

The Battle for Armenian Jerusalem

Kegham Balian

Abstract

In this letter from Jerusalem, Kegham Balian shares a first-hand testimony from the Save the Armenian Quarter Movement (Save the ArQ) in Jerusalem. In July 2021, a secretive deal was made to lease a large tract of the Armenian Quarter to an allegedly settler-backed organization and private company called Xana Gardens Ltd. The deal leased the historic Cows' Garden and other parts of the quarter (a total of 11,500 square meters equalling 25 percent of the Armenian Quarter) for a duration of ninety-eight years to build a luxury hotel. The Save the ArQ Movement began in May 2023 to defend and preserve the Armenian Quarter of Jerusalem. It galvanized support within the community from people of all ages and generated unprecedented unity.

Keywords:

Armenian Quarter; Jerusalem; Christian community; dispossession; Cows' Garden; church; Armenian Diaspora.

In the 2005 epic film, *Kingdom of Heaven*, the crusader Balian of Ibelin comes face to face with Salah al-Din Yusuf ibn Ayyub at the entrance of Jerusalem and asks, "What is Jerusalem worth?" to which the charismatic leader answers "Nothing!" as he walks back toward his army before turning briefly and stating, "Everything!"

Jerusalem is worth nothing and everything. Impossible to quantify, impossible to put a price on – an intricate and ever-changing tableau marked by the many civilizations that have inhabited it. It is "nothing" in the

sense that it is just a city – that is, its physical worth is negligible compared to its immense symbolic and spiritual significance, representing the pinnacle of religious and cultural importance for multiple faiths, making it, inevitably, a focal point of intense conflict and reverence. This duality captures the essence of the struggle over Jerusalem, illustrating that the city’s value lies not just in its tangible assets but also in what it represents to those who seek to possess it.

The Armenian presence in Jerusalem embodies that truth. When Armenia adopted Christianity as an official state religion in the fourth century it led to the flocking of the faithful to the Holy Land, making it the oldest Armenian Diaspora in the world. Salah al-Din himself – some seven hundred years later – drafted a writ instructing Muslims not to harm Armenians when he recaptured Jerusalem from the Crusaders in 1187, a document still preserved to this very day within the archives of the Armenian Patriarchate of Jerusalem.

More than five centuries later, at a time of great financial uncertainty and rising debts, the Armenian Patriarch Gregory the Chainbearer (1715–1749) wore chains around his neck and travelled the globe in order to raise enough funds to repay the debts. He not only achieved his objective but was able to expand the perimeter of the Armenian Quarter – buying land and properties all around the Old City.

The Armenian Quarter has been a target in recent years of settler attacks on Armenian restaurants, assaults on clergy through spitting and beatings, graffiti on the walls of the quarter calling for death to Arabs, Christians, and Armenians, and verbal abuse of Armenians in the streets as they try to walk home. Indeed, this is but a microcosm of wider assaults on Christian presence in Jerusalem.

In the midst of these rising attacks, on 8 July 2021, a secretive deal was made to lease away 25 percent of the Armenian Quarter to an allegedly settler-backed organization and private company called Xana Gardens Ltd. It was signed by Archbishop Nourhan Manougian, the current Armenian Patriarch of Jerusalem, Archbishop Sevan Gharibian, the Grand Sacristan, and Father Baret Yeretsian, the former director of the real estate department. The deal leased the historic Cows’ Garden and other parts of the quarter (a total of 11,500 square meters, which equals 25 percent of the quarter) for a duration of ninety-eight years to build a luxury hotel.



Figure 1. The Flag of Artsakh in the Cows’ Garden, Armenian Quarter, Old City of Jerusalem, 28 December 2023. Photo by Vince Kahkejian.

The hotel development company Xana Gardens is headed by majority shareholder Daniel Rothman (also known as Rubinstein), an Australian-Jewish investor, and George Warwar, an Arab with Israeli citizenship and the second largest shareholder in the company. While the deal remained the subject of rumor and speculation within the community, a few months later on 15 November 2021 seventeen members of the St. James Brotherhood (the governing order of the Armenian Patriarchate) signed an internal letter to the Patriarchate condemning the deal and claiming it violated internal procedures.

In a further shocking revelation, the value of the transaction was a mere \$2 million-lump-sum payment with an annual rent of \$300,000 in the event a luxury hotel is built. Furthermore, should the hotel register a negative revenue, the difference is deducted from the annual rent. The orchestrator of the deal, the disgraced Fr. Baret, claimed it was a beneficial deal for the Patriarchate. However, when a 50-square-meter apartment in Jerusalem costs approximately between \$270,000 and \$400,000, that statement alone further corroborates this treasonous transaction. One local Armenian remarked, “A falafel stand on that same property would have raked in more revenue!”

