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**The Orthodox community in the Holy Land and
the Jerusalem Patriarchate:
a study in the relations between the two, and in the internal
development and organization of the community from
1918-1948**

Nada E. Marmura

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THE ORTHODOX COMMUNITY IN THE HOLY LAND
AND THE JERUSALEM PATRIARCHATE

A Study in the Relations Between the Two, and in
the Internal Development and Organization of
the Community from 1918 - 1948

By

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1967

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Nada E. Marmura

ABSTRACT

The Orthodox Patriarchate of Jerusalem, over the past few centuries, assumed a "monastic" character. This meant that the Brotherhood of the Holy Sepulchre came to be the ruling body in the Church: from among its members all the bishops and other high Patriarchal ecclesiastics were chosen. During the four centuries of Ottoman rule the membership of this Brotherhood gradually came to be composed exclusively of Greek nationals, and the higher offices in the Church were filled by Greeks, while the large majority of the lay Orthodox community together with the parish priests under the jurisdiction of the Patriarchate were Arabic-speaking. The community was considered a secondary concern of the Patriarchate. This situation was accepted for a long time by the community, but as a result of national feelings in the nineteenth and twentieth centuries, it became conscious of a need for change.

The attempt on the part of the community to enhance its position in the Church, and to acquire the right to a share in Church administration was resisted by the Greek hierarchy of the Church. The situation in the nineteenth century was further complicated by the clash

of interests between the Hellenic and Slavic elements in the Orthodox Church of the East. This clash made the Greek hierarchy of the Jerusalem Patriarchate more determined than ever to preserve and strengthen its special position in the Church and to resist any changes which might weaken them.

The discontent of the local lay Orthodox community reached a crisis in 1872-1875 (at the time of the Bulgarian crisis), and the struggle to assert its rights in the Church was resumed between 1908 (shortly after the proclamation of the Ottoman Constitution) and 1914. During this period the struggle assumed a pronounced national character. The only achievement of the community was the provision in the Turkish Order of 1910 for the establishment of a Mixed Council of lay and ecclesiastical members, and of Local Community Councils in the various towns and areas. The Mixed Council was to take responsibility over the administration of certain revenues and affairs connected with the Church and the community. A Mixed Council was established only in 1914, and when the War broke out, its meetings were discontinued; it was never revived later.

At the end of the war, the finances of the Patriarchate were completely disorganized, owing to the loans it was forced to contract. This situation was the first concern

of the Government of Palestine under British Mandate, and Patriarch Damianos found in this a support for his view that no practical purpose would be served by the re-establishment of the Mixed Council, as it would have no funds at its disposal for the discharge of its responsibilities.

The struggle of the Orthodox lay community in Palestine and Transjordan to assert its rights in the Church and to regulate its relations with the Patriarchate proved to be a long-drawn out and acrimonious affair, whose story may be divided into four successive stages. The first of these was the period of the 1920's, when the Government of Palestine attempted to find a solution to the problem in the Church by setting up two Commissions of Inquiry, (the Bertram-Luke (1921), and the Bertram-Young (1925)) to examine all facets of the work of the Patriarchate. The Commissions were requested to report to the Government on the situation in the Church, and to recommend practical measures for solving the problems. The second stage began in 1931, following the death of Patriarch Damianos, and went on till 1935. During this period, the lay community demanded that the recommendations of the Bertram-Young Commission which included proposals for the amendment of the Ottoman Regulations of 1875, (the Constitution, or Fundamental Law of the Church),

be put into effect, prior to the election of a new Patriarch. Neither the Government nor the Patriarchate accepted this demand, and the crisis over the Patriarchal election lasted until the summer of 1935. In July 1935, Bishop Timotheos was elected Patriarch, but the community refused to recognize him as Patriarch. However, the controversy entered a new phase in 1936, when under Government auspices, both parties agreed to conduct negotiations that would lead to an amendment of the Fundamental Law of the Patriarchate which would be acceptable to both parties. In 1938, on the basis of the negotiations and agreements, a draft law for the Orthodox Patriarchate of Jerusalem was drawn up and published by the Palestine Government, which was not enacted until 1941, and was confirmed in 1942. The new Law was criticised by both parties. When in 1944, the Government intimated its intention to put the Law into effect, the struggle of the community entered upon its fourth and final stage under British administration. Upon the recommendation of members of the administration in Palestine, it was suggested that the affairs of the Orthodox Church and the community in Palestine should come under the provisions of two separate, but supplementary laws: one pertaining to the Patriarchate as such; the other setting forth regulations for the organization of the lay

community, with the understanding that the interests of the community would be upheld in both. Suggested legislation was drawn up and in 1947 was forwarded to the Colonial Office for approval, but the British Mandate over Palestine came to an end before any decision on this matter was taken.

The manner in which the struggle with the Patriarchate was conducted by the lay community in Palestine during the period of the Mandate represented one aspect of the internal development of the community during this period. In this struggle, the community unified efforts and acted as an organized body, meeting in periodical Arab Orthodox Congresses. Its organization on the local level was not less significant; it learned to be independent of the Church to meet the needs of its members. The success of the various Orthodox congregations in this field depended on the type of leadership available and on the circumstances and needs of the community in each particular area. But probably the most significant aspect of the life of the Orthodox community during the period of the Mandate was that it regarded its struggle with the Patriarchate as part of the larger Arab struggle for independence in Palestine. As part of the Arab society in Palestine, it contributed towards raising its standards, and as such it shared in the political fate of this society, both during the period of the Mandate, and as a result of the struggle in 1948.

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CHAPTER I

THE ORTHODOX PATRIARCHATE OF JERUSALEM

I

The Holy Orthodox Catholic Church, better known as the Eastern Orthodox Church is a family of self-governing or "autocephalous" Churches which are held together by the double bond of unity of faith and of sacrament, rather than a centralized organization or a single prelate. Each Church, while independent, is in full agreement with all of the other Orthodox Churches in all matters of doctrine.¹ These churches constitute one body inasmuch as they possess the same faith, the same principle of government, and the same basis of worship. The Patriarch of Constantinople is known as the "Ecumenical" or universal Patriarch of the Orthodox

¹Stefan Zankov, The Eastern Orthodox Church, trans. and ed., Donald A. Lowrie (London: The Student Christian Movement, 1929), p. 33; Nicolas Zernov, The Church of the Eastern Christians (London: S.P.C.K., 1924), p. 16.

Church, and since the schism with the Latin Church has enjoyed a position of special honor among the Orthodox communities. He does not have the right to interfere in the internal affairs of the other churches.²

Many of these Orthodox Churches are national Churches. In former times, in Orthodox countries, Church and State have usually been closely linked. An independent State possesses its own autocephalous Church, but due to historical circumstances, ecclesiastical divisions do not always coincide with State boundaries.³ At present, the Orthodox federation of Churches comprises the following:

- (1) The four ancient Patriarchates of Constantinople, Alexandria, Antioch and Jerusalem.
- (2) The three ancient self-governing Churches of Cyprus, Georgia, and Sinai.
- (3) The five great national Churches of Russia, Rumania, Greece, Yugoslavia (Serbia) and Bulgaria.
- (4) Churches in countries where Orthodox Christians are in a minority such as Poland, Albania, Czechoslovakia, Lithuania, Latvia, Estonia and Finland.

²Timothy Ware, The Orthodox Church (Middlesex: Penguin Ed., 1961), pp. 10-15.

³Ibid., p. 15.

- (5) Several other Churches formed by either the missionary efforts, or the migration overseas of Eastern Christians. Such are the Orthodox Churches in Japan, China and Manchuria, North and South America, Australia, and in Western Europe (especially among the Russian emigrants).

The correct name for all these bodies of Eastern Christians together is "the Orthodox Church of the East," and such terms as "the Greek Church", "the Russian Church", denote only the various branches of the international federation of Churches.⁴

The common faith which binds these independent Churches together is expressed in the words of the so-called Nicene-Constantinopolitan Creed embodying the two cardinal truths of the mystery of the Holy Trinity and the mystery of the Incarnation, on which rests the whole edifice of Christianity.⁵ The second bond of unity between the autocephalous Churches is the common principle of Church Government. According to this principle, the head of the Church is Jesus Christ. Believers are divided into clergy and laity. Each autocephalous Church is administered by its bishops and the clergy under them. The clergy consist of three grades, bishops, priests and deacons. Whereas the pastoral clergy, or priests, are free to be married, provided

⁴List of Churches as given in Zernov, op. cit., pp. 16-17.

⁵Ibid., p. 52.

such marriage takes place before ordination to the diaconate, bishops must be single or widowers. For that reason they are chosen from among the monks, or must receive the monastic habit before being consecrated to the episcopate.⁶ Unity is also maintained through a common basis of worship. The center of worship is the Eucharist or Divine Liturgy. Two types of liturgies are used in the Orthodox Church: that of St. Basil the Great, which is recited on fixed days; and that of St. John Chrysostom, which is used throughout the rest of the year. The liturgy of the Presanctified (called after the nomenclature of St. Gregory, the Dialogos), is recited only in Lent. There is no one liturgical language in the Orthodox Church. Each Church performs its services in the language of its community.⁷

The Orthodox Church traces its origin to Christ. Its history begins with that of the first Church. The apostles, obedient to the command of Christ (Matt. 28:19) "Go forth and teach all nations, baptizing them in the

⁶ Donald Attwater, The Christian Churches of the East, Vol. II: Churches not in Communion with Rome (London: Geoffrey Chapman, 1961), pp. 11-12.

⁷ Archbishop Porphyrios II of Sinai, "Eastern Orthodox Church," Encyclopedia of Religion and Ethics, V (1912), 134-136.

name of the Father, and the Son, and the Holy Ghost:" preached wherever they went, at first to Jews, but in the first generation began to preach to the gentiles as well. In this manner the message of Christ was spread by his followers, beginning in Palestine and expanding throughout the whole Roman Empire. The propagation of the new religion in the Roman Empire provoked persecutions because it was thought to endanger the Empire's security. The Christians did not belong to one of the legal religions of the Empire and were not prepared to obey the Emperor in religious matters.

In 312, an event occurred which transformed the outward situation of the Church. In that year the Emperor Constantine became a supporter of Christianity. In 313, the Edict of Milan, jointly issued by the Emperor Constantine and his fellow-Emperor, Licinius, proclaimed Christianity as a religio licita, or permitted religion.⁸ The Church was then free from persecution and was able to attempt a clarification of its doctrine. This work was done by the Great Church Fathers such as Athanasius, Basil of Caesarea, Gregory Nazianzus, Gregory of Nyssa and Cyril of Alexandria in their arguments against such

⁸ Ware, op. cit., p. 25.

opponents as Arius, Nestorius and Eutychus. Orthodox doctrine was defined and stated in the Seven Ecumenical Councils held between 325 and 787 A.D. These Councils also decided upon priority among the five patriarchal Sees, that together formed the majority of Christendom. The first general or ecumenical council of the Christian Churches at Nicea was summoned by Constantine in 325 to settle the Arian controversy which was dividing the Church. Later councils clarified and articulated the ecclesiastical order of the Church and crystallized the position of the five great Sees or Patriarchates. But the main work of these Councils was the Christological discussion and the attempt to settle the various controversies arising therefrom. At Constantinople in 381, Rome received the primacy of honor, and Constantinople (new Rome), received the second place. Alexandria and Antioch followed the first two. At Chalcedon in 451, Jerusalem was freed from the jurisdiction of Caesarea and became the fifth Patriarchate. In this manner the system of the Pentarchy was completed and the sphere of jurisdiction of each Patriarchate was defined. Cyprus was granted an independent position by the Council of Ephesus in 431, and has remained self-governing ever-since.⁹ In spite of this division, the system of the Pentarchy did not impair the essential

⁹Ibid., pp. 24-33.

equality of all bishops, nor did it deprive each local community of its importance. However, from the fourth century on, when the Church received the protection of the Emperor, it lost its complete independence and became more and more subject to the control of the State.¹⁰

During the fifty years before the meeting of the sixth Council in 680-1, the Church of New Rome was faced with a new alarming development. This was the rise of Islam and its rapid expansion. Within fifteen years of the death of the Prophet Mohammad, in 632, the Arabs had occupied Syria, Palestine, and Egypt. The regions of the three Patriarchates of Alexandria, Antioch and Jerusalem passed under Moslem Control. Within the Christian Empire of the East, the Patriarch of Constantinople was then without a rival.

During the period when the Councils were being held to define the Church's doctrine and heresies were being fought, relations between the Eastern and the Western Church were slowly deteriorating. The division of the Empire into two parts, while still theoretically one, prepared the way for the differentiation of the

¹⁰Zernov, op. cit., p. 5.

Churches as well.¹¹ With the ecclesiastical power of the west centralized in their hands, the popes tried to extend their jurisdiction over the eastern Patriarchates which did not deny them primacy of honor, but refused to admit any right on the part of the popes to interfere in their affairs. This was the basis of the misunderstandings which began to arise with the Eastern Church, especially with that of Constantinople, and these developed into disputes which finally ended in the division between the Western and the Eastern Churches. From the ninth to the eleventh centuries, the situation was further strained by doctrinal disagreements on various levels, one of the most significant being the insertion of the Filioque clause by the west into the Nicean creed.¹² In the eleventh century the schism, which still exists, came into being.¹³

¹¹ Archbishop Antony Bashir, Studies in the Greek Orthodox Church (no city given: by the author, 1911), p. 10.

¹² Ware, op. cit., p. 58.

¹³ For an authoritative discussion of the schism, see: Steven Runciman, The Eastern Schism (Oxford: The Clarendon Press, 1955), and Frantisek Dvornik, The Photian Schism (Cambridge: The University Press, 1948).

With the fall of Constantinople to the Ottoman Turks in 1453, the Eastern Roman Empire and the Orthodox Church of the Empire, passed under Moslem domination. The Church retained its internal organization without any substantial change, but it became a civil as well as a religious institution. It was turned into the Rum Millet, the "Roman nation". The Patriarch of Constantinople became not only the spiritual head of the Orthodox Church in the Empire, but the civil head of the "Rum" nation — the ethnarch or millet-bashi.¹⁴ Outwardly, the power of the Patriarchate of Constantinople expanded as never before. It expanded with the growth of the Ottoman Empire, which from the sixteenth century had brought Egypt, Syria, Mesopotamia and other Eastern areas and parts of North Africa under its domination. The Patriarch of Constantinople was regarded by the Ottomans as the head of all the Orthodox Christians in the Ottoman Empire. The other Patriarchates within the Empire, Alexandria, Antioch and Jerusalem —

¹⁴For a thorough discussion of the millet system and the position of the non-Moslem religious heads, or millet-bashis within the context of the Ottoman Empire and its administration, see: Alford Carleton, "The Millet System" (unpublished Ph.D dissertation, Kennedy School of Missions, Hartford Seminary Foundation, 1937). (Dissertation available on microfilm (No. 14) at the Jafet Library, American University of Beirut).

although they remained theoretically independent, were to a large extent in practice subordinate to the Ecumenical Patriarch. Rumania, Bulgaria and Serbia were also under Ottoman rule. By 1767, the national Churches in these lands had all lost their former independence and were entirely under the Ecumenical Patriarch's control.¹⁵

As Ottoman power declined in the nineteenth century, the frontiers of the Ecumenical Patriarchate of Constantinople contracted. The nations which gained freedom from the Ottoman Empire found it impracticable to remain subject ecclesiastically to a Patriarch resident in the Ottoman capital and so deeply involved in the Ottoman political system. The Patriarch resisted as long as he could, but in each case he bowed eventually to the inevitable. A series of national Churches were thus carved out of the Patriarchate.¹⁶ Parallel with this movement for the establishment of independent Churches was a movement against the power and predominance of the Greek national element in the hierarchy of the Orthodox Church in the Patriarchates of Constantinople, Antioch, Jerusalem and to a lesser degree in that of

¹⁵Ware, op. cit., 100.

¹⁶Ibid., p. 100.

Alexandria. "The unwillingness of the Greeks to give up their privileges, which raised them above the other nationalities, gave rise to the schisms of Antioch and Jerusalem, . . . and to the more serious Bulgarian schism."¹⁷ In spite of these movements, the Orthodox Church still continued to grant the Patriarch of Constantinople a primacy of honor above their own chief ecclesiastics.

II

According to tradition, the first bishop of Jerusalem was James "the brother of Jesus". After the destruction of Jerusalem in 70 A.D., at the hands of Titus, Caesarea had become the civil Metropolis of Palestine. This arrangement was adopted by the Church and the bishops of Jerusalem became suffragans of the Metropolitan of Caesarea.¹⁸ In the fourth century the position of the local bishop of Jerusalem began to take on more importance especially after the Emperor

¹⁷Bashir, op. cit., p. 17.

¹⁸T. E. Dowling, The Patriarchate of Jerusalem (2nd. ed. rev. & enlarged; London: 1909), p. 15.

Constantine and his mother, Helena, built and endowed the shrines in the Holy Places, and the Holy City became a center of Christian religious life and pilgrimage.¹⁹ However, it was not until the Council of Chalcedon in 451, that the small Patriarchate of Jerusalem was carved out of Antioch in order that the Bishop of the Holy City might have a position more worthy of the dignity and sacredness of his See. The boundaries of the new Patriarchate were to extend to the Lebanon in the north; to the Mediterranean on the west; to Sinai on the south (Mt. Sinai was originally included in its boundaries); and to Arabia and the desert on the east.²⁰

With the Arab conquests, the Patriarchates of Jerusalem, Antioch and Alexandria fell within the Arab dominion and were cut off from their customary contacts with Rome and Constantinople. The condition of the Christians was generally good under the Omayyad Caliphs and later during the period when Syria came under the direct rule of the Abbassids. The Moslems regarded

¹⁹Adrian Fortescue, "Jerusalem," (Parts II & IV), The Catholic Encyclopedia, Vol. VIII (1913), 356 - 357.

²⁰Ibid., p. 357.

both Christians and Jews as "People of the Book" who were entitled to protection under Moslem rule, though they were never granted full equality with Moslems.²¹ However, under Fatimid, and later under Seljuk rule, the condition of the Christians underwent periods of oppression, intolerance, and periods of peace. After the death of the Seljuk Tutush in 1095 Seljuk rule in Jerusalem became so ineffectual and oppressive that the Orthodox Patriarch, Symeon, and his higher clergy retired to Cyprus, well before the commencement of the First Crusade.²²

According to western sources and tradition, Symeon died a few days before the Crusaders occupied Jerusalem in July 1099.²³ The eastern tradition

²¹For a study of the position of the Christians and Jews under Moslem rule, see: Arthur S. Tritton, The Caliphs and Their Non-Moslem Subjects (London: Oxford University Press, 1930); Majed Khadduri, War and Peace in the Law of Islam (Baltimore: John Hopkins Press, 1955).

²²Steven Runciman, A History of the Crusades, Vol.1: The First Crusade and the Foundation of the Kingdom of Jerusalem (Cambridge: the University Press, 1954), pp. 78-79.

²³Ibid., I, pp. 289-290.

maintains that Symeon lived on till 1106, so that the appointment of a Latin Patriarch after the occupation of Jerusalem by the Crusaders was definitely an act of schism.²⁴ It also appears that the Orthodox Patriarchs of Jerusalem continued to be elected and consecrated at Constantinople and lived there all during the period of the Latin domination of Jerusalem.²⁵ As for Orthodox rights in the Holy Places, these were re-established and re-confirmed soon after the recapture of Jerusalem by Saladin in 1187 upon the request of the Byzantine Emperor, Isaac Angelus.²⁶

²⁴ Nicephore Moschopoulos, La Terre Sainte (Athens: by the author, 1956), p. 132; Khalil I. Qazaqiyya, Tarikh Al-Kanisah Ar-Rasouliyya al-Uroushalimiyya (The History of the Apostolic Church of Jerusalem) (Cairo: Al-Muqtataf & Al-Muqattam Press, 1924), p. 73, basing his information on Russian sources, mainly the Bulletin of the Imperial Orthodox Palestine Society, and Arabic sources.

²⁵ Moschopoulos, op. cit., p. 13; Fortescue, op. cit., p. 366; Qazaqiyya, op. cit., pp. 78-79.

²⁶ Runciman, The Crusades, Vol. II, The Kingdom of Jerusalem and the Frankish East, pp. 467-468.

The fate of the Christian communities under Mamluke rule was generally precarious.²⁷ "The anti-Christian feeling engendered by the Crusades was now channelled to the indigenous Christians."²⁸ Whenever the Mamlukes were in conflict with the Christian west, their Christian subjects felt the repercussions. This, however, did not prevent Christian pilgrims from coming to the Holy Land. It became more and more difficult for the Jerusalem Patriarch to communicate freely with the Ecumenical Patriarch at Constantinople and led to many hardships on the part of the Patriarch, his hierarchy, priests, and community.

The most important development in the Patriarchal See of Jerusalem during the period of Mamluke rule, was that it took on a more predominantly Arab or local character. The hardships suffered by the Christians, particularly towards the latter part of the Mamluke period made it more and more difficult for Greeks or other non-local monks and prelates to live in the area. So that until shortly after the Ottoman occupation of the area

²⁷The Mamlukes were the slave dynasty which replaced the Ayyubid dynasty of Saladin and his successors in 1250.

²⁸Philip K. Hitti, Lebanon in History (2nd.ed.; London: Macmillan & Co., Ltd., 1962), p. 324.

in 1516, most of the Patriarchs were Arabs or Syrians, of the local population, elected by the local priests and the local higher clergy.²⁹

With the passing of Syria and later Egypt under Ottoman rule in 1516, the three ancient Patriarchates of Alexandria, Antioch and Jerusalem, were again united under the same political regime with the Ecumenical Patriarchate of Constantinople, and were incorporated into the Ottoman system of administration. The Ottoman rulers took over the general Islamic principle regarding the legal status of non-Moslem subjects in a Moslem state, and developed this into the complicated millet system in the administration of the large non-Moslem communities in their Empire. Each of the considerable bodies of their non-Moslem subjects were placed by the Sultans

²⁹ Anton Bertram and J.W.A. Young, The Orthodox Patriarchate of Jerusalem, Report of the Commission (London: Humphrey Milford, 1926), p. 56; Fortescue op. cit., p. 367, referring to the Ottoman period, states: "The patriarchs were all Greeks. Originally under the Egyptian rule, they had been Arabs, taken naturally from the native clergy of Palestine". Dowling, op. cit., pp. 55-61. On page 61, he states: "In a booklet entitled Palestine, Hellenism and Clericalism, by Frank Karsal, Constandrus I, Patriarch of Constantinople, is quoted as writing: "After the dispersion of the Crusaders until A.D. 1534, all the Patriarchs of Jerusalem who preceded Germanus were Arabs, appointed by the local priests and the higher clergy".

under the control of its highest religious head and hierarchy. "Such a community was called in Ottoman usage a millet and the officer responsible to the state for its administration was entitled Millet-basi".³⁰ Proceeding yet further with the same principle, the Ottomans granted even greater measures of self-government and privileges to non-Moslem foreigners residing within the Empire under what came to be known as "the Capitulatory system". By 1740 France's capitulatory privileges had come to include a guardianship over European Catholicism in the Ottoman Empire and a right to protect Ottoman Christians, especially Catholics in the Asiatic provinces of the Empire.³¹ Russia's capitulatory privileges were stipulated in a special treaty. Her later claim to the protection of all Orthodox subjects of the Sultan was based upon a liberal interpretation of articles 7 and 14 of the Treaty of 1774.³²

³⁰ H.A.R. Gibb and Harold Bowen, Islamic Society and the West, Vol. I, Part II (London: Oxford University Press, 1965), pp. 212-213.

³¹ Nasim Sousa, The Capitulatory Regime of Turkey (Baltimore: The John Hopkins Press, 1933), pp. 52-82; J.C. Hurewitz, Diplomacy in the Near and Middle East, Vol. I (Princeton: Van Nostrand Co., 1956), p. 24.

³² Hurewitz, op. cit., I, pp. 54-61 ff, gives the full text of the treaty.

After the Ottoman conquest of Syria, and upon the application of the Patriarch of Jerusalem, the Sultan Salim I confirmed the Patriarchate in its ancient privileges. The Patriarch was recognized as the local head of the Orthodox community in the area of his jurisdiction. His election to office was confirmed by the Ottoman Sultan by means of a berat. Each new Patriarch of Jerusalem had his accession to the Patriarchal throne approved and recognized by a berat.³³

It was during the four centuries of Ottoman rule that the Patriarchate of Jerusalem by a gradual and almost inevitable development, became more and more Greek in character, and assumed the form it still retains to the present day, as an active institution with a "monastic character".³⁴

From the sixteenth century onward, the Patriarchate became involved in a series of continuous struggles with the Latins, mainly the Franciscans, and with the

³³George Young, Corps de Droit Ottoman, Vol. II (Oxford: The Clarendon Press, 1905), p. 1.

³⁴Bertram and Young, op. cit., pp. 62 and 252.

Armenians over rights of guardianship to the Holy Places.³⁵ The struggle with the Latins did not abate until after the Crimean War (1854-1856). It was while the controversy was raging that Sultan Abdel Majid issued a firman (or decree) in 1852, which became the first formal declaration of the policy of the status quo in the Holy Places. This regularized the claims of the various parties concerned with regard to the guardianship of the Sanctuaries, and it was later endorsed in Article 62 of the Treaty of Berlin of 1878.³⁶

From about the middle of the seventeenth century until 1867, the Jerusalem Patriarchs were non-resident while living in Constantinople in a palace purchased for the Patriarchate in the Phanar Quarter. During this period, the Patriarchs though they did not permanently reside in Jerusalem, frequently visited it.

³⁵For a detailed account of the Armenian claims and struggle for rights in the Holy Places, see: Avedis K. Sanjian, The Armenian Communities in Syria under Ottoman Dominion (Cambridge, Mass.: Harvard University Press, 1965), chap. VII. In connection with the problem as a whole see: Collin, La probléme juridique des Lieux-Saints (Cairo: Centre d'Etudes Orientale, 1956), and Meschopoulos, op. cit..

³⁶Raymond Janin, Les Eglises orientales et les rites Orientaux (Paris: Maison de la bonne presse, 1922), p. 205.

Their permanent residence was at the capital.³⁷ Another important development at this time was that from 1661 for nearly two hundred years the Patriarchs of Jerusalem, were actually elected at Constantinople. The electoral Synod used to comprise leading members of the Greek community at the capital as well as the Princes of the Danubian principalities when these were present, the Ecumenical Patriarch, Metropolitans of the Ecumenical See, "together with representatives of the monastic clergy, office bearers of the See of Jerusalem, and representatives of the Turkish Government".³⁸ Often a Patriarch nominated a successor during his lifetime.³⁹ In 1843, following a bitter ecclesiastical dispute, it became the custom again to elect the Patriarch in Jerusalem.⁴⁰ The custom of nominating a successor was continued until 1875 when the Ottoman Government issued new Regulations for the Patriarchate of Jerusalem, which provided for the method of electing a new Patriarch. From the 1860's onward the Patriarchs

³⁷Dowling, op. cit., p. 16; Anton Bertram and Harry Charles Luke, Report of the Commission Appointed by the Government of Palestine to Inquire into the Affairs of the Orthodox Patriarchate of Jerusalem (London: Humphrey Milford, 1921), p. 167.

³⁸Ibid., p. 168; Bertram and Young, op. cit., p. 64.

³⁹Ibid., p. 64; Bertram and Luke, op. cit., p. 169.

⁴⁰Ibid., pp. 243 ff.; Frederick J. Bliss, The Religions of Modern Syria and Palestine (Edinburgh: T. & T. Clark, 1912), pp. 53-54.

once more resided in Jerusalem.⁴¹

The monastic character which the Patriarchate came to acquire during this period of Ottoman rule involved the subordination of the local Arabic-speaking community. The situation in the Church of Jerusalem at this time came to be that while the large majority of the lay community were Arabic-speaking and identified in sentiment with the Arabic-speaking population around them, the higher clergy were exclusively Greek. The subordination of this Arabic-speaking community was supposed to be compensated for by a system of pastoral administration under which the community received benefactions but had no rights or responsibilities. This situation was accepted for many generations, but in the latter part of the nineteenth century, it came to be resented and was repudiated. This resentment manifested itself in a violent outbreak which took place in connexion with the deposition of Patriarch Cyril II in 1872.⁴² In the mind of the ruling body of the Church, this eruption was somehow confused and identified with the tensions and antagonisms which had developed between the Hellenic and Slavic elements in the Orthodox Church in

⁴¹Dowling, op. cit., p. 15.

⁴²Bertram and Young, op. cit., p. 253.

the nineteenth century. This antagonism reached a climax over the Bulgarian question. Cyril was deposed because he declined to join the other Patriarchs in excommunicating the Bulgarians who had declared their independence from the jurisdiction of the Ecumenical Patriarch in 1870.

The local community and Russophiles in the Patriarchate of Jerusalem refused to recognize the new Patriarch, Procopios. In 1875, with a view to a subsequent Patriarchal election, a Fundamental Law for the Jerusalem Patriarchate was hurriedly drawn up and enacted by the Ottoman Government. As a result of further protests made by the local community, the new Patriarch Hierotheos in 1875, in a letter addressed to the Ottoman authorities granted what was considered a "Constitution." This constitution recognized three things:

- 1) The right of the local community to a Mixed Council for the purpose of the administration of education and other services.
- 2) The right of the establishment of Local Councils in the local centers.
- 3) The unrestricted right of admission to the monastic Confraternity of the Holy Sepulchre.⁴³

⁴³ Ibid., pp. 253-254.

However, none of these provisions was carried out, and relations between the Patriarchate and the community remained strained until 1908.

