

Chapter 1: Beit Strauss: Antiquities in the Toilets

emek shaveh
למק שוה עמושבי

2015

October 2015

Written by: Raz Kletter

Researched by: Yonathan Mizrahi, Gideon Sulymani

Research assistant: Anna Veeder

Hebrew editing: Dalia Tessler

English Translation: Samuel Thrope

Proof-editing: Talya Ezrahi

Graphic Design: Lior Cohen

Photographs: Emek Shaveh

emek shaveh
לאמק שבה עמושב

Emek Shaveh (cc) | Email: info@alt-arch.org | website www.alt-arch.org

Emek Shaveh is an organization of archaeologists and heritage professionals focusing on the role of tangible cultural heritage in Israeli society and in the Israeli-Palestinian conflict. We view archaeology as a resource for strengthening understanding between different peoples and cultures.

please update

Table of contents

>> The Building and the Expansion Plan	3
>> The Director of the Israel Antiquities Authority Does not Want to Excavate	3
>> The IAA Pretends to Request an Excavation	5
>> Objections to the Plan are Rejected	6
>> Construction under "Close Supervision"	7
>> The Antiquities are in the Toilets	10
>> Conclusion	12

please update

This publication was produced by Emek Shaveh (A public benefit corporation) with the support of the Norwegian Embassy in Israel, the Federal Department for Foreign Affairs Switzerland (FDFA), Cordaid and the Irish Foreign Ministry. Responsibility for the information contained in this report belongs exclusively to Emek Shaveh. This information does not represent the opinions of the abovementioned donors.

The Building and the Expansion Plan

The “Beit Strauss” (the Strauss Building in Hebrew), located on the northern edge of the Western Wall Plaza, is named after a philanthropist who purchased the structure during the British Mandate. The building has served as a soup kitchen and, for a period, as a synagogue. In August 2008, a plan (number 12996) to expand the Beit Strauss was presented to the planning authorities by the **Western Wall Heritage Foundation**. The main purpose of the plan was to add a level and expand the building southwards; this expansion would entail taking over 360 square meters of the open plaza. The additions were intended to provide space for toilets (160 square meters), a lobby, a police station (125 square meters), offices, the “Hall of the Pilgrims to Jerusalem” (125 square meters), and more.



aaaaaaaaaaaaaaaaaaaa



aaaaaaaaaaaaaaaaaaaa

The Director of the Israel Antiquities Authority Does not Want to Excavate

At some unknown point between submitting the plan for Beit Strauss to the local planning committee (August 2008) and the committee's first hearing (March 2009), Shuka Dorfman, the director general of the Israel Antiquities Authority (henceforth: IAA), decided to support the plan and to dispense with a comprehensive rescue excavation at the building site. None of the documents that we have been provided with contain any details as to what considerations went into this decision or how it was reached (for example, document 1). It must be emphasized that this was a grave decision. In Israel it is highly irregular to begin construction in an archaeological site without first undertaking a complete rescue excavation, especially in the case of such a central and important site as the Old City of Jerusalem. Just two days before the planning committee hearing, Shachar Poni (the IAA's lead conservation architect for the Old City) approaches Jon Seligman (the IAA regional archaeologist responsible for the Jerusalem area) in order to coordinate the IAA's position. Poni explains that his suggestion "is based on my understanding of the conclusions reached in the meetings with Shuka [Dorfman]," and makes the following "initial offer":

“We analyzed the plan . . . in accordance with the means currently at our disposal, and based on a study of the proposal according to the criteria established in plan 10276 (in process) [the Jerusalem city master plan], and on a thorough examination of the proposal's compatibility with existing topography, construction styles . . . issues of visibility and effect on the cityscape..., etc.” (document 2, March 22, 2009).

This may sound good, but it doesn't tell us much about the IAA's actual position on the matter. Further on, Poni outlines four subjects "on which an opinion must be given":

A) Functional-pragmatic considerations. B) The impact of the proposed volumes, from an overall perspective. C) The compatibility of the proposed exterior and building elements with, and their overall impact on, the design of the Western Wall Plaza. D) The potential damage to valuable [archaeological] remains. The first three issues mentioned above necessitate a more comprehensive perspective, beyond an examination of the building itself. In consideration of this requirement, the preparation of an inclusive plan for the Western Wall Plaza has begun” (document 2).

The first three subjects concern architecture, and, according to Poni, require a comprehensive perspective, that is to say not only an examination of the aspects of the new structure itself, but also a consideration of whether it is compatible with its surroundings; for that reason they request that an overall plan be prepared for the entire Western Wall Plaza. Only the

fourth subject concerns archaeology – "damage to valuable archaeological remains" – but no comprehensive perspective is mentioned in this case. In any event, the IAA supports the proposal and does not see any reason to condition its approval on the completion of an overall plan for the Western Wall Plaza:

"This is because it is recognized that the majority of the proposed functions [of the building] indeed address real needs and, so too, the proposed scale of construction . . . is appropriate and reasonable " (document 2).

