

# 10<sup>th</sup> Anniversary Special Issue

## REVIEW OF ARMENIAN STUDIES

A Biannual Journal of History, Politics and International Relations

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Tal BUENOS

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The Review of Armenian Studies Journal has reached its tenth year with this edition.

When the articles in the Journal of Ermeni Arařtırmaları (Armenian Studies), which had first started being published in Turkish in 2001, had also drawn great interest from outside of Turkey, we thought it suitable to publish a journal in English as well regarding the same issue and we published the Review of Armenian Studies Journal at the end of 2002. Apart from purely original articles, the translations of some of the articles published in the Ermeni Arařtırmaları Journal also exist in this journal. This journal, which was first published three times a year, but is now published twice a year, has reached its 25th issue. To provide some statistical information, not including this issue, a total of 107 articles have been published in the total of 3.335 pages of the Journal on the Armenian question and Turkey-Armenia relations. At the end of this issue, an index of the articles published so far could be found.

Review of Armenian Studies is a refereed journal. As long as being scientific and unbiased, it is open to everyone's articles. As a matter of fact, besides the articles of well known professors, writings of doctoral students have also been published in the journal.

We express our gratitude to all writers who have contributed to Review of Armenian Studies within the last ten years and hope that this journal will continue to be published as long as the Armenian question continues to exist.

Since this issue of our journal is the special one, compared to the former issues, there is twice the number of articles published. These articles deal with a variety of subjects that we can summarize, according to the alphabetical order of their authors name, as follows: Social Darwinism and the Eastern Question (Buenos), Armenian claims from the perspective of International Criminal Law (Elekdağ), Karabakh conflict (Görgülü), Evacuation of Cilicia

by France and Armenian civilians (Gauin), the origins of Armenian terrorism (Gunn), Armenian nationalism and delusions (Karaca), Armenia's foreign policy (Kasım), recent developments in the Armenian question and in Turkey-Armenia relations (Lütem), issues missed in the 1915 Armenian debate (Özdemir), Armenian genocide memorials in the world (Şahin), history-writing like a battlefield (Salt), the need for compassion in Turkey-Armenia relations (Sanberk), review of Guenter Lewy's Book "The Armenian massacres in Ottoman Turkey" (Turan) and France's entanglement in the Armenian genocide issue (Yakış).

With best regards

The Editor

# SOCIAL DARWINISM AND THE EASTERN QUESTION

(SOSYAL DARVİNİZM VE DOĞU SORUNU)

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**Abstract:** *This article argues that the effort to associate the Young Turks with Social Darwinism suffers from questionable academic integrity, marked by mantra-like rhetoric; conclusiveness despite lack of evidence; speculative discussion; and an apparent preconceived commitment. There has been a prejudiced determination to associate the Young Turk with a damning ideology, at the expense of a careful study of Social Darwinism's ideological home in Western Europe and its direct involvement in intensifying relations between Turks and Armenians. The article also suggests that the dangerous popularity of Social Darwinism in Britain eventually waned, but not before it had a powerful negative impact on the perception of Turks and Jews in Europe. This rhetoric had a fundamental part in defining and intensifying the conflict between Turks and Armenians, as well as in defining and intensifying a new breed of anti-Semitism. Still, the article will try to show that unlike the weak and disputable sources that are orchestrated to show trails of Social Darwinism in the Young Turks' view of Armenians, there is ample and overwhelming evidence showing that the British Liberal leadership developed their anti-Turkish ideology hand in hand with Social Darwinism's original development in the 1870s, and though the Turks and Jews were the primary target of this ideology, the Armenian loss of life was substantial among its victims.*

**Keywords:** *Social Darwinism, Young Turks, Britain, anti-Semitism, Armenians*

**Öz:** *Bu makale Jön Türkleri Sosyal Darwinizm ile ilişkilendirme çabalarının tuzaklı bir retoriği bulunan, kanıt yokluğuna rağmen sonuçlara ulaşam, spekülatif tartışmalar yaratan ve çok açık önyargılı bir adanmışlık gösteren sorunlu bir akademik tutarsızlık gösterdiğini iddia etmektedir. Jön Türkleri Sosyal Darwinizmin Batı Avrupa'daki ideolojik evinin bir incelemesi ve Türkler ile Ermeniler arasında yoğunlaşan ilişkilerde oynadığı kesin rol gözardı edilmek pahasına*



*lanetlenmiş bir ideoloji ile ilişkilendirmek amacı güden önyargılı bir kararlılık bulunmaktadır. Makale ayrıca Sosyal Darvinizmin Britanya'daki tehlikeli popülerliğin zaman geçtikçe azaldığını, ancak bu gerçekleşmeden evvel Avrupa'daki Türk ve Yahudi algısına çok ciddi olumsuz bir etki yaptığını öne sürmektedir. Bu retorik Türkler ve Ermeniler arasındaki anlaşmazlıkları olduğu kadar yeni bir tür anti-Semitizm'in de tanımlanması ve artışını açıklamak açısından büyük önem taşımaktadır. Ancak, makale Jön Türklerin Ermenilere yönelik algısında Sosyal Darvinizm'in izlerini göstermek üzere biraraya getirilmiş tartışmalı ve zayıf kaynakların aksine, Britanya'daki liberal liderlerin Türk-karşıtı ideolojilerini aslında nasıl 1870'li yıllarda Sosyal Darvinizm'in gelişmesi ile eş zamanlı olarak tanımladıklarını ve nitekim Türk ve Yahudiler bu ideolojinin asıl hedefleri ise de, Ermenilerin yaşadığı kayıpların da bu ideolojinin kurbanı olduğunu açıkça gösteren çok fazla ve etkileyici kanıtlar bulunduğunu göstermektedir.*

**Anahtar Kelimeler:** *Sosyal Darvinizm, Jön Türkler, Britanya, anti-semitizm, Ermeniler*

The back-and-forth regarding the fate of the Armenians in World War I and the responsibility of the Committee of Union and Progress (CUP),<sup>1</sup> has taken the shape of a polemic rather than a debate. As such, the arguments brought forth are not designed to establish common ground, but rather to further isolate one's own view by solidifying a unilateral narrative in order to satisfy pressing political needs. Not only is such a trend detrimental to any hope of ever successfully negotiating the differences over the past, but it also leads to poor academic work that is more committed to a political goal than to the actual study of the details. Certain scholars who are committed to a particular goal in such manner are so blinded by it that they cannot see crucial subtleties, or even refuse to look at the inaccuracies they produce.

