Episode Book

EPISODE #5510

Six Churches, One Roof, 270 Years of Deadlock

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SYNOPSIS

Six churches hold legal rights at Jerusalem's shared holy places, and the rules freezing them in place date back to a 1757 Ottoman decree. This episode traces how caring for pilgrims built that institutional patchwork — from a 1333 royal purchase of the Cenacle to the Crimean War — and how a fifth-century schism still decides who sits where inside the Holy Sepulchre. We look at the ladder nobody can move, the iron girders that held the Aedicule together for 69 years, and what it actually takes to fix a roof when six communities have to agree.

TRANSCRIPT



Corn

Quick question. If six churches share one building, and none of them is allowed to move a chair without the other five agreeing, who fixes the roof?



Herman

Nobody. That's the answer. That's been the answer for about two hundred and seventy years.



Corn

Right. And that's roughly what Daniel is asking about. He wrote in after yesterday's thing about the consulates, and he says the point of that episode wasn't the missions themselves, we did that. The point was the churches behind them. How the desire of churches and states to look after their own pilgrims laid the foundation for this strange patchwork in the city that's still standing.



Herman

And he wants the jostling.



Corn

He wants the jostling. Specifically, which churches are actually active in Jerusalem and the Holy Land today. How caring for pilgrims built the institutional patchwork. Which historic schisms are still shaping relations between these denominations. And how those rifts play out now. Sometimes physically, around access to sites like the Holy Sepulchre, which Daniel calls a microcosm of a broader struggle. And sometimes just as cold resentment and non-cooperation underneath.



Herman

He also made a point I liked. These rifts carry on to the present, but they originate in things that happened centuries ago. Some of them fifteen centuries ago.



Corn

So that's the shape of it. Where do we start?



Herman

Start with the roster. Because the first thing people get wrong is assuming "the churches in Jerusalem" is one category. It's not. There's a very small group with legal rights at the shared sites, and then everyone else.



Corn

The Status Quo six.



Herman

Greek Orthodox, Roman Catholic, which in practice means the Latin Patriarchate plus the Franciscans, Armenian Apostolic, Syriac Orthodox, Coptic Orthodox, and Ethiopian Orthodox Tewahedo. Those six hold recognized rights at the shared holy places. That's the club.



Corn

And the club is small on purpose.



Herman

Very. Everyone else is outside the framework. The Protestants are outside it. Anglican, Lutheran, the evangelicals. The Eastern Catholic churches in communion with Rome are outside it, which surprises people. Melkite, Armenian Catholic, Maronite, Syriac Catholic, all in full communion with Rome, none of them party to the Status Quo. The Russian Orthodox are outside it, and split between Moscow and the émigré jurisdiction, so that's two claimants with no seat at the table. The Georgians are outside it, despite having once held the keys to the Holy Sepulchre.



Corn

So being in communion with Rome doesn't get you in. Being Orthodox doesn't get you in. There's a specific list and it's been the same list for a very long time.



Herman

That's the whole architecture. And the biggest single player most people have never heard of is the Franciscans. The Custody of the Holy Land owns the second-largest property portfolio in the region after the Greek Orthodox Church. Roughly fifty to fifty-five sanctuaries spread across Israel, Palestine, Jordan, Syria, Lebanon, Egypt, Cyprus, Rhodes. About three hundred friars, about a hundred sisters.



Corn

Second-largest landowner in the Holy Land and the brand is a guy in a brown robe with a begging bowl.



Herman

That's the thing. The brown robe is the uniform of a real estate operation that's been running since the thirteenth century.



Corn

So the core tension isn't theological in the first instance. It's institutional. These are competing claims to physical space, legal rights, and custodial authority, frozen in place.



Herman

Frozen is the word. And the freezing happened in stages. Do you want the origin story?



Corn

I want the origin story.



Herman

The Custody of the Holy Land started as a hospitality operation. That's what it was. For centuries the Franciscans were the official provider for Latin pilgrims. Western pilgrims. Catholic and Protestant both. They ran hostels, mainly at Jaffa and Jerusalem, and the mandate from Rome was explicitly dual. Guard the Holy Places, and care for the pilgrims.