Since when does the IAA determine the merit of a developer's construction needs? Who gave it the authority to decide if the developer planned too many or too few toilets, or if the "Hall of pilgrims to Jerusalem" (whose purpose is not clearly presented in the documents at our disposal, but seems to be intended for an exhibition about Jewish pilgrimage to Jerusalem) really needs to be of particular dimensions? Why is the IAA concerned with this at all, and what does it have to say from an archaeological point of view? No excavation has yet been undertaken, and no one knows what lies underground (aside from vaults close to the surface, some of which are visible).

The IAA discussed its demands with the planners, particularly the topic of an elevator shaft. It deliberated whether to allow the destruction of a vault for this purpose (document 3). Yuval Baruch (Jerusalem regional archaeologist) admitted that "we do not know when the structure was built," but assumed that the vault was late and therefore could be destroyed without causing any pangs of conscience. Dorfman wasn't sure (document 3). This was a marginal problem. In fact, the IAA had already conceded hundreds of square meters of excavation to a depth of 14-21 meters, and these deliberations concerned only an elevator shaft that would reach a maximum area of 20-30 square meters, with a limited depth of one-to-two levels at most. This was all that was left for discussion as the IAA had already given up on the idea of carrying out a substantive excavation prior to construction. Indeed, the IAA would keep discussing the elevator shaft again and again before finally permitting it in 2012. Meanwhile, Shachar Poni proposes to tell the Jerusalem district planning committee that there is no need

"to make this [that is, the approval of the plan for Beit Strauss] conditional on the approval of the overall plan [for the Western Wall Plaza], and treat it like we treat requests for small additions to private homes . . ." (document 2, March 22, 2009).

Is the case of a small addition to a private house really the same as the expansion of a large public structure into the Western Wall Plaza?

The minutes from the hearing at the Jerusalem District Planning and Construction Committee on March 24, 2009 contained the following conclusion:

"Concerning changes to the interior areas [that is, within the existing building] – the IAA opposes any planned destruction of remains from the Middle Ages, and asks the committee to demand alternative solutions for the elevator and the stairwell. *Mr. Poni was asked if excavations have been conducted or if they will be conducted in the future in the area under planning*, and he answered that, with the start of work [the IAA] will perform *supervision*, following the normal protocol; excavations will be undertaken only as needed, if [this need] will arise during the supervision of the [building] work."¹

Mr. Poni did not raise the subject of excavations until the committee asked. It can be assumed that the members of the committee expected the IAA to request an excavation, as is the norm in cases of construction in a recognized antiquities site (where it is clear that antiquities exist). The request never came. In his response, Poni said that excavations would be undertaken "as needed," as if it is unknown whether or not there are antiquities at the site. The committee decided to approve the plan subject to certain conditions, including:

"B) Coordination with the IAA regarding the proposed construction, including the issue of the location of the elevator and staircase on the site of the vaults, and the possibility of future excavation and documentation in relation to the proposed construction" (ibid).

The final words attest to the fact that Poni presented the IAA's waiving of the excavation as linked to the idea that the building will be based on foundation piles (see below). Following the committee's decision, the process of clarifying the conditions for approving the construction began.

1) "The Agenda of the Subcommittee – urban building plan" hearing 22/2009, 26 November, 2009, page 9 § 5 (emphasis added).

The IAA Pretends to Request an Excavation

On March 31, 2009, Jon Seligman wrote to Dalit Zilber, the head of the Jerusalem District Committee in the Interior Ministry:

"The IAA's Position Regarding the Plan for Beit Strauss:

On March 24, 2009, during a hearing about the plan for Beit Strauss, the IAA's position was presented in a detailed manner.

I wish to highlight two subjects that were, perhaps, not adequately stressed in the hearing itself:

- 1) Regarding the changes to ancient walls that appear in the plan – the IAA . . . opposes any destruction of medieval remains included in the plan.
- 2) Insofar as the structure rests on foundation piles, in accordance with an agreed engineering plan, the IAA does not condition the implementation of the project on an archaeological excavation in the designated construction area, but rather solely on close archaeological supervision . . ." (document 4).

Section (1) concerns the visible remains in the area of the existing structure. The meaning of section (2) is that the IAA waives the condition of an archaeological excavation at the outset, and that it is taking pains to stress this to the committee.