The matter of Social Darwinism and its important role in the Turko-Armenian conflict serves a strong example of this. It is noticeable that the concept of Social Darwinism is being utilized by certain scholars toward the end of promoting a sense that the Young Turks have treated the Ottoman Armenians in a manner that is comparable to the treatment of Jews by Nazi Germans. The comparison between the Young Turks and Nazi Germans has been deliberately attempted because it would automatically equate the claims of the Armenians to those of the Jews. However, such an attempt suffers from insensitivity to detail, being that it is so stubbornly focused on the general goal it seeks to achieve, namely to accuse the Turks of genocide and elevate the status of Armenian claims against them. Politically, this insensitivity will

<sup>1</sup> Mainly referred to here in their less official name, Young Turks.

only create wider gaps between the two sides; academically, this insensitivity has promulgated biased study that misdirects and distracts from the greater influence of Social Darwinism on the conflict between the Turks and Armenians.

Nazi ideology was inspired by, and intertwined with, the view of Social Darwinism, which saw humanity through a lens of racial division. Such a view taught that similar to how the stronger and fitter species who prove more adaptable to their conditions are the ones to survive in nature, so does human society comprise of different races with different capacity to survive. The belief that one race is better developed and more equipped to survive than other races also meant a perception according to which there are superior and inferior races. The unequivocal association between Nazi ideology and Social Darwinism meant that vilification by association with Nazi Germans can be attained by presenting Social Darwinism as an ideological tool that was also practiced by the Young Turks. As a result of this opportunity to equate the Turks with the Nazis, any commitment to accuracy is abandoned for the sake of promoting an agenda driven syllogism: being that the Nazis (A) were undoubtedly Social Darwinists (B) in their view of Jews, a successful claim that the Young Turks (C) were also Social Darwinists (B) in their view of Armenians, would lead to the desirable conclusion that A and C are alike.

*Nazi ideology was inspired by, and intertwined with, the view of Social Darwinism, which saw humanity through a lens of racial division.*

At the core of the reasoning provided by those who speak of the Young Turks in the same breath as the Nazi Germans is the claim that both faced hard times of national decline and both employed Social Darwinism in their efforts to rebuild their nation and define a greater sense of nationalism at the expense of a minority. One scholar even goes as far as presenting the history of racial ideology in such a reckless manner that will surely confuse the readers' chronological grasp of Social Darwinism: "Pan-Turkism contained some rudimentary forms of racist ideas that later became the main ideological weapon of the Nazis."<sup>2</sup> Such a phrasing does not just twist history for the sake of politics, but bends it completely out of shape.

In truth, Germany was the first nation outside Britain to heed Darwin's teachings, and advance it further through the works of German scholars, decades before the Young Turks took control of the Ottoman state. In his letters, Darwin himself makes reference to his theory's successful acceptance

2 Nora Arissian, "Comparative Aspects of the Armenian and Jewish Cases of Genocide," in *The Armenian Genocide: Cultural and Ethical Legacies*, ed. Richard Havannisian (New Brunswick and London: Transaction Publishers, 2007), 298.

in German science,<sup>3</sup> and even considered the future of his study to be reliant upon the support it receives,<sup>4</sup> as well as the progress that is made,<sup>5</sup> in Germany, where his book *On the Origin of Species* was translated and published in 1860,<sup>6</sup> within a year after its original publication in Britain. Going by “the number, status, and influence of scholars in late nineteenth century Germany propagating Social Darwinist tenets of some sort, it is evident that Social Darwinism was a dynamic intellectual current.”<sup>7</sup>

Moreover, a focus on a significant book from 1868, *Natürliche Schöpfungsgeschichte* (In English, *The History of Creation*), the work of Ernst Haeckel, a German scholar who led the way in the early processing of Darwinism in German society,<sup>8</sup> shows a racially based analysis that is biased toward the German<sup>9</sup> to such an extent that it is hard to envision those outside the designation of this alleged racial superiority, such as the Young Turks, agreeing with Social Darwinism and admitting that they themselves are in fact racially inferior to Germans. Not only was Social Darwinism boosting the self-image of Aryans and Anglo-Saxons in a manner that would be likely objectionable to members of other so-called inferior races, but the emphasis on race in itself was not at all the ideological style of the Young Turks. The evaluative elaboration on physical racial characteristics such as hair, skin, skull, lips, chin, and nose to determine racial superiority or inferiority, as done systematically by Haeckel, had absolutely no echo in Pan-Turkism. The definitional focus of Pan-Turkism was inward, on what commonalities made Turkish nationalism, and not outward, on how other races compared with them. In order to find proof of “ancient persisting bonds” that would tie Turkish co-nationals together, Pan-Turkism adopted “a ‘historicist’ approach” which meant an almost exclusive focus “on those issues of linguistic, historical and literary research,”<sup>10</sup> leaving out physiological aspects.