In 1897, Damianos was elected Patriarch of Jerusalem. He had a long and troubled pontificate, (1897 to 1931). His troubles began after the Turkish Revolution of 1908, and the proclamation of a Turkish Constitution. Upon the announcement of the Constitution, the local Orthodox laity of Palestine, purporting to act upon Article III of the Constitution, presented to the Patriarch in October 1908, a series of demands including a demand that they should take part in the administration of their Church by means of a Mixed Council of ecclesiastical and lay members; that there should be more resident bishops and better educational facilities.⁴⁴ In December 1908, the majority of the members of the Synod and of the Brotherhood of the Holy Sepulchre, (the ruling institution in the Church), decided to depose the Patriarch on the ground of his supposed want of vigour in resisting the demands of the laity. The news of the deposition resulted in another violent outbreak on the part of the laity in Jerusalem

⁴⁴Ibid., p. 31. Bertram and Luke, op. cit., Appendix C, pp. 250-251, give the provisions of Article III of the Constitution.

and many other parts of Palestine. The Ottoman authorities at first hesitated to recognize the deposition of Damianos, who disputed the right of the Synod to depose him. However, the Government eventually recognized the newly elected Topeteres or locum tenens, an act which amounted to recognition of the deposition. But as the Topeteres soon died, and in view of the serious local situation, the government brought strong pressure to bear on the Convent to revoke the resolution of deposition, which it did. A reconciliation between the Patriarch and his Synod and the Brotherhood followed. But the tumult of the laity continued. Both the laity and the Patriarch now sent deputations to Constantinople and finally in May 1910, the Turkish Government imposed a settlement directing the establishment of a Mixed Council and of Local Councils, and took note of the renewed Patriarchal assurance that the doors of the Confraternity were open to receive local members.⁴⁵ There were further disputes and difficulties, but a Mixed Council was finally set up in 1914. The troubles of Patriarch Damianos, both with his Synod and the Brotherhood, and with the local community were not over. They were renewed after

⁴⁵Ibid., pp. 26-28. Bertram and Young, op. cit., Appendix F, pp. 318 ff, give the full text of the Turkish Order of 1910, in which all these provisions and rulings are embodied.

the war, the first crisis being his second attempted deposition in 1918. But this forms part of the later discussion.⁴⁶

III

"The Orthodox Patriarchate of Jerusalem is, strictly speaking, the only Patriarchate in the Holy City, according to the original significance of the word."⁴⁷ The Patriarch bears the title of "the Most Blessed and Holy Patriarch of the Holy City of Jerusalem and all Palestine, Syria, Arabia beyond Jordan, Cana of Galilee, and Holy Sion."⁴⁸ He resides in the Patriarchal building near the Great Convent in Haret Deir Er-Rum, not far from the Church of the Holy Sepulchre. He also has residences in the new city and elsewhere in the country.

The governing body of the Church is the Holy Synod, composed of Bishops and Archimandrites under the Presidency

⁴⁶For a full account of the events of 1908 and the years following, see: Qazaqiyya, op. cit., pp. 189-235; Bertram and Luke, op. cit., Appendix C, pp. 250-278.

⁴⁷Bertram and Young, op. cit., p. 79.

⁴⁸Portescue, op. cit., p. 370; Dowling, op. cit., p. 17.

of the Patriarch. The Bishops of the See have come to be purely titular with no actual diocesan responsibility, "except in a limited degree the two Metropolitans of Ptolemais and Nazareth," who have responsibility for definite Dioceses.⁴⁹ The higher clergy of the Patriarchate are recruited exclusively from among the members of the Brotherhood of the Holy Sepulchre.

The Confraternity or Brotherhood of the Holy Sepulchre is the most ancient and powerful institution of the Patriarchate. Its President is the Patriarch himself, and its principal function is to act as the guardian of the sacred shrines. For many centuries after the Arab Conquest the Confraternity had a strong local Orthodox Arabic-speaking element within its essentially Greek character. During the Ottoman rule the Greek character and composition of the Confraternity was greatly strengthened. During this period too, it took upon itself the rule of the whole Church, and the Patriarchate thus assumed what came to be called a "monastic character."⁵⁰ The principal monastery of the Brotherhood is the Central Monastery known as the Convent of St. Constantine which is also the headquarters

⁴⁹ Bertram and Lake, op. cit., p. 56.

⁵⁰ Bertram and Young, op. cit., pp. 252-253.

of the Brotherhood. In it is situated the Patriarchal library with its valuable manuscripts, the printing press, and the offices of the journal Nea Sion.⁵¹ About twenty members of the Brotherhood live day and night in the Church of the Holy Sepulchre.

In addition to the Central Monastery, there are a number of dependent monasteries, including the famous Monastery of St. Saba and monasteries of the Jordan Valley. Most of the other monasteries are empty except for the monk or two who live in them for the sake of maintaining them. "In addition to these dependent buildings outside Jerusalem, there are buildings which are referred to as 'monasteries' in all parts of the country. The only resident of these monasteries generally is the Patriarchal representative for the district."⁵²

Outside of Palestine there are a number of foreign establishments, not less than nineteen in number, where representatives of the Patriarchate were maintained, at least until the World War of 1914. These are known as metachia

⁵¹The publication of Nea Sion commenced in January 1904. It is a bi-monthly Greek ecclesiastical magazine.

⁵²Bertram and Young, op. cit., p. 87.

and included the metachia established at Constantinople, Moscow, Athens, and elsewhere.

Until the outbreak of war in 1914, the Patriarchate supported numerous educational institutions in Palestine and Transjordan, including a High School at Jerusalem, a Commercial School at Jaffa, and elementary schools in all parts of the country. Its most outstanding educational institution was the distinguished Theological Seminary at the Convent of the Holy Cross near Jerusalem, which had an admirable library, and maintained a high standard of scholarship.⁵³ The language of instruction was Greek, so that few of the children of the local community could benefit from the institution. The College was originally opened in 1855 by Patriarch Cyril II. After having been three times closed, it was re-opened by the Patriarch Gerasimus in September 1893, but was again closed in the troubled period before the First World War.

The Patriarchate also maintained a hospital and a Pharmacy or dispensary in Jerusalem, and was responsible

⁵³For a detailed description of the seminary and the high standard of education it maintained, see: E. Montmasson, "L'ecole theologique de Sainte-Croix a Jerusalem," Echos d'Orient, XI (1908), 27-35.

for other charitable works.⁵⁴

The funds required for the expenses of the Patriarchate were, until the War of 1914, derived from local endowments; from the revenues of valuable lands in Russia, various parts of Greece, and the Ottoman Empire; from the gifts of generous donors; and from the generous contributions of pilgrims, mainly Russian. With the loss of the revenues from Russia and the contributions of the thousands of Russian pilgrims, the income of the Patriarchate has been greatly reduced. This, together with the financial difficulties and losses maintained during the period of the First World War, led to an acute financial crisis in the affairs of the Patriarchate after the war. The financial crisis became involved in the general developments which led to the second attempted deposition of the Patriarch Damianos in 1918.

⁵⁴These included the bi-weekly doles of bread to widows, house rents to the Jerusalem community, payment of the military tax for each male adult, and the support of the churches and local parish priests, (meagre as the amounts spent on the churches and priests were), throughout Palestine and Transjordan. See Dowling, op. cit., p. 43.

CHAPTER II
THE EFFECTS OF NINETEENTH CENTURY
FOREIGN MISSIONS ON THE ORTHODOX COMMUNITY
IN PALESTINE

There were many important incidents and changes in the life of the people of Syria¹ in the nineteenth century. During this period direct Ottoman administration was replaced for about ten years by the rule of Mohammad Ali and his son, Ibrahim, (from 1831-1840). It was a period when the European powers intervened directly in the life of the area, at first by helping the Ottoman authorities expel Mohammad Ali from Syria in 1840; and then by taking part in the conflict and controversy over Christian Holy Places in Palestine between the Orthodox and the Latins, thus precipitating the Crimean War in 1845. Later, in the 1860's, the European powers intervened directly in behalf of the Christian communities following the massacres in the Lebanon and Damascus. They helped establish the special status of the Lebanon as an autonomous Mutassarifiyya (or district) of the Empire. During this period, too, Syria, and

¹The term "Syria" as used here and in the following pages denotes the whole of geographic Syria, i. e. the areas of Lebanon, Palestine, Jordan and Syria proper, unless otherwise specified.

particularly the Christian communities there, were exposed not merely to political ideas and intervention from the west, but also to the penetration of western cultural and religious influences brought in most directly through the renewed activity of Christian missionaries. The opening up of the area to greater economic exchange and trade with Europe, and the immigration of considerable numbers of the population (mainly Christians) to western lands, were also important channels for the penetration of western ideas. Through these channels, England, France and Russia, and later Germany and Italy, attempted to extend their influence in Syria and to advance their special interests.

The Ottoman Government, on its part, in an attempt to safeguard the integrity of the Empire in the nineteenth century, and to check European intervention in its affairs (particularly in behalf of its Christian subjects) embarked on a program of reforms known as the Tanzimat. The Tanzimat lasted from 1839 to the proclamation of the Ottoman Constitution in 1876. These reforms proclaimed the equality of all Ottoman subjects before the law and altered the legal status of the dhimmi (the Christians and Jews) within the Empire. They inaugurated a period of administrative reorganization, and generally brought greater order and security.

Hence, the Christians of Syria witnessed in the nineteenth century a revolution in two fields: in their own position, and in the interest of Christendom in Syria, and particularly in Palestine as a Christian Holy Land. This interest manifested itself largely in the establishment of numerous Christian missions and philanthropic organizations in the area. Catholic missionaries were not new to Syria; but the Protestant missionaries who came in the nineteenth century, and the Russian Orthodox ecclesiastical and philanthropic organizations which were established in Palestine, were new.

The first Protestant missionaries to appear in Syria in the nineteenth century were English and American. Their aim, as they stated it, was to reform the Eastern Churches and to convert Moslems and Jews.² The work of Protestant missions in Palestine did not become firmly established until after an Anglican Bishopric was established in Jerusalem in 1841

²These were missionaries of the Church Missionary Society, the London Society for Promoting Christianity Among the Jews, and the American Board of Commissioners for Foreign Missions. See: A.L. Tibawi, British Interests in Palestine, 1800-1900 (London: Oxford University Press, 1961), p. 21; Rufus Anderson, History of the Missions of the American Board of Commissioner for the Oriental Churches, Vol. I^a (Boston: Congregational Publishing Society, 1872), p. 10.

under combined British and Prussian auspices.³ The first Anglican Bishop to Jerusalem was Dr. S. Alexander. He was succeeded in 1846 by Samuel Gobat, a Swiss, who had previously served the Church Missionary Society in Abyssinia. Bishop Gobat held the See from 1846 until 1879. During this time he undertook extensive educational and medical work. He realized that direct work among the Moslems was almost impossible and therefore directed his efforts to raise the level of education and spirituality among the Eastern Christians. When he died schools for the education of Arab children had been established in at least ten different centers. In Jerusalem, a Diocesan School was opened in 1852, which later became the Bishop Gobat School.⁴

In addition to English missionaries, Bishop Gobat secured German missionaries and a number of German Pastors

³Handbook of the Anglican Bishopric in Jerusalem and the East (Jerusalem: by the Bishopric, 1941), p. 4. The Prussian King hoped by this expedient to improve the conditions of the Christians in the Holy Land, and entertained hopes of restoring the unity of the Church. The English wished to signify their position as a Christian power vis-a-vis the Porte; and the Anglican Church desired to establish relations with the Orthodox and other Eastern Patriarchates.

⁴Ibid., p. 8.

and lay workers. Among these was Mr. Ludwig Schneller, who in 1860 started an orphanage for girls and boys in Jerusalem. It was named the Syrian Orphanage but locally was known as Schneller's School.⁵ When, late in the century, Emperor William II of Germany made his historic trip to Jerusalem, the work of German missions and religious orders, both Protestant and Catholic was greatly enhanced.

The activities of the Protestant missionaries and the churches and schools they established did not proceed without opposition from the Orthodox and Catholic communities. In 1851 troubles, instigated by the Orthodox in Salt, (Jordan), broke out. In 1852, it was the Catholics who attacked the Church Missionary School in Nazareth, and in 1855, the Catholics burnt Protestant books in the church yard and attacked the missionaries in their homes.⁶ In Nablus, members of the Orthodox community attacked the Mission in 1853. The opposition of the Orthodox authorities and communities abated when cordial relations were re-established by later Anglican bishops with the Eastern Churches, and a sincere effort was made not to accept members

⁵Ibid., p. 12.

⁶Ass'ad Mansour, Tarikh an-Nasira (Cairo: by the author, 1923), p. 85.

of the other Christian denominations into the Anglican Communion.

It was partly to combat the influence of Russia as champion of the Orthodox in the Ottoman Empire, and partly due to the establishment of an Anglican Bishopric in Jerusalem, that the Latin Patriarchate was revived in 1847,⁷ and Mgr. Joseph Valerga took up residence in the Holy City.⁸ Upon his arrival in Jerusalem, the Patriarch started widespread educational activity for the Catholic and Uniate communities in Palestine and the rest of Syria. By the end of the century, the Catholics had established in the country thirty different orders, brotherhoods and associations. These represented the various Catholic countries of Europe: France, Austria, Spain, Italy, Germany and others. The Catholic orders operated six higher schools, forty-six day schools, sixteen orphanages and four industrial

⁷Theofanis G. Stavrou, Russian Interests in Palestine 1882-1914 (Thessaloniki: Institute for Balkan Studies, 1963), p. 29; Shehadeh Khoury and Nicola Khoury, Khulasat Tarikh Kanisat Uroushalim al-Orthodoxiyya (Summary History of the Church of Jerusalem) (Jerusalem: Bayt al-Maqdess Press, 1925), p. 194.

⁸Tibawi, op. cit., p. 170. The Latin Patriarchate was first established at the conquest of Jerusalem by the Crusades in 1099. With the expulsion of the Crusades from the Levant, the Latin Patriarchate of Jerusalem was allowed to lapse and was not revived until 1847.

schools. These included the excellent boys' schools run by the Brothers of Christian Schools (the Frères Schools).⁹

Russia was the third Christian power to establish herself impressively in Palestine in the nineteenth century. Russian pilgrims had been coming in steadily increasing numbers to the Holy Land since the beginning of the nineteenth century. It was partly to provide for the welfare of these pilgrims; partly to increase Russian influence in the Ottoman Empire through strengthening the Orthodox in Palestine; and partly to counter-act Catholic influence under French protection, and Protestant missionary activity in the area, that the Russian Government decided to establish a Russian Ecclesiastical Mission at Jerusalem.¹⁰ The first Russian Ecclesiastical Mission was set up in 1847. It was headed by Archimandrite Porfiri Uspenski, who was sent to Jerusalem in 1842 to report on the situation of the Orthodox Church, the Patriarchate of Jerusalem and the local community.¹¹

⁹ Julius Richter, A History of Protestant Missions in the Near East (New York: Fleming H. Revell Co., 1910), p. 55.

¹⁰ Stavrou, op. cit., p. 41.

¹¹ Ibid., op. cit., p. 33; Qazaqiyya, op. cit., pp. 168-169; James Finn, Stirring Times or Records From Jerusalem Consular Chronicles of 1853 to 1856, Vol. I (London: C. Kegan Paul & Co., 1878), p. 81. Mrs. Finn in Reminiscences of Mrs. Finn (London: Marshal, Morgan & Scott, Ltd., 1929), p. 107, describes Uspenski as follows: "Hitherto the Greek Convent had acted for Russia in all transactions; but now there arrived a Russian "Archimandrite", an ecclesiastical dignitary of high rank. He was a very highly educated and interesting man, and he wore magnificent decorations and jewels on his breast."

Uspenski's aid was often sought by the local members of the Orthodox community in Palestine when these despaired of receiving redress to their grievances from the higher Greek dignitaries of the Church. So that, in addition to caring for the needs of Russian pilgrims in Jerusalem, Uspenski became the champion of the local Orthodox community, and espoused their grievances against the Patriarchate.¹² However, in 1848 Catholic-Orthodox rivalry, which was heightened

¹² P. Deplaisan, "La Politique russe dans la Palestine et la Syrie," Echos d'Orient, IV (1900-1901), 202-212, 275-282; Abdel-Ahad Shafi, Lamha Tarikhiyya fee Akhawiyyat al-Qabr al-Muqaddas al-Yunaniyya (A Historical Glimpse into the Greek Brotherhood of the Holy Sepulchre) (no city, no date) (first edition is believed to have appeared early in the 1890's and was published by Jirjius Abdallah al-Issa), pp. 70-79. It appears that Deplaisan bases much of his information on this work. In the pages cited, Shafi gives the following excerpt taken from Uspenski's Diary, of a conversation conducted between Uspenski and the Patriarchal Delegate, Archimandrite Meleteos, on June 23, 1844. It is illustrative of the attitude of the Patriarchate towards the local community and the parish clergy.

Meleteos: "We do not allow Arab priests to approach Us because this would derogate from Our episcopal dignity. As for their requests, the dragoman acquaints Us with them."

Uspenski: "This is the first time in my life that I hear it said that the approach of a priest is derogatory to episcopal dignity. My lord, what mean these words?"

Meleteos: "We do not understand their language."

Uspenski: "Why not learn it? But let it be! But why not allow the dragoman to set out the requests of the native priests in their own presence?"

Meleteos: "This is impossible! We cannot introduce new customs."

by the presence of a Latin Patriarch in Jerusalem and a Russian Ecclesiastical Mission, developed into an international crisis over rights and keys to the Holy Shrines in Jerusalem and Bethlehem. The crisis led to the outbreak of the Crimean War in 1854, and to the closing down of the first Russian Ecclesiastical Mission in Jerusalem on May 7, 1854. After the Paris Peace Treaty of 1856, Russia felt that it had lost prestige in the Levant and embarked on a vigorous renewal of activity in the area under cover of religious interests.

In 1858, a Russian Consul took up residence in Jerusalem,¹³ and in 1859, the Grand Duke Constantine came to Jerusalem, at the time of the pilgrimage, to observe conditions for himself. As a result of his visit, Russia acquired a historic spot near the Church of the Holy Sepulchre, and an extensive area of land outside the Old City, north-west of the Jaffa Gate, (the area then known as the Meidan).¹⁴ On

¹³Tibawi, op. cit., p. 174.

¹⁴According to Mrs. Finn, op. cit., pp. 168-169, there was great astonishment at Jerusalem when it was learned that Russia had acquired the area of land outside the walls of the Old City - "the only Government public land near Jerusalem" which "commands the city at its north-west corner."

this land hostels and a hospital for the Russian pilgrims were built in addition to a Cathedral Church, residence for the Russian Consul, and a home for the Russian Ecclesiastical Mission with a private chapel and accommodations.¹⁵ Later, establishments in Nazareth, Jaffa, Haifa, Ramallah, Ein Karen, Beit Jala, and other places in Galilee and elsewhere were also built, and the Russians came to be extensive owners of land throughout the country.¹⁶ But it was largely through Russian influence that a new and critical issue arose within the Orthodox Patriarchate of Jerusalem. The coming of the Second Ecclesiastical Mission revealed a new departure in Russian policy in Palestine. Whereas attempts so far had been made to work in cooperation with, and through the Greek hierarchy of the Patriarchate in Jerusalem, Russia now seemed to be following a policy of ignoring the Greek element in the Church, and directing its attention to the local Arab (or Arabic-speaking) Orthodox community.¹⁷ It was at this time that Russian activity brought into focus the frictions between Russian expansion

¹⁵According to James Finn, *op. cit.*, I, p. 80, Russia had obtained a promise that permission would be given to build a Russian Church, hospital, hospices and other establishments, from the authorities in Jerusalem as early as 1853. But it was not until after the Peace Treaty of 1856, that this was effected.

¹⁶Stavrou, *op. cit.*, p. 42.

¹⁷Ibid., p. 43.

in the Orthodox East and receding Greek influence shielded by the Orthodox Patriarchates. "As Russian Pan Slavism assumed greater proportions, it came into conflict with Panhellenism."¹⁸

The conflict between Russian sponsored Pan Slavism and Panhellenism, fanned to flame by the Greek War of Independence, reached a crisis over the Bulgarian question in 1872. Patriarch Cyril of Jerusalem was deposed by the Brotherhood of the Holy Sepulchre and the Synod at Jerusalem, because he refused to join the other Patriarchs in excommunicating the Bulgarians. The local Orthodox community rose in support of the Patriarch. Their sympathies were with the Bulgarians whom they recognized as a race suffering under a common grievance, as themselves, mainly Hellenic predominance in the Church.¹⁹ The members of the community in Palestine began to air their grievances over the whole field. One of their main complaints was that they received no educational opportunities and very little pastoral care from their own Church. The crisis did not end until after the election of Patriarch Hierotheos who promised the lay

¹⁸ Ibid., p. 46. For another good discussion of Russian policy in Palestine and Syria during the nineteenth century, see: Deplaissan, op. cit.

¹⁹ Bertram and Young, op. cit., p. 26.

community a "Constitution" in 1875. The promises made by Patriarch Hierotheos were never carried out and matters simmered until the Turkish Revolution of 1908 and the crisis which followed it in the Jerusalem Patriarchate.

After the Congress of Berlin in 1878, it became apparent that if Russia hoped to increase her cultural influence in the Near East, it was necessary to set up a new organization for the purpose. The answer was the creation of the Orthodox Palestine Society. The persons responsible for its creation were Vasili Khitrovo, an official of the Tsarist Government who visited Palestine in 1871 and 1880, and the Grand Duke Sergei, who in 1881, made the journey to the Holy Land accompanied by his brother, Paul, and his cousin, Constantine. On the basis of their observations of the situation in Palestine, it was decided to form the Society.²⁰ The aims of the Society were outlined in its constitution:

The Orthodox Palestine Society is founded exclusively for scientific and charitable purposes for the attainment of which it endeavours:

- (a) to collect, elaborate on, and propagate in Russia news about the Holy Places of the East;
- (b) to render assistance to the Orthodox pilgrims to these places;

²⁰ Stavrou, op. cit., pp. 57-64, 68-69.

- (c) to found schools, hospitals, hostels and simultaneously render material aid to the native citizens, monasteries and clergy.²¹

So efficient and successful was the work of the Society in all three fields of its activity, that in 1889, Tsar Alexander III officially recognized it as the representative of Holy Russia in the Orthodox East, and its name was changed to that of the Imperial Orthodox Palestine Society.²²

In its endeavors to support Orthodoxy in Palestine, the Society built on the work begun by the Ecclesiastical Mission. Despite Greek hostility to its activity, the Society went ahead with its educational program. However, as Greek opposition to the Society's activity increased, and after 1895, the Society was forced to concentrate its efforts more in the north, in the area under the jurisdiction of the Patriarchate of Antioch. In 1902 the schools of the Society were officially recognized by the Ottoman Government, and by the outbreak of the War in 1914, their number had reached over a hundred in the whole of Syria.²³ In Palestine, alone, there were four schools in the

²¹Ibid., p. 76.

²²Ibid., pp. 115, 126.

²³Ibid., pp. 187-189; Dowling, op. cit., p. 68.

Jerusalem area and eighteen in Galilee.²⁴ These included two teacher training schools of a high standard, one for men in Nazareth, which was established in 1888, and one for women in Beit Jala, which was completed in 1890.²⁵

The transfer of the Society's activity to the area of the See of Antioch, helped crystallize the issues on which the Greeks viewed the Society with suspicion. The Society supported the movement among the Orthodox Arab community to regain control of the Patriarchal throne of Antioch which the Greeks had monopolized for the past one hundred and fifty years. However, it would be wrong to assume that this movement was the result of Russian intrigue only. Like the Orthodox community in the Patriarchate of Jerusalem, the Orthodox community in Syria had real grievances against the Greek hierarchy and Greek domination of the Patriarchal throne. Besides, the various educational and cultural influences in the area in the nineteenth century had helped awaken national sentiments among members of the community, and a desire for more effective participation in the administration of the Church. This desire had

²⁴ "The Imperial Orthodox Palestine Society," Al-Mahabba, IV (1902), 343.

²⁵ Stavrou, op. cit., pp. 114-116, 162.

been heightened after the proclamation of the Ottoman Imperial Rescript, the Khatti Humayoun of 1856 which laid down that each community should be given a constitution allowing due weight to the voice of the laity in the administration of the Church. Such a constitution had been drawn up for the Patriarchate of Constantinople, and a Mixed Council of ecclesiastical and lay members had been created. No such constitution was at the time drawn up for the Patriarchates of Antioch and Jerusalem.²⁶ Russian support may have helped the movement for Liberation from Greek domination in the See of Antioch attain its end, which was the election of an Arab Patriarch, Meleteos Doumani, to the Patriarchal throne in 1899. But probably such an end would have been eventually attained even without Russian influence and support.²⁷ The prolonged attempts of the Arab Orthodox community in Palestine to gain a greater share in the administration of Church affairs in the years following the crisis of 1908, were not as successful.

²⁶ Young, op. cit., II, pp. 12-34.

²⁷ For a study of the incidents in the See of Antioch, see: Bishop Elias Kurban, "Al-Azama al-Batriarkiyya al-Antakiyya al-Orthodoxiyya min Sanat 1891-1899" (The Antiochian Orthodox Patriarchal Crisis from 1891-1899) (unpublished Master's thesis, Department of History, American University of Beirut, 1954). Also see: Bliss, op. cit., pp. 66-70.

The various Christian missions which were established in Palestine in the nineteenth century did much to improve the general welfare of the Christian communities in the Holy Land. Their major efforts were directed to the field of education, although the medical and other facilities they offered were as significant and beneficial. In most cases, the educational program of the missionaries was offered to the whole population, but it was mainly the Christians who took advantage of it. As the Orthodox community in Palestine was by far the largest of the Christian communities in the area, it was the members of this community who were most affected by the results and consequences of the missionary activity.

As a result of the many schools established by the various missions in Palestine, education became more widespread among the Christian communities. The minds of the people in the area were opened to new cultural influences, new learning and new ideas. By the end of the century, a small educated class of people, including men of professions, had come into being, and these began to demonstrate a new spirit of responsibility in the affairs of their communities.

Another result of missionary activity in Palestine was that a number of new Protestant Churches and denominations, (even though very small in number), were inevitably established, and the membership of the Catholic and Uniate Churches was increased. It was mainly from among members of the Orthodox community that these new converts to Protestantism and Catholicism were made. It was also mainly through the influence of the educational institutions of the Protestants and Catholics, and also due to the situation in the Orthodox Church that members of the Orthodox Community left their Church and joined these other Christian denominations. Whereas, the members of the Orthodox Church formed nine-tenths of the total Christian population of Palestine at the beginning of the nineteenth century, by the end of the century they represented only two-thirds.²⁸ It was natural that this situation should create a feeling of resentment among members of the Orthodox community, and great concern to the Orthodox Russian Missions in Palestine, one of whose chief aims was to revive and strengthen Orthodoxy in the Holy Land.²⁹

²⁸ James Parkes, A History of Palestine From 135 A.D. to Modern Times (London: Victor Gollancz Ltd., 1949), p. 242; Stavrou, op. cit., p. 61, quoting Khitrovo gives the figures as follows: In 1840 the Orthodox population was 90% of the Christian population in the Holy Land. In 1880 it was only 67%.

²⁹ This again may be gauged from the writings of Khitrovo as quoted in Stavrou op. cit., p. 60. ff.

The feeling of resentment on the part of the Arab lay community was mainly directed against the Patriarchate and the religious leadership in the Church. Members of the Orthodox community felt that the Church had failed to provide adequately for the needs of the community especially in the field of education.³⁰ As a result, the children of the community had been obliged to seek education at the schools of the Protestants and Catholics, while other members of the community sought various other benefits from these missionaries. The Patriarchate in defence of its stand, argued that the generous donations and endowments which had greatly enriched the Church in the nineteenth century, were made not for the service of the local congregations, but for the maintenance of the Christian sanctuaries in Palestine for the whole of Orthodoxy. This was the whole purpose of the Patriarchate and the special duty of the Brotherhood of the Holy Sepulchre in the Holy Land. These arguments became involved in the national implications inherent in the situation in the Church. The ruling body, (the higher ecclesiastical hierarchy), was a closely-knit Greek oligarchy with a strong national

³⁰This resentment and the continuous demands of the community for better educational facilities for their children within the context of their own Church is reflected in the grievances listed against the Patriarchate and the resolutions taken at the Congresses of the Community after 1918. (See following section).

consciousness, and the large Arabic-speaking lay community was subordinate to this body. It was becoming more and more Arab-nationally conscious as the century proceeded.

When the Russian religious and philanthropic organizations commenced their activities in Palestine in the nineteenth century, they found the situation in the Orthodox Church suited to the furtherance of their interests, although the sincerity of their concern for Orthodox in the Holy Land should not be minimized. The Orthodox lay community in Palestine welcomed the Russian missions. At least they were Orthodox and their activities did not imply the alienation of members of the community from the fold of the Church. The Russians provided something for the needs of the community at a time when the Jerusalem Patriarchate failed to do so adequately.

The Russians, on their part, attempted to increase their influence in Palestine, as elsewhere in the Near East, by supporting and fostering the disaffection of the indigenous Orthodox community from the Greek ruling body in the Church, and against the other missions in the area. This inevitably led to a clash between Panhellenism and Pan Slavism, as supported by Russia. This clash made the position of the local Orthodox community more difficult.

The local lay community in Palestine was willing to receive aid from the Russians, but it had no inclination to replace Greek predominance with Russian predominance.³¹ On the other hand, the clash with Panslavism made the Greek hierarchy of the Patriarchate of Jerusalem view the situation of the local community with less sympathy, and their connections with the Russian missions with suspicion. It made the Greek ruling body more intransigent to the demands of the community and more strongly determined to strengthen and preserve its special position in the Church and its exclusively Greek national composition. The Arab Orthodox community in Palestine thus found itself caught in the web of rivalry and the conflict of interests between the various foreign Christian bodies in the area.

In spite of this, the new educational facilities, the new cultural influences, and the new contacts with western ways which missionary activity introduced into Palestine in the nineteenth century, helped create and mold the new leadership within the lay Orthodox congregations in Palestine. After 1908 this leadership assumed the responsibility for the struggle with the Patriarchate.

³¹Bliss, op. cit., p. 66, quoting a Damascene gentleman who expressed this view; states: "There was no mistaking the note of genuine conviction in the voice of the Damascene gentleman who, . . . - repudiated the idea of subserviency to Russia. "Why change the rule of the Ionians for that of the Russians?". There is no reason to doubt that this was the attitude of the members of the Orthodox community in the area generally.

CHAPTER III

THE COMMUNITY AND THE PATRIARCHATE:

ATTEMPTS AT A SOLUTION, 1918-1948

I

With the establishment of a Mixed Council in 1914, it was hoped that amicable relations between the Community and the Patriarchate would be resumed. But all such hopes were lost as a result of the War.