Corn

So the original job description was tour operator with a theological mandate.



Herman

Almost literally. And here's the mechanism Daniel is pointing at. States got involved because their citizens were the pilgrims. The cleanest example is 1333. Robert d'Anjou, King of Naples, and his wife Sancia of Majorca, bought the Cenacle, the Upper Room, from the Sultan of Egypt. Bought it. With money. And gave it to the Franciscans.



Corn

A king buying a building in Jerusalem from a sultan.



Herman

On behalf of his subjects' pilgrimage. That's the precedent. A state acting for its pilgrims acquires property and rights in Jerusalem. Pope Clement the Sixth's bulls in 1342 then formalized the Franciscans as custodians. And the language in that bull is worth knowing. The Sultan, it says, "to the intense shame of Christians occupies the Holy Sepulchre of the Lord and the other Holy Places beyond the sea." And it grants that the friars "may reside continuously in the church known as the Sepulchre and celebrate there Solemn Sung Masses."



Corn

So the papacy is formalizing a custodial claim in direct response to a royal purchase. Church and state, one motion.



Herman

One motion. And the Crusades had already set the tone for this. A crusade was framed as armed pilgrimage. No crusader considered his journey complete without praying at the Holy Sepulchre. Godfrey of Bouillon took the city and refused the title of king. He styled himself Advocatus Sancti Sepulchri. Defender of the Holy Sepulchre.



Corn

Refused to be king but kept the building.



Herman

Kept the building and the title that mattered.



Corn

So by the Ottoman period you've got multiple Christian communities with claims, and one sovereign holding the paper. What happens then?



Herman

Then you get the firman economy. A firman is an Ottoman decree. And control of the holy sites oscillated between the Catholic and the Orthodox churches depending on which could obtain a favorable firman from the Sublime Porte at a given time. Often through outright bribery. France championed the Latin and Catholic rights. Russia championed the Orthodox rights. So pilgrimage access becomes a diplomatic bargaining chip between great powers.



Corn

The access of a pilgrim from Lyon to a tomb in Jerusalem is now a lever in European great power politics.



Herman

And it eventually breaks. That's the Crimean War. Napoleon the Third pressured the Sultan to invalidate the 1757 status quo in favor of the Catholic Church. Nicholas the First of Russia declared war in favor of Orthodox rights. The war is 1853 to 1856, and holy site access is one of the triggers.



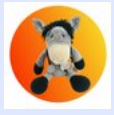
Corn

A war in the Crimea over who gets to hold a key in Jerusalem.



Herman

And the settlement is legal, not physical. The firmans of 1852 and 1853 get international recognition in Article 9 of the Treaty of Paris in 1856. Which says the actual status quo will be maintained, and the Jerusalem shrines, whether owned in common or exclusively by the Greek, Latin, and Armenian communities, will all remain forever in their present state.



Herman

It's doing all the work. Because it converts a snapshot into a constitution.



Corn

So what's the snapshot? What's the actual freeze point?



Herman

1757. A firman of Ottoman Sultan Osman the Third. The story is that Orthodox Christians took over parts of the Franciscan-controlled Holy Sepulchre during Holy Week of that year, and the firman was the response. It applies to nine shared sites in Jerusalem and Bethlehem. The Holy Sepulchre and its dependencies, which includes Deir es-Sultan. The Tomb of the Virgin Mary. The Church of the Nativity in Bethlehem. The Chapel of the Milk Grotto and the Chapel of the Shepherd's Field. The Chapel of the Ascension, which is a Christian-Muslim dispute. And then the Western Wall and Rachel's Tomb, which are Jewish-Muslim disputes.



Corn

So the same instrument covers a mosque, a synagogue, and a tomb.