Archaeological supervision is a preliminary tool, employed before an excavation, and is not a replacement for it. Supervision is employed at sites where it is suspected that antiquities may be found. If, indeed, antiquities are discovered then the site can only be released for construction after salvage excavations are undertaken and the nature of the antiquities has been determined and the remains have been documented. In the case of Beit Strauss, the IAA established a dangerous precedent which undermines its own position. Most structures can be built on foundation piles. Accordingly, if the IAA's stance on the Beit Strauss is acceptable, then there is apparently no need for the hundreds of rescue excavations that the IAA runs throughout Israel every year. Supervision and construction on piles would also be sufficient in all these cases too.

However, we know that it is impossible to excavate an area after it has already been built over. If excavation is not carried out prior to construction, there will be no documentation, preservation, study, or exhibition of the remains that could have been discovered there. No civilized country in the world flagrantly forfeits its past in this way; all conduct rescue excavations in places where there are antiquities – prior to development and construction.

Of particular interest is the phrase "close supervision" (document 4 section 2). It suggests that this must be a superior, upgraded form of supervision. What kind of supervision isn't close? The very meaning of archaeological supervision is that an IAA inspector is present

at the site at all times and oversees the work. An inspector is never permitted to leave the area while work is underway.

In preparation for the hearing on the deposition of the plan, the IAA formulated its conditions for approval. The standard procedure in similar cases is that the IAA requests a full rescue excavation. Jon Seligman presented Dorfman with a draft of the conditions (document 5). The draft begins with the standard wording, adding that this specific site is of "exceptional importance". It is followed by this standard statement in section 2:

"Scientific archaeological excavations must be conducted in the entire area under discussion. Only after the completion of the excavations, and depending on their results, will the IAA determine the conditions and requirements for approving construction" (document 5, 8 July, 2009).

Still in the same section, but on the second page, this very condition is voided:

"Insofar as the structure rests on foundation piles, in accordance with an agreed engineering plan, the IAA will not condition the implementation of the project on an archaeological excavation" (document 5).

The same pattern is repeated in the list of conditions on the second page (document 5). Section 2 contains the standard wording, but section 8 cancels the requirement contained in section 2.

When Dorfman read the "pretend requirement" for an excavation on the first page, he marked a large question mark in the right-hand margin and wrote underneath it: "Okay – but as far as I can recall there is no excavation?" (document 5, together with his signature). Mr. Dorfman had established that there would be no excavation, and the standard wording in this section, requiring an excavation, came as an unwelcome surprise.

Seligman was forced to re-edit the document, despite the fact that the change was only cosmetic (document 6, July 14, 2009). In the new version the waiver of the excavation immediately follows the "fake requirement". The same list of conditions remains on the second page, but an additional sentence is added to section 2 that subordinates the "fake requirement" to the waiver in section 8. Incidentally, we were not provided with the complete documents. We know this because one of the documents in our possession (document 7) mentions two more sections (9 and 10) included in Seligman's letter (document 6 above), which we do not possess.

Objections to the Plan are Rejected

When archaeologists heard of the proposed plan they harshly criticized it. Professor Amos Kloner of Bar Ilan University wrote to the chairman of Jerusalem's local planning and construction committee in October 2009. He emphasized the importance and uniqueness of the Western Wall Plaza, and stated:

“... The proposed construction on the northern edge of the plaza in plan number 12996 threatens to damage the delicate and complex fabric [of the Western Wall Plaza] presented here. Though the façade of the proposed building would protrude “only” a few meters south of existing structures currently in use, it represents a danger of eroding the entire delicate and fragile framework... The proposed construction is a significant blow to the archaeological environment. Archaeology deals in general with underground structures and finds; but there is, nonetheless, an archaeological environment, a combination of ancient treasures and their preservation in their present condition... The proposed construction plan threatens to cause significant damage to the archaeological environment” (document 8, 19 October, 2009).

The size of the buildings and aesthetics are not obvious archaeological considerations. The committee that discussed the objections to the plan rejected Kloner's arguments, which mentioned, but did not emphasize, the IAA's waiving of the excavation. The committee believed the IAA when it said that it was involved in coordinating the construction, and that “the antiquities located under the Western Wall Plaza will not be damaged”.²

Professor Kloner also apparently raised the plan for discussion at the Archaeological Council, Israel's highest body on archaeological matters, which serves in an advisory role to the IAA. On December 16, 2009 the council discussed the plan. The IAA gave us only three pages from the meeting minutes, apparently only in draft form (document 9).³ Professor Kloner explained in the meeting that the IAA was planning to approve the construction without an archaeological excavation:

“The director of the IAA approved the construction of Beit Strauss with no archaeological excavation, using foundation piles...”

2) Minutes of the Jerusalem District Planning and Construction Committee, Subcommittee on Objections, number 2009031, December 2009, page 12.

3) It should be noted that the meetings of the Archaeological Council generally take place in the offices of the IAA, and the IAA is responsible for preparing the minutes. This explains why these draft pages are included among the IAA documents. However the final, complete transcript, which is legally binding, should also have been included.