At the outbreak of War in 1914, the Patriarchate found itself in financial straits. It was cut off from its main sources of income in Russia, Rumania and elsewhere, and there were no pilgrims from anywhere to make generous contributions to the Church. The Patriarchate was therefore forced to borrow large sums of money at a very high rate of interest to meet its expenses, and when the British forces occupied Jerusalem in December 1917, they found "the Church, Convent and Community bankrupt, and saddled with a debt of £ 600,000 almost all contracted by the Patriarch Damianos."¹

¹Ronald Storrs, The Memoirs of Sir Ronald Storrs (New York: G.P. Putnam's Sons, 1937), pp. 427-428. According to Bertram and Luke, op. cit., p. 225, the amount of the debt was about LE 556,000. (At the time, Storrs was Military Governor of Jerusalem).

In November 1917, the Turkish authorities had removed the Patriarch and the whole of his Synod to Damascus. The affairs of the Patriarchate were left in the hands of a Committee of Management of the Brotherhood of the Holy Sepulchre. Soon after the British occupation of Jerusalem, it appears that communications took place between the Committee of Management and the Greek Government. In May 1918, at an extraordinary meeting, the Brotherhood passed a resolution to confide "its fate entirely and unreservedly to the Royal Hellenic Government."² The Greek Government, through its Consul General in Cairo, informed the Committee of Management of its willingness to undertake the reorganization of the financial affairs of the Patriarchate and the Brotherhood through the National Bank of Greece, but that for this purpose, it was essential that some person other than the Patriarch Damianos be placed as head of the Church in Jerusalem.³ Accordingly, on October 2, 1918, at a general meeting of the Brotherhood, it was decided to revive the deposition of the Patriarch of 1908. There were immediate protests against this from the laity,

²J.B. Barron, "The Orthodox Patriarchate of Jerusalem," The Nineteenth Century and After, XCV (1924), 283. Also Bertram and Luke, op. cit., p. 29.

³Bertram and Luke, op. cit., p. 30.

and General Allenby, the British Commander of the area,⁴ after a full examination of the situation first directed that all members of the Synod should be allowed to return from Damascus, and later extended the same permission to the Patriarch Damianos. However, it appears that at the time the Brotherhood were under the impression that the British Government had acquiesced in their policy of appealing for aid to the Greek Government.

The Patriarch returned to Jerusalem early in 1919 in time to officially celebrate the Orthodox Christmas services at Bethlehem. A reconciliation between him, his Synod and the Brotherhood followed, and the attempted deposition was declared a thing of the past. However, differences soon arose between the Patriarch and his Synod over a proposed Greek loan and the adoption of certain new "Internal Regulations," which apparently had been drawn up in Athens. The loan was to come from the National Bank of Greece, with strict control over the property and financial management of the Brotherhood.⁵ The terms of the loan, it appears, were communicated to representatives of the

⁴General Allenby was the British Commander of the Egyptian Expeditionary Force which carried through the campaign in Palestine and Syria against the Ottoman forces during the First World War. Palestine remained under a British military administration until a civil administration was established by the British Government in July 1920.

⁵Bertram and Luke, op. cit., pp. 31-32; Barron, op. cit., p. 284; Qazaqiyya, op. cit., p. 242.

community and parish priests by the Patriarch. These in turn immediately protested to the local authorities. Neither the Patriarch nor the Military administration in Palestine were willing to accept the Greek proposal as it implied the subjection of the Patriarchate and the whole of its financial administration to a foreign bank. In March 1920, the Military Government informed the Patriarch that a loan of this nature from a foreign bank could not be permitted.⁶ Meantime, a moratorium for the debt was declared for an indefinite period of time.⁷

It was at this point that the Synod introduced the request for the new Internal Regulations for the Patriarchate which would have altered the whole Constitution of the Church and destroyed its autocephalous and independent character by admitting the right of a tribunal to depose the Patriarch.⁸ The financial question now became involved in a Constitutional issue within the Patriarchate. The Regulations proposed by the Synod were completely unacceptable to the Patriarch, and as a result there was a deadlock between the Patriarch and his Synod. The situation in

⁶Qazaqiyya, op. cit., pp. 242-243; Barron, op. cit., p. 284; Bertram and Luke, op. cit., pp. 33-34.

⁷Qazaqiyya, op. cit., p. 44; Barron, op. cit., p. 284; Bertram and Luke, op. cit., p. 35.

⁸Barron, op. cit., p. 284.

the Patriarchate became critical, and the first British High Commissioner for Palestine after the establishment of the civil administration, Sir Herbert Samuel,⁹ decided to appoint a Commission composed of Sir Anton Bertram, Chief Justice of Ceylon and Mr. H.C. Luke, the Assistant of the District Governor of Jerusalem, "to inquire into and report on the present controversies between the Orthodox Patriarch and members of his Synod, and to advise the High Commissioner" as to what measures should be taken for the liquidation of the debts of the Patriarchate.¹⁰

The Commission commenced its activities in January 1921, and on March 24, 1921, presented its report to the High Commissioner.¹¹ On the strength of this report, the Palestine Government was able to settle the internal questions

⁹In April 1920, Great Britain was appointed by the Supreme Council of the Allied Powers as Mandatory over Palestine. The mandate for Palestine, embodying the policy for the Jewish national home, was confirmed by the Council of the League of Nations in July 1922, but did not enter into force until September 1923. Meanwhile, the British Government decided to replace the military administration of Palestine by a civil government, pending the final ratification of the mandate and the conclusion of peace with Turkey. The civil government would govern the country under the guidance of the Foreign Office, and later the Colonial office. Hence in July 1920, Sir Herbert (later Viscount) Samuel, was appointed first High Commissioner to Palestine.

¹⁰Bertram and Luke, op. cit., p. V; Barron, op. cit., p. 285.

¹¹The Report was published in 1921 and is the work cited as "Bertram and Luke" throughout this thesis.

in the Synod and to establish a control over the finances of the Patriarchate by means of a Commission which was set up in accordance with The Orthodox Patriarchate Ordinance, 1921.¹² But the Commission, whose membership was constantly changing achieved little until it was reconstituted in 1925 and the Treasurer of the Government became its Chairman.¹³ Much of the landed property of the Patriarchate was sold (mostly to Zionist organizations),¹⁴ and a loan was raised, mainly in the United States¹⁵ on fair terms, with the aid of a Government guarantee to pay off most of the creditors. By the summer of 1928, the Commission was able to hand over its work to a non-official Commission which had as its function the administration of those immovable properties of the Patriarchate that were allotted as security for the loan. The Patriarchate took over the management of the rest of its affairs, "but with the benefit of the counsel of an expert adviser if it

¹²Norman Bentwich, England in Palestine (London: Kegan Paul, Trench Trubner & Co., Ltd., 1932), p. 58. For the full text of the Ordinance, see: Government of Palestine, Official (Palestine) Gazette, September 21, 1921; or, Bertram and Luke, op. cit., Supplement to the Report, pp. 326-333.

¹³Bentwich, op. cit., p. 157

¹⁴Attwater, op. cit., II, p. 59.

¹⁵Ibid., II, p. 59.

thought fit to ask for it."¹⁶

The lay community in Palestine and Transjordan had been watching all these events with great concern. As a result of the prolonged and bitter struggle with the Patriarchate prior to 1914, the members of the community had attained one single substantial privilege - a privilege which had been promised them by the Patriarch Hierotheos as early as 1875. This was the establishment of a Mixed Council which was to become the supervising authority for educational and other matters connected with the community, and the Church and its properties. The Council was to consist of twelve members, six of whom were to be of the Monastic clergy, and six of the local community elected from the various districts, with the Patriarch as President having a "casting" vote.¹⁷ However, the Turkish Order of 1910, which made and enforced the establishment of such a Council in 1914, was never given permanent statutory form, and when war broke out the proceedings of the Mixed Council came to an end and were not revived after the war.¹⁸ Now,

¹⁶Bentwich, op. cit., p. 157.

¹⁷To this Council was to be entrusted a third of the annual revenues of the Patriarchate, or a sum not less than LE30,000 in case a third of the revenues should not amount to that sum. See: Bertram and Young, op. cit., Appendix F, citing the Turkish Order of 1910 and Subsequent Elucidatory Orders, pp. 310-321; Qazaqiyya, op. cit., pp. 225-231.

¹⁸Bertram and Young, op. cit., pp. 32 and 154.

with a change of Government in the area, members of the Orthodox lay community in Palestine and Transjordan felt that they had entered upon a new era. They were looking forward to a new life for their country and their community, and were anxious to define their position and responsibilities in the Church, and to regulate their relations with the Patriarchate on a sound basis. They had high hopes that the British Administration in Palestine would show sympathy and understanding towards their peculiar problems and situation.¹⁹

However, no sooner had the Patriarch returned to Jerusalem after the British occupation in 1918, than the apprehensions of the members of the community were roused by the crisis in the Patriarchate. The Brotherhood of the Holy Sepulchre had not only revived the deposition of Patriarch Damianos without consulting representatives of the laity, bringing back bitter memories of 1908, but they had been in actual contact with the Greek Government requesting it officially to take charge of affairs in the Church. The community protested to the British authorities concerning both this and the proposed deposition of the

¹⁹ Interview with Mr. Mikhael H. Tuma, previously President of the National Orthodox Community Council in Haifa, March 8, 1967.

Interview with Mr. Habib Homsî, previously President of the Orthodox Charitable Society in Jaffa and Legal Attorney of the Orthodox Patriarchate in Jaffa, February 7, 1967.

Interview with Mr. Peter Malak, previously President of the Orthodox Youth Club of Jaffa and Vice President of the Union of Orthodox Clubs in Jerusalem, February 20, and March 2, 1967.

Patriarch.²⁰ The British authorities on their part, independently of the views of the community, disallowed the Patriarchate from placing its financial affairs in the hands of a foreign bank. When the Bertram-Luke Commission was appointed to look into the affairs of the Patriarchate in 1921, the newly established Mandatory Government for Palestine recognized the interests of the community in the affairs of the Church by appointing two members of the Orthodox laity as assessors to the Commission in addition to the assessor nominated by the Patriarch, and the one provided to represent the Holy Synod.²¹ Likewise, paragraph 5 (ii) of the Orthodox Patriarchate Ordinance, 1921, establishing the Commission on the Finances of the Patriarchate provided that:

It shall consist of five persons to be appointed by the High Commissioner from time to time, of whom one shall be appointed after consultation with the Patriarch and one after consultation with the lay Orthodox Community.

Also, in order to further regulate the affairs of the Orthodox Church in Palestine and Transjordan, the Palestine

²⁰ Bertram and Young, op. cit., p. 33; Khoury and Khoury op. cit., p. 293.

²¹ See Bertram and Luke, op. cit., pp. v-vi, "Public Notice", concerning the appointment of the Commission. The two lay members appointed were Yacoub Farraj and George Siksek. The Patriarch on his part appointed the Archimandrite Timotheos Themeles, later to succeed Damianos as Patriarch.

Government put strong pressure on the Patriarch in the latter part of 1921, to summon the Mixed Council. But it appears that the Patriarch did not consider that any practical purpose would be served by calling the Council together:

On the 2nd. of December, 1921, he addressed a letter to the Governor of Jerusalem declaring that he accepted in principle the re-establishment of the Mixed Council on the basis of the Turkish Order of 1910, but that for the time being, as long as the debts of the Patriarchate were not settled and its revenues not restored, he and the Synod were of the opinion that the reconstitution of the Mixed Council would, for the moment, serve no useful purpose. When, however, the financial situation of the Patriarchate was restored in such a manner as to render the meeting of the Mixed Council of value, he would be happy to summon it.²²

The Patriarch's declaration was accepted by the Government.

The lay members of the Orthodox community were not reassured. Their suspicions with regards to the intentions of the Synod and Brotherhood had been further aroused by reports of the sale of valuable property belonging to the Patriarchate in Jerusalem and elsewhere prior to the establishment of the Commission of Control.²³ The reluctance of the Patriarch to re-establish the Mixed Council convinced the more thoughtful among them that it was time the

²²Bertram and Young, op. cit., p. 33.

²³Interviews with Tuna and Homsî, previously cited.

community met as a body and attempted to take practical measures to define its rights and position in the Church. They were upset about the general financial situation, particularly in so far as this affected the educational program of the Patriarchate. Not only was the one Orthodox theological seminary in the country for the education of the Church clerics, the Theological School of the Convent of the Cross, not re-opened after the War, but most of the primary schools run by the Patriarchate, with the exception of sixteen, had also remained closed. This meant that most of the children of the Orthodox community had been obliged to attend foreign Protestant and Catholic mission schools and come under influences not of their own Church rite at a tender age.²⁴

With all these considerations in mind, the representative leaders of the Community decided to hold a general congress of the Orthodox lay community at Haifa in July 1923. What gave further impetus to the calling of this congress were the developments at Nazareth.²⁵ There, the Orthodox community had split up into two hostile factions

²⁴ Khoury and Khoury, op. cit., pp. 324-325.

²⁵ Ibid., p. 326; Qazaqiyya, op. cit., p. 252.

over the election and appointment on August 22, 1922 of a new bishop for Nazareth. Archbishop Cleopas was to replace the deposed Metropolitan of Nazareth, Glykerios, who had refused to become reconciled with the Patriarch after the events of 1920-1921, and was living in exile in Egypt.²⁶ One party of the Community in Nazareth supported the appointment of Archbishop Cleopas. The other party which represented the majority, strongly opposed this mainly because the election had not been conducted strictly in accordance with tradition, and because the new Bishop knew no Arabic. "One of the few privileges accorded to the local population by the Regulations of 1875 is that in the two Metropolises of Acre and Nazareth they shall have a bishop acquainted with their own language."²⁷ News of the election produced an immediate storm of protest and a state of local friction arose. The aggrieved party in Nazareth appealed to the local Government, in accordance with accepted custom under Ottoman rule, and sent a protest to the Patriarch. Violent dissension in

²⁶ Khoury and Khoury, op. cit., p. 326. Cleopas, the Archbishop of Dio-Caesarea, was a member of the Financial Commission of Control. The Patriarch, it appears, desired his removal from the Commission. See: Bertram and Young, op. cit., p. 255.

²⁷ Bertram and Young, op. cit., p. 13. (See Appendix A at the end).

the diocese followed.²⁸ Several attempts made at reconciliation between the two parties were to no avail. Many members of the community outside Nazareth began to view the issue as one more example of the trifling of the Patriarchate with local opinion and the regulations in the Church. It was now felt that the time had arrived for the calling of the general congress of the whole community.²⁹ Accordingly, after several meetings held in Jerusalem by prominent members of the lay community, invitations were issued for this purpose on May 30, 1932, and on July 15, the Congress met at Haifa.³⁰ Fifty-four representatives of all factions of the community in Palestine and Transjordan and those residing outside Palestine attended.³¹

²⁸ Ibid., p. 255; Mansour, op. cit., p. 121.

²⁹ Ibid., pp. 121-122; Qazaqiyya, op. cit., p. 252; Khoury and Khoury, op. cit., p. 326.

³⁰ Barron, op. cit., p. 287; Bertram and Young, op. cit., p. 14.

³¹ Khoury and Khoury, op. cit., pp. 329-331; Qazaqiyya, op. cit., pp. 252-253; Iss Sifri, Falastin al-'Arabiyya Bayn al-Intidab was-Sahyouniyya, (Arab Palestine Betwixt the Mandate and Zionism), 2 bks in 1 Vol., Book 1 (Jaffa: Maktabat Falastin al-Jadida Press, 1937), p. 86. It appears that the Congress was deliberately held at Haifa in order that the meetings may proceed free of the pressure and influence of the Patriarch on certain factions and individuals in the community. (Khoury and Khoury, op. cit., p. 326).

The Patriarch appears to have been greatly concerned over the summoning of this Congress, and took immediate steps to rally the support of the Hellenic ecclesiastical world in defence of the Patriarchate. The Archbishop of Cyprus, the Metropolitan of Athens and the Hellenic League of the Holy Sepulchre in Cairo, addressed letters to the British Government emphasizing "the prescriptive rights of the Hellenic Race in the Holy Places."³² At the same time, the Patriarch Damianos addressed a long memorandum to the Government giving the history of the Patriarchate, its activities on behalf of the Holy Shrines, and referring to an article of the Treaty of Berlin of June 22, 1878, declaring that "no alteration whatever could be made in the Status Quo relating to the Holy Places." The Patriarch further explained that in the status quo was included an acknowledgement of the special "Monastic" character of the Patriarchate and its relations with the Arabic-speaking community.³³

³²The Archbishop of Cyprus addressed a memorandum dated July 13, 1923 to the Secretary of State. The Metropolitan of Athens addressed his memorandum on July 21, 1923 to the local Government. Copies of these protests were also addressed to the Foreign office. The Hellenic League in Cairo addressed its memorandum to the Prime Minister of Great Britain. Memoranda are cited in Bertram and Young, op. cit., pp. 14-16.

³³This memorandum of the Patriarch was later printed and published. See: Memorandum on the Monastic Character of Administration of the Greek Orthodox Church of Jerusalem (Jerusalem: Greek Convent, 1923). The memorandum as submitted to the Government is given in Appendix C of Bertram and Young, op. cit., pp. 284-290. The memorandum is also quoted in Ibid., p. 17.

The reply of the Palestine Government to the Patriarch was that it was undesirable for the time being to make any formal declarations that would recognize and confirm the status quo in the Patriarchate. To the communications from Cyprus, Athens and Cairo, The Government's answer was:

According to the information at the disposal of His Majesty's Government, the present difference of opinion between the Arab and Greek Orthodox elements in Palestine does not call for any intervention on their part, but if both the disputing parties desired that His Majesty's Government should act under the capacity of mediator they would be prepared to consider³⁴ by what method this could best be effected.

It appears that in addition to the organization of Greek religious forces, and the appeal made to the British Government to maintain the status quo, the Patriarch attempted to organize local opposition to the Congress. This became apparent after the publication of the resolutions of the Haifa Congress, when petitions from members of the community all over Palestine and Transjordan began to pour in denouncing some of the resolutions of the Congress as too extreme and likely to prejudice the Patriarchate and the Community. Also, it appears that it was after the Haifa

³⁴As quoted in Ibid., p. 18. The Palestine Government did more or less abide by this policy in all its future dealings with the "Orthodox Case," as it came to be called.

Congress that a party, which came to be known as the "Moderate Party," was organized, and met in Jerusalem on the first of October 1923.³⁵

Meanwhile, the Haifa Congress held its meetings which lasted from July 15 to July 20, and included nine sessions, under the elected Presidency of Mr. Iskandar Kassab of Haifa. Mr. Yacoub Farraj was elected Vice-President.³⁶ The Congress after much deliberation passed a series of resolutions, although "towards its close its proceedings are said not to have been marked by complete unanimity."³⁷ It also elected an Executive Committee, to carry through the resolutions of the Congress.³⁸ Of the

³⁵Ibid., p. 19. Of the societies organized by a group of this Moderate Party was the Orthodox Reform Society which addressed a memorandum to Sir Anton Bertram, as Chairman of Commission set up to inquire into the controversies between the Patriarch and the Community in 1925. The Memorandum, dated March 28, 1925, was printed, and a copy of it was seen at the Patriarchal library in Jerusalem. The gist of the Memorandum was that before adopting the extreme decisions of the Haifa Congress it was necessary to reform the organization of the community in the various parishes. There was a moderate group demanding reforms first as against the extreme demands of the traditionalists of the Orthodox Fraternity Party, who wanted to assert rights before effecting reforms.

³⁶Khoury and Khoury, op. cit., pp. 331-332; Sifri, op. cit., BK.1, pp. 86.

³⁷Bertram and Young, op. cit., p. 16.

³⁸Khoury and Khoury, op. cit., pp. 323-333; Sifri, op. cit., BK.1, p. 187; Qazaqiyya, op. cit., pp. 252-253, gives the names of the representatives to the Congress and the towns or areas they represented.

more important demands of the Haifa Congress were the following:

1. The necessity for the reformation of the Mixed Council in such a manner that its composition should include two-thirds lay representatives and one-third ecclesiastical members.
2. The formation of local community councils in every city composed of elected members of the community and presided over by an ecclesiastic.
3. The establishment of an ecclesiastical school for the children of the local community, so that its graduates may be entitled to rise to the highest ecclesiastical positions in the Church.
4. The opening of primary schools in all parts of the Diocese, and three high schools; one in Jerusalem, one in Transjordan, and one in Jaffa.
5. That the local community councils should be eligible to participate in the election of Bishops for their areas.
6. That the religious courts of the community be re-organized so that eligible members of the court be elected; and that the Church laws be translated into Arabic.

Members of the Arab Orthodox Executive Committee to the first (i.e. Haifa) Arab Orthodox Congress were as follows:

President: Iskandar Kassab (Haifa).
Members: Eid Fakhouri (Salt); Yacoub Tawil (Gaza);
Issa al-Issa (Jaffa); Najib al-Odeh (Nazareth);
Issa Mdeinat (Karak); Yacoub Farraj (Jerusalem);
Ibrahim Shammass (Jerusalem); Dakhlallah al-
Musa (El-Husn); Salim Zarou (Ramallah).

(Names as given in Sifri, op. cit., BK.1, p. 187).

7. The acceptance of local children in the Brotherhood of the Holy Sepulchre.³⁹

The demands of the Haifa Congress were presented to the Patriarch by the Arab Orthodox Executive Committee of the Congress on August 4, 1923. After consultation with the Synod, the Patriarch gave his official reply on October 2, 1923. His Beatitude pointed out to the Committee that the resolutions of the Haifa Congress were similar to the demands made by the community in 1908, and that the decision on these demands was made by the Ottoman Government in its Order of 1910, which could not be reversed at this time.⁴⁰ The Vice President of the Arab Orthodox Executive Committee, Mr. Yacoub Farraj, took up the matter with the Government and a few days later, the Committee addressed a long memorandum to the Government, setting forth the chief difficulties

³⁹For a complete record of these resolutions, see: Bertram and Young, op. cit., Appendix A, pp. 273-278; Khoury and Khoury, op. cit., pp. 333-340; Qazaqiyya, op. cit., pp. 254-256; Sifri, op. cit., BK.1, p. 187.

⁴⁰Letter from the Patriarch to the Arab Orthodox Executive Committee dated October 2, 1923. (Cited in Bertram and Young, op. cit., p. 22).

of the Church and expounding their grievances.⁴¹ This memorandum was then communicated to the Secretary of State and a covering letter "earnestly invited the intervention of the Government".⁴²

The Moderate Party, on the other hand, met in Jerusalem on the 1st. of October 1923.⁴³ It held 23 sittings which spread over a period of five months. At the end of its sessions, it compiled a pamphlet, which it printed and circulated. On April 3, 1924, the Moderate Party presented its demands to the Patriarch.⁴⁴ Although a certain number of the demands of the Haifa Congress were not included, there was a very considerable measure of common ground between the two parties. In particular, it appears, both parties

⁴¹The memorandum was entitled, "Memorandum by the Arab Orthodox Committee to the Palestine Government". The full text of the Memorandum, in Arabic, is given in Khoury and Kheury, op. cit., pp. 341-383.

⁴²Bertram and Young, op. cit., p. 23.

⁴³Ibid., p. 20.

⁴⁴The demands of the Moderate Party, which were printed, were addressed: "To the Beloved Members of the Orthodox Community in Palestine and Transjordan and Elsewhere". (An English translation is given in Bertram and Young, op. cit., Appendix B, pp. 279-283).

desired the recognition of the right of local admission to the Brotherhood, and the revival of the Mixed Council instituted under the Turkish Order of 1910.⁴⁵

The Patriarch sent his reply to the Moderate Party on July 22, 1924, and informed them that inasmuch as their demands have been found to be in "harmony with the creeds of our Church, the civil regulations and decisions of the Ottoman Government, published 1910-12", they have been provisionally accepted.⁴⁶ To a further inquiry of the Moderate Party concerning the re-establishment of the Mixed Council, the Patriarch replied in November 1924:

Regarding the re-opening of the so-called "Mixed Council", I have to inform you that, owing to the financial crisis fully explained in our letter No. 375 of 9/7/24, and the enmity between the Congregation and the Patriarchate, we have to avoid this with all our powers.⁴⁷

Meanwhile, the deadlock at Nazareth continued. The party opposed to Archbishop Cleopas, which apparently

⁴⁵These were included in Arts. 1 and 18 of the Moderate Party's Demands; and in items 1 and 7 of the Resolutions of the Haifa Congress.

⁴⁶Letter of the Patriarch Damianos, dated July 22, 1924. (As quoted in Bertram and Young, op. cit., p.20).

⁴⁷This was in reply to a letter from the Moderate Party dated September 29, 1924, (Julian calendar). (Excerpt as quoted in Bertram and Young, op. cit., p. 21).

represented the majority in the community,⁴⁸ refused to recognize the election of the new Bishop and continued to request the intervention of the Government. Later, this party decided to rent a room for themselves as a Church, and, with the help of certain priests who were of their opinion, to carry on services in that Church. It was not until September 1929, when Archbishop Cleopas died suddenly while celebrating in the Church of the Annunciation in Nazareth that a reconciliation between the two parties took place and the party opposed to the deceased Archbishop with the priests supporting it, resumed attendance at the Patriarchal Church in Nazareth.⁴⁹

⁴⁸ Bertram and Young, op. cit., p. 255.

⁴⁹ For circumstances of the death of Bishop Cleopas, see: Sir Harry Luke, Cities and Men, An Autobiography, Vol. III, (1924-1954) (London: Geoffrey Bles, 1956), p. 30.

Information concerning the reconciliation between the two parties in Nazareth is related as given in an interview with Mr. Labib Farah, a prominent member of the Orthodox Community in Nazareth, February 17, 1967. Mr. Farah remembers the circumstances well, as it was on the occasion of his wedding, which took place soon after the death of Bishop Cleopas, that the reconciliation took place, and the Nazareth community met again as a body to celebrate in the same Church.

However, in 1924, the Palestine Government in view of the continued unrest in Nazareth and the strained relations between the Orthodox community on the one hand, and the Patriarch and the Brotherhood on the other, decided to recommend to the secretary of State the appointment of a special Commission to examine the situation and suggest to the Government what steps might be taken to regulate the affairs of the Orthodox Church in Palestine and Transjordan on a more acceptable basis to all parties concerned.⁵⁰ The Palestine Government's recommendation was approved in October 1924, and the terms of reference for the Commission were finally settled by a telegraphic dispatch of the Colonial Office of February 26, 1925.⁵¹ The members of the Commission were composed of Sir Anton Bertram, Chief Justice of Ceylon, who in 1921 had served on the Commission established to settle the controversies between the Patriarch and members of his Synod, and to study the financial difficulties of the Patriarchate; and Mr. J.W.A. Young, sometime Financial Adviser to the Orthodox Patriarchate of Jerusalem. The terms of reference of the Commission were:

⁵⁰ Bertram and Young, op. cit., p. 24.

⁵¹ Ibid., p. 24.

. . . to inquire into and report upon such controversies between the Orthodox Patriarchate of Jerusalem and the Arab Orthodox Community as do not affect custody of the Holy Places and will not fall within the competence of the Holy Places Commission when that body has been set up, and to advise the High Commissioner:-

- (a) whether any, and if so, what steps should be taken to revise the Ottoman Imperial Regulations of 1875 concerning the 'Roman' Patriarchate of Jerusalem;
- (b) whether any, and if so, what steps should be taken to secure the right of admission of the Arab Orthodox Community to the fraternity of the Holy Sepulchre;
- (c) as to the constitution of Mixed Councils of the Patriarchate of Jerusalem, to be composed partly of clergymen and partly of laymen, and as to the functions and powers of such Councils;
- (d) as to any other questions in dispute between the Arab Orthodox Community and the Patriarchate;⁵²

On June 26, 1925, the Commission submitted its report and recommendations to the High Commissioner.

In conducting their inquiries on the affairs of the Orthodox Patriarchate of Jerusalem, both the Bertram-Luke and the Bertram-Young Commissions emphasized that the situation in the Church which gave

⁵²Ibid., pp. vii-viii.

rise to the controversy between the lay community and the Patriarchate was closely connected with certain historical developments in the Church. These developments had given to the Church of Jerusalem a character different from that found in the other Orthodox Patriarchates. This was due to the special position which the Confraternity of the Holy Sepulchre, the most prominent institution of the Church, had come to acquire in the Church. During the four centuries of Ottoman Rule two historic developments took place in the Confraternity:

Firstly, it gradually acquired a more and more predominantly Greek character, secondly it took upon itself the rule of the whole Church, and the Patriarchate assumed what is customarily described as 'monastic character'. These were not canonical but historical developments, and, whatever criticism they may deserve, they have now acquired a certain prescriptive force.⁵³

Furthermore, the Brotherhood had come to regard itself as Custodian of the Holy Places, not in trust for all the Orthodox Churches, but as mandatory of the Hellenic nation, which was assumed to have special interests

⁵³Ibid., pp. 252-253; also, Bertram and Luke, op. cit., pp. 12-22.

and rights in those sacred shrines.⁵⁴ Consequently, the members of the Brotherhood had come to look upon themselves as a Hellenic garrison, and had lost sight of the fact that their privileged position in Jerusalem carried with it very great obligations both to local Orthodox Christians and to the Orthodox Church at large.⁵⁵ The general attitude of the Brotherhood towards the local community was that they were not really Arabs at all, but 'Arabophones', that is, Greeks who have forgotten the language, and who are only able to speak Arabic now. They have repudiated their Greek origin and have identified themselves with the Arabic-speaking people around them.⁵⁶ Moreover, this Arabophone local community was

⁵⁴These views were expressed by Archimandrite Kallistos in a memorandum submitted to the Bertram-Luke Commission in 1921, and entitled, "Character and Composition of the Patriarchate of Jerusalem". The Archimandrite Kallistos, it appears, semi-officially expressed these rights as including actual ownership. (The full text of the memorandum is given in Appendix E, pp. 284-291, Bertram and Luke, op. cit.,).

⁵⁵Bertram and Luke, op. cit., p. 15.