Herman

Same instrument. And the term "status quo" doesn't get applied to the Holy Places in a treaty until Article 62 of the Treaty of Berlin in 1878. The standard reference text, the thing everyone actually cites, is L.G.A. Cust's 1929 book, The Status Quo in the Holy Places, prepared under the British Mandate. Later formalized by the 1949 UN Conciliation Commission.



Corn

So the document everyone treats as the rulebook is a British Mandate-era reference text about an Ottoman decree from 1757.



Herman

That's the stack. And here's the part that matters for Daniel's question. There are no unanimous terms defining the status quo. That's not my phrasing, that's Raymond Cohen's, from his work on the Holy Sepulchre. No agreed definition. Sometimes contradictory interpretations. So the thing everyone is frozen by isn't even a single clearly written document.



Corn

It's a patchwork of firmans and treaties and custom, and the custom is the load-bearing part.



Herman

The custom is the load-bearing part.



Corn

So that's the origin. Pilgrim care, state involvement, the firman economy, the freeze. Now the schisms. Because Daniel's real interest is why these specific communities can't stand each other.



Herman

The first thing to say is that the six aren't one family. They're two. The Chalcedonian split in 451 separates them. Greek Orthodox and Latin are Chalcedonian. Armenian, Syriac, Coptic, Ethiopian are Oriental Orthodox, non-Chalcedonian. And that fifteen-hundred-year-old division still structures who sits where and who holds what rights.



Corn

So the seating chart in the Holy Sepulchre is a map of a council that happened in the fifth century.



Herman

Literally. Then you layer the East-West Schism of 1054 on top. Catholic versus Eastern Orthodox. And then the Crusades from 1099 onward, where Western knights seize the Holy Land and the Catholic Church becomes custodian of the Jerusalem churches, displacing Eastern Christian communities.



Corn

So the Greek-Latin rivalry that runs through everything today is a Crusades-era wound.



Herman

That's where it starts. The eastern holy sites first become a point of contention in the centuries after 1054, and the Crusades harden it into a property dispute.



Corn

Give me the physical version. Because I think the physical version is where this stops being abstract.



Herman

The ladder.



Corn

The ladder.



Herman

A Lebanon cedar ladder under a window of the Holy Sepulchre façade. In place since at least 1728. It cannot be moved, because the Status Quo forbids any cleric from moving, rearranging, or altering any property without the consent of the other five.



Corn

A ladder that has outlasted every empire that ruled the city it's leaning against.



Herman

Every one. And it's the most famous symbol of the paralysis, which is exactly why it's a slightly misleading symbol. Because it's not the only frozen object.



Corn

There are more.



Herman

At the Tomb of the Virgin Mary, there are two old bronze vessels used by Muslims for ritual washing. They're no longer used. They must remain in place. Nobody can remove them.



Corn

Two unused washing vessels, permanently installed, because removing them would require six signatures.



Herman

And then the big one. The Aedicule. The tomb shrine itself. From 1947 until 2016 it was held together by exterior iron girders installed by the British, because the churches could not agree on repairs. Sixty-nine years of structural scaffolding on the holiest site in Christendom because nobody could agree on who was allowed to fix it.



Corn

Sixty-nine years. That's not a delay. That's a generation and a half of people who grew up thinking the girders were part of the architecture.



Herman

And the restoration finally happens in 2016 and 2017. Four million dollars. Funded by the World Monuments Fund, one point three million from Mica Ertegün, and a significant sum from King Abdullah the Second of Jordan.



Corn

A Jordanian monarch paying to fix a tomb in Israeli-controlled Jerusalem, because the six churches couldn't sign off.



Herman

And that's the pattern. The deadlock didn't break internally. It broke because the Israel Antiquities Authority declared the structure unsafe. External pressure. Not cooperation.



Corn

So the answer to "why can't they just cooperate" is: they can't, and the only thing that moves them is a third party with authority over the building.



Herman

And it's not always non-violent. There are documented physical fights between monks. During a fight between Greeks and Latins in the 1900s, monks threw stones from the roof and damaged the tomb of Philip d'Aubigny, who is a Magna Carta signer buried in front of the church.