Professor Yoram Tsafrir from the Hebrew University, Jerusalem, added a sharply critical comment (the beginning of his statement is missing):

“It pains me to say that the IAA has taken sides here and supported the construction from the beginning, even before the digging had started” (document 9).

The discussion also touched on “Beit HaLiba” (the HaLiba Building) which is referred to in Dorfman's response; they then returned to the discussion of the Strauss Building, and the IAA representatives claimed that the decision to waive the excavation was connected to the fact that the entire plaza would be excavated in the future. Joseph Aviram, one of the most senior archaeologists in Israel and the secretary of the Israel Exploration Society, said:

“If one builds this structure, then the IAA should have said that they will excavate and only then build this structure, and not waive the excavation because they are planning to undertake a larger excavation [elsewhere in the Western Wall Plaza]” (document 9, page 3).

Professor Ephraim Stern, then chairman of the Archaeological Council, concluded the discussion by saying that the goal of the meeting was to clarify the areas of disagreement and that matters had been clarified. But what was the council's recommendation concerning Beit Strauss? No recommendation: those present dispersed without taking a position.

In March 2010 Jerusalem's district planning committee discussed plan 12996 again, after two committee members asked to review the previous decisions (their reasons were unrelated to archaeology). The committee rejected their request to change the previous decisions.⁴ The plan was formally approved and signed by the minister of interior affairs in June 2011.

Prior to construction, a request was also filed for a second discussion in the Archaeological Council (apparently by Professor Kloner). A copy of the document that has reached us is blurred and hard to read. We have reconstructed it to the best of our ability:

“Dear members of the Archaeological Council,

In approximately one month construction will begin on the addition to the “Beit Strauss” located in the northern part [of the Western Wall Plaza]. The construction has been approved without an excavation at the site, one of the most important in Jerusa[lem. It is planned that] only a very minor trial excavation will be undertaken at the site on a few square meters, to a [minimal dep]th for the needs of an underground utility and installation box. The construction itself

4) Ministry of the Interior, Jerusalem District Office, Minutes of the Decision from the District Committee, number 2010001, 9 March, 2010.

will [take] place in the midst of the accumulated remains expected to be found in the Tyropoeon Valley [the Tyropoeon Valley, or "Valley of the Cheesemakers," separated Mount Zion to the West and the Temple Mount to the East. Today it is partially covered by fill]. The subject was raised for discussion three years ago, and the minutes of that [meeting of the] Archaeological [Council] are enclosed with my letter. Without underestimating the achievements of the important and comprehensive excavation work of the Antiquities [Authority] in Jerusalem, it seems that the considerations that led to the waiver of the excavation here go against the [logic?] and best interest of archaeology, and this is the reason for my request . . ." (document 10, 2 December, 2012).

We do not have further documentation concerning this request, and it seems that a discussion of the matter never took place.

Construction under "Close Supervision"

In 2011 the construction details were discussed by the IAA and the planners. The architects explained to Shachar Poni how the structure's foundation would be constructed:

"The intention was to base the deep foundation on the bedrock and inside it [that is, by drilling], and then to dig down two meters where necessary for placing the beams, to install the beams and the floor, and then to proceed with the construction upward" (24 May, 2011, document 11).

This means that the IAA abandoned everything deeper than two meters, and that, moreover, the foundation piles will not "float" above the antiquities, but will require drilling. In April 2013 the deep-hole drilling began. At that time the Movement for Quality Government in Israel complained to the IAA that, according to photographs, the work on Beit Strauss includes "the use of heavy machinery, raising concerns that antiquities located there may be damaged" (document 12). Shachar Poni reported to Yuval Baruch, who in turn reported to Shuka Dorfman, that the intended area for the construction of Beit Strauss is 387.2 square meters, in which 16 boreholes will be drilled (11 April, 2012, document 13). Yuval Baruch proposed responding to the Movement for Quality Government in Israel in the following way:

"Beit Strauss – the construction plans for Beit Strauss were thoroughly examined by the IAA, which even prepared a comprehensive conservation file for it.

Due to the importance of the project, it has been discussed several times within the IAA in different forums, and a discussion was even devoted to the topic by

the IAA Council. The plans themselves were approved by the IAA subject to various conditions, including conditions related to supervision, conservation, and archaeological excavations. On these grounds the required building permits were issued.

The planned excavations at the site will be performed after the site is prepared from an engineering perspective. Up until that point all work at the site will be done under close archaeological supervision. In addition, conservation work is being undertaken at the site by conservationists from the IAA and with constant engineering supervision" (document 14, 16 May, 2013).⁵

Note the language: "engineering perspective", "close supervision", "conservation works", and "engineering supervision". All these were intended, we believe, to conceal the lack of a real archaeological excavation. If the project is so important, why did the IAA waive a comprehensive excavation? The letter mentions "several" discussions "in various forums," but there is no documentation of these discussions. In fact it seems that Dorfman had decided to waive the excavation long before the discussions that allegedly led to this decision would have taken place.



aaaaaaaaaaaaaaaaaaaaa

5) See also the IAA's response to the journalist Yossi Eli: "Experts: Expanding the Toilets Endangers Antiquities on the Western Wall Plaza," *Maariv*, 28 May, 2013 (in Hebrew).