After much work, the community managed to obtain a copy of the agreement through international and Armenian lawyers in mid-2022. Facing increasing pressure, the Holy Synod of the Armenian Patriarchate of Jerusalem convened on 6 May 2023 and unanimously declared Fr. Baret Yeretzian (now Khatchig Yeretzian) defrocked. The former real estate director was disgraced for illegally leasing the Cows’ Garden. A few weeks later, he was ordered to vacate his residence within the Armenian Convent. A large crowd of the Armenian community rushed to oust him with chants of “traitor, traitor, traitor!” The Israeli police escorted Khatchig out of his home and put him in a taxi to Ben Gurion airport. He now resides in exile in the United States, shunned by the Armenian Diaspora at large. After the synod’s meeting, on 11 May 2023, Jordan and the Palestinian Authority withdrew their recognition of Patriarch Nourhan Manougian on the grounds that he “mishandled culturally and historically significant Christian properties in Jerusalem’s Armenian Quarter.”¹

The Save the ArQ Movement began on 10 May 2023 to defend and preserve the Armenian Quarter of Jerusalem. It galvanized support from all ages within the community and generated unprecedented unity. We didn’t need orders, we didn’t require directions, and without a word, a synergetic understanding gripped our beleaguered community. We knew, we understood: no corrupt land deals without the permission of the community. These lands belong to the Armenian people and only to the Armenian people. We organized weekly protests in the Grand Courtyard of the Armenian Quarter to demand the cancellation of the deal. We mounted a resonant media and PR campaign, creating our own narrative. The community finally had a united voice, and it was only getting louder. Journalists rushed to cover the demands of our struggle. Dignitaries, officials and heads of churches received us and stood by us in our righteous fight to reclaim what is ours.

On 26 October 2023, after months of weekly protests, the Armenian Patriarchate sent a cancellation letter to Xana Gardens. A few days later, on 5 November in an

open declaration of encroachment, a bulldozer drilled into the wall separating the Cows' Garden from the private parking of the Patriarchate. The community – men and women, young and old – gathered at the scene and witnessed an armed group with rifles and attack dogs attempting to forcefully seize our land. The group was comprised of Israeli settlers, led by the notorious Saadia Hershkop, a self-described hilltop settlement activist, Daniel Rubinstein, the Israeli-Australian businessman who is the majority share-holder of Xana Gardens, and George Warwar. The sight of guns would instinctively jolt most into compliance, into submission. Not us. We had no intention of abandoning our 1,700-year Armenian presence in Jerusalem. Motivated by this calling, a sacred duty to our spiritual homeland, we suppressed our fears and rallied to the Cows' Garden: “Bring our flags! Bring our tents!”

From that day on, we started barricading our land. The attacks increased, but so too did our resolve. We used the rubble from their destruction to fortify our encampment: rocks, barbed wire, metal fences, corroded satellite dishes, old furniture all became the raw material for our determination. Atop a pile of tarmac and wreckage amassed by the bulldozers of our oppressors, we raised the flag of Artsakh – not Nagorno-Karabakh, not Qarabağ, but Artsakh, the Armenian enclave ethnically cleansed by Azerbaijan in the fall of 2023. There, our brothers and sisters were subjected to the combined military might of Azerbaijan, Turkey, and Israel – our own were bombed into oblivion by drones, our churches desecrated, our soil ravaged by white phosphorus – all enabled by the empty placard of the “international community.” In forty-four days, 150,000 Artsakhian Armenians were forcibly displaced. The destruction of Artsakh taught our generation something about the torment we saw in our parents' eyes: a palpable reminder of the potential for erasure from a land that had anchored us for more than one thousand years. With every facet of our identity under siege, Armenian Jerusalem could be idle no more. Not today, not tomorrow. We will honor our memory. Thus, the flag of one of our greatest failures as a people became the symbol of our resistance. We took a stand and planted it in the middle of the Cows' Garden.

