quarter from being jeopardized by long-term leases and by being victimized by the lethal weapon of Israeli Government's eminent domain power.

Here are research-based approaches to saving properties in the Armenian Quarter of East Jerusalem:

- **Instituting Stringent Bylaws to Prevent loss of Armenian Quarter Properties.**

Very strict rules should be enacted to never lease or sell Armenian properties found in the Holy Land without proper consultation. Measures to be taken to forestall eminent domain and bylaws instituted to either prevent selling or leasing out Patriarchate properties to anyone without the consent of the majority of Armenian spiritual and social/political leaders living in the Republic of

Armenia, Artsakh, and the Diaspora.

The language of the bylaws should stress that under no circumstances the Patriarch of the Armenian Church in Jerusalem can unilaterally decide the divestiture of any vital asset, such as a real estate property, for financial, ethical, and political objectives without consulting the Holy Synod and those representing the Armenian nation.

- **Forestalling Eminent Domain from the Judaization of Jerusalem.**

Eminent domain, as we know it today, can be traced to the old Latin term "Eminenes Dominium," which referred to a government's supreme power to appropriate private property, such as land, house, farm, or other assets, for the public's use, with or without the property owner's consent.

The early applications of eminent domain in the United States during the 19th and early 20th centuries allowed governments of various states to employ eminent domain to be used only for true public utilities, such as roads, bridges, parks, public buildings, and other facilities.

The US courts began authorizing a slight expansion of the eminent domain power when they allowed private companies like railroads and public utilizers to take property for the laying of railroad tracks and transmission lines. However, to obviate the creation of monopolies, these companies were tightly regulated and had to provide the public equal access to the rail lines or utilizers.

Whenever a territory changes hands, it is the usual procedure for the "new ruler" country to engage in changing the physical and demographic characteristics of their newly acquired territory to fit in with the rest of the enlarged country, seamless. For example, if Azerbaijan takes over Artsakh, in no time the Azeri government will embark on "Azerbaijanization" of the Christian Armenian enclave.

Of the four religious quarters in Jerusalem, the Armenian Quarter faces a real danger of losing its vacant real estate properties because of its proximity to the Wailing Wall unless the Patriarchate takes preventive measures to forestall attempts of government seizure.

The Israeli-Arab War of 1967 has uprooted many Armenian families from Jerusalem. The dwindling of the population should not be cause for a sellout of the patriarchate properties, nevertheless.

Gleaned from many sources and case studies, here are some time-tested strategies to consider:

- Armenians are lucky to have so many outstanding attorneys in Armenia and in the Diaspora. Most are ready and able to help the community. We should consult them to benefit from their knowledge and experience to obviate eminent domain situations to lose Armenian properties to the Israeli government.
- Leave no vacant plot of land for it would serve as a temptation or an invitation to the government to take over. Normally, unsettled tracks of land, lying idle --not taken over or lived

in by Armenians--are targets of seizure by the government under the pretext of doing it for the good of society.

- Let the Armenian Diaspora build a small hotel or a hostel on the Goveroun Bardez acreage and operate it for pilgrims, especially coming from all over th Diaspora. The legality of the plan has to be worked out before any such action is taken. The idea of a hotel or hostel accommodations would also be a source of income to the Patriarchate to defray the cost of its upkeep and a deterrent to eminent domain moves by the Israeli government. Despite past denials, Armenians should try to obtain permits for these projects. Let us not forget, it would be easier to fight legally against the seizure of a developed property as opposed against a vacant land. Arguments against the eminent domain of a vacant property are tenuous.
- The Armenian Patriarchate of Jerusalem is not-for-profit organization. I realize we have to find "creative" ways to get some income, for example from the hotel, to defray the cost of operating some of the other church facilities for the enhancement of the urban life of the community. We need to enlist the assistance of Armenian attorneys in planning any project for the Armenian Quarter.
- Obtain permit to use the empty lots as a burial ground for deserving Armenian spiritual leaders. Most cultures regard burial grounds to be sacred. Out of cultural deference, most countries tend to respect burial grounds by not seizing them through eminent domain.
- Plant an orchard of fig trees, grape vines, Armenian apricots, etc. in order to supplement income for schools, clubs, etc. like the historic Spanish Missions in California did centuries ago. Such a project would also provide employment to the Armenian Quarter inhabitants.
- Build an inexpensive annex to an Armenian school's library, museum, cultural center, etc. to give some legitimacy of occupation by the Armenian Convent. The idea is to create the information that the Armenian Patriarchate has no vacant land left for any purpose; all are put to use for the benefit of the community.
- Build on a vacant lot a social activity center to serve for birthdays, weddings, picnics to be rented for a nominal donation for its upkeep, etc.
- A vacant lot can easily and inexpensively be transformed into a sports recreation center for the Armenian community where the young and the young at heart may spend quality time there with friends and family members.
- There are many more ideas for saving Armenian vacant lots from the jaws of the Judaization of Jerusalem possible schemes by transforming them into working centers for the benefit of the Armenian community. Such projects would be a win-win proposition for all concerned; they would benefit the people of the Armenian Quarter by enriching their urban life and at the same

time forestall possible eminent domain seizures by the Israeli government. Permits should be obtained for all projects to make them legal.