An internal document bears witness to the brutality of the drilling:

“Dear Yuval [Baruch],
Shachar [Poni] asked me to send you a report on the drilling today and yesterday. Yesterday we drilled one borehole [. . .] and inserted a camera into the hole [. . .] In the camera I saw the following:
After one meter there is something that looks like fallen stones.
8 [meters deep], the remains of a wall.
9.8 [meters deep], a wall.
10.4 [meters deep], a wall.
12.8 [meters deep], a wall.
16 [meters deep], the bottom of the borehole.
They poured 16 cubic meters of CLSM [a type of concrete] into the hole, and 4 meters still remain to the top of the borehole. According to the calculations, 8 cubic meters should have been enough to fill the entire hole.
In the second borehole (number 1) they drilled to a depth of 14 meters and then reached bedrock. When they tried to drill into the bedrock, the sidewalls started to collapse.
In the third borehole (number 9) they drilled to a depth of 5 meters, but the earth was very wet and this caused a massive collapse of the walls of the shaft, and for this reason they stopped drilling [. . .]” (document 15, 11 April, 2013).

It is clear that not only the area of the boreholes itself was damaged, but also the entire surrounding area. Eight cubic meters of concrete spilled over the sides of one hole. Incidentally, in the past when Ultra-Orthodox Jews wanted to prevent an archaeological excavation in a burial cave, they poured concrete inside. How can it be possibly claimed that the drilling has not damaged antiquities?

Complaints also reached the office of the State Comptroller (document 16), who asked the IAA for a clarification. An untitled and undated document is apparently a draft of the reply to this complaint.

“As part of preparing the plans for the building known as "Beit Strauss", located at the entrance to the Western Wall Tunnels, the IAA compiled a documentation file, by one of its conservation architects, in which the guidelines for the construction were outlined from a conservation and archaeological perspective. The plan [meaning documentation file] was even presented to the [Jerusalem] municipal planning committee.
With the approval of the plan by the relevant planning authorities, the IAA

granted the building permit for the structure subject to certain conditions . . .
These conditions included, among others, rescue excavations in the entire area underneath the building floor.

The first stage of these rescue excavations began a week ago and they are being undertaken under the authority of Dr. Peter Gendelman (permit number 6876/2013).

In order to implement the plan, the developers were forced to base the new part of the structure on a system of piles [. . .] the IAA approved the drilling for the piles (16 in total), even if this directly causes damage to antiquities. In the IAA's view, this *damage will be proportional* when compared with the area that will be excavated (some 3% of the construction area) . . .

Among other considerations that led the IAA to permit building the structure using foundation piles is the fact that the excavation underneath the new part of Beit Strauss is part of a larger assemblage of archaeological excavations that have, until recently, been conducted in the Western Wall Plaza, and which are meant to continue in the future as part of an excavation of the entire plaza. All these considerations are derived from an overall planning vision for the Western Wall Plaza . . . and in light of specific consideration given to the construction plan itself, following the documentation of and research into the system of cavities underneath the site.

It is important to note that conducting archaeological excavations in such a complex site, in which the archaeological remains extend from the surface deep down (14-20 meters), requires complicated engineering solutions, including, among others, the construction of engineering supports and retaining walls that will allow it to be implemented" (document 17, emphasis added).

This is a long and convoluted letter, but the truth is evident in every sentence. The IAA approved the construction before undertaking an archaeological excavation, violating common procedures (see the discussions above, documents 2 and 9). It is claimed that the permit was granted after "documentation and study," but the incomplete documentation file was written prior to any excavation, and included mostly documentation of the components of the old structure. The limited excavation that was undertaken at the site by Dr. Peter Gendelman began only at the time of writing document 17, in July 2013, and it is evident that it could not include the documentation of remains 14-20 meters underground that were not going to be excavated. The statement concerning "proportional" damage to 3% of the "area to be excavated" is misleading. The reference is to the drilling area alone, but the drilling destroyed a larger surrounding area due to collapses in the area surrounding the boreholes and spilled concrete. The excavation the IAA gave up did not only apply to the drilling area, but also to the entire area deeper than 2 meters from the surface. As

already noted, the requirement for an excavation of the entire area was meaningless since it was voided by the section waiving this requirement. The claim that the developers "were forced" to base the structure on a foundation of piles in order to enable an archaeological excavation is far from the truth. As the documents show, the foundation piles served to circumvent the archaeological excavation, not to allow it. A deep archaeological excavation sometimes necessitates supports, but their nature and position is different from construction piles. In an archaeological excavation the sides of the excavated area must be supported; in construction the supports are scattered throughout the area, in accordance with the construction plan (see document 18. Each circle marks a drilling hole. The plan mentions a lower phase with "massive walls, vaults - Roman", but the IAA in practice abandoned all of these).