Night after night, we took shifts guarding and monitoring the Cows' Garden. It took a crisis of this magnitude to sow the seeds of unity, but united we were. Families brought us food in support of our struggle. Young and old and across the Armenian political spectrum, left and right, put aside their ideological differences to create a united struggle for the fate of Jerusalemite Armenians. A letter was written by all Armenian clubs in the city against the deal, and the cost for waging our legal battle was raised in its entirety by the community both near and far. “What do you boys want? *Mjadarra* [rice and lentils]?” Hopig Marshalian would ask, a larger than life character whose family can be traced back seven hundred years, who Armenians call *Kaghkatsis* (locals in Armenian). “Khalas, salamtik, no need, thank you!” we would reply, to which she would retort with persistence, “Khalas, khalas. I'll bring it tomorrow!” We would gather around the table in the makeshift tent, as our youth eagerly listened to tales of a generation that witnessed the Armenian Genocide and arrived to Palestine as refugees in 1915; their sons and daughters integrated into society without comprising their Armenian identity – mastering craftsmanship,

photography, medicine, history, with notable figures such as *Doctora Karkashian*, a gentle yet stoic family doctor cherished over generations; Albert Aghazarian, world-renowned historian and interpreter; Stepan Der Vartanian, a goldsmith whose talents were commissioned by H. Stern; Puzant Markarian, a watchmaker whose unparalleled expertise was sought after by Swiss manufacturers; George Hintilian, a man with an encyclopedic knowledge of Jerusalem’s history, an erudite presence in our community to this very day. Many in the community arrived in the aftermath of the Armenian genocide in 1915, and our own generation then witnessed Artsakh. As we listened to these stories, we saw the inherited pain and trauma in our elders’ eyes, we saw the potential for our erasure and we weren’t going to let it happen.



Figure 2. Armenian community and clergy standing in the face of an encroaching bulldozer from the Xana Gardens development company, November 2023. Photo by Zorab Krikorian.

“Your unity is your main asset!” said lawyers Eitan Peleg and Sami Ersheid, an Israeli and a Palestinian, respectively, working hand-in-hand with our movement, having mounted a class action lawsuit with over 380 signatories in order to annul this illegal land lease. This was a huge achievement and showed the unity of the Armenian community despite all divisions against this deal.

After nearly five hundred days of standing firm, there was no meaningful action from our Patriarch Nourhan Manougian. This is in stark contrast to the support of Israeli and Palestinian civil society organizations and the solidarity of the Latin and Greek Patriarchs who received us in their official capacities and made important statements.

“With the power at his disposal, he could have come down to the Armenian Patriarchate Road, put his chair in the middle of the one-way street, bolting himself to the ground, creating an impossible barrier to traffic, and demand the arrival of either the mayor of Jerusalem, Moshe Leon, or the president himself, Isaac Herzog, in order to swiftly resolve this catastrophe. But ... that requires courage,” said Setrag Balian, my brother and co-founder of the Save the ArQ Movement.

Two court cases are currently in motion against the deal with Xana Gardens, one launched by the Armenian Patriarchate to cancel the deal, and the other, our class action by the Armenian community. Every time we asked the Patriarchate for information and every time we asked to combine our efforts in fighting the legal battle, we were met with empty promises and even emptier “reassurances.”

Instead, our community lawsuit argues that the bylaws and constitution of the Patriarchate do not give it the right to lease away properties for ninety-eight years. Our international and local legal teams: Kerkonian Dajani LLP comprised of Karnig Kerkonian, Garo Ghazarian, Elizabeth Al Dajani, and former Human Rights Defender of the Republic of Armenia (ombudsman) Arman Tatoyan, in tandem with our local legal team, including Daniel Seidemann, made this groundbreaking discovery. They found the *waqf* (trust endowment) that was registered in the Islamic Sharia Court of Jerusalem in the sixteenth century by the Armenian Patriarch Andreas and his nephew Patriarch Tavit. The following quote is from a document of the *waqf* deed translated from Ottoman Turkish that states the following:

For the benefit of the children of his brothers who are present today and they are Bishop Tavit and Frankoz and Zachary, the children of his brother Oanis and Daniel and Thomas, the children of his brother Toma and Ishak son of his brother Boles and Reverend Estefian, our brother, all together, and after their deaths for the benefit of their children, and then their children’s children, and then their children’s children’s children, and every person born to them while they are alive and to the extent that they do not have an heir, the endowment will be transferred to the Armenian Christian community of Jerusalem.

There you have it. The beneficiary owners of the *waqf* are the Christian Armenian community of Jerusalem, whereas the Patriarch (and Patriarchate) is the custodian of

the waqf. The Patriarchate's role as custodian is to work as a protector of the properties for the interests of the community. This is one of the first organized movements in the country to hold the church accountable with regards to the management of its properties and the rights of its community. The existential battle for Armenian Jerusalem is far from over. It has only begun. The choice we have before us is very clear: Fight or slowly die.

Kegham Balian is a Jerusalemite Armenian writer, ceramist, and the communications director for Save The ArQ.

Endnotes

- 1 "Palestinian Authority, Jordan Withdraw Recognition of Jerusalem's Armenian Patriarch," The New Arab (6 December 2024), online at www.newarab.com/news/pa-jordan-withdraw-recognition-armenian-patriarch (accessed 21 December 2024).