Corn

Monks on the roof, throwing stones, damaging a grave from the thirteenth century.



Herman

And the 2020 COVID closure. The church closed, and per the Joudeh al-Goudia family, the hereditary Muslim keepers of the keys, that was the first time it had closed since 1349. The Black Death.



Corn

The building stayed open through the Black Death, and it stayed open through every war, and it closed for a pandemic.



Herman

And the keys are held by a Muslim family. Which is the other thing worth sitting with. The custodial patchwork isn't just Christian. Two Muslim families have held the keys to the Holy Sepulchre for centuries, by hereditary right, because at some point the only neutral party anyone would accept was somebody with no dog in the fight.



Corn

Neutral is a strong word. Outside the fight is the accurate one.



Herman

Outside the fight.



Corn

The ladder is the symbol. What's the live case?



Herman

Deir es-Sultan. That's the strongest example Daniel's question points at. It's an Oriental Orthodox monastery on the roof of the Chapel of Saint Helena. About eighteen hundred square meters. And its ownership is disputed between the Coptic Orthodox and the Ethiopian Orthodox churches.



Corn

Roof monastery. Eighteen hundred square meters. Who claims what?



Herman

The Copts claim Caliph Abd al-Malik granted it to them, as Deir el-Malak, and that Saladin later confirmed it. The Ethiopians were hosted there from 1654, after losing their own churches to the Greek and Armenian churches because they couldn't pay Ottoman taxes.



Corn

The Ethiopians arrived as guests.



Herman

As guests, after losing everything else. And that act of hospitality becomes the seed of a three-hundred-and-seventy-year dispute. Then in April 1970, on the Easter Vigil, the Israeli government sends military forces to change the locks, which enables the Ethiopian monks to take control.



Corn

The state changes the locks on a monastery.



Herman

The Israeli Supreme Court unanimously rules on March 16, 1971 that the monastery be restored to the Copts. And the government refuses to implement the ruling.



Corn

The Supreme Court ruled, and the government just didn't do it.



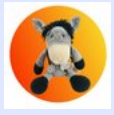
Herman

For over fifty years.



Corn

That's not a frozen dispute. That's an unenforced court order.



Herman

It keeps flaring. October 2018, a Coptic priest is arrested after protests against restoration work done without Coptic consent. April 2021, light clashes between Egyptian and Ethiopian monks when the Ethiopians set up a tent and raise the Ethiopian flag inside the monastery. April 18, 2022, the same incident repeats, and the Coptic monks respond by painting the flag of Egypt on the main door leading to the monastery, right next to the Coptic Patriarchate entrance.



Corn

The response to a flag is a bigger flag, painted on a door.



Herman

Painted on a door, adjacent to the patriarchate, so nobody can miss it.



Corn

The Ethiopians are the ones described in the French press as les exclus du Saint-Sépulcre. The excluded of the Holy Sepulchre.



Herman

Relegated to a rooftop they may not legally control. That's the phrase. And you can trace that marginalization straight back to the 1654 tax problem. They lost their churches because they couldn't pay, they got hosted on a roof, and three hundred and seventy years later they're still on the roof.



Corn

The cold resentment isn't a mood. It's a property position.



Herman

It's a property position with a legal ruling attached that nobody will enforce.



Corn

Then there's the Greek Orthodox Patriarchate, which is the largest landowner, which creates its own friction.



Herman

With Israeli authorities over tax and land disputes, and over land sales to Israeli settler groups. The patriarchate is simultaneously the biggest Christian landowner in the city and a party to disputes with the state and with other churches.



Corn

The biggest player is also the most exposed.



Herman

The biggest player is always the most exposed.



Corn

There's one more thing I want to get to, which is the discovery. Because it's the perfect image for all of this.



Herman

2022. A Crusader-era Cosmatesque altar slab, dated to around 1149, found hidden behind a graffiti-covered wall in the Holy Sepulchre. It had been used by the Greek Orthodox until it was damaged in the 1808 fire.