Therefore, even if Pan-Turkism did involve some measure of ethnic pride, it was not displayed along with labels of racial science, and even had there been an attempt at making a scientific claim about Turkish racial superiority, it would not have counted as Social Darwinism because the British and German scholars whose work defines Social Darwinism have found the

3 Francis Darwin, ed., *The Life and Letters of Charles Darwin* (New York: D. Appleton and Company, 1896), 250.

4 *Ibid.*, 270

5 *Ibid.*, 120

6 *Ibid.*, 150.

7 Richard Weikart, “The Origins of Social Darwinism in Germany, 1859-1895,” *Journal of the History of Ideas* 54 no. 3 (July 1993): 486.

8 *Ibid.*, 475.

9 Ernst Haeckel, *The History of Creation, or The Development of the Earth and Its Inhabitants by the Action of Natural Causes*, trans. E. Ray Lankester, Vol. 2 (New York: D. Appleton and Company, 1887), 323.

10 Jacob M. Landau, *Pan-Turkism: From Irredentism to Cooperation* (Bloomington and Indianapolis: Indiana University Press, 1995), 183-184.

Aryans and Anglo-Saxons, not the Turkic people, to be superior. Social Darwinism is not defined as a theory of general claims for racial superiority, but when put in proper context it is viewed as exact claims about Aryan and Anglo-Saxon racial superiority. If one were to suddenly claim that the Papuans present a race that is superior to the white European, then that would not be Social Darwinism, but something else, for it would not meet the Social Darwinist analysis of what makes a race superior.

Additionally, the effort to associate the Young Turks with Social Darwinism suffers from questionable academic integrity, marked by mantra-like rhetoric; conclusiveness despite lack of evidence; speculative discussion; and an apparent preconceived commitment. The accusations that the Young Turks were Social Darwinists appear in somewhat of a list form which includes elitism, positivism, materialism, and scientism.<sup>11</sup> The similarities in the delivery of these lists suggest a copycat technique where scholars mechanically mimic previous arguments because they share a common goal, and an attempt to create a truism by way of repetition. Another trait involving arguments that the Young Turks were Social Darwinists is the decisive tone employed despite the recognition that evidence is “scant”<sup>12</sup> and “scarce.”<sup>13</sup> Not only is there lack of evidence, but dubious evidence is presented as worthy, as for instance two sources who are decidedly acting outside the CUP circle, the spiritual leader of the Trebizond diocese, Archbishop Havhannes (Jean) Naslian, and exiled anti-CUP Kurdish nationalist Mevlanzade Rıfat, are brought forth as “convincing information on the Ittihadist inclination toward the ideas of Social Darwinism.”<sup>14</sup> The second and third hand sources on the perspective of the Young Turks, is not just removed from the Ittihadist body, but is attached to rival bodies who were in conflict of interests with the Young Turks and well-motivated to vilify them. Disagreeing with those who say that Social Darwinism was “the chosen guide of so many Young Turks,”<sup>15</sup> Taner Akçam says “that although some within Unionist ranks were indeed inclined toward racism or social Darwinism, the mainstream of Unionist thought was nourished from other sources.” Akçam offers no evidence to explain why Social Darwinism should be associated with the Young Turks at all, and his offhand disagreement with those who highlight

11 For instance, see: Taha Parla, *The Social and Political Thought of Ziya Gökalp, 1876-1924* (Leiden: Brill, 1985), 20-21; M. Şükrü Hanioglu, *Preparation for a Revolution: The Young Turks, 1902-1908* (Oxford and New York: Oxford University Press, 2001), 313; and Erik Jan Zürcher, *Turkey: A Modern History* (London and New York: I.B. Tauris, 2004), 87.

12 Boris Barth, “Racism and Genocide,” in *Racism in the Modern World: Historical Perspectives on Cultural Transfer and Adaptation*, ed. Manfred Berg and Simon Wendt (New York: Berghahn Books, 2011), 99.

13 Arissian, “Comparative,” 298-299.

14 Ibid. The vague reference by Dr. Nazim to plants and animals eating each other does not reflect Social Darwinism, and is yet another weak source that does not provide any foundation to the claim that the Young Turks were Social Darwinists.

15 Hanioglu, *Preparation*, 313.

Social Darwinism in the Young Turk approach confirms the conjectural level of discussion.

This leads to a strong sense that there has been a prejudiced determination to associate the Young Turk with a damning ideology, at the expense of a careful study of Social Darwinism's ideological home in Western Europe and its direct involvement in intensifying relations between Turks and Armenians. Although some of the sources which accuse the Young Turks of Social Darwinism, point out its Western European origin,<sup>16</sup> there is no demonstration of any intention to expand on how those who taught and developed Social Darwinism in Western Europe viewed the Ottomans. Boris Barth shares with his readers that "the notion that some peoples were inevitably about to die in the figurative sense and that the reason for this had something to do with their racial or ethnic quality was already widespread among the European elites before World War I," without making mention that the Turks were viewed as the primary example of a nation that is dying due to racially rooted incompetence; Barth's choice to sum up European application of Social Darwinism by making reference to Robert Gascoyne-Cecil of Sailsbury,<sup>17</sup> the Conservative British Prime Minister at the turn of the century, is misdirecting because the Liberals in British politics, not the Conservatives, were the ones who allowed a much greater measure of racial ideology to dominate their foreign policy, and their views on the Ottoman state in particular.

An important yet basic question has been neglected in this context: To what extent is Social Darwinism rooted in its place of origin, and to what extent is it exclusively reflective of the racial perspective of white Europeans such as the Anglo-Saxons and Aryans? Once the historical background of Social Darwinism is properly tracked, it should then be asked: How has Social Darwinism manifested itself from the perspective of the British Liberal elite, in view of the Turks and the Armenians?

