

Appendix 3

Imperial Firman of February 1852, Concerning the Christian Holy Places

To thee, my Vizier, Ahmed Pasha, Governor of Jerusalem; to thee Cadi of Jerusalem; and to you, members of the Medjliss.

The disputes which from time to time arise between the Greek and Latin nations, respecting certain Holy Places which exist both within and without the City of Jerusalem, have now been again revived.

A Commission has in consequence been formed, composed of certain Muchirs and distinguished men of the law, and of other persons, to examine this question thoroughly; and this is the result of the researches and of the investigations of that Commission, and of those of the Cabinet Councils held after the Commission. The places in dispute between the two rites are - the great cupola of the Church of the Holy Sepulchre; the little cupola, which is above the spot called the Tomb of Jesus, on whom may the blessing of God rest, and which is in the church before-mentioned; the Hadjir el Moughtesil; Golgotha, which is also within the inclosure of the Church of the Holy Sepulchre; the Arches of the Holy Mary; the Great Church which is in the village of Bethlehem; as well as the Grotto, which is the true spot where Jesus - may the blessing of God be upon him - was born, and which is situated below that church; and the tomb of the Blessed Mary, whom may God bless.

Seeing that the great cupola above-mentioned applies to the entire church, the Latins have no right to claim exclusive possession either of that cupola, or of the lesser cupola, or of the Hadjir el Moughtesil, or of Golgotha, or of the Arches of the Holy Mary, or of the Great Church of Bethlehem, or of the Holy Manger; all these places must be left in their present state. In former times, a key of the two gates of the Great Church of Bethlehem and of the Holy Manger was given to each of the Greek, Latin, and Armenian nations - a measure which was also confirmed by the Firman delivered to the Greek nation in the year of the Hegira 1170; and that arrangement shall still

continue. But as it does not follow from this that it is permitted to alter the existing state of things in that church or to prevent the Latins from officiating there, or in short, to make any new arrangement calculated to incommode other sects, either in the passage from the church to the Holy Manger, or in other respect; the smallest pretension in regard to this shall not be allowed or entertained, on the part of any one whatsoever.

No change shall be made in the present state of the gates of the Church of Bethlehem.

As, according to ancient and modern documents, the two gardens belonging to the Frank Convent at Bethlehem, to which the Latins have also laid claim, are under the superintendence of both parties; they shall remain as at present.

The Latins, on the ground of certain Firmans of which they are in possession have advanced the pretension that the Tomb of the Blessed Mary belongs exclusively to them; but they are not right in this either. Only since the Greeks, the Armenians, the Syrians, and the Copts at present exercise their worship within this holy tomb; that is to say, as the exercise of worship is not confined to a single rite, it has been declared just to uphold and to confirm on behalf of the Roman Catholic Christians the permission which they possess *ab antiquo*, of exercising their worship in a spot where various nations exercise theirs, but upon condition that they shall make no alteration either in the administration or in the present condition of that monument.

As this decision confirms and consolidates the rights which have been granted to the Greek subjects of my Empire by my august ancestors, and confirmed by Firmans invested with Hatti-Scherifs issued from my Imperial throne, it has accordingly obtained my sovereign assent, as I have much at heart to maintain the above mentioned rights. None of the parties shall allow themselves to contravene this decision.

Furthermore, the Latins at the present day perform service once a year, on Ascension Day, in an oratory at Jerusalem, called Coubetel-Messad, which is situated on Mount Olivet; and the Greeks perform their devotions outside that oratory. Now this oratory is a Mohammedan temple, and it consequently does not belong exclusively to any Christian sect; and I do not consider it right that the subjects of my Empire who profess the Greek faith should be deprived of the power of worshipping in the interior of the above-named oratory. The Greeks shall therefore not be prevented from exercising their worship in the interior of the Coubet-el-Messad (the Cupola of the Ascension), on condition that they make no alteration in the present

condition of that oratory, and that there shall be a Mohammedan porter at the door, as heretofore. This measure shall be recorded at the head of the copy of the Imperial Firman dated the month of Sheval, 1254 (December 1838).

Such is my decided and sovereign will; and, in conformity with the orders which I have in consequence given, the present Firman, which is furnished with a Hatti-Scherif and issued from my Imperial Divan, has been delivered to the Greek nation.

As soon as my sovereign orders shall become known to you, you will take every care that henceforward my decision and my commands above-mentioned shall not in any way be contravened, either by those who profess the Greek, Armenian, Syriac and Copt religions, or by the Latins.

You will take care to have the present Imperial Edict recorded in the archives of the Mehkeme, to serve constantly and for ever as a permanent rule. Understand this; and give heed to the noble signature with which it is decorated.

Issued about the end of the month of Djemadi-ul-evel, 1268
(February 1852).³