⁵⁶Bertram and Young, op. cit., pp. 36 and 75.

a secondary body in the Church which the Patriarchate has benevolently kept alive.⁵⁷

On the other hand, the community, on its part felt that it had a special interest in the Patriarchate and the Confraternity by virtue of local and historical associations. For many centuries it furnished a substantial proportion of the members of the Brotherhood, and at one time, it was actually the predominant element. For one period, by Patriarchs drawn from its ranks, it kept the traditions and succession of the Patriarchate alive.⁵⁸ At the same time, from the latter part of the nineteenth century there had been a growing disposition among the members of the community

to decline to accept the theory that the local population are the subjects of the Greek monastery, and to claim that they are entitled to be considered at least as partners. This has been accentuated by the development of nationalist ideas and the emphasis of the principle of self-determination which have taken place in modern times.⁵⁹

The members of the local community tended to exaggerate their own side and represented the Greek monks and hierarchy as a group of foreigners who had

⁵⁷ Ibid., pp. 35 and 138.

⁵⁸ Ibid., p. 71.

⁵⁹ Ibid., p. 99.

robbed them of their birthright. They claimed that all the Patriarchal endowments should be in the communal ownership of themselves, and that the Holy Places were the property of the Local Church of Jerusalem.⁶⁰ Although such statements were extravagant, yet they were based on real grievances, most of which were reflected in the demands of the Haifa Congress, and those of the Moderate Party. Bertram and Young concluded their report by asserting that:

The Orthodox population of the country is in fact the victim of an unfortunate historical development. This is the reverse side of their privileged position as residents of a country which is the historic centre of Christendom. That historical development cannot be reversed. All that can be hoped for is that its effects should be mitigated. The position of the local population as spiritually subject to a clergy alien in race and language from themselves is one which must necessarily call for sympathy.⁶¹

In its report, the Bertram-Young Commission suggested how the Ottoman Regulations of 1875, (the Fundamental Law of the Patriarchate) could best be amended, so that while the status quo would be maintained, and Government interference in the affairs of the

⁶⁰ Bertram and Luke, op. cit., p. 22.

⁶¹ Bertram and Young, op. cit., p. 267.

Patriarchate would be strictly limited to matters of administration, the lay community could be granted a few privileges in Church administration through widening the scope of the Mixed Council and the constitution of local community councils. One of the important suggestions made with regard to the Mixed Council, was that its membership be constituted so that the laymembers would form two-thirds of the Council and the ecclesiastical representatives would form one third only.⁶² The report further suggested how the Ecclesiastical Courts could be reorganized to meet some of the demands of the laity and how the regulations pertaining to the election of the Patriarch and Bishops of Metropolises could be further elucidated to allow the laity some actual participation in both. The Commission also suggested that the oft-made assurance of the Brotherhood that their corporation was always open to the admission of children of the local Orthodox Community, be given practical effect. These suggestions and recommendations, the Commission embodied in a suggested draft law which was

⁶²It was this provision that the Patriarchate opposed most in all its later negotiations concerning the Government's attempts to amend the Fundamental Law of the Patriarchate.

inserted as an appendix to the report.⁶³ It was recommended that this draft law be eventually put into effect by the Palestine Administration to replace the Ottoman Regulations of 1875 and subsequent Orders and regulations.

The report of the Commission proved to be a very fair and thorough investigation of the situation. It gave reasonable, practical recommendations of how the controversy between the Patriarchate and the laity could best be eventually resolved. The Orthodox community in Palestine and Transjordan, at first objected to some of the provisions of the report and the suggested draft law. Later, however, they realized that, with a few amendments, it was probably the best and the most that they could hope for under the circumstances. In their later struggle, in what they came to refer to as the "Orthodox Case", they used the recommendations of the Bertram-Young Report as the basis for their demands and negotiations with both the Patriarchate and the Government.

⁶³See Appendices D. and E, pp. 291-317, of the Bertram and Young Report, op. cit., giving the full text of the suggested draft Ordinance "To Revise and Supplement the Fundamental Law of the Orthodox Patriarchate", and the "Form of Enactment to Be Submitted to the Transjordan Government".

The Patriarch, on the other hand, had refused to recognize or to cooperate with the Commission from the start. He felt that the Palestine Government was in no way justified in setting up a Commission to meddle with the historic privileges and Fundamental Law and Constitution of the Church.⁶⁴ He therefore did not accept the report of the Commission as official, or as binding on him or the Patriarchate in any way. The publication of the report inspired the writing of a number of learned studies on the Hellenic side, particularly with regards to the legal status of the Patriarchate; criticisms of the recommendations of the report; refutations of some of the statements made therein; all pointing out that any attempt on the part of the Government to revise the Fundamental Law of the Church unilaterally would constitute an infringement of the status quo, and an infraction of

⁶⁴ Bertram and Young, op. cit., pp. 2-8. (The Patriarch's objections on this occasion are surprising as this kind of interference was unexceptional after 325).

Article 14 of the Palestine Mandate.⁶⁵

The Palestine Government on its part, felt that during the lifetime of the Patriarch Damianos, a fundamental change could not be accomplished in the affairs of the Patriarchate. So that apart from the publication of the report in English, Arabic and Greek, no practical steps were taken to implement its recommendations.⁶⁶ The Orthodox community on the other hand, through the Arab Orthodox Executive Committee kept on urging the

⁶⁵As examples, see: Patriarchate of Jerusalem, Refutation of the Allegations Put Forward by Sir Anton Bertram Against the Patriarchate of Jerusalem (Jerusalem: Greek Convent Printing Press, 1937); also the legal opinion prepared by J. Spiropoulos, Professor of International Law in the University of Salonica, entitled: The Legal Status of the Patriarchate of Jerusalem under the British Mandate for Palestine (no publication information), and submitted to His Beatitude, the Patriarch of Jerusalem, some-time after 1935.

Article 14 of the Mandate provided for the appointment of a Special Commission for the Holy Places of Palestine, whose work was to "study, define and determine the rights and claims in connection with the Holy Places, and claims relating to the different religious communities in Palestine".

⁶⁶Bentwich, op. cit., p. 157; Great Britain, Report on the Administration of Palestine, 1926, p. 4.

Government to implement the provisions of the report,⁶⁷ and matters dragged for the next few years.

II

On August 14, 1931, His Beatitude, Damianos, Orthodox Patriarch of Jerusalem, died after thirty-four turbulent years of Office, and Keladion, Metropolitan of Ptolemais (Acre), was immediately elected as locum tenens for the Patriarchate.⁶⁸ The Arab Orthodox Executive Committee (henceforth referred to as the Executive Committee) of the First Arab Orthodox Congress, at once submitted a memorandum to the High Commissioner for Palestine, requesting that the recommendations in the Bertram-Young Report for the amendment of the Fundamental Law of the Patriarchate be put into effect prior to the election of a new Patriarch.⁶⁹ This was

⁶⁷As cited in the Proclamation addressed to the Orthodox Community in Palestine and Transjordan by the Executive Committee of the First Arab Orthodox Congress, Jerusalem, on August 25, 1931, referring to its memorandum of November 21, 1926, on the subject of the Bertram-Young Report to the Government, and subsequent communications. (In the files of H.E. Samaan Daoud, Ramallah, sometime Secretary of the Arab Orthodox Executive Committee). (In Arabic).

⁶⁸Report on the Administration of Palestine, 1931, p. 12

⁶⁹Ibid., 1931, p. 12; Proclamation of August 25, 1931 of the Executive Committee cited above.

followed by a memorandum dated September 14, 1931, addressed to the Chief Secretary of the Palestine Government, by the National Orthodox Committee in Jerusalem to the same effect, but rather more strongly worded.⁷⁰ The Government took the stand, that since the Patriarchate had not proposed any amendments to the Fundamental Law governing the election of/^a Patriarch, it did not deem it advisable to intervene at this stage.⁷¹ Meanwhile, the locum tenens issued the notice required by law inviting the lay members of the Church to elect parish priests to represent them at the elections.⁷² The laity refused to participate in the election unless their demands were satisfied, and addressed a letter to the Government to this effect on October 21, 1931.⁷³ The Orthodox community in Transjordan on its part presented a petition to His Highness Amir Abdallah of Transjordan (later

⁷⁰ Copy of memorandum seen - (In the files of H.E. Samaan Daoud).

⁷¹ Report on the Administration of Palestine, 1931, p. 12.

⁷² Ibid., 1931, p. 12.

⁷³ Ibid., p. 12; copy of letter seen- (in the files of H.E. Samaan Daoud).

King Abdallah of the Hashemite Kingdom of Jordan), on behalf of the Executive Committee informing him of the decision of the community to boycott the Patriarchal elections and requesting the aid of the authorities in preventing the 'simple' parish priests from proceeding to Jerusalem for that purpose, since this was against the wishes of the community they purported to represent.⁷⁴ The election proceedings were postponed while the parties attempted to find a solution of their difficulties. The Patriarchal Synod refused to give any assurances that the reforms sought by the lay community would be introduced after the election, on the ground that it could not thus commit the future Patriarch in any way.⁷⁵ The more extreme elements of the Arab Orthodox community, however, began to demand the election of an Arab Patriarch, going so far as to propose the formation of a separate Arab Orthodox Church.⁷⁶ The Executive

⁷⁴Copy of petition signed by Odeh Pasha Qussous (in the files of H.E. Samaan Daoud).

⁷⁵Report on the Administration of Palestine, 1931, p. 12.

⁷⁶Ibid., 1931, p. 12. Also Broadsheet issued by Nakhleh Kattan, addressed to the Orthodox Community in Palestine and Transjordan entitled, "Call for an Arab Patriarch". (In files of H.E. Samaan Doud).

Committee at this point sent out invitations on November 17, 1931, to all members of the Orthodox community in Palestine and Transjordan to send elected representatives to a second Orthodox Congress to be held at Jaffa on November 28, 1931.⁷⁷

The Second Arab Orthodox Congress met at Jaffa on November 28, 1931, under the Presidency of Mr. Issa al-Issa; and eighty-five representatives of the various parishes in Palestine and Transjordan attended. The following resolutions were taken by the Congress:

1. The election of an Arab Patriarch, which is the dearest wish of every member of the Orthodox community in Palestine and Transjordan, is not possible at the present time due to various factors. However, this should not deter the community from endeavoring to create the necessary circumstances that would make such an eventuality possible in the future;

Oral assurance of Nicola A. Ziadeh, Professor of History at the American University of Beirut, that in Nazareth, the community seriously considered the matter of setting up an independent Church under an Arab Patriarch, and some people even approached him for the address of a maternal uncle, then Bishop in South America, in order to communicate with him as a possible candidate.

⁷⁷Copy of General Invitation seen (in the files of H.E. Samaan Daoud).

2. To address a strong protest to His Excellency the High Commissioner concerning the unwarranted interference of the Greek Consul General in Jerusalem and other foreign bodies in Palestine, in the affairs of the Patriarchate, the Brotherhood and the Holy Places;

3. To continue to boycott the Patriarchal elections and to refuse to recognize any Patriarch in whose election the laity does not participate, until such time as the community attains its full rights.⁷⁸

A new Executive Committee to replace the previous Committee was elected.⁷⁹

⁷⁸The resolutions as given in Sifri, op. cit., BK.1, pp. 189-190.

⁷⁹Ibid., pp. 189-190. The new Executive Committee consisted of the following:

For Jerusalem:	Yacoub Farraj, Shukri Deeb, Andoni Atallah.
For Jaffa:	Issa al-Issa, Massad Sayegh.
For Haifa:	Mikhael Tuma.
For Nazareth:	Amin Odeh.
For Bethlehem:	Issa Jeha.
For Beit Sahour:	Issa Jeha.
For Ramlah and Lydda:	George Kutteh.
For Irbed and Ajlun:	Barham Samawi.
For Gaza, and environs:	Yacoub Tawil.
For Nablus and environs:	Yousef al-Khoury.
For Karak:	Issa Mdienat and Salameh Sharayha
For Salt:	Yousef al-Odeh and Ibrahim Mansur.
For Acre:	Elias Khammar.
For Ramallah:	Samaan Daoud (Balat).
For Beit Jala:	Jabra Issa Musleh.
For Madaba:	Yacoub Jma'an.
For Amman:	Oweis Musharbash.
For El-Husn:	Salti Ibrahim.

A compromise between the two parties therefore, appeared impossible. The Confraternity of the Holy Sepulchre accordingly proceeded without the cooperation of the representatives of the laity, to the first stage of the election of the new Patriarch, consisting of the nomination of persons deemed suitable to occupy the Patriarchal Throne. According to the law, lay representatives only attend the nomination meeting but do not participate in the proceedings. A list of candidates was submitted to the Government in accordance with the law, "in the form of a proces verbal, recording that the Synod had questioned the eligibility of three names on the list, on the ground that they were not, as required, subject to the Patriarchal Throne of Jerusalem, and had concluded by a majority of sixteen to seven that these candidates were ineligible". The High Commissioner, however, accepted the list as presented and approved of the election being held.⁸⁰ But before any election could take place, the Executive Committee of the Second Arab Orthodox Congress applied for an order from the High Court requiring the locum tenens to show cause why he should not be ordered

⁸⁰ Report on the Administration of Palestine, 1931, p. 13.

to stay the election on the ground that it was not being carried out in accordance with the law. The application of the lay community was granted, the Court holding that the preliminary proceedings had not been taken in accordance with the Fundamental Law of the Orthodox Patriarchate. The locum tenens of the Patriarchate, acting upon the advice of the Holy Synod, did not allow himself to be represented at the hearing of the application as the Synod challenged the jurisdiction of the Court on the ground that any decision in regard to matters relating to the Patriarchate had always been given by administrative and not judicial authority. The Court however, ruled that it had jurisdiction under Sec. 6(b) of the Courts Ordinance, 1924.⁸¹

⁸¹ Ibid., 1931, p. 13; Ibid., 1932, p. 14. A complete record of the Case is to be found in: Sir Michael McDonnell, The Law Reports of Palestine (London: Waterlow and Sons, Ltd., 1934), pp. 649 ff. See also, Church of England Council on Foreign Relations, Survey on the Affairs of the Orthodox Church by A. C. Gloucesters (Westminster: Press & Publications Board of the Church Assembly, May 1934).

The Palestine Government realized that the preliminary difficulties as to the election could only be resolved by legislation and a long period of negotiations followed with both representatives of the Patriarchate and members of the Executive Committee of the Second Arab Orthodox Congress.⁸² On April 18, 1934, a draft Ordinance was published prior to enactment, to make provision for the election of the Orthodox Patriarch in Jerusalem. The draft Ordinance became law on May 24, 1935, as the Orthodox Patriarchate (Election) Ordinance, No. 21 of 1935.⁸³ In the meantime, the Colonial Office officially recognized the Metropolitan Keladion as locum tenens of the Orthodox Patriarchate by the issuance of a warrant of appointment with effect as of August 14, 1931.⁸⁴ But on October 1, 1934, Keladion, Metropolitan of Ptolemais resigned from the post of locum tenens. In his place, Meliton, Archbishop of

⁸²Record of meetings of the Executive Committee with the Chief Secretary, June 1933. (In the files of H.E. Samaan Daoud)

⁸³Government of Palestine, Official (Palestine Gazette), Supplement to No. 514 of May 27, 1935, gives the full text of the Ordinance and confirms its enactment.

⁸⁴Report on the Administration of Palestine, 1933, p. 76.

Madaba, was elected by the Holy Synod, and was officially recognized as such by the British Government.⁸⁵

With the publication of the Orthodox Patriarchate (Election) Ordinance, the way was clear for the election of a new Patriarch. But the members of the community were highly disturbed. On June 8, 1935, the Executive Committee of the Second Arab Orthodox Congress held a meeting at Jerusalem under the presidency of Mr. Yacoub Farraj and adopted the following resolutions:

1. The non-participation in the Patriarchal elections.
2. The communication of this decision to the members of the community.
3. To request the President of the Congress of Arab Orthodox Clergy to inform the parish priests of the decision to boycott the elections and hence the necessity of their non-participation as representatives of the laity.
4. If the elections are conducted despite the absence of the representatives of the lay community, the Executive Committee will refrain from recognizing the new Patriarch and will invite the community to hold a general congress to decide upon the line of action to be followed.

A communique to this effect was circulated to all the parishes in Palestine and Transjordan, and was published in the Arabic daily newspaper Falastin on June 9, 1935.

⁸⁵Ibid., 1934, p. 84.

The President of the Congress of Arab Orthodox Clergy addressed a similar communique to the Arab Parish Priests and members of the community on June 20, 1935.⁸⁶

The locum tenens of the Patriarchate, however, sent out the required notices to all the parishes in Palestine and Transjordan inviting the members of the lay community to elect priests to represent them at the nomination meeting to be held on July 1, 1935.⁸⁷ As no representatives of the lay community appeared on the appointed day, the nomination proceedings were postponed to July 4.⁸⁸ On that day the Holy Synod under the Presidency of the locum tenens conducted the nomination of candidates to the Patriarchal Throne, and on the following day presented the list of candidates, (eight in all), to the Government for approval.⁸⁹

Other than publish proclamations and protests indicating their disapproval of the proceedings, the lay

⁸⁶Falastin, June 20, 1935, p. 3.

⁸⁷Ibid., June 11, 1935, p. 5.

⁸⁸Ibid., July 1, 1935, p. 5.

⁸⁹Ibid., July 5, 1935, p. 5; July 7, 1935, p. 7.

community in Palestine could do little.⁹⁰ The members of the Orthodox community in Transjordan had more scope for action, and the Nahda Orthodox Society in Amman presented a petition to His Highness the Amir Abdallah, explaining the situation and imploring His Highness to intervene with the High Commissioner for Palestine on behalf of the Orthodox community of Transjordan. The petition further pointed out to the Amir that since the legislation of the Palestine Government did not automatically become part of the law of Transjordan, and since the Patriarchal election proceedings were being conducted in accordance with a law not applicable in Transjordan, the Orthodox community in Transjordan contested the legality of the election proceedings in so far as the Orthodox Church of Transjordan and the Orthodox community which came under the jurisdiction of the Patriarchal See of Jerusalem, were concerned. "Therefore, the An-Nahda al-Orthodoxiyyah Society presents your Highness with this petition, strongly protesting against the illegal activity of the Brotherhood, and confident that Your Highness will use His good offices to pronounce

⁹⁰For Orthodox opinion at the time see Ibid., July 6, 1935, p. 5.

void any act not carried out in accordance with the legislation issuing from His Highness's Government, and which purports to undermine the national sovereignty. . . ."91

This act on the part of the Orthodox community in Amman was greatly appreciated by the community in Palestine.⁹²

On July 12, the Amir Abdallah sent his reply to the Nahda Orthodox Society, informing it of his great concern over the whole issue and assuring the Society that should the Brotherhood continue in their stand, he would uphold the rights of the community to the extent of supporting the election of an Arab Patriarch to take up his residence in Amman until such time as justice has triumphed.⁹³

At the meeting of the Executive Committee held on July 14, to discuss the situation after the nomination proceedings, the members from Transjordan informed the Committee that the Amir Abdallah was in communication with the High Commissioner contesting the applicability of the election Ordinance in Transjordan.⁹⁴ It was

⁹¹Ibid., July 9, 1935, p. 1.

⁹²Ibid., July 10, 1935, p. 5.

⁹³Ibid., July 13, 1935, p. 5.

⁹⁴Ibid., July 14, 1935, p. 7.

decided at this meeting that a delegation of the Arab Orthodox Executive Committee proceed to Amman to thank His Highness on his stand. This was done on July 15, 1935.⁹⁵

The Palestine Administration, fearing further complications following the election of a Patriarch, published on July 17, 1935, a further law, the Orthodox Patriarchate (Further Provisions) Ordinance, No. 29 of 1935.⁹⁶ Sections 3 and 4 of the new Ordinance read:

3. No application to or proceedings in any court in connection with or arising out of the elections of a Patriarch shall be made, brought or commenced after the expiration of 30 days from his election under the provisions of Art. 9 of the Fundamental Law:

Provided that the provisions hereof shall not apply to any criminal proceedings instituted by or with the consent of the Attorney General.

4. After the issuance of the High Berat, provision for which is made in Art. 11 of the Fundamental Law, the validity of the election of the person named therein shall be final and binding for all purposes and shall not be questioned in any court.

⁹⁵ Ibid., July 16, 1935, p. 5.

⁹⁶ Government of Palestine, Official (Palestine) Gazette, Supplement No. 1, to No. 525 of July 18, 1935.

On the same day, the Government forwarded to the Holy Synod of the Patriarchate, the approved list of candidates for the Patriarchal Election.⁹⁷

The election of the new Orthodox Patriarch took place in Jerusalem on July 22, 1935. The Most Reverend, Timotheos, titular Archbishop of Jordan, was elected as Patriarch. The lay community did not participate in the election.⁹⁸ As soon as the results of the election were known in Jerusalem, members of the lay community held a meeting the same afternoon and passed the following resolutions:

1. To propagandize against the recognition of the Patriarch in whose election the lay community took no part.
2. To protest to the High Commissioner against the stand of the Government with regards to the election and the unanswered demands of the community.
3. To seek, through the Executive Committee, to close down all the Orthodox Churches until such time as the demands of the community have been granted; and to request the parish Priests not to mention the Patriarch's name in the Church services.

⁹⁷ Falastin, July 19, 1935, p. 5.

⁹⁸ Ibid., July 23, 1935, p. 5; Report on the Administration of Palestine, 1935, p. 93.

4. To request the Executive Committee to take steps to bring an action in the courts to invalidate the election.⁹⁹

These resolutions were reiterated by members of the community in the various parishes in Palestine and Transjordan in their many telegrams of protest addressed to the High Commissioner, the Patriarchate and the Executive Committee.¹⁰⁰

The Executive Committee on its part began to contemplate the possibility of bringing an action in the courts against the election. However, at this point,

⁹⁹ Falastin, July 23, 1935, p. 5.

¹⁰⁰ As examples see: Ibid., July 23, 1935, p. 5, telegram to the High Commissioner and the Executive Committee from St. George's Orthodox Society, Jaffa; Ibid., July 24, 1935, p. 5, telegram to the High Commissioner and the Executive Committee from the Orthodox Youth Club, Jaffa; Ibid., July 31, 1935, p. 7, telegrams to the High Commissioner, the Executive Committee and the Patriarchate from members of the community in Amman, Jaffa, Haifa, Gaza, Acre, Nablus, Nazareth, Bethlehem, Ramallah and others. In many of these telegrams, particularly the ones published in Ibid., July 25, 1935, p. 5, the community expressed its non-recognition of Bishop Timotheos as the new Patriarch.

it appears that His Beatitude, the newly elected Patriarch Timotheos, took the initiative and invited the Executive Committee as the representative body of the lay community to appoint a delegation on its part to participate in discussions with the Patriarchate, with a view to reaching an amicable understanding and reconciliation between the Community and the Patriarchate on the points at issue between them.¹⁰¹ The response of the Community to this approach was optimistic and enthusiastic, and the first meeting with the newly elected Patriarch took place on the afternoon of July 29, 1935. The delegation representing the Executive Committee was headed by Mr. Yacoub Farraj, the President of the Committee. The meeting was also attended by the locum tenens, five members of the Holy Synod, in addition to the new Patriarch himself. Mr. Farraj immediately expressed his Committee's appreciation of the friendly gesture shown by the Patriarch and its approval of the principle that understanding between the two parties should be effected

¹⁰¹Ibid, July 30, p. 5. It has not been possible to trace how the Patriarch's approach to the Executive Committee was made, as the two issues of Falastin, namely those of July 28 and July 29, 1935, giving the details, are not available.

without outside mediation.¹⁰² Yet, despite the good spirit which prevailed during this first meeting, the discussions and the correspondence exchanged between the two parties during the next few weeks failed to achieve a rapprochement or compromise between the differing points of view. The possibility of amending the Fundamental Law, or the grant of some concession to the lay community by the Church could not be agreed upon. The Executive Committee insisted that the recommendations of the Bertram-Young Report form the basis of discussion, particularly in so far as the reconstitution of the Mixed Council was concerned. The Patriarchal party categorically refused this. To them the Report of the Commission was not an officially recognized document, although members of the Synod had read it with interest and were acquainted with its contents, but had not so far passed official judgment on it.¹⁰³ By November 1935, the negotiations between the two parties had broken down.

¹⁰²Ibid., July 30, 1935, p. 5.

¹⁰³Ibid., July 31, 1935, p. 5; August 4, 1935, p. 7; August 18, 1935, p. 5; August 9, 1935, p. 5; August 11, 1935, p. 5; August 30, 1935, p. 5; September 6, 1935, p. 2; September 8, 1935, p. 5; September 10, 1935, p. 5. Also, League of Nations, Minutes of the Twenty-ninth Session, (May-June, 1936), p. 158.

Despairing of the attitude of the Patriarchal party, the President of the Executive Committee prepared a detailed memorandum, outlining the course of events, which he presented to the Government during the first week of August.¹⁰⁴ On August 5, the Patriarch-elect was invited to an audience with the High Commissioner, which took place on August 7, 1937. It appears that the High Commissioner wished to compose relations between the new Patriarch and the members of the lay community which had become very strained during the course of the negotiations, prior to his departure for England.¹⁰⁵ At the same time, the Executive Committee set up a special committee of legal advisers, to take the necessary steps towards contesting the legality of the Patriarchal election before the High Court.¹⁰⁶ The application for an action to invalidate the Patriarchal election was presented by the President of the Executive Committee to the High Court on August 7, 1935.¹⁰⁷

¹⁰⁴ Falastin, August 1, 1935, p. 3; Ibid., August 7, 1935, p. 6.

¹⁰⁵ Ibid., August 6, 1935, p. 5; Ibid., August 7, 1935, p. 5.

¹⁰⁶ Ibid., August 9, 1935, p. 5; August 14, 1935, p. 4.

¹⁰⁷ Ibid., August 18, 1925, p. 5.

But the appeal was disallowed by the High Court in its ruling of October 18, 1935.¹⁰⁸

News of the Court's decision was met with disappointment and dismay by the Executive Committee and the members of the community. The community now expressed itself in no uncertain terms towards the whole issue, the Brotherhood and the new Patriarch. The failure of the negotiations with the Patriarchal party and the Holy Synod's intransigence towards any suggestions made by the lay delegation in the matter of the amendment of the Fundamental Law, only made matters worse. There followed the usual flood of protests, declarations and telegrams all denying recognition to the newly elected Patriarch.¹⁰⁹ The Patriarch meanwhile, attempted to reconcile Orthodox opinion in the various parishes by friendly pastoral letters, promises of reforms and the opening of schools, and an attempt to explain the Patriarchate's point of view in the negotiations.¹¹⁰ The community, however, was not appeased

¹⁰⁸ Ibid., October 19, 1935, p. 5. Also, Report on the Administration of Palestine, 1935, p. 93.

¹⁰⁹ As examples, see, Falastin, Oct. 21, 1935, pp. 4, 5, 7; October 27, 1935, p. 5; November 16, p. 5; November 20, 1935, p. 5.

¹¹⁰ Letter from Patriarch Timotheos to Members of the Executive Committee, Transjordan, Ref. 963 of October 13, 1935, (in the files of Mr. Saad Abu Jaber, Amman), would serve as an example.

and now resorted to expressing its disapproval and its sentiments in a more practical manner. In Jerusalem, the Cathedral Church of St. James, which is adjacent to the Church of the Holy Sepulchre, is administered by the lay community. Once a year, on the Feast of St. James, November 5, the Patriarch with his clergy officiates at this Cathedral. On November 5, 1935, the lay community in Jerusalem decided to close the Church to prevent the locum tenens from officiating there in accordance with tradition. The Government attempted to mediate with the community, but to no avail.¹¹¹ The Church remained closed all day, the locum tenens was unable to celebrate there, and when a member of the community passed away the same day, the burial service had to be conducted at the cemetery on Mt. Zion.¹¹² Likewise, the community at Lydda decided to boycott the traditional Patriarchal celebration of the feast of St. George at the Church of St. George in Lydda, usually preceded and followed by a big and

¹¹¹ Falastin, November 5, 1935, p. 5. Report on the Administration of Palestine, 1935, p. 90.

¹¹² Falastin, November 6, 1935, p. 5.

colorful procession; and the feast passed quietly and colorlessly at Lydda that November.¹¹³ In Jaffa, the community, rather than participate with the Patriarchal party in the celebration on St. Michael's Day at the Patriarchal Church of St. Michael in the Old City, held the celebration at the community Church of St. George instead.¹¹⁴ In December of the same year, the Orthodox community in Bethlehem, Beit Sahour, and Beit Jala took a decision to refrain from participating with the representatives of the Patriarchate and the Holy Synod in the traditional receptions, processions and ceremonies held in Bethlehem on the day preceding Christmas, and on the Orthodox Christmas-eve and mid-night service celebration at the Church of the Nativity.¹¹⁵ A call to all the members of the Orthodox community in Palestine and Transjordan to boycott the Christmas ceremonies at Bethlehem was published in Falastin newspaper on December 17, 1935.

¹¹³Ibid., November 12, 1935, p. 5. The Ramallah and Haifa community supported the stand of the Lydda community, see Ibid., Nov. 13, 1935, p. 5 and November 16, 1935, p. 5.

¹¹⁴Ibid., November 20, 1935, p. 5.

¹¹⁵Ibid., December 1, 1935, p. 8; December 17, 1935, p. 6; December 19, 1935, pp. 5 and 7; December 27, 1935, p. 5.