Upon addressing these questions, it should be first considered that Darwin himself was not necessarily the one who paved the way for Social Darwinism. Greta Jones makes a compelling argument that "even if Darwin had never existed" there would have been an attempt to give biological backing to social theories, and accordingly, Social Darwinism was necessitated by sociological assumptions that had already been in existence before Darwin.<sup>18</sup> In other words, "Social Darwinism was a justification for

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16 For instance, see: Raymond Kévorkian, *The Armenian Genocide: A Complete History* (London and New York: I.B. Tauris, 2011), 190; Barth, "Racism," 99.

17 Ibid., 98.

18 Greta Jones, *Social Darwinism and English Thought: The Interaction between Biological and Social Theory* (Sussex: The Harvester Press, 1980), 4, 8.

existing social relations and a vehicle for a belief in the inequality of race and class.”<sup>19</sup> It is worth noting that the preexisting social assumptions of which she speaks are rooted in British society. Specifically, scholars argue that the staunchest promoter of the Social Darwinist way of thinking at its peak in Britain was Herbert Spencer.<sup>20</sup> Spencer was Darwin’s contemporary, and while the latter’s ideas focused more on the biological aspects, it was the former who expanded on the idea of natural selection in the context of the socio-political realm. It is interesting to note that even Spencer himself was aware of the possible confusion between Darwin’s work and the originality of his own, as in 1880, in the preface to the fourth edition of *First Principles*, Spencer points out to his readers that he had begun work on this book, which first came out in 1860, before the first edition of *On the Origin of the Species* made its first appearance in October of 1859, and that his work was independent of Darwin’s.<sup>21</sup>

Spencer speaks of the “perfect man” as being the very inspiration for morality and law obedience,<sup>22</sup> claiming that as Man becomes perfect, all things evil and immoral disappear.<sup>23</sup> Particularly, Spencer talks of physical perfection, the opposite of which is physical imperfection, which like a tool that lacks some vital feature, or is awkwardly shaped, fails “to fulfil its purpose in the best manner.”<sup>24</sup> However, it is significant to bear in mind that for Spencer this perfection is strictly relatable to white Europeans, be it due to the superiority of their physical traits, their art, their science, or their language. Markers of physical evolution such as “increasing heterogeneity in the vertebral column, and more especially in the segments constituting the skull” are “stronger in the European than in the savage.”<sup>25</sup> The advancement of art in Europe manifests itself in a variety of aspects, such as the “perfect” apparatuses used, and the sophisticated detail of the paintings and music produced.<sup>26</sup> Similarly, European scientific progress, especially at the classificatory level, is an indicator of European racial superiority.<sup>27</sup> Lastly, the minimal use of syllables in the English language in comparison to the “many-syllabled names” among “uncivilized races” presents the inferiority of the non-European from the lingual angle.<sup>28</sup>

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19 Ibid., 158.

20 Weikart, “Origins,” 474.

21 Herbert Spencer, *First Principles* (New York: D. Appleton and Company, 1894), ii.

22 Herbert Spencer, *Social Statics, or The Conditions Essential to Human Happiness Specified and the First of Them Developed* (New York: D. Appleton and Company), 69.

23 Ibid., 80.

24 Herbert Spencer, *The Data of Ethics* (New York: D. Appleton and Company), 33.

25 Spencer, *First*, 341.

26 Ibid., 324-326.

27 Ibid., 323, 393-394.

28 Ibid., 319.

This theoretical view was forcefully converted into political conviction that the Turkish sovereignty in the Ottoman territory must be challenged, and it was believed to reflect what Spencer meant by the evil of “the non-adaptation of constitution to conditions.”<sup>29</sup> Considering Spencer’s clear teachings on how society is inherently unequal and that between peoples the more advanced races who have fitted themselves most successfully to changing circumstances are the ones to survive, the inspiration of Social Darwinism in the claims made by the British Liberal elite against the Turks is immediately recognizable. The unmistakable connection between the roots of Social Darwinism in Britain and the view on the Turks held by the Liberal leadership in late nineteenth century is clearly exhibited in the writings of Britain’s most prominent Liberals at the time: William Ewart Gladstone, the Prime Minister; Andrew Carnegie, the man known as the richest in the world; James Bryce, the famous scholar and politician; and Edward Augustus Freeman, the distinguished Oxford historian.

While it is debatable to what extent, if at all, Social Darwinism influenced the Young Turks who were not its intended audience, Gladstone consumed Social Darwinism from the very mouth of Herbert Spencer, with whom he “breakfasted... during the 1870s and 1880s, and they exchanged copies of their books...”<sup>30</sup> His disdain for Turkey, which became abundantly clear on many occasions during that time, was intensified by the Bulgarian revolt and atrocities, and he publicly stated in the House of Commons his wishes to see “the Turks... one and all, bag and baggage... clear out from the province they have desolated and profaned.”<sup>31</sup> The commitment to upend the British government’s pro-Turkish policy was a “dangerous game, but Gladstone felt that morality demanded such steps,” and that this “cause of morality” was part and parcel with “the best interests of Europe.”<sup>32</sup> Gladstone’s insistence on Britain’s moral role may or may not have been sincere, but it surely echoed Spencer’s focus on the moral commitment of the “perfect man.” Gladstone’s perception of the British was in line with Spencer’s perception of their superiority among the races. Interestingly, Gladstone must have been aware that any intervention in Ottoman matters could not be free of imperial considerations, and yet he firmly maintained his position that British views on the Eastern question were a matter of taking action against what is wrong, consistent with principles of their moral code.<sup>33</sup> In view of the Turks, Gladstone did not just think he was acting on Britain’s behalf, rather he “believed that in the struggles over the Eastern Question he was defending a race as well as a civilization,” specifically, “the great English-speaking race,”

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29 Spencer, *Social*, 73.