We have not received a published account, and not even a "developer's report," of the limited excavation at Beit Strauss. A presentation delivered by the Jerusalem supervision team on the preparations for the excavation is instructive (document 19). There are two stages: "Stage A, Trial Trenches, 3 Working Days" and "Stage C, Post-excavation, 1 Working Day." The page with the central excavation stage was not given to us. Note the following sentence:

“The estimate [of the excavation budget – 299,731 NIS] has been prepared in such a way that allows the excavators to implement a large part of the sorting and initial processing of materials in the field” (document 19, page 3).

The initial sorting of material (that is, finds) of an excavation is always done in the field. This means, essentially, potsherds. If it is concluded that the sherds cannot be used to reconstruct complete vessels, then only a few sherds are gathered for research purposes and the rest are left at the site. However, scientific processing is not carried out on site. The goal of this sentence is, perhaps, to communicate to the excavators to classify as much material as possible in the field, in order to limit the amount of material intended for scientific processing.

Prior to the excavation, the IAA held a coordination meeting with two engineering companies:

“The Excavation:

Over the course of next week, permission will be granted to begin excavation at the work site – the beginning of the work will be coordinated between Peter [Gendelman, the excavating archaeologist] and Amichai [Lev, the project coordinator on behalf of Shoham Engineering Co.] . . .

For the excavation work it is necessary to ‘arrange’ [make available] a JCB [tractor] and trucks/containers for excavating and removal of material [dirt]. Similarly, one should be prepared for manual excavations by c. forty workers, of

which ten will be workers from the [Israel Antiquities] Authority.

The work stages will be determined by Peter (Gendelman) after the “search” excavations.

During stage A the excavation will reach the basement level” (document 20, July 25, 2013).

Let’s attempt to make some sense of the facts. The estimate and the preparatory presentation mentioned 600 square meters, 15 days, 40 workers, and a depth of 2 meters. From an archaeological perspective it is impossible to excavate such a large area (24 excavation squares) to such a depth in so few days and with so few workers. One suspects that most of the area was initially cleared using a bulldozer, a procedure that the IAA refers to as "clearing." Clearing is done under supervision, in cases in which antiquities are buried under layers that do not contain remains, such as sand dunes or modern fills. The IAA here calls this stage "search excavations." After the clearing, they began the archaeological excavation in its first stage (July 2013), reaching a depth of 2 meters, which is the "basement excavation level." During the second stage, in November 2013, the excavation was taken deeper, though only in the small section intended, apparently, for the basement (or some other infrastructure).

The excavation estimates (for both stages) mention 45 work days in total. This number of work days is next to nothing for a site "of exceptional significance" in the heart of Jerusalem's Old City, where there is a concentration of remains to a depth of 14-20 meters. We can compare the situation to Beit HaLiba, which was excavated for about five years to a depth of 6-7 meters (Chapter 4). The IAA hardly scratched the surface in Beit Strauss, and waived a proper, comprehensive excavation.⁶

6) An additional excavation season has recently been conducted at Beit Strauss, to a greater depth, but only in a small area comprising two excavation squares. This does not change the overall picture.

The Antiquities are in the Toilets

In the absence of a deep excavation, there are few remains that can be preserved in Beit Strauss. Those that exist are comprised of portions of walls found in the old building, and partially exposed vaults underneath, which have neither been excavated nor studied. A June 16, 2011 report of a visit to the vaults underneath the toilets (in Beit Strauss, or in the adjoining entrance to the Western Wall Tunnels) (document 21) shows what potential finds the IAA abandoned: a hall built of Ashlar.⁷ According to the report (by architect Shachar Poni and Bilal Tori) it is so special that nothing like it "has been found in Jerusalem." The IAA established as one of the conditions to the developer that the antiquities in Beit Strauss would be open to the public (documents 5-6, document 7 section 6), but these ancient vaults are not accessible. In order for visitors to reach them, they would have to be dropped down through a narrow entrance with the aid of a "frame, harness, and pulley" (document 21).



aaaaaaaaaaaaaaaaaaaaa

7) Ashlar means well-worked stones with straight sides and smoothed surfaces.

All that remains, therefore, is to preserve higher and later walls. The preservation area in Beit Strauss is intended for the toilets: the women's and men's toilets. Thus the IAA is preserving the toilets' walls (Figure 1A):

"Subject: The Presentation of the Plan for Beit Strauss . . .