The Executive Committee did not hold a meeting following the decision of the High Court until November 4, 1935. At this meeting it was decided either to present an appeal of the High Court's decision to His Majesty's Privy Council, or to request the British Government to withhold issuance of the High Berat, officially confirming the new Patriarch in office, until such time as a just solution to the situation had been attained, through negotiations to be conducted under the chairmanship of an officially appointed representative of the Government. It was also decided that no action with regards to an appeal to the Privy Council would be undertaken until a delegation of the Committee had had an audience with the High Commissioner upon his return to Palestine.¹¹⁶ The audience with the High Commissioner did not take place until February 24, 1936. In the meantime, it appears that the Government decided that the controversy in the Orthodox Church had to be settled, and therefore, unofficially, let it be known to the new Patriarch, that the High Berat would not be issued to him until after

¹¹⁶ Ibid., November 5, 1935, p. 5.

a final solution had been found to the present situation.¹¹⁷ At the audience with the High Commissioner on February 24, His Excellency mentioned that he understood that the delegation representing the Executive Committee meant to suggest to him the resumption of negotiations with the Patriarchate under the chairmanship of a Government officer. His Excellency welcomed this suggestion and also pointed out that the Executive Committee had every right to lodge an appeal to the Privy Council against the decision of the High Court in the matter of the Patriarch's election the previous July, but that it would be preferable if matters disagreed upon could be settled outside the Court. Law-suites were costly affairs, and processes of the law were lengthy, and would only lead to greater ill-feeling between the two parties. He therefore welcomed the suggestion that the negotiations be resumed. It was agreed at this audience, that the Arab Orthodox Committee should select six

¹¹⁷Ibid., February 20, 1936, p. 5.

members to represent the laity at the forthcoming discussions.¹¹⁸

Forthwith, on March 25, 1936, a Committee composed of the following was appointed by the High Commissioner to hold amicable discussions under the chairmanship of the District Commissioner, Jerusalem District, between representatives of the Holy Synod of the Orthodox Patriarchate of Jerusalem and of the Arab Orthodox Executive Committee, with a view to framing an agreed solution of the matter at issue between the two parties:¹¹⁹

Representatives of the Arab Orthodox
Executive Committee

Yacoub Farraj	}	For Palestine
Issa al-Issa		
Mikhael Tuma		
Issa Bandak		
Yousef al-Odeh	}	For Transjordan.
Issa Mdeinat		

Representatives Appointed by the Holy Synod

Archimandrite Epiphanius, Chief Secretary of the Patriarchate.
Archimandrite Kyriakos, Guardian of the Holy Sepulchre.
Archimandrite Naxos.
Archimandrite Vassilios.

¹¹⁸ Ibid., March 26, 1936, p. 5. Minutes of the Meeting of the Executive Committee, March 2, 1936 (in the files of H.E. Samaan Daoud).

¹¹⁹ Falastin, March 3, 1936, p. 5; March 8, 1936, p. 7; March 26, 1936, p. 5. Also Minutes of Meeting referred to above.

With the formation of this Committee, which was officially designated as "The Orthodox Committee", a new phase in the development of the "Orthodox Case", began. But more important, was the fact that as the political situation in Palestine steadily deteriorated, and as the international political developments slowly led to War, the problems of the Orthodox Church in Jerusalem assumed a far less important place in the consideration of the Government, the Patriarchate, and the lay community in Palestine and Transjordan, than hitherto, though they were never forgotten or completely neglected.¹²⁰

III

The first meeting of the Orthodox Committee took place on March 30, 1936, and the meetings continued on a daily basis all through April of that year, except during Orthodox Easter week at the beginning of the month. At this first meeting it was decided that the

¹²⁰This is probably best illustrated by a review of the issues of Falastin, the mouthpiece of the Orthodox community, during the period from April 1936 until mid 1939 (i.e. the last issue on file at the Jafet Library of the American University of Beirut, until 1948). Whereas in previous issues there are at least 2 or 3 items of news on Orthodox affairs in each issue, there are no more than a dozen such items during the whole period mentioned.

records of the meetings would be drafted and kept by the Chairman of the Committee, and that the deliberations would not be made public.¹²¹ However, after the General Arab Strike was proclaimed in Palestine towards the end of April 1936, the meetings of the Committee became irregular, and for a time were completely discontinued. In September, they were resumed in a more regular manner and went on steadily till the end of the year.¹²² The Report on the Administration of Palestine for 1936, stated on page 116:

Negotiations were held during the year between representatives of the Orthodox Patriarchate and of the Orthodox Lay Community under the Chairmanship of the District Commissioner, Jerusalem District, with a view to composing the differences between them.¹²²

It appears, though that towards mid-December 1936, the representatives of the Holy Synod on the Orthodox Committee informed the Chairman that they could not continue discussions on the amendment of the Fundamental Law in the Committee. They would be willing to negotiate with the Government's representative on

¹²¹Palestine, March 3, 1936, p. 5.

¹²²Ibid., September 20, 1936, p. 4, concerning the resumption of the meetings.

this matter, but without the presence of members of the lay delegation.¹²³ On January 19, 1937, the Executive Committee met in Jerusalem, and the President, Mr. Yacoub Farraj informed the Committee of the above development, and of the District Commissioner's request, (that is the Chairman of the Orthodox Committee), that the lay community's representatives submit their suggestions with regards to the amendment of the Fundamental Law of the Patriarchate to him in writing. The Executive Committee decided that this should be done, and that the District Commissioner should be asked to keep the representatives of the Executive Committee informed of the Patriarchate's suggestions and comments on the matter. At this meeting too, it was decided that the "Orthodox Case" should be presented before the Royal Commission of Enquiry on the Palestine Disturbances which was established by the British Government in May 1936, soon after the general Arab strike commenced, and which did not begin its inquiries in Palestine until November 1937. The Arabs had boycotted the Commission until about the end of its stay in Palestine. The "Orthodox Case" was to be presented

¹²³Ibid., December 24, 1936, p. 4; January 20, 1937, p. 5.

to the Royal Commission in the form of a comprehensive memorandum to be submitted to the Secretary of the Commission before his departure from Palestine.¹²⁴ Such a memorandum was drafted and addressed to the Chairman of the Royal Commission on February 16, 1937. But since the Commission had already left Palestine by then, no investigation of the question by the Commission was possible. Besides, the Royal Commission had learned that

the reorganization of the internal affairs of the Patriarchate, including the establishment of a mixed council has been discussed between the Government, the Patriarchate and the laity and is at present under consideration by the Government.¹²⁵

In the Report on the Administration of Palestine for 1937, the British Government was able to include the following statement:

A draft Ordinance to amend the existing Fundamental Law of the Orthodox Patriarchate of Jerusalem is now under the consideration of Government.¹²⁶

¹²⁴Ibid., January 20, 1937, p. 5.

¹²⁵Great Britain, Palestine Royal Commission Report (London: Colonial Office, 1937), pp. 325-327. Copy of the memorandum is also available in the files of H.E. Samaan Daoud.

¹²⁶The same note appeared on p. 109 of the report for 1938.

After further representations from the Patriarchate and the Arab Orthodox Executive Committee, amendments were agreed upon and a new draft Ordinance was published in the Official (Palestine) Gazette, No. 800 of July 21, 1938, under the title of "Orthodox Patriarchate Bill, 1938".¹²⁷

The Patriarchate, all during this period of trial and negotiations since the death of the Patriarch Damianos, was undergoing constitutional difficulties within the Synod, it appears. The delay in the election of a new Patriarch, and the delay in the official confirmation of the new Patriarch in office by the British Government must have had an adverse effect on the government of the Church. Keladion, Metropolitan of Ptolemais, who had held the office of locum tenens following the death of Patriarch Damianos, had resigned from this office in 1934,¹²⁸ and in October of the same year, Meliton,

¹²⁷See also Falastine, January 4, 1938, p. 5. July 21, 1938, p. 2; League of Nations, Minutes of the Thirty-sixth Session, (June to August, 1939), p. 82.

¹²⁸According to the Archbishop of Jordan, Vas-sileios, Chief Secretary of the Patriarchate, interviewed on August 23 and 24, 1965, this was due to ill-health.

titular Archbishop of Madaba was elected to replace him. However, after the election of His Beatitude Kyr Timotheos as Patriarch in 1935, the position of the locum tenens became ambiguous. The official recognition of the new Patriarch, which would have relieved the locum tenens from his post as such, was not forthcoming, nor did the Ottoman Regulations make provision as to how affairs in the Church should be conducted under circumstances similar to those which existed in the Patriarchate in the summer of 1935 and subsequent years.¹²⁹ It also appears that a certain amount of friction and misunderstanding developed within the Synod as to the rights and duties of the newly elected Patriarch prior to his official recognition vis-a-vis those of the locum tenens under such circumstances. In August 1936, the Synod deposed Meliton, Archbishop of Madaba from his post as locum tenens.¹³⁰ In his place, Keladion, the

¹²⁹See Chapter II of the Ottoman Regulations of 1875, (Appendix A to this thesis) entitled, "Concerning the Election of the Patriarch", and providing for the method of electing a locum tenens and his duties until such time as a Patriarch has been elected and officially confirmed in office.

¹³⁰Falastine, March 17 1936, p. 5; Report on the Administration of Palestine, 1936, p. 116, reports the deposition of Archbishop Meliton.

Metropolitan of Ptolemais was re-elected locum tenens, (a post he had held from 1931 to 1934). However, this act was not quite in accordance with the Fundamental Law of the Church, (the Ottoman Regulations of 1875), which make no provision with regard to the dismissal of a locum tenens from office, and raised new issues.¹³¹ Therefore, it appears, that in an effort to regularize the matter and to smooth over some of the difficulties in the administration of the Church, the Palestine Government promulgated a law, The Orthodox Patriarchate (Further Provisions) Ordinance, No. 73 of 1936, "to Make Provision with Regard to the Dismissal of a Locum Tenens of the Patriarchal Throne".¹³² This was preceded by the issuance of a Warrant of Appointment as Locum Tenens to Keladion, "His Grace the Metropolitan of Ptolemais".¹³³

In January 1937, on the occasion of the Orthodox Christmas, which is kept in accordance with the Julian

¹³¹Falastin, October 24, 1936, p. 7.

¹³²Government of Palestine, Official (Palestine) Gazette, Supplement No. 1 to No. 650 of January 2, 1936.

¹³³Ibid., No. 656 of December 31, 1936, p. 1364.

calendar, the new locum tenens officiated at the celebration in Bethlehem. But as in the previous year, the Orthodox community in Bethlehem and the area did not participate in the ceremonies, nor did it accord the locum tenens and his party, the traditional welcome and reception upon their arrival in Bethlehem the day before Christmas.¹³⁴

It appears that His Beatitude, Patriarch Timotheos was not officially confirmed in office by the British Government until sometime after the outbreak of the Second World War,¹³⁵ and in the meantime, attempts were underway for the amendment of the Fundamental Law of the Church. It also appears that the Patriarch's attempts to effect a rapprochement with the members of the community in 1935, and his later willingness to continue

¹³⁴Falastine, January 5, 1937, p. 5; January 9, 1937, p. 7.

¹³⁵Interview with Archbishop Vassilehos, Chief Secretary of the Patriarchate, August 23, 1965.

Interview with Rev. George Khoury of Amman, August 31, 1965.

Interview with Mr. Yousef Abdo, Member of the Arab Orthodox Executive Committee, of Jerusalem, April 18, 1967 (at Beirut).

No official record of the recognition of the Patriarch by the British Government was found in the Official (Palestine) Gazette. No issues of Falastin for the latter part of 1939 and until 1948, are available.

negotiations evoked the opposition of the Hellenic party in the Patriarchate and outside the Patriarchate. So that the Patriarch's position was not an easy one all during this period.¹³⁶

IV

When the draft Ordinance of July 11, 1938, was published in the Official (Palestine) Gazette, its object, it was stated, was "to provide a statutory constitution for the Patriarchate and, while generally preserving the status quo in matters touching the Constitutional and canonical rights claimed by the Patriarchate", the Ordinance was to make certain amendments to the Fundamental Law which were deemed necessary for the removal of doubts as to its meaning or of technical obstacles to its operation, and also "certain further amendments which have been substantially agreed upon between the Patriarchate and the Orthodox Lay Community in the course of negotiations in the past". When enacted as law, the draft Ordinance was to repeal the Ottoman Regulations of 1875, and the Orthodox Patriarchate

¹³⁶Attwater, op. cit., II, p. 41.

Ordinances: 21 of 1928; 14 of 1932; 21 of 1935; 29 of 1935; and 73 of 1936.¹³⁷

The Draft Bill was not enacted until 1941 when it appeared as the Orthodox Patriarchate Ordinance No. 32 of 1941, in Supplement No. 1 to the Official (Palestine) Gazette Extraordinary, No. 1142 of November 20, 1941. The Ordinance was confirmed on June 4, 1942. (See Official (Palestine) Gazette of the same date). The Orthodox Patriarchate Ordinance contained many of the suggestions proposed in the Bertram-Young Report, but was organized in a more comprehensive and orderly manner. It provided for a Mixed Council to consist of the Patriarch as President, and seven ecclesiastical members to be appointed by the Holy Synod, and seven lay members, elected by the Orthodox community in Palestine, as provided in Sec. VIII of the Ordinance. (Part IV, Sec. 9). Three other lay members were to be elected by the Orthodox community in Transjordan in the manner prescribed by local legislation. This meant a small lay majority on the Council. The powers and duties of the Mixed Council were enumerated (Part IV, Sec. II), and the funds at the disposal of the Council for its

¹³⁷Government of Palestine, Official (Palestine) Gazette, No. 800 of July 21, 1938, pp. 807 ff.

various activities were to amount to one-third of the general revenues of the Patriarchate, (Part IV, Sec. 12). Likewise provision was made for the establishment of Local Councils in certain districts specified therein, and the powers and duties of the Local Councils were outlined, (Part V, Sec. 16, 17, 18). The Local Council of Jerusalem was to receive an annual sum out of the revenues of the Patriarchate, not to exceed £P. 2,200 for the purpose of providing annual allowances, rents and other charitable services to the poor of the Community in Jerusalem, (Part, IV, Sec. 19).

The Ordinance also provided for the conditions and manner in which the deposition of a Patriarch or a Locum Tenens could take place, and provided for the participation of the married parish priests as representatives of the laity in such proceedings, (Part III, Sec. 8 (2)). In the matter of the election of a Patriarch, the Ordinance clarified the steps to be followed in the nomination and election of a suitable candidate and the participation of the married parish priests as representatives of the laity, in such nomination and election, (Part VI, Sec. 21,22,23,24,25,26,27).

The Ordinance further provided for the manner of appointment of Metropolitans and Titular Bishops, (Part IV, Sec. 30 (1),(2),(3)).

As was to be expected, both the Patriarchate and the lay community immediately raised objections to many of the provisions of the Ordinance. The Palestine Administration, however, decided to wait for a while, until both parties had had a chance to give the Ordinance further thought and consideration, before it proposed to put it into effect.¹³⁸

Some of the amendments suggested by the lay community to the Ordinance of 1941, were: that members of the Mixed Council rather than elected married parish priests should participate in the Nomination and General Council established by law in the proceedings leading

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Report of the Secretariat of the Arab Orthodox Executive Committee of the Third Arab Orthodox Congress submitted to the Committee at its second meeting held in Jerusalem on February 4, 1945. The report refers to a letter from the Government to the Executive Committee dated November 19, 1942, to the above effect. (In the files of H.E. Samaan Daoud). (In Arabic).

to the election of a Patriarch; and that the composition of the Mixed Council be changed to allow a two-third lay majority on the Council. The lay Community also wished to have the number of the Local Councils increased to avoid conflict where more than one town was to be included in one Council.¹³⁹

The objections of the Patriarchate to the Ordinance of 1941 were listed in a long letter dated January 27, 1942, addressed by the Patriarch to the Chief Secretary of the Palestine Government, (reference No. 681). In concluding this letter, the Patriarch observed that he was claiming no new rights for the Patriarchate, but rather requesting that the status quo be maintained, although the following rights have been granted by the Ordinance to the lay community:

- (1) A Mixed Council.
- (2) The admission of members of the lay community into the Brotherhood of the Holy Sepulchre.

¹³⁹ "A Unanimous Communique of the Demands of the Arab Orthodox Executive and the Articles of the Orthodox Patriarchate Ordinance, 1941, Pertaining Thereto." (Copy in the files of H.E. Samaan Daoud). (In Arabic, undated).

- (3) The establishment of Local Councils.
- (4) The right of the participation of married priests as representatives of the lay community in the nomination of candidates for the Patriarchal office.
- (5) The third of the annual revenue of the budget of the Patriarchate to be placed at the disposal of the Mixed Council.
- (6) The granting of the additional sum of £P. 2,200 out of the Patriarchal funds to the Local Council of Jerusalem.
- (7) The right of objection to the Budget of the Patriarchate.

In addition to the many points raised in protest against the provisions of the Ordinance, the Patriarch objected to the use of the term "Orthodox Patriarchate" rather than "Greek Orthodox Patriarchate" in the title of the Ordinance. "The Holy Synod in the desire that the "Orthodox Patriarchate Ordinance, 1941" should be free from all points which prejudice essentially the Status Quo, and in the interest of our Patriarchate made the above-mentioned observations." With this statement the Patriarch's letter ended.¹⁴⁰

In September of 1944, the Orthodox community in Palestine and Transjordan held its Third Arab Orthodox

¹⁴⁰ Copy of the letter seen in the files of the Patriarchate, Jerusalem.

Congress at Jerusalem to discuss the Orthodox Patriarchate Ordinance of 1941. It appears that the Congress rejected the Ordinance unless certain amendments were made, and decided that further negotiations be conducted with the Government and the Patriarchate. A new Executive Committee was elected to replace the old one. By 1944, Mr. Yacoub Farraj who had so persistently followed up the various developments in the "Orthodox Case" during the period when he was President of the Executive Committee, had passed away. The deliberations of the Congress were conducted under the joint Chairmanship of Mr. Issa al-Issa, the editor and co-owner of Falastin newspaper, and Mr. Nakhleh Kattan.¹⁴¹

It appears that negotiations with representatives of the Patriarchate and the Government were commenced as early as September 26, 1944, by members of the

¹⁴¹ Report of the Secretariat of the Arab Orthodox Executive Committee submitted to the Committee at its second meeting in Jerusalem, on February 4, 1945. (In the files of H.E. Samaan Daoud). Also, interview with Mr. Yousef Abdo, April 18, 1967 (at Beirut). Mr. Abdo participated in the Congress as one of the representatives for Jerusalem.

Executive Committee, and continued for several weeks before they broke down.¹⁴² Hence in a memorandum addressed to the Chief Secretary of the Palestine Government by the Executive Committee, soon thereafter, it was pointed out by the Committee that

The Arab Orthodox in neighboring countries watch with concern the strained relations between the Patriarchate and the laity. Russia too is interested in the situation and under the guise of concerning itself with the rightful demands of the laity, attempts, as in the past, to appear as the protector of the Holy Places. The present state of affairs makes this an opportune moment for Russia to interfere, whereas, if the Government would give more serious consideration to the claims of the community, it would be in a better position to find a just solution to the problem.¹⁴³

In June 1945, His Beatitude, Alexis, Patriarch of Moscow and all Russia paid a visit to the Holy Land. On this occasion, the Executive Committee addressed a letter to His Beatitude on June 4, 1945 setting forth the history of the struggle of the lay community in

¹⁴² Report of the Secretariat of the Arab Orthodox Executive Committee submitted to the Committee at its second meeting Jerusalem, on February 4, 1945. (In the files of H.E. Samaan Daoud).

¹⁴³ As quoted in Ibid.

Palestine and Transjordan, and listing its grievances. The letter further begged the Patriarch's intervention with the authorities on behalf of the community.¹⁴⁴

It appears that both the memorandum addressed to the Chief Secretary and the appeal made to Patriarch Alexis did not go unheeded. The Chief Secretary sent a reply to the memorandum and promised the Executive Committee that he would present the case of the Orthodox community before the High Commissioner. Upon his sudden departure from Palestine in the Spring of 1945, the Chief Secretary requested the District Commissioner, Jerusalem District, to take charge of the matter and to hold meetings with members of the Executive Committee. The first meeting between the District Commissioner and members of the Executive Committee took place on April 14, 1945. It appears that some time later, the District Commissioner wrote to the Executive Committee suggesting an entirely new approach to the whole problem. His suggestion was that efforts should be made to replace the Orthodox Patriarchate Ordinance of 1941, with two

¹⁴⁴ Copy of the letter seen. (In the files of H.E. Samaan Daoud).

separate laws: one to deal with the organization and affairs of the lay Community; the other to be limited to the affairs of the Patriarchate as such, provided that the interests of the Community would be upheld and safeguarded in both. As a result of this and of the discussions which followed, the District Commissioner presented members of the Executive Committee with a suggested law for the organization of the Orthodox Community in Palestine, on August 2, 1945. The draft law was open to comments and amendments by the Executive Committee. The District Commissioner hoped that upon his return to Palestine from leave, the Executive Committee would be ready with recommendations and comments. The main points of the proposed law centered on the following:

- (1) The Formation of a General Assembly.
- (2) The Formation of a Supreme Council for the Community.
- (3) The Formation of Local Community Councils.¹⁴⁵

¹⁴⁵ Report of the Secretariat of the Arab Orthodox Executive Committee submitted to the Committee at its meeting held on August 18, 1945, in Jerusalem. (In the files of H.E. Samaan Daoud). (In Arabic).

It is not possible to reconstruct the developments that followed this suggestion. But it appears that by 1947, these had taken the form of "Rules made by the High Commissioner in Council under the Greek Orthodox Patriarchate Ordinance, 1941. Part I: These Rules may be cited as the Arab Orthodox Community Rules, 1947."¹⁴⁶ These rules were not published in the Official (Palestine) Gazette. According to His Excellency Samaan Daoud, then Judge in the Palestine Administration and member of the Executive Committee, the rules were submitted to the Colonial Office in London for approval late in 1947. By then, the political situation in Palestine had reached a critical stage and was fast deteriorating. The British Mandate over Palestine ended on May 15, 1948, before a reply had been received from the Colonial Office with regards to the suggested Rules. And the affairs of the Orthodox Patriarchate of Jerusalem and of the Orthodox Community in its area of jurisdiction, remained subject to the Fundamental Law of the Church promulgated by the Ottoman authorities in the Imperial Regulations of 1875. It was not until after the death of His Beatitude, Timotheos, Orthodox Patriarch of Jerusalem in 1957, and

¹⁴⁶ Copy of these draft Rules seen. (In the files of H.E. Samaan Daoud).

the election of his successor, His Beatitude, Benedictus, that the Government of the Hashemite Kingdom of Jordan promulgated a new law in 1958, to supersede the Ottoman Regulations of 1875 and all subsequent orders, ordinances and legislation.¹⁴⁷ The new law was entitled "The Law of the Greek Orthodox Patriarchate of Jerusalem." It became the new Fundamental Law of the Patriarchate, and although it did not meet all of the demands, for which the lay Orthodox community had fought so hard during the period of the Mandate, it at least provided for a Mixed Council, Local Community Councils, that two among the Bishops should be of the local community, and that a fixed proportion of the general revenues of the Patriarchate would be available for schools, church buildings, poor relief, and other necessary expenditures. The Mixed Council, under the Presidency of the Patriarch would have the responsibility for the administration of property held on charitable trust, and to direct lay educational affairs. This by no means satisfies all the lay community's aspirations, "but it is a big step in the right direction," as Attwater put it.¹⁴⁸

¹⁴⁷See: Jordan Government, Official Gazette, No. 1385 of June 1, 1958, for the full text of the Law of the Greek Orthodox Patriarchate of Jerusalem, No. 27, of 1958.

¹⁴⁸Attwater, op. cit., II, p. 41.

CHAPTER IV
THE INTERNAL DEVELOPMENT AND ORGANIZATION
OF THE COMMUNITY

All through the period of the British Mandate the Orthodox lay community in Palestine and Transjordan carried on the struggle to assert its position and its rights in the Church. To the community at large, their situation was only a part of the larger Arab national cause. It was one aspect of the Arab struggle for independence, and of Arab opposition to foreign domination. As Falastin commented in 1931 during the crisis which followed the death of Patriarch Damianos, there were three mandates oppressing Palestine, the English, the Zionist and the Greek, the latter of which was "not the lightest."¹ The community felt itself to be part of

¹Falastin, October 16, 1931, as cited by Elie Kedourie, "Religion and Politics: the Diaries of Khalil Sakakini," St. Antony's Papers. Number 4, Middle Eastern Affairs. Number One (London: Chatto & Windus, 1958), p. 86, note 22.

the larger Arab society, and prominent members of the community played an active role both in community affairs and in national developments and affairs outside the community.

The struggle with the Patriarchate was one feature of the internal development within the Orthodox community during the period of the Mandate. There were other aspects which were also important and significant. These reflected an attempt on the part of the community to organize its affairs, as a body, and on the local level, to become independent of reliance on the Patriarchate and the Church to meet its needs. The constitutional issue, while it remained unsolved, prevented this organization from assuming an official character as provided for in the Religious Communities (Organization) Ordinance of 1926 of the Palestine Government.² Nevertheless, the community attempted to bring order into its affairs on an unofficial basis and demonstrated a marked

²Government of Palestine, Statistical Abstract of Palestine 1944-1945 (eighth ed.), No. 15 of 1946, p.12.

advance in assuming responsibility for its needs and problems.

The internal development of the Community during the years from 1920 to 1948, may generally be examined under the following main trends: the united effort and organization of the Community as a body meeting in Orthodox Congresses to discuss and solve over-all communal affairs, (especially those connected with the constitutional struggle with the Patriarchate); the community's efforts, as part of the larger Arab society to participate in general national affairs; the organization of the community on the local level, to meet its special needs, and when possible and necessary to extend its services to meet the needs of those outside the community. However, these developments within the community were only a continuation of attempts started earlier in the century and even dating back to 1872. They were the result of changes, developments, and new influences which had been penetrating into the area since the nineteenth century, and which helped bring about a slow movement of change in attitudes, and an awakening of a sense of social responsibility and a new political consciousness.

The Period Prior to 1914

As early as 1872, when the crisis in the Jerusalem Patriarchate flared up as a result of the Bulgarian schism, the community attempted to act as a body. The protest against the deposition of Patriarch Cyril who had supported the Bulgarians was not confined to members of the community in Jerusalem. It was a general protest of all the parishes, who sent delegates to Jerusalem to discuss the situation in the Church.³ On this occasion the National Orthodox Society was formed, and the delegates meeting in Jerusalem decided to send a deputation to Constantinople to protest, to the authorities, the deposition of Patriarch Cyril. But it appears that this deputation was able to achieve little.⁴ When in 1873,

³Mansour, op. cit., pp. 99-100. According to Mansour, the delegate from Galilee was Tannous Kavar, a scion of one of the leading families in Nazareth. His presence in Jerusalem on this occasion appears to have greatly upset the Brotherhood who began to intrigue against him with the authorities and to accuse him of Russian sympathies. It was only his personal friendship with Kamel Pasha, the Mutassarref of Jerusalem, that saved him from coming to harm.

⁴Khoury and Khoury, op. cit., p. 209. The deputation consisted of Banayot Sawabini, Hanna Zacharia and Sama'an Mushabbek.

the new Patriarch Procopious was elected, the community refused to recognize him and the agitation continued. The Patriarch, short of funds after the Russian Government confiscated the properties of the Brotherhood of the Holy Sepulchre in Russia (as a sign of disapproval), proceeded to close down many of the schools of the Patriarchate, and the hospital in Jerusalem. Thereupon, the community organized an Orthodox Society in Jerusalem, and undertook to run some of the schools with financial aid, it appears, from the Bulgarians and the Russian Consulate in Jerusalem.⁵ Due to the continued unrest within the Community, the Ottoman authorities requested that a second delegation proceed to Constantinople to present the demands and grievances of the community before the authorities. Such a delegation was formed and sent to Constantinople.⁶ The Ottoman authorities appear to have viewed the demands of the community with sympathy,

⁵Ibid., p. 210. Mansour, op. cit., p. 100.

⁶Khoury and Khoury, op. cit., p. 220. This second delegation was sent in 1874, and was composed of Elias Mushahwar, Giries Qudsi, and Hanna Zacharia.

and the Patriarch Procopious was never officially recognized by the Ottoman authorities.⁷ Procopious was succeeded by the Patriarch Hierotheos, who, in order to settle the question with the community, addressed a letter to the Governor of Jerusalem in 1875 making certain promises to the Community. This letter came to be known as the 'Katastatikon' or Constitution, and comprised all the practical points for which the community had been fighting and continued to do so, all during the period of the Mandate. The agitation of the community appears to have subsided, for a time at least, although nothing was done about carrying out any of the promises made in the Katastatikon.⁸

Meanwhile, as the century advanced, educational and other opportunities in the country steadily increased and improved. Towards the end of the century, a small educated class of people, had emerged, and began to demonstrate a new spirit of responsibility and social

⁷Qazaqiyya, op. cit., pp. 177-178.

⁸Ibid., pp. 183-184; Khoury and Khoury, op. cit., pp. 221-223; See also Bertram and Young, op. cit., pp. 28-29, for the full text of the Katastatikon.

consciousness within the community. It was from among this class of people that the new leadership in the Orthodox community arose. The younger generation expressed a new spirit. While they whole-heartedly supported the older generation's preoccupation with the need to fight for and defend the rights of the community in the Church, they at the same time felt that the members of the community owed certain duties and responsibilities towards the community. It was under the influence of this younger generation that a beginning was made in the establishment of philanthropic and other Orthodox societies in Palestine around the turn of the century.⁹ Another important factor in developing this spirit of responsibility, was the example set by the Orthodox communities in the north, namely in Beirut, Damascus, Homs and other places. Personal contacts and the religious journals that were published in Beirut and

⁹This spirit may be best gauged from Khalil Sakakini's diaries. See: Khadha Ana Ya Dunya, the Diaries of Khalil Sakakini, edited and selected by Hala Sakakini (Jerusalem: The Commercial Press, 1955), pp. 40-41, entry for October 31, 1908; p. 41, entry for October 16, 1908. See also, Al-Mahabba, IV (1902), p. 556 ff, reporting the speeches made on the occasion of the formation of the Orthodox Charitable Society in Jerusalem on July 14, 1902. The speeches were made by Daoud Sidawi, Aftim Mushabbek and Issa al-Issa, the future editor of Falastin newspaper.

Damascus and circulated in Palestine and Transjordan towards the end of the nineteenth century and the beginning of the twentieth century, such as An-Ni'mah and Al-Mahabba, kept the people well informed of the good philanthropic works being done by the Orthodox community in the north, and encouraged members of Orthodox community in Palestine to emulate them.¹⁰

Probably, the Russian educational establishments in Palestine in the nineteenth century did much to encourage this spirit and bring about a revival within the community too. The teachers trained at the Russian Teacher Training School in Nazareth, which was run by the Imperial Palestine Orthodox Society, were sent to staff the many schools of the Society all over Palestine and Syria. They often were leaders of movements for revival within the community. One of their duties, particularly in the villages and in

¹⁰ An-Ni'mah was the official publication of the Orthodox Patriarchate of Antioch. Its first issue appeared in 1909. It was published in Damascus. See Vol. I, p. 258, for information concerning subscriptions to the journal in Jaffa and Jerusalem.