30 Mark Francis, *Herbert Spencer and the Invention of Modern Life* (Ithaca, NY: Cornell University Press, 2007), 341.

31 Erich Eyck, *Gladstone*, trans. Bernard Miall (New York: Augustus M. Kelley Publishers, 1968), 258.

32 Peter Stansky, *Gladstone: A Progress in Politics* (Boston and Toronto: Little, Brown and Company, 1979), 124-125.

against the Turks who were “the one great anti-human specimen of humanity.”<sup>34</sup>

Gladstone’s racially coated battles with the Turks were accentuated by the element of his faith, as he believed that his “public duties” were related to “the primary purposes for which God made and Christ redeemed the world.”<sup>35</sup> Andrew Carnegie, the Scottish-born steel industrialist who made a great fortune in the United States before becoming politically active, attested that Gladstone, his close friend, “was devout and sincere if ever man was.”<sup>36</sup> In Carnegie’s case, the strong influence of Social Darwinism came at the expense of his previous theological beliefs, as he said: “Spencer and Darwin were then in the zenith” and “I began to view the various phases of human life from the standpoint of the evolutionist” while “All the remnants of theology in which I had been born and bred... now ceased to influence me or to occupy my thoughts.”<sup>37</sup> So influenced was Carnegie by Spencer’s works, *The Data of Ethics*, *First Principles*, and *Social Statics*, that he proclaimed: “Few men have wished to know another man more strongly than I to know Herbert Spencer, for seldom has one been more deeply indebted than I to him and to Darwin.”<sup>38</sup>

*Gladstone did not just think he was acting on Britain’s behalf, rather he “believed that in the struggles over the Eastern Question he was defending a race as well as a civilization,” specifically, “the great English-speaking race,” against the Turks who were “the one great anti-human specimen of humanity.”*

In effect, Carnegie’s epiphany, his ridding of “theology and the supernatural” for what was perceived as the scientific “truth of evolution,” meant that to him Man’s quest was to rise “to the higher forms” and “march to perfection,” which entailed an ideological commitment to “rejecting all that is deleterious, that is wrong.”<sup>39</sup> Considering that Carnegie’s wealth in the late nineteenth century enabled him to purchase “eighteen British newspapers with the idea of promoting radical views,”<sup>40</sup> it should not be taken for granted that his philanthropic efforts in the early twentieth century were purely for the

33 Stansky, *Gladstone*, 128-129.

34 David W. Bebbington, *William Ewart Gladstone: Faith & Politics in Victorian Britain* (Grand Rapids, MI: William B. Eerdmans Publishing Company, 1993), 171.

35 Ibid.

36 Andrew Carnegie, *Autobiography of Andrew Carnegie*, ed. John C. Van Dyke (Boston and New York: Houghton Mifflin Company, 1920), 319.

37 Carnegie, *Autobiography*, 206.

38 Ibid., 338.

39 Ibid., 339.

40 Ibid., 330.



“betterment of mankind,” as put by the editor of his autobiography;<sup>41</sup> rather, it could be constructed that Carnegie’s philanthropic activity was more precisely in keeping with his own interpretation, in the style of Social Darwinism, of what constitutes evolutionary progress for mankind. Once Carnegie perceived the Turks as opponents of enlightenment, then his understanding of the “betterment of mankind” cannot mean the betterment of the Turks at all, but rather their destruction. In a book by the Russian, Arthur Tcherep-Spiridovitch, a retired general and an active anti-Turkish campaigner in the early twentieth century, it is written that on September 15, 1905, upon receiving from Tcherep-Spiridovitch a diploma and an honorary membership in the Slavic Society of Moscow at Carnegie’s Skibo castle, the known benefactor said that it is a disgrace to the whole civilized world that Turkey remains in Europe, and that Christians who allow their own massacre without defending themselves deserve their fate.<sup>42</sup>

James Bryce (also known as Lord or Viscount Bryce), who sat as a trustee in The Carnegie Trust for the Universities of Scotland,<sup>43</sup> had much in common with Carnegie. Both were of Scottish origin, close in age, pivotal in British-American relations, and formulated a strong worldview that is based on Social Darwinism. Before becoming involved in the conflict between the Turks and the Armenians, Bryce developed an adherence to Social Darwinism. Addressing an American audience, Bryce described Darwin as “one of the glories of our common race”<sup>44</sup> whose effect on England was extraordinary and unprecedented: “We all talked about it... with the greatest ardor... and it was all the same all over England.”<sup>45</sup>

Not only did Social Darwinism penetrate deep into Bryce’s thought process, but being that he considered himself a member of a superior race, he expressed a bias toward the stronger race in a self-excusing manner:

*Where the backward race is either small in numbers or of weak physical stamina, and is still in the savage stage, it vanishes quickly. This need not be the fault of the stronger race. Sometimes, no doubt, the invader or immigrant kills off the natives, who resent the seizure of their hunting-grounds or prove themselves thievish neighbours.*<sup>46</sup>

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41 John C. Van Dyke, editor’s note in *Autobiography*, by Carnegie, vii.

42 Arthur Tcherep-Spiridovitch, *L’Europe sans Turquie: La Securite de la France L’exige* (Paris: Edition de la Ligue Franco-Slave, 1913), 159.

43 Carnegie, *Autobiography*, 269.

44 James Bryce, “Personal Reminiscences of Charles Darwin and of the Reception of the ‘Origin of Species,’” *Proceedings of the American Philosophical Society* 48 no. 193 (Sep-Dec 1909): iii.

45 Bryce, “Personal Reminiscences,” ix-x.

46 James Bryce, *The Romans Lecture 1902: The Relations of the Advanced and the Backward Races of Mankind* (Oxford: Clarendon Press, 1903), 10.