Corn

A Crusader altar, used by the Greeks, damaged in a fire, bricked up behind graffiti, and rediscovered in 2022.



Herman

Layers of competing custodianship, literally stacked on top of each other. The Catholics built it, the Greeks used it, a fire damaged it, somebody walled it up, and it sat there for two centuries.



Corn

The building keeps its own archive in its own walls.



Herman

That's the thing about Daniel's framing. These aren't historical curiosities. The 451 council determines the seating chart. The 1054 schism determines the rivalry. The 1757 firman determines who can move a ladder. The 1971 ruling determines who's on the roof. None of it has expired.



Corn

Which raises the obvious question. If the Status Quo is this paralyzing, why hasn't anyone reformed it?



Herman

Because reform requires the consent of all six, and the Status Quo is the only thing any of them can point to. If you reopen it, you don't know what you get. The Greeks have the most to lose, the Ethiopians have the most to gain, and nobody trusts the process.



Corn

The paralysis is stable because everyone's afraid of the alternative.



Herman

The alternative is a negotiation where the smallest party might get a better deal than the largest one.



Corn

The only thing that's ever broken the deadlock is external pressure. The Israel Antiquities Authority declaring the Aedicule unsafe. A Jordanian king writing a check.



Herman

External pressure and outside money. That's the entire record of things getting fixed.



Corn

So the ladder stays.



Herman

The ladder stays.



Hilbert

It's not the ladder that matters. It's the step.



Corn

The step.



Hilbert

There's a broken step in the Holy Sepulchre. Stayed broken for decades. Nobody could agree whose responsibility it was to fix it. The ladder gets all the attention because it's photogenic. The step is the real symbol. A step that's broken is a step you have to think about every time you walk up it. The ladder you can ignore.



Herman

A functioning building with a broken step in it is a better picture of the arrangement than a ladder that nobody uses.



Hilbert

The ladder's decoration. The step is load-bearing.



Corn

Where'd you come across that?



Hilbert

I worked nights at a hotel near Jaffa Gate. Small place, not one of the Franciscan hostels. Pilgrims. And part of the job was the breakfast room. We had guests from different denominations who wouldn't share tables. Wouldn't sit in certain chairs. Wouldn't walk through certain doors to get to the same room. So I kept a seating chart.



Corn

A seating chart for breakfast.



Hilbert

Same as the step. Everyone's got a reason and the reason is four hundred years old. You don't argue with it. You just seat them where they'll eat.



Herman

You had the Cust book.



Hilbert

We had a copy in the lobby. Not for the guests. For the staff. So we'd understand why a man wouldn't walk through a particular door. It was the 1929 one, Cust. Reference copy. You'd look up the site and it would tell you who had the right to what, and then you'd know where to put him.



Corn

The hotel kept a legal reference text on the front desk so the staff could route people to breakfast.



Hilbert

It saved arguments. A guest would say I can't sit there, and instead of asking why, you'd check the book and move him. Two minutes.



Herman

That's the whole Status Quo in one lobby. Nobody changes the rule. Everybody works around it.



Hilbert

Anyway. I've got a delivery coming that needs a signature. Window's nearly shut.



Corn

Go.



Hilbert

The step's still broken, by the way. Far as I know.



Corn

If the Status Quo is this paralyzing, why hasn't it been reformed? That's where I keep landing. Because it's not that nobody wants to. It's that the only thing all six parties agree on is that the current arrangement, however absurd, is better than the negotiation that would replace it.



Herman

The pressure is only going up. The Christian presence in Jerusalem is shrinking, the political stakes around the city keep rising, and every one of these frozen disputes sits on top of a legal instrument that nobody can amend without everyone's consent. The 2022 altar slab is a good note to end on, actually. Two centuries behind a graffiti-covered wall, and then somebody knocks the wall down and there it is. The past in this city isn't past. It's load-bearing.



Corn

Thanks to Hilbert Flumingtop for producing. This has been My Weird Prompts. If you found this interesting, subscribe and leave a review. It helps other listeners find the show.



Herman

We'll be back soon.