Al-Mahabba was the official publication of the Orthodox Society for the Promotion of Christian Knowledge, Beirut. Its first issue appeared in January 1899. A perusal of its contents, particularly news items, will give the reader an idea of the kind of influence it must have had on its readers, and the wide circulation it enjoyed in the area. Even in remote places like Madaba

towns where the parish priests were not sufficiently educated to do so, was to preach in Church, and to promote knowledge of the Bible and the Church liturgy among the people. They had to instruct the young in the rites of the Church and Church history, and set the example for the strict observance of the Church fasts and important feast days. Where possible, they were expected to help the community form religious study groups and Orthodox societies to develop a sense of communal responsibility and fellowship among members of the community. In Nazareth itself, the first Orthodox ladies' religious instruction group was organized at the Russian Girls' School for the mothers of the students and their friends. Out of this group, later grew the Orthodox Ladies' Benevolent Society of Nazareth.¹¹ Like-

and Karak, members of the Orthodox community read it and contributed news items to its pages. It reported the activities of Orthodox philanthropic societies, details about which it published in the journal.

¹¹Interview with Mr. Ni'meh Sabbagh, March 11, 1967. Mr. Savvagh is a graduate of the Russian Teacher Training School of Nazareth and for many years taught in the schools of the Imperial Palestine Orthodox Society. After the war, he was co-opted as a teacher of Arabic in the Government schools of the Department of Education of the Palestine Government. Mr. Sabbagh gave the above information from personal knowledge and experience.

wise, the men's Teacher Training School in Nazareth helped set the example for the growth of men's Orthodox Societies in the community.

Another important factor was probably the increased prosperity of certain members of the community, particularly in trade centers like Jaffa and Acre towards the end of the century. By 1900 there were already in existence in Jaffa at least two Orthodox philanthropic societies.¹² Bethlehem appears to have had an Orthodox Benevolent Society as early as 1890.¹³ In Acre, by 1906, two Orthodox Societies were already doing good work.¹⁴

Interview with Mr. Alexandra Kuzma Shamiyya, February 20, 1967. Mrs. Shamiyya is the daughter of Iskandar Kuzma, for a long time the superintendent of the schools of the Imperial Orthodox Palestine Society in Palestine and director of the Teacher Training School in Nazareth. Mrs. Shamiyya gave the information about the ladies' Bible group in Nazareth.

¹²These were, the St. George's Society for the care of the sick and the poor, established in 1896, and the Orthodox Charitable Society of Jaffa. The St. George's Society was running a free clinic by 1905, and had long-term plans for the building of a hospital. See: Al-Mahabba, II (1900), 904; III (1901), 368; VII (1905), 568-569.

¹³Ibid., I (1899), 22. According to the editor of Al-Mahabba, this society appears to have devoted most of its activities to the promotion of Christian knowledge. See also, Qazaqiyya, op. cit., 190, where mention is made of the existence of such a society in 1908.

¹⁴These were a men's society, The Committee for the Succour of the poor, and a ladies' society, The Society

An Orthodox Benevolent Society was organized in Gaza in 1899,¹⁵ and a similar one was organized in Jerusalem on July 14, 1902.¹⁶ By 1909, Nazareth had an Orthodox Benevolent Society which was soon followed by a Ladies' Benevolent Society.¹⁷ However, it appears that when the crisis arose again in the Jerusalem Patriarchate and the conflict was resumed between the community and the Patriarchate in 1908, Societies of Orthodox Fraternity were organized in many places to facilitate the election of representatives who would form part of the delegation to be sent to Constantinople to plead the cause of the community in the capital.¹⁸

for the Support of the Orphan, whose main aim was to help educate orphan girls. See: Al-Mahabba, VIII (1906), 829 and IX (1907), 46-48, respectively.

¹⁵Ibid., I (1899), 540-541; 736. From the pages of al-Mahabba it appears that the President of the Society was Dahdah Farah; its Vice President, Hanna Tarazi; its Secretary, Ibrahim Zarifeh; its Treasurer, Bishara I. Farah. The President of the St. George's Society in Jaffa was Hanna Jahshan.

¹⁶Ibid., IV (1902), p. 556 ff.

¹⁷Mansour, op. cit., pp. 103 and 197.

¹⁸Invitation Call for the Convening of the First Arab Orthodox Congress at Haifa in 1923. (In the files of H.E. Samaan Daoud). The invitation requested members of the community to re-organize the Societies of Orthodox Fraternity as in 1908 in order to elect members to the Congress.

During the crisis which followed the proclamation of the Ottoman Constitution in 1908, and which led to the temporary deposition of the Patriarch Damianos by the Brotherhood of the Holy Sepulchre, the same kind of unity and solidarity was shown by the community, as in 1872. As in 1872-1875, the Cathedral Church of St. James in Jerusalem was closed by the community and many convents and monasteries all over the country were occupied. The people decided to boycott the Churches and there were angry demonstrations all over the country.¹⁹ But by 1908, the spirit of the age had changed. When members of the Community in Jerusalem demonstrated before the Governor's offices on November 24, 1908, as a mark of protest against the Patriarch's refusal to listen to their demands, they were joined by many sympathizers from other communities, notably from among the Moslem community in Jerusalem.²⁰ The whole issue began to take on a more national coloring now, to the extent that when some time later the Governor

¹⁹Qazaqiyya, op. cit., pp. 190-191; Sakakini, op. cit., pp. 44-45, entry for Nov. 6, 1908; p. 49, entry for Nov. 28, 1908.

²⁰Ibid., p. 49, entry for Nov. 24, 1908.

of Jerusalem received orders from Constantinople to put an end to the agitation, by force if necessary, he was obliged to telegraph back that this was not possible, as the troops in Jerusalem were in full sympathy with the Orthodox community, and would refuse to obey orders to fire on their demonstrations or in any way interfere with their activities.²¹

As in 1872-1875, the Community decided to send a delegation to Constantinople. By January 1909, the delegation had arrived in the capital,²² and commenced its activities. The work of the delegation was not easy. The Patriarchate had sent a similar delegation to

²¹Khoury and Khoury, op. cit., p. 251; Bertram and Luke, op. cit., p. 260.

²²Qazaqiyya, op. cit., p. 191; Khoury and Khoury, op. cit., p. 247. The delegation was composed of the following:

Jurji Zacharia and Khalil Sakakini for Jerusalem.
Khalil Qazaqiyya and Yacoub Dahbour for Bethlehem.
Hanna al-Issa and Farid Kassab for Jaffa.
Iskandar Khoury for Beit Jala.
Bishara Kawar for Nazareth.
Faddoul Rubeiz for Haifa.
Jad Habib Hawwa for Acre.
Bishara Atalla for Jenin.

Constantinople, and the Patriarchal delegation had the advantage of the backing of the Ecumenical Patriarch, the influential Phanariot Greek community of Constantinople, and the local Turkish press. Nevertheless, the community delegation persisted in its efforts. By October 1909, most of its members had returned to Palestine. In the end, only Khalil Qazaqiyya, one of the two delegates from Bethlehem stayed behind in Constantinople to carry through the fight to the end. It was when matters were becoming desperate in 1910, that Qazaqiyya made a special appeal to the Arab delegates in the Ottoman Parliament for support and presented the case of the Orthodox Community in Palestine as an Arab movement for self-assertion in the Church as against Greek domination.²³ The Arab delegates to the Ottoman Parliament had already shown sympathy to the Orthodox cause in Palestine, and the appeal made in 1910, produced an immediate response. It appears that Shaikh Assad Shuqairi, the member for Acre, and Abdel Hamid Az-Zahrawi, the member for Homs and Abdel Karim al-Khalil, took special interest in the

²³Qazaqiyya, op. cit., pp. 203, 211-212, 225; Khoury and Khoury, op. cit., p. 260.

matter and rallied the whole-hearted support of the other Arab members of Parliament. Suleiman Bustani, the member for Beirut was requested to follow up the case with the Ministry of Religious Affairs, while the other delegates tried to influence other members of Parliament and the Turkish press to adopt the cause of the Orthodox Community in Palestine, or at least to regard it with sympathy.²⁴ However, all that the community was able to gain out of its prolonged efforts was the provision in the Ottoman Order of 1910 for the establishment of a Mixed Council and local community councils.²⁵ When differences of opinion arose over the organization and scope of activity of the Mixed Council, there was a movement in 1911 to hold a general Orthodox Congress in Jerusalem, but it appears that the Patriarch used his influence to prevent such a Congress from being held.²⁶ By 1913 some kind of a com-

²⁴Qazaqiyya, op. cit., pp. 225, 211-212. Qazaqiyya gives the full account of the activity of the community delegation in Constantinople. See pp. 191-234.

²⁵Ibid., pp. 226-231, give the full text of the Turkish Order of 1910 in Arabic. For an English translation of the Order, see Bertram and Young, op. cit., Appendix F, pp. 318-327.

²⁶Qazaqiyya, op. cit., p. 235.

promise solution had been arranged between the community and the Patriarchate, and in January 1914, in a symbolic ceremony, the keys of the Church of St. James were officially presented to the Patriarch and returned to the lay-readers of the Church as a sign of reconciliation and the re-opening of the Churches in Palestine by the community.²⁷

One of the more interesting aspects of the crisis of 1908-1914, was that broadsheets were for the first time used by both parties as a means of advancing their views and drawing public opinion to their side. In September 1908, as soon as the Community began to agitate for the constitution of a representative council (majles milli), in accordance with the provisions of Sec. III of the Ottoman Constitution, members of the community began to issue, secretly, a newsheet entitled Al-Ahlam (or Abul-Ahlam). It was a handwritten broadsheet and apparently carried strong polemics against the Patriarchate and the Brotherhood. The Patriarchate, in answer, began to publish

²⁷Sakakini, op. cit., pp. 56-58, entries for Jan. 11 and Jan. 12, 1914. Khoury and Khoury, op. cit., p. 279.

in December 1908, Bashir Falastin in Arabic and Greek.²⁸
It is not known for how long a time either continued to appear, but by January 1911, when Falastin newspaper came into being, it assumed the role, among other things, of representing the Orthodox community's point of view.²⁹

The efforts that were begun prior to 1914, and were interrupted by the war, were resumed after the British occupation of Palestine. They were pursued with

²⁸ Interview with Mr. Issa M. Tubbeh, Mukhtar of the Orthodox Community in Jerusalem, August 12, 1965. In 1908, Mr. Tubbeh was employed at the Greek Convent Printing Press. Both he and Mr. Iskandar Khoufy, a graduate of the Russian Teacher Training School in Nazareth, and later judge in the Palestine Administration, edited the paper. The editor of Bashir Falastin was a certain Athanasius Bandazi. See also: Philip Tarazi, ed., "Arabic Periodicals Fascicle," A Post-War Bibliography of the Near Eastern Mandates - A Preliminary Survey of Publications on the Social Sciences Dealing with Iraq, Palestine and Trans-Jordan, and the Syrian States from Nov. 11, 1918 to Dec. 31, 1929, gen.ed., Stuart C. Dodd (Beirut: American University of Beirut - Publications of the Faculty of Arts and Sciences - Social Science Series No. 1, Arabic Fascicle, 1933), p. 66. Tarazi lists Al-Ahlam as one of the early newspapers to appear in Jerusalem. It commenced its first issue in September 1908. On the same page is listed Bashir Filistin, which first appeared on December 5, 1908. Its editor is given as Athanasius Theofil Bandazi. The paper appeared in Arabic and Greek and produced three issues only. Tarazi, however, does not give the name of the editor or editors of Al-Ahlam.

²⁹ According to Tarazi, op. cit., p. 70, Falastin first appeared on January 14, 1911 at Jaffa. Its owners and editors were Issa D. al-Issa, and Yousef al-Issa.

vigor and enthusiasm all through the period of the Mandate, even though they were often interrupted by, or became involved in the larger political issues in Palestine.

The United Efforts of the Community

One of the more striking features of the life of the Orthodox Community in Palestine and Transjordan during the period of the Mandate, was the general Orthodox Congresses which were held periodically, when matters of over-all importance touching vital aspects of the life of the community and its conflict with the Church came to the fore. These Congresses were an important development in several ways. They represented a responsible awareness on the part of the community of the need to unite efforts and organize affairs, so that the struggle of the community would not be a matter of spasmodic enthusiasm, but rather would become a continuous and sustained activity. Hence, after decisions were taken and resolutions passed at these Congresses, an Executive Committee was always elected and entrusted with the task of carrying out the recommendations

of the Congress. The general Orthodox Congresses were also important as an experiment in representative and elective organization, team-work, and majority decisions. The very fact that the Palestine Administration in its official contacts with the Orthodox community, accepted the Arab Orthodox Executive Committee as the officially elected representative of the community, was an indication of the success of this representative experiment. The Congresses gave members of the community an opportunity to air their views and thus sustained their interest in community affairs. They also helped, to a large extent, to overcome the spirit of localism among the members of the community.

After the British occupation of Palestine, the leaders of the Orthodox community had to resume the fight to establish the rights of the community in the Church. With a change of government in the area, the community wished to define its position and to regulate its relations with the Patriarchate on an acceptable footing. The financial difficulties of the Patriarchate and the crisis which accompanied this only made members of the community more anxious to do something about the whole situation.

The incidents in Nazareth following the appointment of the new Bishop in 1922, further confirmed the apprehensions of the leaders of the community and convinced them that the time had come for the convening of a general Orthodox Congress to define the stand of the community with regards to the present state of affairs in the Church. Leading members of the community from various parts of Palestine and Transjordan met in Jerusalem and on May 30, 1923 sent out general invitations to the Orthodox Community in Palestine and Transjordan to send representatives to a general Orthodox Congress to be held at Haifa on July 15, 1923.³⁰ These invitations included instructions to members of the community to organize branches of the Society of Orthodox Fraternity in all the towns and districts to act as the representative bodies of the community. Each community numbering from 100 to 500 persons, was

³⁰ Copy of invitation seen (In the files of H.E. Samaan Daoud). Khoury and Khoury, op. cit., pp. 324-328, also give a copy of the invitation, and give the names of those who signed it. See also Qazaqiyya, op. cit., pp. 252-256, for invitation and list of names.

to elect one member to represent it at the Congress. Where the members of the community numbered from 500 to 1000 souls, they were to elect two representatives; and where the number exceeded 1,000, the community was to elect three representatives.³¹ The response to this invitation was general, and even at Nazareth where the community was divided into two opposing factions, each party formed a society and elected members to represent it at the Congress.³² The Congress met on July 15 under the Presidency of Iskandar Kassab of Haifa, and fifty-seven representatives attended. These included a representative of the Executive Committee of the Sixth Arab Congress of Palestine, a representative of the Palestine Orthodox Community in Egypt,³³ and a representative of the Palestine Orthodox Community overseas, (fi-l Mahjar).³⁴ Although, it appears, there was no unanimous agreement on all the points discussed at the Congress, yet a number of

³¹ Khoury and Khoury, op. cit., pp. 326-328.

³² Mansour, op. cit., p. 122.

³³ The representative from Egypt was Salim Qubain, the well-known journalist and editor of several journals in Egypt. Originally from Nazareth, he was educated at the Russian Teacher Training School there.

³⁴ Rev. Jurji Qattuf represented the Palestinian Orthodox Abroad.

resolutions were passed by majority vote, and an Executive Committee was elected.³⁵ As already mentioned above the convening of this Congress greatly upset the Patriarch Damianos who rallied to his support the Hellenic ecclesiastical world to intervene with the British Government. The Patriarch was also able to manoeuvre the creation of a strong opposition party within the community in order to negate the effectiveness of the work of the Haifa Congress. Despite all this, the majority in the community still supported the Executive Committee of the Haifa Congress, and the British Administration had to accept this Committee as the representative body of the majority party in the Community.

The resolutions of the Congress dealing with the demands of the Community in its conflict with the Patriarchate have already been touched upon. However, a few of the other resolutions are of interest as they shed light on how the community planned to conduct its affairs and the aims it hoped to achieve. It was resolved

³⁵For the names of all the representatives at the Congress, a list of the resolutions taken, and the names of the Executive Committee elected, see: Qazaqiyya, op. cit., pp. 252-256; Khoury and Khoury, op. cit., pp. 329-340; Sifri, op. cit., Bk.1, pp. 186-187.

at the Congress that an Executive Committee should be elected to include seven members from Palestine and three members from Transjordan. One of the duties of this Committee was to ensure that Societies of Orthodox Fraternity were formed in all of the areas. Each member of the Orthodox Community in Palestine and Transjordan was to pay a yearly subscription of 10 mils to help finance the activity of the Executive Committee. The 15th. of July of each year was to be considered a community holiday, and an Orthodox Congress was to be held annually on that day. It was decided that a properly documented history of the "Orthodox Case", starting from 1875, and including the proceedings of the Haifa Congress, should be compiled, together with a short survey of the Arab Orthodox movement in the See of Antioch. An Orthodox Journal in Arabic was to be issued under the supervision of the Executive Committee. The Executive Committee was to be responsible for the implementation of all these resolutions.

These were high aims and few of them were put into effect. No Orthodox journal was issued until the 1940's in Jerusalem. No annual Congresses were held, and no

history of the Arab Orthodox movement in the See of Antioch appeared. However, two histories of the Church of Jerusalem, tracing the development of the controversy between the community and the Patriarchate were written and published. The first of these to appear was Tarikh Al-Kanīsa Ar-Rasouliyya Al-Uroushalimiyya (The History of the Apostolic Church of Jerusalem), by Khalil Ibrahim Qazaqiyya of Bethlehem, (often referred to in this thesis). The book was published in Cairo in 1924. The latter part of the book is of particular value and may be considered as a primary source on the activities of the community delegation in Constantinople, and the events in Jerusalem during the crisis of 1908 and subsequent years. The author participated actively in the affairs of the community during these years and until the convening of the Haifa Congress in 1923. He was the one delegate of the community who steadfastly pursued the "Orthodox Case" in Constantinople during the 1908 crisis and until a settlement was decreed by the Ottoman authorities in 1910. His narrative of the course of events from 1908 to 1914, and his account of the negotiations, audiences, correspondence and contacts with the authorities in Constantinople are

based on personal experience, and well documented with copies of correspondence, references to official letters, registers, and decrees of the Government to which he had access as an official delegate, and of which he kept a careful account and copies. Qazaqiyya was not a scholar, and had to resort to the services of Nasser Issa Rassi to help edit the language and composition of the book. Yet, the facts throughout the book are carefully checked and are very accurate when compared with the same facts in standard works. Where there is ambiguity with regards to events and dates in the earlier history, Qazaqiyya honestly states this, and presents the various versions available of the situation. Except in the latter part where the author states his point of view, no attempt is made to color the facts in the book.

The other book to appear was Khulasat Tarikh Kanisat Uroushalim Al-Orthodoxiyya, (A Summary of the History of the Orthodox Church of Jerusalem) by Shehadeh Khoury and Rev. Nicola Khoury, (also frequently referred to in this thesis). The book was published in Jerusalem in 1925. It is a summary history, but of interest in

that the authors knew Greek,³⁶ and were able to base their facts on Greek histories of the Jerusalem Patriarchate, namely those of the Patriarch Dositheos and of Chrysostomos. Again, the latter part of the book dealing with the period after 1918 is of value in that it contains copies of correspondence and other documents which are difficult to obtain elsewhere at the present time. Many of these documents (few as they are) are mentioned in the Bertram-Young report which was published in 1926. This, to a large extent corroborates their authenticity.

The Executive Committee of the First Arab Orthodox Congress, as the Haifa Congress came to be referred to, remained in charge of Orthodox affairs until after the death of Patriarch Damianos in August 1931. In 1926, after the publication of the Bertram-Young

³⁶ Interview with Mr. George Nicola Khoury, son of Rev. Nicola Khoury, March 16, 1967. It appears that Rev. Nicola Khoury was educated at the Patriarchal High School of St. Dimitrius in Jerusalem, where Greek was the official language of instruction. He was a teacher at the Orthodox Patriarchal School in Karak until shortly before the outbreak of World War One. From 1914 until about 1924, he was in the Jerusalem area and participated actively in Orthodox affairs prior to his ordination in 1928. His knowledge of facts and events from 1918 to 1924 are first hand.

report, the Committee continued to urge the Palestine Government to implement the recommendations of the Commission but without result. When the controversy between the Patriarchate and the community flared up again after the death of the Patriarch in 1931, a second Arab Orthodox Congress was convened at Jaffa on November 28, 1931. The reason which called for this Congress was the failure of the Executive Committee to come to an agreement with the locum tenens of the Patriarchate with regards to the amendment of the regulations leading to the election of a new Patriarch. The Congress met under the presidency of Issa al-Issa. Its resolutions included a decision to boycott the Patriarchal election and to make it the duty of every member of the Congress to help collect the 10 mils yearly subscription of every Orthodox in Palestine and Transjordan. A new Executive Committee was elected, and its membership was enlarged to include representatives from all areas. The Congress appears to have tempered the extremists' call for an Arab Patriarch and the establishment of an independent Arab Orthodox Church. The first resolution passed by the Congress was that the election of an Arab Patriarch was not possible,

for the time being. The foundations for such an eventuality had first to be laid through the tireless efforts of the members of the community.³⁷ It appears that those who stood firmly by this decision at the Congress were highly criticised by the more extreme faction. They were accused of belonging to the moderate party which was created under the auspices of Patriarch Damianos in 1925.³⁸ Nevertheless, the majority in the Congress appear to have supported this group, and the resolution was passed by a majority vote.

The Executive Committee of the Second Arab Orthodox Congress had a hard task before it, and it continued diligently to carry out its many responsibilities under the Presidency of Mr. Yacoub Farraj of Jerusalem. It raised two law-suites in the courts

³⁷For the names of the members of the new Executive Committee and the resolutions passed by the Congress, see: Sifri, op. cit., pp. 188-190.

³⁸It appears that Salim Qubain, the editor of Al-Ikhaa' Journal of Cairo took up the defence of this more moderate group. See undated Supplement to Majallat al-Ikhaa' entitled, "The Palestine Orthodox Case." (Mr. Qubain was himself a member of the Orthodox Community of Palestine, and was born and educated in Nazareth.)

against the validity of the Patriarchal election (in 1932 and 1935 respectively), as already described above. It had to make decisions with regards to the stand of the community in 1935 both before and after the Patriarch Timotheos was elected, and it had to elect from among its numbers members to the negotiating committee established under Government auspices in 1936, in an attempt to agree with delegates of the Patriarchate on possible amendments to the Fundamental Law of the Church. As a result of these negotiations a draft law was published in 1938 which was later enacted as The Orthodox Patriarchate Ordinance, No. 32 of 1941. The Committee remained in charge of Orthodox affairs all during the difficult years in the history of Palestine from 1936-1939, and until 1944, when a third Arab Orthodox Congress was held at Jerusalem. All during this period it appears to have commanded the support and confidence of the community³⁹ who from 1935 onwards resorted to

³⁹As evidence of this support see the following references in Falastin: July 26, 1935, p.5; August 26, 1935, p. 7; June 11, 1935, p. 2; June 18, 1935, p. 7; June 19, 1935, p. 5; October 31, 1935, p.4; October 27, 1935, p.5; November 5, 1935, p.5; November 13, 1935, p.5; December 1, 1935, p. 8.

expressing disapproval with the situation by closing churches, as in the past, and by boycotting feasts and Church celebrations in which the Patriarch was officially represented.

In 1941, the Palestine Administration enacted the Orthodox Patriarchate Ordinance which was confirmed in 1942. It appears that in 1944, the Government intimated its intention to implement this Ordinance as the new Fundamental Law of the Patriarchate. Hence a third Arab Orthodox Congress was held in Jerusalem in October 1944, under the joint Presidency of Mr. Issa al-Issa and Mr. Nakhleh Kattan, to discuss the new law. The Congress decided to reject the law in the form in which it appeared and requested its newly elected Executive Committee to re-open negotiations on the subject with the Patriarchate and the Government authorities.⁴⁰ The efforts

⁴⁰ It has not been possible to ascertain the names of all the members of the new Executive Committee elected in 1944. It appears that many of the members of the previous Committee were re-elected. By 1944, Mr. Yacoub Farraj had passed away, and his responsibilities were now taken over mainly by Mr. Issa al-Issa, Mr. Anton Atallah, and Mr. (later Judge) Samaan Daoud. One of the new members on the Committee was Mr. Saad Abu Jaber, one of the representatives from Transjordan.

of the Executive Committee of the Third Arab Orthodox Congress might have brought about a final solution to the "Orthodox Case", but the events in Palestine, the termination of the Mandate in May 1948, and the war which followed put an end to all this and left the problems of the community and the Church unresolved.

The Orthodox Congresses were not the only occasions when members of the community from the various areas met together for a common purpose. It appears that in 1935, some of the leaders of the community felt that the younger generation needed to be made aware of the critical stage the "Orthodox Case" was passing through in the summer of 1935. They wished to awaken a more enthusiastic interest in the minds of the youth of the community in the affairs of the community in order to prepare them for the future leadership. Hence, the decision made in October and November 1935 by representatives of some of the Orthodox Societies in Palestine and Transjordan, to hold a Congress of Arab Orthodox Young Men at Ramlah on Sunday, November 17, 1935 at 9 a.m.⁴¹ The

⁴¹ Falastin, October 29, 1935, p.6; November 6, 1935, p.7. Also see Sifri, op. cit., p. 193. The Organizing Committee of the Congress was composed of the following:

organizing committee stipulated from the start that neither the proposed Congress, nor its elected Executive Committee would have the right at any time to claim to be the representative body of the Orthodox Community. Only members elected and delegated by Orthodox Clubs, Societies and Community Committees in Palestine and Transjordan would be allowed to attend, and these would be issued special cards by the organizing committee.

The Congress met on November 17 and adopted the following resolutions:

- (1) To work towards creating a spirit of cooperation and amity among the various Orthodox organizations in Palestine and Transjordan.
- (2) To make efforts to establish Orthodox Clubs and Societies in towns and villages where such organizations do not exist.
- (3) To support the efforts of the Executive Committee of the Second Arab Orthodox Congress.
- (4) To work and propagandize for the "Orthodox Case" by all possible means.

It was also proposed by the Congress that every member of the Orthodox community in Palestine and Transjordan should adopt the following covenant:

I , the Palestine, or Transjordan Arab Orthodox, declare that I have a historic right in the Orthodox Patriarchate of Jerusalem, and am entitled as a member thereof, to participate actively in its affairs, and share in its administration and religious leadership. I also believe that the spiritual leadership in this Patriarchate has robbed me of this right and denied it me for the past four-hundred years. I hence make a covenant before God that I will go to any length to withhold communication with this leadership, until such time as these my rights have been recognized.⁴²

The Congress proved to be a great success and was followed by a burst of enthusiasm on the part of the participants. In Ramallah, members of the community decided to adopt the covenant and immediately commenced the organization of a committee to take charge of community affairs in the town.⁴³

⁴²Falastin, November 19, 1935. A report on the Congress is given on p.4, including the resolutions and decisions adopted. The names of the delegates who attended and the societies and clubs they represented are given on p.7 of the same issue.

⁴³Ibid., November 27, 1935, p. 7.

Another interesting development within the Orthodox Community during the period of the Mandate was the effort of the Arab Orthodox Parish Priests in Palestine and Transjordan to organize their affairs. On September 13, 1932, a Congress of Arab Orthodox Clergy was held at Ramallah under the Presidency of Rev. Yousef Harb to deliberate on various affairs of the clergy and adopt a program of reform in the Church. The Congress adopted several resolutions. It was decided to protest to the Patriarchate against the lowering of the salaries of the parish priests and to raise the question of the possibility of establishing a retirement fund. It was also decided to request the Patriarchate to appoint a preacher to the Jerusalem See; to request that the Theological Seminary of the Convent of the Cross be reopened; and that Churches be repaired and provided with necessary vessels. The Congress also decided that Sunday-schools should be run in all the areas, and that an Arab Orthodox journal should be published. The Congress passed a resolution to support the Executive Committee of the Second Arab Orthodox Congress in all its efforts, and to hold annual meetings to discuss affairs of the clergy. The necessity of reopening the Orthodox

elementary schools was re-emphasized, so that the children of the community should not come under the influence of other churches at an impressionable age. The Congress elected an Executive Committee to carry out negotiations with the Patriarchate and to put into effect the other resolutions of the Congress.⁴⁴

It appears that the Executive Committee of the Arab Orthodox Congress was always represented on the Executive Committee of the Clergy Congress. Likewise, The Congress of the Arab Orthodox Clergy was always represented on the Executive Committee of the Community. The President of the Executive Committee of the Congress of the Arab Orthodox Clergy was until July 1935, Rev. Elias Qanawati,⁴⁵ and the Secretary was Rev. Nicola Khoury. The Committee maintained a permanent office in

⁴⁴Sifri, op. cit., p. 191. The Following were elected members of the Executive Committee of the First Congress of Arab Orthodox Clergy: Rev. Nicola Khoury, (Jerusalem); Rev. Saliba Zeidan, (Jaffa); the Rev. Economos Nicola Azzam, (Haifa); Rev. Yacoub el-Hanna, (Acre); Rev. Elias Qanawati, (Bethlehem); Rev. Suleiman Sharayha, (Karak); Rev. Nasser Oweis, (Ajloun).

⁴⁵Falastin, July 9, 1935, p.5, announces the death of Rev. Qanawati, the President of the Executive Committee of the First Congress of Arab Orthodox Clergy.

Jerusalem under the direction of its Secretary, Rev. Nicola Khoury.⁴⁶

The last of the Congresses of the Arab Orthodox Clergy was held early in the 1940's under the Presidency of Rev. Yacoub el-Hanna, of Rama, who was elected President of the Executive Committee and represented the Clergy on the Executive Committee of the Community.⁴⁷ It appears that the resolutions taken at this last Congress were of an extreme nature and very nationalistic in temper. The clergy in the villages were greatly upset to see so many of their flocks leave the mother Church and join other Christian denominations, due to the neglect of the Patriarchate to provide schools for the children and other amenities. At this Congress it was decided:

- (1) To abstain from mentioning the Patriarch's name in the Church services, as the Patriarch has neglected his duties as head of the Church, and has followed a policy intended to disperse the Orthodox Community and send it into the arms of other Christian Churches.

⁴⁶ Interview with Mr. George N. Khoury, son of Rev. Nicola Khoury, March 16, 1967.