The main points follow:

Shachar Poni presented the subject.

Guy Teomi presented the specifications" (document 22, 1 March, 2013).

Again, the documents are incomplete. Somebody "presented the subject," but the minutes do not state what was presented, despite the fact that this is the basis for the entire discussion that followed. The architect (Carmi-Melamed) proposes using glass as a solution. She understood that the IAA wishes to preserve and display the walls. No one asks what the value of preserving walls in a toilet might be, nor what educational lesson this might present to the public.

Perhaps a mechanism of psychological compensation was at work here for the IAA, rationalizing that since so much had been compromised by not excavating the site, so perhaps something should be preserved – anything at all – in order to make sure that no one notices, including ourselves.

The idea of using glass raised concerns within the IAA about maintenance and vandalism:

"Shuka Dorfman: How do we prevent vandalism? We have to take into account that the lighting causes green scum . . .

Ada Carmi-Melamed: Everywhere in the world they place a guard . . .

Hanan Canari: We chose the appropriate and most durable solution against vandalism. *In essence, we sacrificed beauty in favor of vandalism* (document 22, emphasis added).

The glass is not the problem. A male guard will stand in the men's toilet, and a female guard in the women's toilet. As it is written, I have posted watchmen on your toilets, O Jerusalem (Isaiah 62:6).

The debate continues:

"Raanan Kislev: . . . The overall idea is right but it is important that the visitor understand the space. Putting the toilets here is problematic, but the idea is a good one."

How can the "idea" be good if the toilets here are "problematic?" According to Kislev, the "visitors" to the toilets need "to understand the space." People in toilets do indeed need

to understand the space: which stalls are free, where are the hand dryers. What kind of person stares in wonder at the walls of a public toilet?

Yuval Baruch tries to blame the situation – namely that the antiquities have been relegated to the toilets – on the documentation file written by the IAA’s department of conservation:

“Yuval Baruch: In the documentation file we did not know that this is the find that would be discovered.”

Baruch forgot that the documentation file for Beit Strauss was prepared *before* the excavation (in fact, after waiving a meaningful excavation – a waiver that facilitated granting the developer approval for the building permit). Amit Reem (the Jerusalem district architect) understands that there is no way back, but tries to propose an archaeological excavation, even a small one, since underneath the toilets are important antiquities, and there are research questions that can only be answered by further excavations:

“Amit Reem: The plan is acceptable [. . .] a minor archaeological examination is important in order to reach the vaults that relate to the dating of the “secret passage” [in the Western Wall Tunnels] . . . We need to consider that the visitors will ask questions and, therefore, there needs to be an explanation based on knowledge” (document 22).

No one took this proposal seriously, not even for a moment. They knew that Dorfman did not wish to excavate, and the visitors in the toilets will not be able to ask anything about the vaults below the toilets, since these are not accessible to visitors.

As a comprehensive excavation was not conducted, it is not known when the walls on the toilet level were built and what purpose they served. The IAA assumes that these walls belong to a “late stage” of the Mughrabi neighborhood (document 3, above). If the walls are so late, why are they considered “antiquities” at all? Based on what knowledge does the IAA request a budget from the entrepreneur for their conservation?

After all the work that the architect invested in preserving the ancient walls in the toilets, Yuval Baruch proposes to simply plaster the walls over:

“Yuval Baruch: It’s a good idea. I’m not ruling out the option of plastering over part of the walls. Despite the fact that in the past they were not plastered; this helps with the maintenance of the area” [. . .] (document 22).

Do not Baruch's words reveal that these walls are so unimportant that it does not matter if they are plastered over and concealed? The IAA is trapped in a mindset of “conservation” since they have abandoned the essence, and no one dares to say so openly. The meeting nearly ends, the participants discuss the timetable, it is important to the developer to put

the toilets “into use” by a certain date, so the architect proposes completing the work in one room first, as an example:

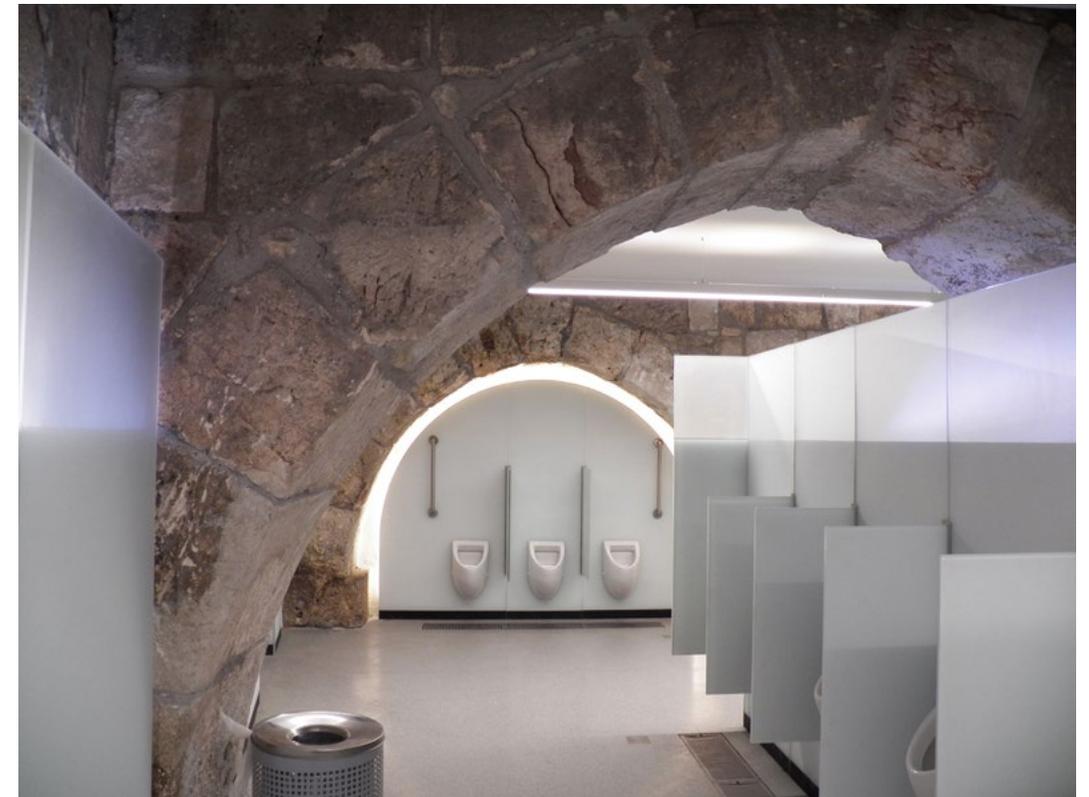
Illustration 1A: The toilets of “Beit Strauss”, March 2015.

“Yuval Baruch: That means a lot of conservation work.

Chen Canari: The conservation work will be completed soon.

Soli Eliav: We gave you the green light, and I'm asking that you proceed with the work as quickly as possible” (document 22).

Whether or not much work remains, the above discussion, which proceeded from one embarrassment to another, remained inconclusive. It is also possible that a conclusion was not given to us, as we often only receive partial documents.



aaaaaaaaaaaaaaaaaaaaaa

Conclusion

In March of 2015 two Emek Shaveh researchers visited the Beit Strauss toilets; in the name of full disclosure we should reveal that they did not visit the women's toilets. In their opinion the toilets are designed in good taste and are clean. It could be that in the women's toilets there are lengthy inscriptions written on glass, but in the men's toilets they found only the usual features of men's toilets. The Emek Shaveh researchers spent longer in the toilets than normal, during which time some twenty "visitors" passed through the space. They all used the toilets in a manner one would expect. No one asked a thing about where they were standing – or sitting. How could they know that there were ancient walls here? If they had asked, no one was there to answer. The researchers did not discover traces of vandalism in the toilets.

In a brave opinion piece, Professor Joseph Patrich (a Hebrew University archaeologist and scholar of the Byzantine period) labeled the waiving of the excavation in Beit Strauss a "tragedy for generations to come." He underlined that very important remains could have been found there: "This is an extremely sensitive area, and when I say sensitive, I mean that there is a high probability of finding important remains from our history," Patrich said.

Perhaps there were also important finds for history in general, not only "ours." But let us imagine what would have happened if a real rescue excavation had taken place, and a find important "to us" had been discovered, such as a Herodian structure. Would that, too, have been preserved in the toilets, and would visitors have been expected to marvel at it as they flushed? Or would a more dignified solution have been found? The unpleasant odours emanating from the story of the Beit Strauss project cannot be concealed by rhetorical whitewashing.

We are not questioning whether there was a need to expand Beit Strauss or whether the architectural plan is acceptable. Nor do we question whether it was appropriate to establish toilets in this particular place. From an archaeological perspective, the question is not why the IAA approved the building plan, but rather why it waived a comprehensive excavation, abandoning anything more substantial than scratching the surface. The answer is, apparently, that the IAA wished to satisfy the developers.

As far as we are aware, Beit Strauss is the only place in the world where following an archaeological excavation⁸ and conservation, all the preserved antiquities are located in active toilets. They are not exhibited in any proper manner, for example, with explanatory signs. This is not conservation, but a parody of conservation.

8) Albeit, a limited excavation that did not exhaust even a small portion of the site.

emek shaveh
לאמק שאוה עמושב

For further information please visit the Emek Shaveh
website: www.alt-arch.org

For tours, workshops, or lectures,
please contact us at:
info@alt-arch.org or +972-(0)545-667299

www.alt-arch.org