In other words, Bryce taught that the racial superiority of the conqueror legitimizes their dominion of the inferior races, when handled in the fashion of the ancient Romans, as did the English in India, the French in Algeria, and the Americans who liberated the slaves, even though “the Backward race may be really unfit to exercise political power, whether from ignorance, or from an indifference... or from a propensity to sudden and unreasoning impulses.”<sup>47</sup> Not only was Bryce seeing the world racially, but he so clearly assumed the perspective of a superior race when he optimistically tried to calm his audience that despite there being problems “raised by the contact of races,” there is hope because “the spirit in which civilized States are preparing to meet those problems is higher and purer than it was when, four centuries ago, the great outward movement of the European peoples began.”<sup>48</sup>

This influence on Bryce was apparent in how he approached the Eastern question, which he himself took part in raising. Already in the late 1870s, his arguments against the Turks were largely based on Social Darwinist terminology, which sought to present the Turks as an inferior race. According to Bryce, “No Mohammedan race or dynasty has ever shown itself able to govern well even subjects of its own religion”<sup>49</sup> and when taking “the race as a whole... they appear hopelessly stupid, apathetic, helpless.”<sup>50</sup> Bryce argued that “A wise [British] policy... would seek in the elevation of the native races the means of excluding those neighbours whose real or supposed ambition excites so much alarm.”<sup>51</sup> Consistent with his racially based views, on the eve of WWI, despite the bloodshed that followed the rise in Armenian nationalism in the late nineteenth century, he still pushed for a view of the Armenians as a means to oust this failing Turkish race and replace its sovereignty with that of the Armenians whom he perceived as “the equals of any of the European races.”<sup>52</sup> The rise of the Ottoman Armenians must have been instrumental in Bryce’s vision of a world without Islam:

*Conceive what a difference it might make if Islam were within two centuries to disappear from the earth! The thing is not impossible: perhaps not even improbable.*<sup>53</sup>

The blending of religious aspects of anti-Turkish sentiments along with the

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47 Bryce, *Romans*, 37-38.

48 Bryce, *Romans*, 47.

49 James Bryce, *Transcaucasia and Ararat: Being Notes of a Vacation Tour in the Autumn of 1876* (London and New York: Macmillan and Company, 1896), 425.

50 Bryce, *Transcaucasia*, 427.

51 Bryce, *Transcaucasia*, 442.

52 James Bryce, introduction to *Travel and Politics in Armenia*, by Noel Buxton and Rev. Harold Buxton (London: Smith, Elder and Company, 1914), vii.

53 Bryce, *Romans*, 46.

already offensive racial aspects was a natural occurrence in the British political scene of the mid 1870s in which the Liberals under Gladstone were unseated by a non-religious Prime Minister with Jewish heritage against whom they could rally major Christian support on the Eastern question.

Possibly the most blatant among the Liberal elite during Benjamin Disraeli's run as Prime Minister between 1874 and 1880 was the highly respected historian, Edward Augustus Freeman, who constructed forward arguments against Turks and Jews on racial and religious grounds. According to Freeman, the Turks are "A race which stands apart from the other races of Europe in all which makes those races European,"<sup>54</sup> and "all the nations of Europe belong to one common Aryan stock."<sup>55</sup> This racial distinction from Asiatic or African races is based on "the common possession of Aryan blood and speech"<sup>56</sup> and the shared history in following the path of Rome,<sup>57</sup> leading him to conclude that "the Turk has no share in that original kindred of race and language which binds together all the European nations."<sup>58</sup> Additionally, Freeman stresses that "Besides being Aryan and Roman, Europe is also Christian"<sup>59</sup> and accordingly "No Mahometan nation can really become part of the same community of nations as the Christian nations of Europe."<sup>60</sup>

While the Turk is hated, "The Jew is the tool of the Turk, and is therefore yet more hated than the Turk."<sup>61</sup> The framing of there being a "union of the Jew and the Turk against the Christian"<sup>62</sup> had a particular political context that cannot be ignored, and showcased a type of focus on Jewish blood that, following its Nazi version, will never be forgotten:

*The Jew must be very nearly, if not absolutely, a pure race, in a sense in which no European nation is pure. The blood remains untouched by conversion; it remains untouched even by intermarriage... the genus remains a genus by birth, and not by legal fiction.*<sup>63</sup>

Freeman provides a chilling conceptual precedent to the Nazi hunt of Jews, whom they designated as Jewish, not necessarily by faith, but by blood. This

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54 Edward A. Freeman, *The Ottoman Power in Europe, Its Nature, Its Growth, and Its Decline* (London: Macmillan and Company, 1877), 1-2.

55 *Ibid.*, 4.

56 *Ibid.*, 5.

57 *Ibid.*, 6.

58 *Ibid.*, 41.

59 *Ibid.*, 7.

60 *Ibid.*, 56.

61 *Ibid.*, xx.

62 *Ibid.*, xx.

63 Edward A. Freeman, "The Jews in Europe" In *Historical Essays* (London: Macmillan and Company, 1892), 234.

claim about how Jewishness cannot be touched by conversion or intermarriage, made by Freeman, an anti-Semite and anti-Turk, was later applied by the German Nazis who would execute those who have Jewish ancestry even if they were no longer members of the practicing Jewish community. It is important to consider to what extent Freeman's emphasis on the permanence of Jewish blood was designed specifically to raise the suspicions of his readers against Disraeli who was a Jew by blood but not by faith. At any rate, it appears as if Social Darwinism did not just serve Britain's Liberals in their hostility toward the Turks, but also in their campaign against Disraeli. In this context, it has been found that "The Transfer of prejudice from Islam, a perceived anti-Christian international force, to Anglo-Jewry, another perceived anti-Christian international force was facilitated by the widespread view of the Jews as an 'Oriental' or 'Asian' people."<sup>64</sup>