⁴⁷ Interview with Mr. Hanna el-Hanna, son of Rev. Yacoub el-Hanna, March 13, 1967.

- (2) To emphasize the necessity that the Arab Orthodox be granted a share in the direction of Church affairs together with the Greek hierarchy.
- (3) That the "Orthodox Case" be considered as part of the larger Arab national cause, both of which were a struggle against a foreign mandate and usurpation of rights.
- (4) That Palestine was an Arab land, and that the Orthodox Community of Palestine had always been Arab even prior to the Moslem invasion.⁴⁸

It appears that the decision of the Arab Clergy not to mention the name of the Patriarch in the Church Services upset the Patriarch who appealed to His Highness, the Amir Abdallah. The Patriarch, it appears, requested the Amir to use his good offices to put pressure on the priests in Transjordan to pray for the Patriarch in the Churches.⁴⁹

⁴⁸ Ibid., The above information was cited from the Diaries of Rev. Yacoub el-Hanna, (now deceased) (in the possession of his son, Mr. Hanna el-Hanna, presently of Beirut). Rev. el-Hanna was of the graduates of the Russian Teacher Training School in Nazareth.

⁴⁹ Interview with Mr. Hanna el-Hanna March 13, 1967.

The large majority of the Arab Orthodox Clergy supported the Executive Committees of the Arab Orthodox Congresses and cooperated whole-heartedly with the community in its struggle to assert its rightful position in the Church.

The Community and National Affairs

The strongly national sentiment expressed in the last Congress of the Arab Orthodox Clergy was only a reflection of the national sentiment of the Orthodox Community as a whole, as with all other Arabic-speaking Christian communities in Palestine at the time. The Arabic-speaking Christians of Palestine, identified themselves completely with the Moslem Arabic-speaking peoples around them and considered themselves to be Arabs. As Bertram and Young so aptly described this in their report when referring to the Greek claim that the members of the Orthodox community of Palestine were not Arabs at all, but Arabophones:

National consciousness is not a matter of what ought to be felt, but of what actually is felt. No amount of eloquent reasoning would persuade the inhabitants of Alsace-Lorraine that their national consciousness is German. Similarly, no amount of such reasoning would persuade the

Orthodox congregations of Palestine that they are not Arabs but Greeks. . . . The dearest thought of every young local Orthodox Christian is that he is an Arab, and his most cherished aspirations are those of Arab nationalism, which he shares with his Moslem fellow-countrymen.⁵⁰

When the Royal Commission of Inquiry was sent out to Palestine to investigate the situation after the general Arab strike of 1936, three representatives of the Christian communities in Palestine, the Melchite or Greek Catholic Archbishop, the lay leader of the Orthodox Community in Palestine, Mr. Yacoub Farraj, and a Protestant minister, testified before the Commission. Their individual testimonies were preceded by a statement, which opened with the following line :

The Christian Arab population of Palestine of all communities are in full agreement with their brethren, the Muslim Arabs, with whom they form a united national entity.⁵¹

It should also be noted that the classical work on the history of the Arab national movement, The Arab Awakening,

⁵⁰Bertram and Young, op. cit., pp. 77-78.

⁵¹Great Britain, Royal Commission, Minutes of Evidence Heard at Public Session, Colonial No. 134 (London: H.M.S.O., 1937), p. 357.

was written by a member of the Orthodox Community, George Antonius, who resigned from a high post in the Mandatory Administration and then wrote his book. There were other Orthodox Christians, less well known outside Palestine, but quite prominent in their own community, who participated actively in the nationalist movement. Members of the community were represented in all the national organizations which were formed in Palestine after the establishment of the British Mandate. They were members of the Moslem-Christian Societies of the early years of the Mandate, and a leader of the community was elected as a member of the first Arab Delegation sent to London in 1921 to plead the Arab cause before the British Government.⁵² The Vice President and the Secretary of the Executive Committee of the First Congress of Palestine Arab Young Men held in December 1932 were Orthodox Christians.⁵³ The Orthodox Community was

⁵²This was Mr. Ibrahim Shammās. See: Sifri, op. cit., Bk. 1, p. 90; and Mansour, op. cit., p. 121.

⁵³These were Issa Bandak and Yousef Abdo, respectively. See: Sifri, op. cit., Bk. 1, p. 195.

presented in the Second Congress as well.⁵⁴ Mr. Khalil Sakakini was at one time secretary of the Executive Committee of the Arab Congress of Palestine, and his cousin Mr. Yacoub Farraj was vice-president of the Executive Committee of the Seventh Arab Congress of Palestine in 1934.⁵⁵ When Arab Political Parties began to be formed in Palestine late in 1934, both Mr. Yacoub Farraj and Mr. Issa al-Issa, the editor of Falastin newspaper, were founding members of the National Defence Party and Mr. Farraj became the Vice President of the Party.⁵⁶ Likewise, two members of the Orthodox Community were founding members of the Arab Reform Party which was organized in 1935.⁵⁷ The President of the Society of Arab Laborers in Jaffa was also a member of the Orthodox community in Jaffa.⁵⁸ During the troubles in Jaffa in 1935

⁵⁴Saliba Arida and Emil Ghory were members of the Office Committee.

⁵⁵Kedourie, op. cit., p. 78; Sifri, op. cit., Bk.1, p. 224.

⁵⁶Ibid., Bk. 1, p. 240. Also, Report on the Administration of Palestine, 1936, p. 23.

⁵⁷Ibid., p. 23. These were Issa Bandak and Dr. Yacoub Burdcosh.

⁵⁸Sifri, op. cit., Bk. 1, p. 240. This was Michael Mitri.

and 1936, and all through the period of the Arab strike in Palestine, the scout troops of the Orthodox Youth Club of Jaffa as well as the other Orthodox Societies rendered relief services to the poor and needy and first-aid services as part of the national effort, as did all Arab societies and clubs in Palestine at the time. Again, when the Arab Higher Committee was formed in April 1936, Mr. Yacoub Farraj was a member. Later, he was replaced by Mr. Emil Ghory. In July 1936, Mr. Emil Ghory was member of the delegation sent by the Arab Higher Committee to London.⁵⁹ The following year, Mr. Ghory and Rev. Nicola Khoury made a tour of the Balkan states to explain the case of the Arabs of Palestine and plead against partition. It is not clear whether they represented the Arab Higher Committee or the Palestine Arab Party.⁶⁰ But it appears that the Orthodox Community requested them to present the case of the Orthodox

⁵⁹Ibid., Bk.II, p. 112.

⁶⁰Report on the Administration of Palestine, 1937, p. 24. The report does not give the name of the priest. However, his name was ascertained during an interview with Mr. Yousef Abdo, April 18, 1967, and during an interview with his son, Mr. George Nicola Khoury. The tour commenced with an audience with the Ecumenical Patriarch at Constantinople, and included visits to Greece, Bulgaria, Rumania, and Yugoslavia. The mission of Ghory and Rev. Khoury was made easier due to Rev. Khoury's knowledge of Greek. They appear to have made an impression on the ecclesiastical world of these Orthodox states.

Community in Palestine to these Orthodox states where the point of view of the Patriarchate only was known.⁶¹ This active participation of the community in national affairs, as individuals and as groups organized in societies and clubs, continued throughout the period of the Mandate in Palestine.

The Arab national leaders on their part adopted the "Orthodox Case" as an inseparable part of the larger Arab national cause in Palestine. As early as June 1923, when the Sixth Arab Congress of Palestine was held at Jaffa, the Congress took a resolution, among others, that the Orthodox case in Palestine was part of the national cause, and called on all to support it.⁶² In December 1931, a Moslem Congress, attended by 145 delegates including visitors from Transjordan, Egypt, Syria, Iraq, North

⁶¹Interview with Mr. Yousef Abdo, April 18, 1967. According to Mr. Abdo, the trip of Mr. Ghory and Rev. Khoury was financed by the Orthodox Community in Palestine, with the understanding that the case of the Community would be presented along with the Palestine Arab cause to these Orthodox states.

⁶²Sifri, op. cit., Bk. 1, p. 96.

Africa and India met in Jerusalem.⁶³ At the end of the meetings a number of resolutions were adopted, the fifteenth of which read as follows:

The Christians of Palestine and Transjordan are to be thanked for the sympathy they have expressed towards the Congress. Special greetings are addressed to the Second Arab Orthodox Congress held at Jaffa. It is hereby declared that the cause of the Arab Orthodox community should be considered as part of the larger Arab Cause which is the major problem of the East. The attention of the Government should be directed to the necessity of making it possible for the Orthodox community to elect an Arab Patriarch.⁶⁴

These sentiments were continually repeated whenever the occasion arose. King Abdallah of Jordan, then Amir of Transjordan, publicly upheld the cause of the Orthodox Community during the critical summer of 1935, and went so far as to threaten the support of the election of an Arab Patriarch should the rights of the Community continue to be neglected.⁶⁵ Similarly, when the "Orthodox Case" came to the fore again in the summer and autumn of

⁶³Ibid., Bk. 1, p. 178. Report on the Administration of Palestine, 1937, p. 11.

⁶⁴Sifri, op. cit., Bk. 1, p. 182.

⁶⁵Falastin, July 13, 1935, p. 5.

1944, and the Third Arab Orthodox Congress was held in Jerusalem, greetings and statements of support were addressed to the Congress by the various Arab political parties and committees in Palestine, and Amir Abdallah again sent special greetings.⁶⁶ At the national rally held in Jerusalem in June 1945 by the Palestine Arab Party the following declaration was made:

The Orthodox case has always been considered as part of the general Arab cause, hence this meeting reasserts its support of the "Orthodox Case" and demands of the Government a speedy solution to the problem that will meet the just demands of the Arab Orthodox.⁶⁷

On the other hand, the Orthodox Community in Palestine was sensitive to the complete lack of interest shown by the Patriarchate and the Patriarch as head of one of the major religious communities in Palestine to the

⁶⁶ Telegrams by Fayez Haddad, Ragheb Bey Nashashibi, Awni Bey Abdel Hadi and Tawfik Saleh al-Husseini (on behalf of the Palestine Arab Party). Telegram of Greeting dated Sept. 25, 1944 from H.H. Amir Abdallah. Letter of good wishes supporting the demands of the Congress from the Director of the Independence Party. (In the files of H.E. Samaan Daoud).

⁶⁷ Letter dated June 5, 1945 from the Palestine Arab Party addressed to the Arab Orthodox Executive Committee informing it of the above. (In the files of H.E. Samaan Daoud).

whole situation in the country. They felt hurt that they could not point with pride to the stand of their religious head on any of the issues then troubling the land, as other religious groups could. This only emphasized further the rift between the Patriarchate and the community.⁶⁸

It was not only in the political field that the community participated in national affairs. Members of the community were represented on all the various non-communal Arab social, philanthropic, cultural, economic and educational organizations. As men of business, of the professions, or as dedicated individuals they contributed much towards raising the standards of the Arab community in Palestine as a whole. One of the two leading Arabic newspapers of Palestine, Falastin, was owned and edited by members of a prominent family of the Community in Palestine.⁶⁹ Similarly, one of the leading newspapers in Transjordan, Al-Urdon was owned and edited

⁶⁸ As an example of the sentiments of members of the community on this matter see: Falastin, June 23, 1936, p. 2, reporting on a letter addressed to the Patriarch by Andrea Bannura of Beit Sahur.

⁶⁹ This was the al-Issa family of Jaffa. For long, the chief editor of Falastin was Issa al-Issa. See: Tarazi, op. cit., p. 70.

by a prominent member of the Orthodox Community.⁷⁰ Two of the leading non-sectarian national schools in Palestine were likewise, founded by members of the Orthodox Community. These were An-Nahda College and al-Umma College, in Jerusalem.⁷¹ Some of the most outstanding men of letters, scholars and educationalists of Palestine were members of the Orthodox Community.

In Transjordan, they rose to positions of high eminence in the service of the state, and many outstanding members of the Orthodox Community were honored by the title of "Pasha" by Amir Abdallah in recognition of their contributions to the welfare of the nation.⁷²

⁷⁰This was Khalil Nasr, originally of Palestine, who later moved his paper and his family to Transjordan. Interview with Mr. Ni'meh Sabbagh, March 11, 1967.

⁷¹An Nahda College was founded in 1938 by Khalil Sakakini, Ibrahim Shehadeh Khoury, Labib Ghulmiyya and Shukri Harami. See: Sakakini, op. cit., footnote to page 306. Al-Umma College was later founded by Shukri Harami and others. Shukri Harami still runs this school in Jordan. It was amongst the first co-educational schools of the Arab community in Palestine.

⁷²Among them one may cite individuals like Odeh Pasha Qussous, Dr. Hanna Qussous, Suleiman Pasha Sukkar, all of whom served on Jordanian Ministries, and Said Pasha Abu Jaber, and many others.

Among the Palestinian men of letters and educationalists one may cite people like George Antonius, Khalil Sakakini, Nicola Ziadeh, Dimitri Baramki, Shukri Harami, and many others.

The Local Organization of the Community

Such were the activities of the Orthodox community as a body and as part of the larger Arab community. The success of the organization on the local level depended on the leadership and the degree of communal consciousness available in each particular area. However, generally, the period following the establishment of the Mandate was a time of development, a time when the community came to a realization that it could no longer continue to depend on the Church and the Patriarchate to supply it with all its needs. The convening of the First Arab Orthodox Congress in 1923, appears to have had a positive influence. It helped give the impetus for the organization of Orthodox societies of all types, and it was late in the 1920's that most of the Orthodox Societies, which by 1934 and 1935 were flourishing organizations, had come into being. The enthusiasm of the Community underwent a relapse during the difficult period from April 1936 until the outbreak of the Second World War, but was revived again during the war years. The growth of a new attitude and spirit was attested to as early as 1925 by Bertram and Young in their report:

Some of the best of the younger generation have begun to feel that the dependence of the Community on the Patriarchate has been a source of demoralization, and that they must do things for themselves.⁷³

And indeed they did. By the 1930's, Orthodox Societies with a wide range of activities had come into being. The range of activity of these societies, to a large extent, reflected the practical demands the community had been fighting for in its conflict with the Patriarchate. These included such items as:

That schools, especially secondary schools of a standard equal to those of the Catholic and Protestant missionary schools in the area be opened.

That a clerical seminary for the education of the parish priests be established.

That the churches and the school buildings be repaired, embellished, and properly cared for, and new churches built.

That preaching and the teaching of the catechism be properly carried out and the church services improved, particularly the singing.

That special funds be available to each local community for the care of the poor, the sick, the old and the orphan; and that hospitals, orphanages and old people's homes be opened.

That the parish clergy be paid fixed, adequate salaries, so that they would no longer be dependent on contributions made on special occasions.

⁷³Bertram and Young, op. cit., pp. 105-106.

Hence, many of the Orthodox societies assumed responsibility for the care of the poor, the sick, the old and the orphan. Some devoted themselves to furthering the education of the children of the community. Others undertook to care for the churches, improve the singing in the services and form church choirs, run Sunday-schools and teach the young the liturgy and the Church rites generally. Many others took the form of Orthodox clubs to meet the cultural and recreational needs of the community under healthy auspices. A number of these clubs formed scout troops which proved very helpful in keeping order and providing first-aid facilities at big community or church celebrations. Many of these scout troops organized brass bands to add color and pomp to communal ceremonies. A considerable number of the Orthodox societies, mainly in Haifa, Jaffa and Nazareth were able to acquire properties and establish endowments to help support their projects. The Orthodox societies were financed through annual subscriptions, generous contributions of individuals in the community, or of institutions outside the community, or even of the Patriarchate itself. Charity bazaars, fairs, entertainments, foot-ball games, concerts and lottery tickets

were other means by which funds were raised. The men and women who organized these societies and activities did so on a voluntary basis. They worked devotedly and conscientiously to help raise the standards of the community generally.⁷⁴ (Appendix B at the end gives a list of as many of the Orthodox Societies as could be traced in the various towns and areas).

In the field of education, the Orthodox Societies had established four schools by 1924 at Haifa, Jaffa and Jerusalem.⁷⁵ The number of these schools was increased to ~~six~~ six later on, and included two elementary schools, one for boys and one for girls in Haifa; three schools in Jaffa, two of them elementary schools, one for boys and one for girls, and an important Secondary School for boys; and one school in Jerusalem. It appears that there was a school in Acre, but it has not been possible to ascertain whether this was a community school

⁷⁴The above discussion is based on information derived from a questionnaire which was circulated to many members and leaders of the Orthodox Community who participated actively in community affairs in various parts of Palestine and Transjordan during the period of the Mandate. The names of those who supplied the information are listed at the end of the thesis (in the bibliography).

⁷⁵Report of the Administration of Palestine, 1924, pp. 19 and 73.

or a Patriarchal school.⁷⁶ The most significant of these schools was the National Orthodox College for boys at Jaffa, which provided a full elementary-secondary course, leading to the matriculation examination.⁷⁷ The school was first established in 1921 by the school Committee of the Men's Orthodox Charitable Society of Jaffa.⁷⁸ Until the early 1930's, it had an elementary section only. However, under the direction of Mr. Kamel Deeb who became the headmaster in 1933, the school was gradually developed into a full secondary school of a very high standard. The school had a good laboratory, the funds for which were contributed by a Moslem parent of one of the students in the school. It had a school band, and later, when Mr. Habib Homsî became chairman of the school committee, it developed an active sports program. From among its students, supplemented by members of the Community, a Church choir was formed to improve the services in the Community Church of St. George.

⁷⁶ Report on the Administration of Palestine, 1938, p.156.

⁷⁷ A. L. Tibawi, Arab Education in Mandatory Palestine (London: Luzac and Co., Ltd., 1956).

⁷⁸ Bertram and Young, op. cit., p. 106.

When the Community Church was no longer able to hold the enlarged Church attendance, through the efforts of Mr. Deeb, the Community was persuaded to hold its services at the larger Patriarchal Church of St. Michael in the Old City. This inevitably improved relations between the Community in Jaffa and the Patriarchate, who now donated the extensive land surrounding the National Orthodox College to the school. The land was converted into proper sports grounds with a foot-ball field, where the school in conjunction with the Orthodox Youth Club of Jaffa, held public foot-ball games and thus raised money for a scholarship fund. This fund was set aside for the higher education, each year, of the best student in the school-leaving class. However, only one student benefitted from this opportunity before all was lost in 1948.⁷⁹

The Orthodox Community at Jaffa was probably the most community-conscious and the best organized of the

⁷⁹Interview with Mr. Habib Homsy, an active leader of the Jaffa Community, February 7, 1967.

Interview with Mr. Kamel Deeb, previously headmaster of the National Orthodox School, Jaffa, and presently headmaster of the National Evangelical School, Beirut, December 1, 1965.

Orthodox Communities in Palestine and Transjordan. Jaffa was a compact town, and its people, living in a commercial center had acquired the habit of self-reliance. Besides, Mr. Issa al-Issa, one of the pillars of the Orthodox Community in Palestine published his newspaper, Falastin, (the mouthpiece of the Orthodox Community) in Jaffa. This must have contributed towards developing the community spirit in the town. The Community was also fortunate in the kind of devoted leadership that was always present in Jaffa. The Orthodox Youth Club of Jaffa was the most flourishing of the Orthodox Clubs. Its cultural programs were always of a high standard, and its foot-ball team was among the best in the country. Jaffa boasted at least twelve men's and women's Orthodox Societies, equally well-organized, including a one-room hospital-clinic, and an Orthodox Committee of the Christian Laborer's Cooperative Society.⁸⁰

The organization of the Community in Haifa was of special interest. It appears that Haifa was

⁸⁰ Interview with Mr. Habib Homsy, February 7, 1967.
Interview with Mr. Peter Malak, an active leader of the Community in Jaffa and Jerusalem, February 20 and March 2, 1967.

one of the centers where a Community Council had been established in 1914, in accordance with the provisions of the Ottoman Order of 1910. After the British occupation of Palestine, the Council resumed its activities as the trustee of the Community and its properties under the Chairmanship of Mr. Mikhael Tuma. However, the members of the Community clamoured for new elections early in the 1920's, and Mr. Tuma was re-elected Chairman. Under the circumstances in the Church and the non-recognition of this Council by the Patriarchate, the new Council had no real legal status. Hence, Mr. Tuma, upon the advice of a British friend in Haifa, registered the Council as the National Orthodox Community Council, a charitable society. As much the Council was able to resume its activities, and to acquire properties for the Community which did not come under the direct supervision of the Patriarchate.⁸¹ Over the years, through

⁸¹ Interview with Mr. Mikhail Tuma, Chairman of the Orthodox National Community Council, March 8, 1967. This was done in accordance with the Proclamation of Aug. 26, 1919 concerning the Registration of Societies and Clubs. In this Proclamation Articles 6 and 13 of the Ottoman Law of Aug. 3, 1325, requiring the notification of the Government of the establishment of political and philanthropic societies and clubs was confirmed. (Norman Bentwich, Legislation of Palestine 1918-1925, Vol. II prepared for the Government of Palestine, (Alexandria, Whitehead Morris, Ltd., 1926), p. 377.) (This Proclamation was re-inforced by the Charitable Trusts Ordinances of 1925 and 1927).

the indefatigable efforts of Mr. Tuma and the other leading members of the Community, the properties of the community in real-estate became quite extensive. Also, all the other activities of the Community in Haifa came under the supervision of the National Orthodox Community Council. In 1943 or thereabouts, a constitution was drawn up for the Community at Haifa, and the National Orthodox Community Council was enlarged to become a kind of representative legislative council of the community with an executive committee. A yearly subscription of 129 mils was collected from each member of the community. The Community also had a number of men's and ladies' societies and ran two elementary schools which came under the direction of the Orthodox Young Men's Charitable Society.⁸²

Nazareth was an important center of Orthodoxy, but until 1929, the Community was troubled by the divisions and factional differences which followed the appointment

⁸² Interview with Mr. Mikha'el Tuma, March 8, 1967.
Interview with Mr. George Khammar, Member of the Orthodox National Community Council, February 15, 1967.

of the new Metropolitan in 1922. It was not until the summer of 1935, when the well-known educator in Nazareth, Mr. Costandi Kanaze' retired from Government service and devoted himself to the service of the Orthodox Community, that the affairs of the Community in Nazareth were properly organized. Mr. Kanaze', not only repaired the properties of the community and added to the buildings, but he also reorganized the Charitable Society, built a hall for the Orthodox club, started a regular Sunday School and attempted to train a choir for the Church services.⁸³

Nor were the other centers of Orthodoxy like Acre, Bethlehem, Ramlah, Lydda, Karak, and Madaba of lesser enthusiasm in organizing societies and clubs. At Gaza, a Community Council was organized in 1923. As this Council was recognized by the Patriarchate as an official institution of the Church it remained in charge of community affairs, officially, although it does not appear to have

⁸³Interview with Mr. Labib Farah, prominent member of the Orthodox Community in Nazareth, February 17, 1967.

Interview with Mr. Ni'meh Sabbagh, prominent member of the Orthodox Community in Nazareth, March 11, 1967.

Interview with Mrs. Nadia Kanaze' Makhkhoulah, daughter of Mr. Kanaze', February 20, 1967. Mr. Kanaze' was educated at the Russian Teacher Training School at Nazareth and then spent nine years of higher studies in Russia. He taught at the Teacher Training School upon his return to Nazareth. In addition to his other qualifications, Mr. Kanaze' played several musical instruments, and had considerable experience in training choirs.

enjoyed the support of the majority in the community, However, when the community wished to act independently of this Council and its connection with the Patriarchate, it organized an Orthodox Club.⁸⁴

It appears that the major burden of organizing community affairs in Amman was borne by the Nahda Orthodox Society. This Society had also to represent the community generally before the authorities at the capital. Of its outstanding members were Odeh Pasha Qussous, one of the leading personalities of Transjordan, Dr. Hanna Qussous, Suleiman Pasha Sukkar, Mr. Sa'ad Abu Jaber, and others. When Mr. Abu Jaber was elected President of the Society in 1947, he embarked on the grand project of building a proper Church for the Orthodox Community in Amman. In January 1948, the official sanction, or irada was granted by King Abdallah for the building of the Church and the organization of an Orthodox Club.⁸⁵ Mr. Abu Jaber and the members of the Society immediately began a fund-raising campaign. Although the Patriarchate promised a substantial contribution, its donation, when made, proved meagre.

⁸⁴Information received by letter from Mr. Wadie Tarazi of Gaza, a well-known educationalist and headmaster of a National Secondary School at Gaza, at present. (May 2, 1967).

⁸⁵Jordan Government, Official Gazette No. 933 of January 1, 1948.

After May 1948, the Society could no longer count on contributions from Palestine. Mr. Abu Jaber and his Committee resolutely set out to meet the financial commitment by claiming monthly contributions from wealthy members of the Community in Amman. By 1950 the Church building was completed and steps were taken to organize the Club.⁸⁶

The activities of some of the Orthodox societies and clubs in the smaller towns and areas are of special interest. In 1940, a St. Barbara's Orthodox Society was organized in Ramallah. The aim of this Society was to keep order in the Church; teach the ladies of the Community and the children the rites of the Church and liturgy; and to improve the singing in the services. Ramallah had several other Orthodox Societies, and also an Orthodox Club at one time, it appears. But this was the first time an Orthodox society devoted itself to teaching the ladies of the community the essence of the Church rites and liturgy.⁸⁷ Of equal interest was the decision taken by the Orthodox Club at Beit Jala on July 8, 1934, abolishing the old custom whereby a bridegroom paid a mahr or

⁸⁶ Interview with Mr. Saad Abu Jaber, President of the Nahda Orthodox Society, Amman, August 27, 1965.

⁸⁷ Information received by letter from an Elder of the Community at Ramallah. (March 1, 1967).

marriage money to the bride's father upon betrothal. A notice of March 14, 1935 in Falastin newspaper, informs the readers and praises the Orthodox notable of Beit Jala who put into practice this ruling on the occasion of the engagement of his daughter.⁸⁸

However, the main center of the whole Orthodox movement was Jerusalem. It was there that the Executive Committee normally held its meetings. It was at Jerusalem that permanent offices of Executive Committees and organizations of general Orthodox interest were maintained. It was at Jerusalem that important decisions and negotiations took place. And it was at Jerusalem that the community had to establish its position and prestige as the largest Christian Community in the area. The Orthodox Community of Jerusalem was the largest of the Orthodox communities in Palestine and Transjordan, but many of its members were of the less fortunate class. It was for this reason that the members of the community sought so hard to attain aid from the Patriarchate to help relieve some of the misery of the many poor of the community in Jerusalem. Not that the members of the community failed to organize societies and

⁸⁸ Falastin March 14, 1935, p. 7. In this news item reference is made to the decision passed by the Orthodox Club of Beit Jala on July 8, 1934.

make efforts to meet a large part of this responsibility. But generally, Jerusalem was not a wealthy commercial center, and the majority of the more prosperous members of the Community, until the war-time boom in the 1940's were not of the truly rich class. Nevertheless, attempts were made and it was the ladies' societies that persisted hardest in carrying the larger burden of this responsibility. As early as 1918, a ladies Society for the Education of Young Women was formed and continued to pay the educational expenses of poor girls in the community throughout the period of the Mandate. The Ladies' Society of Hamilat at-Teeb, established in 1926, specialized in caring for the sick and the needy. From this Society, a new society branched out, which through the tireless and dedicated efforts of its President, Mrs. Catherine Siksek, established the first Orthodox Old People's Home in Palestine, early in the 1940's, in Bethlehem.⁸⁹ Similarly, the ladies' committee of the National Orthodox School of Jerusalem, did commendable work in helping the School Committee raise funds for the school and care for the

⁸⁹ Report of Jamiyyat Tahthib al-Fatat al-Orthodoxiyya al-Filistiniyyah in Jerusalem, (published 1920). Interview with Mr. Saliba Jouzy, Chairman of School Committee of the National Orthodox School of Jerusalem, February 10, 1967. Interview with Mrs. Andoni Halaby, of the leading members of the Community in Jerusalem, July 3, 1966.

school premises. But it was after the outbreak of the Second World War, that the activities of the Orthodox community in Jerusalem really flourished.

The early attempts at maintaining an Orthodox club in Jerusalem were not as successful as they were elsewhere. It was not until early in the 1940's when the Orthodox Union Club was reorganized and housed in attractive premises in one of the suburbs of Jerusalem, that it attracted the enthusiastic support of the community. The President of the reorganized club was Mr. Hanna Salameh, one of the wealthiest members of the community in Jerusalem, who together with others, did much to make the new club a success. It was this club that finally met the attempt of the Orthodox Community in Palestine to publish a community journal, Al-Minbar. Al-Minbar first appeared in 1946, and was published bi-monthly. Mr. Nicola Ziadeh, was asked to help in editing the journal, and through his connections with the literary and intellectual circles in the area, many worthwhile contributions were made to the journal.⁹⁰ In

⁹⁰ Interview with Mr. George Khoury, March 16, 1967.
Interview with Mr. Peter Malak, February 20 and March 2, 1967. The above information was confirmed by Prof. Nicola Ziadeh of the American University of Beirut.

1943, the Club established a savings and advancements fund for the members in the form of a cooperative society which was officially registered with the government on April 1, 1943.⁹¹ It appears that the Club helped greatly in strengthening community ties in Jerusalem, and in stimulating new interest in community organization and philanthropic activity.

In the 1940's there was a movement among the Orthodox clubs in Palestine and Transjordan to form a closer tie between these individual organizations. Hence, in 1943 or thereabouts, a Union of Orthodox Clubs was formed with headquarters in Jerusalem. All the Orthodox clubs in the various towns were members of this Union. The purpose of the Union was to unify efforts, and:

- (1) To promote general cultural activities and a spirit of sportsmanship among members of the community;
- (2) To encourage effective participation in general Orthodox affairs particularly in so far as the controversy with the Patriarchate was concerned;
- (3) To support the education of suitable future parish priests of the community.