When a property is leased for a long term, such as for 99 years, by our unwise, unwary clergymen, and when a large and expensive structure is erected on the property, such as a hotel, or a housing project, the unwritten law says that the lessee (the tenant) will practically own it at the end of the lease term. The courts in Israel, even elsewhere in the world, would favor the in-group vs. the so-called "out-groups," of which Armenians are considered to be a member.

At the end of the lease, the government would easily justify to let Mr. Rubenstein's estate continue with the operation of the hotel constructed on the Goveroun Bardez to accommodate Jewish visitors to the Wailing Wall.

Here is yet another real danger: Today, Israel's population nears 10 million, a 12-fold increase since state's 1948 founding. By the year 2030, the population is predicted to reach 11.1 million, and by 2040, 13.2 million. In Israel's centenary year in 2048, the population is expected to jump to 15.2 million. This is a remarkable growth for a tiny country of 22, 140 sq. km -- about 7, 660 sq. km smaller than the Republic of Armenia (29,800 sq. km).

It has been estimated that 70 percent of the world Jews have not visited. So, the upsurge in population and the pent-up demand to visit Israel by the Diaspora Jews plus the increase in the pilgrims of other religions, the need for hotels, parking lots, restaurants, cafes, and other facilities adjacent to the Wailing Wall would be in high demand.

As a result, the Israeli government would justify seizing especially vacant lots to provide needed services to the locals as well as to visitors. The risk of takeover by eminent domain of Armenian properties is real and so it is of utmost importance to take measures now to prevent any loss before it is too late.

Abp Manougian's ill-conceived idea of leasing the Goveroun Bardez to a likely front man Danny Rubenstein for 99 years maybe be the beginning of the end of the Armenian presence in the Holy Land.

Instituting bylaws for restricting church properties to be sold or leased should be carried out without losing any precious time.

The hand of the government is long in expropriating private property for public use. Defense measures should be taken to avoid possible eminent domain in advance. If the Armenian Quarter has unused property that is in jeopardy of being taken by the Israeli government, one way would be to put a vacant land to some use with a building permit for either temporary or permanent use. Whether the Judaization of Jerusalem is a myth or a reality, Armenians have to safeguard against eminent domain in order to make it possible for our future generations to enjoy visiting the 1, 800-years-old Armenian Quarter in the Holy City of Jerusalem.

Comments

Vrej M – 2023-07-14 00:01:25
"According to reliable sources, the 5,520 sq. m. of vacant land called Goveroun Bardez is valued between $27 billion and $39 billion." That doesn't make sense. The land isn't very big. It would be like have a square with a side of 74 m. The church can easily build something on it. Build a library or a school on it.

tilbian – 2023-07-04 12:21:22
Comment une institution comme l'Eglise peut elle permettre à une personne , même haut placée de disposer des biens de la communauté? Il faut dénoncer ce document comme illégal pas d'autre solution

Mesrob – 2023-07-04 05:28:37
Great letter by H. The letter encapsulates the crisis and offers practical solutions. I would add one thing: Patriarch Nourhan, at best incompetent and at worst criminal, has to go. Of course, there's also something called "criminal incompetence."

H – 2023-07-03 19:58:29
Prof. Demirdjian, Thank you for your ideas and opinions about safeguarding the properties of the Armenian church and nation. Just a few thoughts: You may be aware that Armenians and the patriarchate of Jerusalem were protected by the Hashemite Kingdom of Jordan until East Jerusalem was occupied by Israel in June of 1967. The idea of building hotel in the “Goveroun bardez” for Armenian pilgrims/visitors, and apartments for young Armenian families was rejected by Israeli authorities several times under good patriarchs and orderly patriarchate. The occupying authorities have utilized all means, not to revise but change the centuries’ old status quo of the then Holy Land. To name one: clearing rubble from the 1948 war, for “pedestrian walkways”. Not many remember ownerships existing before 1948. Your ideas and opinion may have had merit if Armenians had committed lay leadership, savvy politicians, seasoned diplomats, clergy dedicated to serving the good of the church and people. What the nation has now is corrupt self-serving devils at all of the above mentioned levels. We invite you to bring together capable Armenians to make sure Manoogian cancels his signature from the sale of the illegal document, which he refuses to disclose. That's for a start; then create laws of prevention of future sale or lease of church properties.