The dangerous popularity of Social Darwinism in Britain eventually waned, but not before it had a powerful negative impact on the perception of Turks and Jews in Europe. It had a fundamental part in defining and intensifying the conflict between Turks and Armenians, as well as in defining and intensifying a new breed of anti-Semitism. Social Darwinism became significantly less appealing when

Britain's main threats were Soviet Russia and Nazi Germany whose subjects were of the same allegedly advanced and pure stock of white Europeans.<sup>65</sup> However, the fact that Social Darwinism has since then emerged mainly in the context of Nazi Germany, should not derail scholarly work from tracking its roots in Britain of the late nineteenth century and early twentieth century, and especially from a sincere evaluation of its role in raising the Eastern question, and Britain's response to it. Unlike the weak and disputable sources that are orchestrated to show trails of Social Darwinism in the Young Turks' view of Armenians, there is ample and overwhelming evidence showing that the British Liberal leadership developed their anti-Turkish ideology hand in hand with Social Darwinism's original development in the 1870s, and though the Turks and Jews were the primary target of this ideology, the Armenian loss of life was substantial among its victims.

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64 Anthony S. Whol, "'Dizzi-Ben-Dizzi': Disraeli as Alien," *Journal of British Studies* 34 no. 3 (July 1995): 389.

65 Jones, *Social*, 177.

## BIBLIOGRAPHY

Akçam, Taner. *The Young Turks' Crime against Humanity: The Armenian Genocide and Ethnic Cleansing in the Ottoman Empire*. Princeton: Princeton University Press, 2012.

Arissian, Nora. "Comparative Aspects of the Armenian and Jewish Cases of Genocide." In *The Armenian Genocide: Cultural and Ethical Legacies*, edited by Richard Havannisian, 291-302. New Brunswick and London: Transaction Publishers, 2007.

Barth, Boris. "Racism and Genocide." In *Racism in the Modern World: Historical Perspectives on Cultural Transfer and Adaptation*, edited by Manfred Berg and Simon Wendt, 84-104. New York: Berghahn Books, 2011.

Bebbington, David W. *William Ewart Gladstone: Faith & Politics in Victorian Britain*. Grand Rapids, MI: William B. Eerdmans Publishing Company, 1993.

Bryce, James. *Transcaucasia and Ararat: Being Notes of a Vacation Tour in the Autumn of 1876*. London and New York: Macmillan and Company, 1896 [Fourth Edition with a Supplementary Chapter on the Recent History of the Armenian Question].

———. *The Romans Lecture 1902: The Relations of the Advanced and the Backward Races of Mankind* (Delivered in the Sheldonian Theatre, Oxford, June 7, 1902). Oxford: Clarendon Press, 1903.

———. "Personal Reminiscences of Charles Darwin and of the Reception of the 'Origin of Species.'" *Proceedings of the American Philosophical Society* 48 no. 193 (Sep-Dec 1909): iii-xiv.

———. Introduction to *Travel and Politics in Armenia*, by Noel Buxton and Rev. Harold Buxton, v-xi. London: Smith, Elder and Company, 1914.

Carnegie, Andrew. *Autobiography of Andrew Carnegie*. Edited by John C. Van Dyke. Boston and New York: Houghton Mifflin Company, 1920.

Darwin, Francis, ed. *The Life and Letters of Charles Darwin*. New York: D. Appleton and Company, 1896.

Eyck, Erich. *Gladstone*. Translated by Bernard Miall. New York: Augustus M. Kelley Publishers, 1968 [First Edition 1938].

- Francis, Mark. *Herbert Spencer and the Invention of Modern Life*. Ithaca, NY: Cornell University Press, 2007.
- Freeman, Edward A. *The Ottoman Power in Europe, Its Nature, Its Growth, and Its Decline*. London: Macmillan and Company, 1877.
- . “The Jews in Europe.” In *Historical Essays*, 230-234. London: Macmillan and Company, 1892. Originally published in *Saturday Review*, February 10, 1877.
- Haeckel, Ernst. *The History of Creation, or The Development of the Earth and Its Inhabitants by the Action of Natural Causes*, Vol. 2. Translated by E. Ray Lankester. New York: D. Appleton and Company, 1887.
- Hanioğlu, M. Şükrü. *Preparation for a Revolution: The Young Turks, 1902-1908*. Oxford and New York: Oxford University Press, 2001.
- Jones, Greta. *Social Darwinism and English Thought: The Interaction between Biological and Social Theory*. Sussex: The Harvester Press, 1980.
- Kévorkian, Raymond. *The Armenian Genocide: A Complete History*. London and New York: I.B. Tauris, 2011.
- Landau, Jacob M. *Pan-Turkism: From Irredentism to Cooperation*. Bloomington and Indianapolis: Indiana University Press, 1995.
- Parla, Taha. *The Social and Political Thought of Ziya Gökalp, 1876-1924*. Leiden: Brill, 1985.
- Spencer, Herbert. *Social Statics; or, The Conditions Essential to Human Happiness Specified and the First of Them Developed*. New York: D. Appleton and Company, 1888.
- . *The Data of Ethics*. New York: D. Appleton and Company, 1889.
- . *First Principles*. New York: D. Appleton and Company, 1894.
- Stansky, Peter. *Gladstone: A Progress in Politics*. Boston and Toronto: Little, Brown and Company, 1979.
- Tcherep-Spiridovitch, Arthur. *L'Europe sans Turquie: La Securite de la France L'exige*. Paris: Edition de la Ligue Franco-Slave, 1913.

Weikart, Richard. "The Origins of Social Darwinism in Germany, 1859-1895." *Journal of the History of Ideas* 54 no. 3 (July 1993): 469-488.