Mr. Hanna Salameh was again elected President of this Union, Mr. Peter Malak was elected its Vice President,

⁹¹The name of the cooperative society was: Jamiyyat At-Taslif Wat-Tawfir At-Ta'awuniyya Li-Nadi Al-Ittihad Al-Orthodoxi Bil-Quds Al-Mahdoudat Al-Masouliyya. Notice of its registration appeared in Official (Palestine) Gazette, No. 1259, April 1, 1943.

and Mr. Michael Qutran its Treasurer.⁹²

Although the Orthodox Community in Palestine and Transjordan did not publish an Orthodox journal until the Orthodox Union Club of Jerusalem began to publish al-Minbar, Falastin newspaper, to a large extent met this need for the Community. It acted as the official mouthpiece of the Community, and the forum for the discussion of Orthodox affairs. It published news items, notices, announcements and communiques about the Orthodox Community and its activities in Palestine and Transjordan, and kept the general public informed of the progress of the "Orthodox Case" in its various vicissitudes. In addition to this it published a weekly or fortnightly editorial usually entitled "Orthodox Affairs," commenting on or discussing topics of interest to the Community. These editorials were written by various members of the community at various times.⁹³

⁹²Interview with Mr. Peter Malak, February 20 and March 2, 1967.

Interview with Mr. Habib Homsy. February 7, 1967.
Interview with Mr. George Khoury, March 16, 1967.

⁹³At one time the main contributions came from members of the Executive Committee, or other leaders. For a time, in the 1920's, Rev. Nicola Khoury, prior to his ordination as priest in 1928, contributed articles under the pseudo-name of Al-Fata Ar-Ranli. (Interview with Mr. George Khoury, March 16, 1967). In 1935-1936, Mr. Issa Sifri of Jaffa was a chief contributor. (See: Falastin, September 1, 1935; September 15, 1935; October 6, 1935; October 20, 1935; October 31, 1935, as examples). The Orthodox Youth

The Community for its part used the pages of Falastin to make special comments or appeals. One of the more interesting of these was an anonymous appeal made on page 6 of the issue of August 6, 1935. In it the writer states that

Many of the villagers do not understand what the "Orthodox Case" is nor anything about it, although many of them have expressed their support of the Executive Committee. Under the circumstances it is difficult to blame those among them who have announced their recognition of the new Patriarch, and have thus failed to stand with the rest of the community on this issue.

It would be of great value if the Executive Committee sent a few persons on a tour of the villages to enlighten the Orthodox Communities there about the history and development of the "Orthodox Case", ...

It was probably under the impulse of this appeal that the Congress of Arab Orthodox Young Men which met at Ramlah on November 17, 1935, adopted as one of its resolutions the necessity of going to the villages and organizing in these areas Orthodox clubs and societies.

Although the main efforts of the Orthodox Community in Palestine and Transjordan centered around the

Club of Jaffa during the same period undertook to contribute a connected series of articles on Orthodox affairs. At least ten of these articles may be traced in the issues of Falastin available at the Jafet Library of the A.U.B., for the years 1935-1936. (See: Falastin: November 6, 1935, p. 7; February 2, 1936, p. 10; March 1, 1936, p. 5; March 9, 1936, p. 5; March 15, 1936, p. 4; April 5, 1936, p. 5; April 12, 1936, p. 5; April 19, 1936, p. 4).

issue of the position and the rights of the community in the Church, and this inevitably led to strained relations with the Patriarchate, yet communications between the two were never completely severed. In the Community there was always a moderate group ready to follow a milder policy and assume a more conciliatory attitude towards the Patriarchate. This group was always ready to mediate between the two parties and help bring about a rapprochement. The efforts of these members of the community were not always without effect, even though theirs often proved to be a thankless job. In places like Jaffa and Haifa, there was a definite step forward in improving relations and re-establishing mutual respect and good will, but then, the Orthodox congregations in Jaffa and Haifa were the best organized and the most self-supporting, and hence the least in need of material aid from the Patriarchate. In other areas where outside aid was needed, the resentment of the members of the community against the Patriarchate was greater, and the Patriarchate on its part felt less inclined as a result to aid such areas, and the vicious circle repeated itself.

However, by 1948, the Orthodox Community in Palestine and Transjordan had travelled a long way from

the days when it had depended entirely on the Church and the Patriarchate to supply it with its needs. But the members of the Community in Palestine were destined not to enjoy the results of their tireless efforts and good works. Nevertheless, the movement they had set into motion did not die out with the loss of their homes and their country. The experience, the spirit of responsibility and the enthusiasm they had acquired, they carried with them wherever they went. Those who settled in or remained in Jordan, and particularly those who made Amman their home, once the initial difficulties of resettlement were overcome, resumed the struggle with zeal to reassert the community's rights in the Church and to revive the spirit of Orthodoxy. The merged community in Amman now assumed the leadership in local communal organization. It assumed the responsibility to meet the needs of its members in all possible fields - spiritual, philanthropic, cultural, educational and recreational with commendable results. And it set the example for the disheartened members of the community in the other towns and areas to once again tread the path of revival and growth in order to raise the standards of the community as a whole.

CONCLUSION

The "Orthodox Case", as the problem in the Orthodox Patriarchate of Jerusalem came to be called, was strictly an affair of the Orthodox Church and the Community. In one sense, it was a liberal constitutional struggle between the lay members of the community, and the Church hierarchy. In this struggle, the lay members attempted to assert their right to a share in the direction of the affairs of the Church, especially as these affected the community. However, the nature of the situation in the Patriarchate of Jerusalem, made this struggle assume a strongly national coloring. The national implication was inherent in the organization and composition of the Church - a nationally-conscious Greek higher ecclesiastical hierarchy, and an Arabic-speaking lay community subject to this foreign body. So that although the "Orthodox Case" was essentially a struggle within the Orthodox community and at no time commanded the unanimous support of all the lay members of that community, it was viewed, by the majority of the lay members, as a part of

the larger Arab national issue: the attempt to attain independence from foreign domination. The Arab nationalists, on their part, adopted the "Orthodox case" as part of the national crusade in Palestine.

The active participation in Arab national affairs was not confined to the leaders of the Orthodox lay community. The local Orthodox societies and the members of the community in the various towns and areas, espoused the Arab national cause and shared in its varying vicissitudes. As a part of the Arab population of Palestine they volunteered their services throughout the Arab struggle in their country, and contributed generally towards raising the standards of the Arab society, educationally, culturally, economically and socially.

As the Arab lay Orthodox community represented the largest Christian community in Palestine and Trans-jordan, its complete identification with the Arab national cause was significant. It reflected the growth of a new trend in the area: an attempt to outgrow the narrow bounds of communal loyalty and to become actively involved in the social and political affairs of the Arab society at large. The complete identification of the

lay Orthodox community in Palestine with the Arab national cause meant that the members of the community shared in the ultimate outcome of this cause in 1948.

Simultaneously with the preoccupation with the national cause and the struggle with the Patriarchate, there was a movement within the Orthodox community during the period of the British Mandate, to organize its affairs and to attempt to meet the special needs of its members independently of the Church. This was the outcome of the development of a new sense of responsibility and a spirit of self-reliance among members of the community.

The detachment of the Orthodox Patriarchate in Jerusalem from the political and other issues troubling the population of Palestine during the period of the Mandate, at a time when the members of the community participated actively in national affairs, further accentuated the rift between the Church hierarchy and the lay community, and hence the racial and national differences. It was one more cause for the feeling of resentment in the community against the Church. Yet it is difficult to believe that the controversy in the Church of Jerusalem was only an outcome of inflamed national pride and sentiment. At the basis of it there was an essential

concern for the Church. The community's outbursts and revolts were to a large extent an attempt to reform the abuses in the Church, and to safeguard the membership of the Church from leaving the fold and joining other Christian denominations in the area. It was an attempt to change the Church's administration to make it more compatible with modern ideas, and trends. The resistance of the Patriarchate and the Brotherhood of the Holy Sepulchre to any change was a natural reaction. To a large extent this resistance was motivated, among the more sincere members, by a true concern for the safety of the Christian Holy Places in Palestine, lest changes and innovations should affect the status quo and thus endanger these sites so dear and sacred to Christendom.

APPENDIX A

IMPERIAL REGULATIONS OF 1875

Law of the 'Roman' Patriarchate of Jerusalem

CHAPTER I

Concerning the Duties of the Patriarch and of the Holy Synod in Attendance

1. The 'Roman' Patriarch of Jerusalem is the President and Superintendent of the Churches and Monasteries, and of the Metropolitans, Bishops, Monks, and Priests subject to his Patriarchal throne, as well as of all the shrines belonging to the 'Roman' community within the circle of his Patriarchal office in the Holy Sepulchre, both independently and in partnership with other communities, and being the Director of the Schools and Hospitals attached to the said Monasteries his duties are, as far as possible with the knowledge of the Monks in attendance who are present, to devote his attention to the carrying out at the appointed times of the ancient religious customs which are in force ab antiquo in the Holy Sepulchre and other shrines, to see to the poor of the community in accordance with the limits of the revenue of the Churches and Monasteries, as well as the good administration of the Hospital and the existing schools.

2. In the event of any application from the public concerning matters of their religion and spiritual advice, or from the Spiritual Chiefs concerning their religious duties, the Patriarch will assemble the Synod under his presidency and it will elucidate and arrange the matter either by agreement or by a majority of votes.

3. The Holy Synod is composed of six Bishops and nine Archimandrites, and, in such a manner that the permanent body of its members shall not be altered, the changing, withdrawal, and addition, according to necessity, is referred to the spiritual advice of the Patriarch. The Synod shall meet always under the presidency of the Patriarch, it will discuss the administrative matters concerning the spiritual objects of shrines, churches, and monasteries; the nature of the offices and spiritual duties of the Monks and servants appointed and attached

to these; the procedure, such as the hiring, leasing, alienation, inheritance, purchase, and sale of charitable objects, and likewise, as the question arising out of these will be settled in the Nizam and Sheri Courts in accordance with their special laws, the increased development of the revenues of these; the benefit of the poor of the community; and other spiritual matters. The resolutions and decisions of the Synod will be carried out by the Patriarch. In the event of a valid excuse, such as the illness or absence of the Patriarch, the Metropolitan, or Bishop, or Archimandrite appointed by him will sit in his place.

CHAPTER II

Concerning the Election of the Patriarch

4. In the event of a vacancy occurring in the Patriarchal throne of Jerusalem the Synod will assemble and elect a person combining the desired qualifications from among the Metropolitans and Bishops in Jerusalem to be locum tenens, or submit to the Mutessarif a Mazbuta notifying the vacancy and the locum tenens. The matter will then be submitted at once, either by letter or by telegram, as may be necessary, to the high office of the Grand Vizierate by the Mutessarif, and action will be taken in accordance with the telegram and Emirnamé which will be sent in reply ordering the confirmation in his office of the locum tenens and the election of a Patriarch in accordance with the law.

5. After the provisions of the last preceding Article have been carried out, letters will be written by the locum tenens to the Metropolitans and Bishops who are resident and subject to the Patriarchal throne informing them that the Metropolitans and Bishops should be in Jerusalem within twenty-one days at the latest for the election of a Patriarch, and he should specially notify the people that a married Priest from each Metropolis and Bishopric should come within the specified time in order to be present on behalf of the people at the Council of Election.

6. At the expiration of the said period, when the invited are collected in a monastery in Jerusalem, he will assemble the said Spiritual Council comprising all the Metropolitans and Bishops, and each one will write on a separate paper the names of the persons whom they

know to be worthy of the Patriarchate from among the ranks of the Metropolitans, Bishops, and Archimandrites subject to this Patriarchal throne, whether they are in Jerusalem or outside, and sign and give it to the locum tenens.

7. Without considering who has more or less votes among these persons all will be considered as equally eligible for election and the names will be entered in a register in the presence of the Council, and the end will be signed by the locum tenens and the members of the Council.

8. The person to be Patriarch being according to the Church its spiritual head, the register of those who are eligible for election to be made as stated in the preceding Article will be sent to the Mutessarif, who will immediately communicate to the Sublime Porte, by letter or by telegram, the names of those who are entered in the register, and in case any of them are excised by the Government they will be withdrawn by the Sublime Porte and the order received in reply for the election to be carried out from among the others will be notified to the locum tenens and the Synod by the Mutessarif.

9. When the order of the Sublime Porte has been communicated by the Mutessarif as has been explained in the preceding Article, a general council will be assembled, consisting of the Synod, the Archimandrites, and the Protosynkelloi of the Jerusalem monastery, and the native Priests who have been invited and come from outside, together with two native Priests, similar to those elected by the Christian inhabitants of Jerusalem itself, and it will proceed with the carrying out of the customary election in accordance with the order, so that three persons of those nominated for election will, by a majority of votes gained by secret voting by the Monks and invited Priests, that is to say by the whole Council present, be appointed candidates. When these three candidates have been appointed the monastic members of the Council will proceed to the Church of the Holy Sepulchre, together with the paper bearing their names, and in the presence of the other members of the Church the religious rules of the Church will be carried out, and one of the three nominated candidates will be elected by a majority of votes to be Patriarch by secret votes on the part of the clerical body of the Synod in accordance with the official rules customary to be carried out ab antiquo. In the event of an equality of votes, the matter will be settled by the advice of the locum tenens.

10. Those of the Metropolitans and Bishops who are invited to be present at the elective council who come and are unable to be present will be subject to the general vote, and each one of those who are present at the elective council, whether he be a monk or a priest, will be entitled to give only one vote.

11. As soon as the election has been carried out as aforementioned, a report will be prepared according to ancient custom and presented to the office of the Grand Vizierate through the Mutessarif, and when the high Berat ordering the acceptance and appointment of the person elected arrives, the local Patriarchate will notify and carry it out.

CHAPTER III

Concerning the Qualifications required to be possessed by the Person elected to be Patriarch

12. The person to be elected to be Patriarch is required to be more than forty years of age; to be of the body of monks having the rank of Bishop or Archimandrite, to have served for ten successive years with ability and without any default in a metropolis; and he and his father at least to be subjects of His Imperial Majesty.

13. The manners and character of the person to be Patriarch must be free from evil reputation; besides its being necessary that it should be proved and known from his antecedents that he has as far as possible literary and scientific knowledge; a perfect acquaintance of the laws and procedures of the Church; and that he is subject to the doctrines of his sect and the works of his religion, it is necessary for the religious works of the Church that he being the Patriarch of the Holy Sepulchre and its dependents and Bishop of Jerusalem itself, should be the religious father of all the churches and monasteries of which he is President, and able to protect at all times and in all circumstances the Orthodox and their religion.

14. As the person who is Patriarch, besides his prearranged religious duties, is the officer destined to carry out all the matters described in the exalted Berat which contains the privileges granted by the Caliph Omar El-Faroukn, may the blessing of God be upon him,

confirmed by Faith Sultan Mohammed, proclaimed and carried out by various of the past great Sultans, and repeated by the exalted Padishah, the person elected Patriarch, besides combining the qualifications mentioned in the preceding Article, must be worthy of entire trust by His Imperial Majesty, who will grant confirmation of the election, as well as have a knowledge of the Laws and Statutes of the exalted Government and be worthy of the trust and respect of the community.

CHAPTER IV

Concerning the Qualifications required by Monks entitled to be Bishops, and the Mode of their Election

15. It is required that the person who is elected and appointed to be Bishop should be:-

1. A subject of the Imperial Government in origin and that there should be no stain on him either from a Government or from a community point of view.
2. Educated in the Patriarchate or Monastery of Jerusalem, and should he not be of the rank of Archimandrite or Protosynkellos he must at any rate be a zealous monk.
3. Of mature age in accordance with the provisions of the laws of the Church and in his full senses, with a perfect knowledge of the work of the Church and a possessor of the desired experience in the good administration of a Bishopric.
4. Acquainted with the Arabic language and if possible the Turkish language besides the Greek language.

16. As the election and appointment of a new Bishop to the vacant throne of a Bishop will be carried out by vote and appointment of the religious Council of the Synod with the permission sent by the Patriarch, the said Council will prepare a Register of the Monks who combine in their person the desired qualifications for a Bishop from among those who are possessors of equal proficiency, those who have given the most faithful services to the Church will be chosen, and out of these three persons will

be appointed as candidates for the vacant Bishopric, and subsequently they will go to the church and carry out the rule in force and again by secret vote one from among the said three candidates will be finally elected and appointed and in any case of an equality of votes a majority of votes will be obtained by the vote of the Patriarch.

17. When a Bishop dies, after a letter signed by the notables, monks and leaders of the people of the town in which the deceased had his residence has been received, the formalities of the election will be commenced.¹

Dated 5 Sefer, 1292

1 March, 1291 (1875).

¹ As given in Bertram and Luke, op.cit., Appendix B, pp. 243-250.

APPENDIX B

ORTHODOX ORGANIZATIONS IN PALESTINE AND
TRANSJORDAN, 1918-1948

ACRE

- *** The Orthodox Committee for the Succour of the Poor.
(Established prior to 1914).
- *** The Orthodox Ladies' Society for the Support of the
Orphan. (Established prior to 1914).
- * The Orthodox Club.

AMMAN

- * The Nahda Orthodox Society.
- ** The Orthodox Club.

BETHLEHEM

- * The Orthodox Charitable Society.
- *** (Established prior to 1914).
- * The Orthodox Ladies' Society.
- * The Bethlehem Orthodox Youth Club.

BEIT JALA

- * The Orthodox Benevolent Society.
- * The Orthodox Ladies' Society.
- * The Orthodox Youth Club.

-
- * As ascertained from notices in Falastin.
 - ** As ascertained from interviews with members of
the Orthodox community.
 - *** As ascertained from the pages of Al-Mahabba.

GAZA

- ** Orthodox Community Council
(Established, 1923).
- ** The Orthodox Ladies' Benevolent Society.
(Established prior to 1914).
- *** The Orthodox Charitable Society.
(Established prior to 1914).
- ** The Orthodox Club.
(Established 1928, reorganized, 1942 and 1952).

HAIFA

- * The Arab Orthodox National Community Council.
- ** The Nahda Orthodox Society.
- ** The Orthodox Ladies' Benevolent Society.
- * The Orthodox Young Men's Charitable Society.
- ** The Orthodox Club.
- * The Orthodox National School for Boys.
(School had a Scout troop and a brass band).
- * The Orthodox National School for Girls.

JAFFA

- * The Orthodox Ladies' Benevolent Society,
(Ran an Orthodox School for Girls).
- * The Orthodox Ladies' Society for the Support of
Orphan Girls.
- * The Orthodox (Men's) Charitable Society.
*** (Established prior to 1914).
(In charge of the National Orthodox College).

-
- * As ascertained from notices in Falastin.
 - ** As ascertained from interviews with members of the
Orthodox community.
 - *** As ascertained from the pages of Al-Mahabba.

- * The Orthodox Committee of the Christian Laborer's Cooperative Society.
- ** The St. George's Church Society.
(For the care of the Church).
- * The St. George's Orthodox Society.
(Ran a one-room clinic for the needy).
- *** (Established prior to 1914).
- * The Committee of St. George's Church.
- * The Orthodox Youth Club.
(Had a Scout troop, a football team).
- * The National Orthodox College.
(Under the direction of the School Committee of the Orthodox (Men's) Charitable Society).
(Had a Scout troop and a brass band).
- ** The Orthodox School for Boys.
(Elementary, free of charge).
(Under the direction of the Orthodox (Men's) Charitable Society).
- * The Orthodox School for Girls.
(Elementary, mainly free of charge).
(Under the direction of the Orthodox Ladies' Benevolent Society).

JERUSALEM

- ** The Orthodox Community Council (Majles Milli)
(Established in 1944).
- * The National Orthodox Committee.
- * The Nahda Orthodox Party.
- * The Orthodox Charitable Society.
- *** (Established prior to 1914).

-
- * As ascertained from notices in Falastin.
 - ** As ascertained from interviews with members of the Orthodox Community.
 - *** As ascertained from the pages of Al-Mahabba.

- ** The Palestine Orthodox (Ladies') Society for the Education of Girls.
(Established in 1918).
- ** The Orthodox Society for the Old People's Home.
- ** The Orthodox Society for Prayer and Meditation.
(Established in the 1940's).
- * The Orthodox (Ladies') Society of Hamilat At-Tib for the Aid of the Needy Sick.
- * The Orthodox Society of Jerusalem.
(To care for the churches, cemeteries and other affairs).
- * The Orthodox Fraternity Club.
(Established in 1920).
(Had a Scout troop).
- ** The Orthodox Union Club.
(Established in 1925, reorganized in the 1940's).
(Responsible for the National Orthodox School.
Organized a cooperative society to provide a savings and advancement fund to its members.
Published an Orthodox journal, Al-Minbar in 1946).
- ** The National Orthodox School.
(Under the direction of the School Committee of the Orthodox Union Club).

KARAK

- ** The Orthodox Charitable Society.
- ** The Orthodox Club.

LYDDA

- * The St. George's Charitable Society.
- * The Orthodox Youth Club.

-
- * As ascertained from notices in Falastin.
 - ** As ascertained from interviews with members of the Orthodox community.
 - *** As ascertained from the pages of Al-Mahabba.

MADABA

- ** The Orthodox Charitable Society.
- ** The Orthodox Ladies' Benevolent Society.
- ** The Orthodox Club.

NAZARETH

- ** The Orthodox Charitable Society.
(Established in 1907).
- * The Orthodox Defence Society.
- ** The Orthodox Ladies' Charitable Society.
(Established prior to 1914).
- ** The Society of Orthodox Fraternity.
(Established in 1922).
- ** The Society of Orthodox Union.
(Established in 1922).
- * The Orthodox Club.
- * The Orthodox Sunday School.

RAMALLAH

- ** The Orthodox Committee.
(To care for St. George's Community Church).
- ** The St. Barbara's Orthodox Society.
(Established in 1940).
(To teach the women and children the rites of the Church; to improve the general order and the singing in the Church).
- * The Society of Orthodox Fraternity.
- ** (Established in 1924).

-
- * As ascertained from notices in Falastin.
 - ** As ascertained from interviews with members of the Orthodox community.
 - *** As ascertained from the pages of Al-Mahabba.

RAMLAH

- * The St. George's Charitable Society.
- * The Orthodox Youth Club.

SALT

- ** The Arab Orthodox Reform Society.
(Established in 1931).
- ** The Orthodox Club.

TULKAREM

- * The Orthodox Charitable Society.

Orthodox Organizations of a General Nature

- ** The Orthodox Society for the Burial of the Dead.
(Established prior to 1914).
(To provide for the burial of the poor dead).
The society had branches in Haifa, Nazareth, Acre
and Jerusalem.
- ** The Orthodox Society of the Graduates of the
Schools of the Imperial Orthodox Palestine
Society in Galilee.
(Its membership was open to the graduates anywhere).
(It maintained a representation in Jerusalem).
- ** The Union of Orthodox Clubs.
(All the Orthodox Clubs in the various towns were
members of the Union. Its headquarters were at
Jerusalem).
(Established about 1946).

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- * As ascertained from notices in Falastin.
 - ** As ascertained from interviews with members of the
Orthodox community.
 - *** As ascertained from the pages of Al-Mahabba.

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In the introductory chapters of the thesis (chapters 1 and 2), the sources used were mainly secondary. The facts and information in the main body of the thesis (chapters 3 and 4), were mostly derived from official reports of the Government of Palestine; minutes of the sessions of the Permanent Mandates Commission of the League of Nations; official reports of the British Government; the two official reports of the Commissions of Inquiry (the Bertram-Luke and the Bertram-Young Commissions), which were set up by the Palestine Government to inquire into the affairs of the Orthodox Patriarchate of Jerusalem in the 1920's; the Official Gazette of the Palestine Government; the Laws and Regulations of Palestine during the period of the Mandate; contemporary histories written by members of the Orthodox community in Palestine who participated in the events of 1908 to 1923; and the press, mainly Falastin newspaper. In addition to published works and the press, unpublished material including minutes of meetings, proclamations, letters and correspondence in the files of the Executive Committee of the Arab Orthodox Congress, and elsewhere, were also consulted. As most of the documents relating to the internal organization and other activities of the Orthodox lay community

in Palestine from 1918 to 1948 were not available, (most of these were lost as a result of the events in Palestine in 1948, and were not included in official government reports), it was necessary to rely on information derived from interviews with members of the Orthodox community of Palestine who participated actively in community affairs. (Their names are listed below).

Two Master's theses have been presented to the History Department in the past dealing with the Orthodox Community in Syria and Lebanon. These are: Bishop Elias Kurban's M.A. thesis (in Arabic) entitled, "Al-Azama al-Batriarkiyya al-Antakiyya al-Orthodoxiyya min Sanat 1891-1899" (The Antiochian Orthodox Patriarchal Crisis from 1891-1899), 1954; and Mary A. Kilbourne's "The Greek Orthodox Community of Syria and Lebanon in the Twentieth Century," (1952). It is hoped that the present thesis will serve as a record of the activities of the Orthodox Community in Palestine and Transjordan (presently the Hashemite Kingdom of Jordan), during the period from 1918 to 1948.

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Mr. Yousef Abdo, Jerusalem, August 22, 1965 and April 18, 1967.

Member of Arab Orthodox Executive Committee.
Former Member of Jordanian Parliament for Jerusalem.

Mr. Saad Abu Jaber, Amman, August 27, 1965.

Member of Arab Orthodox Executive Committee.
President of the Nahda Orthodox Society, Amman.
Landlord and businessman.

H.E. Anton Atalla, Jerusalem, August 16, 1965.

President of Arab Orthodox Executive Committee.
Former Minister in Jordanian Cabinet.
Lawyer and one-time Vice Mayor of Jerusalem.

H.E. Samaan Daoud, Ramallah, August 28 and 30, 1965.

Secretary of Arab Orthodox Executive Committee.
Former Minister in Jordanian Cabinet.
Ex-Judge of Palestine Administration.

Mr. Kamel Deeb, Beirut, December 1, 1965.

Former headmaster of the National Orthodox College, Jaffa.
Presently Principal of the National Evangelical School, Beirut.

Dr. George Farah, Jerusalem, August 12, 1965.

Presently member of the Mixed Council of the Greek Orthodox Patriarchate.

Mr. Labib Farah, Beirut, February 17, 1967.

Member of Orthodox Community of Nazareth.
Former businessman. Now retired.

* Consulted.

- Mrs. Hind Andoni Halaby, Beirut, July 3, 1966.
Member of Orthodox Community of Jerusalem.
Active in Social Work in Jerusalem.
- Mr. Hanna Y. El-Hanna, Beirut, March 13, 1967.
Son of Rev. Yacoub El-Hanna
Former President of the Congress of Arab Orthodox Clergy.
- Mr. Habib Homsy, Beirut, February 7, 1967.
Member of Orthodox Charitable Society of Jaffa.
Chairman of School Committee of the National Orthodox College.
Legal Attorney of Orthodox Patriarchate in Jaffa,
and Judge of the Mixed Ecclesiastical Court of the Orthodox Patriarchate in Jaffa.
Lawyer and Businessman.
- Mr. Saliba Jouzy, Beirut, February 10, 1967.
Of founders of the Orthodox Club in Jerusalem,
and of the Orthodox National School.
Member of the Executive Committee of the Congress of Arab Orthodox Young Men.
Senior Official of the Government of Palestine.
- Mrs. Fahda Issa Kawar, Amman, February 25, 1967.
Member of the Ladies' Orthodox Benevolent Society of Salt.
- Mr. George Khammar, Beirut, February 19, 1967.
Member of the Arab Orthodox National Community Council of Haifa.
Sometime member of the Arab Orthodox Executive Committee.
Businessman. Now retired.
- Rev. George Khoury, Amman, August 31, 1965.
Ordained 1950.
Presently parish priest, Amman.
Formerly headmaster of the Government School of Beit Jala.
- Mr. George Nicola Khoury, Beirut, March 16, 1967.
Son of Rev. Nicola Khoury, Secretary of the Executive Committee of the Congress of Arab Orthodox Clergy, and
Member of the Arab Orthodox Executive Committee.

- Mr. George Kutteh, Beirut, March 7, 1967.
Member of the Arab Orthodox Executive Committee.
Organizing member and President of the Executive Committee of the Congress of Arab Orthodox Young Men.
Vice Mayor of Ramlah, Judge of the Juvenile Court at Ramlah, and Pharmacist.
- Mrs. Nadia Kanaze' Makhkhoulah, February 20, 1967.
Daughter of Mr. Costandi Kanaze', graduate of, and teacher in the Russian Teacher Training School at Nazareth.
Organizer of the Orthodox Community Affairs in Nazareth from 1935 onwards.
- Mr. Peter Malak, Beirut, February 20 and March 2, 1967.
Headmaster of, and on the School Committee of the National Orthodox School, Jerusalem.
President of the Orthodox Youth Club, Jaffa.
Vice President of the Union of Orthodox Clubs, Jerusalem.
Lawyer.
- Mr. Ni'meh Sabbagh, Beirut, March 11, 1967.
Graduate of the Russian Teacher Training School, Nazareth.
Member of the Society of the Graduates of the Russian Schools in Galilee.
Educator, teacher of Arabic and literature.
- Mr. Farah Salti, Beirut, September 28, 1965.
Graduate of the Russian Teacher Training School, Nazareth.
Dragoman of the Russian Consulate prior to 1914.
Secretary to the Supervisor of Schools of the Imperial Orthodox Palestine Society, and Deputy Administrator of the Properties of the Russian Ecclesiastical Mission in Jerusalem.
Businessman. Now retired.
- Mrs. Alexandra Kuzma Shamiyya, Beirut, February 20, 1967.
Daughter of Mr. Iskandar Kuzma,
Principal of the Russian Teacher Training School, Nazareth.
- Mr. Issa M. Tubbeh, Jerusalem, August 12, 14 and 17, 1965.
Mukhtar of the Orthodox Community in Jerusalem.
Active participant in the events of 1908 and after.

Mr. Mikhael Tuma, M.B.E., Beirut, March 8, 1967.
Member of the Arab Orthodox Executive Committee.
President of the Arab Orthodox National Community
Council of Haifa.
Member of the Municipal Council of Haifa; of the
Haifa Chamber of Commerce; of the Committee on
Alcoholism in Palestine; of the District Motor
Regulatory Board; of the Board of Appeal on Land
Evaluation.
Businessman. Now retired.

Archbishop Vassileus, Jerusalem, August 23 and 24, 1965.
Chief Secretary of the Greek Orthodox Patriarchate
of Jerusalem.

By letter

Mr. Wadie Tarazi, Gaza, May 10, 1967.
Member of the Orthodox Community, Gaza.
Principal of the National College, Gaza.
Former Principal of the Bir Zeit College for Boys.

Elder of the Orthodox Community of Ramallah, February 20, 1967.