Whol, Anthony S. "'Dizzi-Ben-Dizzi': Disraeli as Alien," *Journal of British Studies* 34 no. 3 (July 1995): 375-411.

Zürcher, Erik J. *Turkey: A Modern History*. London and New York: I.B. Tauris, 2004.

# AN ASSESSMENT OF ARMENIAN CLAIMS FROM THE PERSPECTIVE OF INTERNATIONAL CRIMINAL LAW

(ERMENİ İDDİALARININ ULUSLARARASI CEZA HUKUKU AÇISINDAN BİR DEĞERLENDİRMESİ)

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**Abstract:** *This article argues that were the U.N. Genocide Convention to be retroactively applied to the Armenian genocide claim, the foregoing analysis leads us to conclude that the material and mental elements of the crime have not been constituted. Article shows that the claims accusing the Ottoman administration and its members of the crime of genocide are invalid and without sound or reasonable foundation. Consequently, it is argued that the relocation is a legally justifiable measure when taken by the state in order to protect its very existence.*

**Keywords:** *Genocide Convention, retroactivity, Armenians, Ottoman Empire*

**Öz:** *Bu makale Birleşmiş Milletler Soykırım Sözleşmesi geriye dönük uygulanabilir olsaydı, suçun maddi ve manevi unsurlarının oluşmamış olduğunu gösteren bir sonuca ulaşılacağını iddia etmektedir. Makale Osmanlı hükümeti ve üyelerinin soykırımı suçu işlemekle itham edilmesinin hiçbir geçerliliği olmadığını, sahih ya da mantıklı bir temeli bulunmadığını öne sürmektedir. Nitekim, tehcirin devletin kendi varlığını korumak üzere alındığında hukuki olarak meşru bir önlem olduğu iddia edilmektedir.*

**Anahtar Kelimeler:** *Soykırım Sözleşmesi, makabline şamil, Ermeniler, Osmanlı İmparatorluğu*

## The 1915 events: An authentic historical controversy

Although a great many Western historians and genocide scholars, influenced by the zealously promoted one-sided historical narrative of the Armenian advocacy groups, have described the fate of Armenians in the events which occurred in World War One in the Ottoman Empire as “genocide”, there is also a fairly large number of reputable American and



European academics who flatly refuse to do so. For instance, in 1985 69 American scholars in a declaration addressed to the U.S. House of Representatives, stated that,

*The undersigned American academics who specialize in Turkish, Ottoman and Middle Eastern studies are concerned that the current language embodied in House Joint Resolution 192 is misleading and/or inaccurate in several respects. Specifically. ... we respectfully take exception to that portion of the text which singles out for special recognition: '... the one and one half million people of Armenian ancestry who were victims of genocide perpetrated in Turkey between 1915 and 1923...'*<sup>1</sup>

The list of the signatories of the declaration, just to mention a few, included names of international standing such as: Bernard Lewis; J.C. Hurewitz; Standford Shaw; Tibor Halasi-Kun; Dankwart Rustow; Howard Reed; Franck Tachau; Philip Stoddart; Jon Mandaville; Roderick Davison; Walter Denny; Carter Findley; Avigdor Lewvy; Pierre Oberling; and, Justin McCarthy. There is also a host of European scholars such as Andrew Mango, Norman Stone, Giles Veinstein, Arend Jan Boekestijn, Paul Dumont and Philippe Fargues who reject the appropriateness of genocide label for describing the catastrophic events of 1915.

The statement of Bernard Lewis, the world famous and highly respected historian, illuminate why this matter of labeling is so fraught with controversy.<sup>2</sup> When Professor Lewis was asked: “The British press reported in 1997 that your views on the killing of one million Armenians by the Turks in 1915 did not amount to genocide ... My question is, sir, have your views changed on this?” he responded in:

*... in this particular case, the point that was being made was that the massacre of the Armenians in the Ottoman Empire was the same as what happened to Jews in Nazi Germany and that is a downright falsehood. What happened to the Armenians was the result of a massive Armenian armed rebellion against the Turks, which began even before war broke out, and continued on a larger scale. Great numbers of Armenians, including members of the armed forces, deserted, crossed the frontier and joined the Russian forces invading Turkey. Armenian rebels actually seized the city of Van and held it for a while intending to hand it over to the invaders. There was guerilla warfare all over Anatolia. And it is what we nowadays call the National Movement of Armenians against*

1 “Bernard Lewis denying the Armenian genocide” Last Access: June 11, 2012  
<http://www.youtube.com/watch?v=jZy27-x-UM&feature=related>

2 The New York Times, Sunday, May 19, 1985

Turkey. The Turks certainly resorted to very ferocious methods in repelling it. There is clear evidence of a decision by the Turkish Government, to deport the Armenian population from the sensitive areas. Which meant naturally the whole of Anatolia. Not including the Arab provinces, which were then still parts of the Ottoman Empire. There is no evidence of a decision to massacre. On the contrary, there is considerable evidence of attempts to prevent it, which were not very successful. Yes there were tremendous massacres, the numbers are very uncertain but a million may well be likely. The massacres were carried out by irregulars, by local villagers responding to what had been done to them and in number of other ways. But to make this, a parallel with the holocaust in Germany, you would have to assume the Jews of Germany had been engaged in an armed rebellion against the German state, collaborating with the allies against Germany. That in the deportation order the cities of Hamburg and Berlin were exempted, persons in the employment of state were exempted... This seems to me a rather absurd parallel.

**According to the principle of legality crystallized by the maxims *nullum crimen sine lege* and *nulla poena sine lege*, no accusation can be validly leveled against the members of the government of the Ottoman Empire or the Ottoman State on the basis of the Genocide Convention.**

Professor Lewis's cogent description of what happened during the tragic years of the First World War is equally espoused by many other historians who also reject the contention that there is persuasive evidence of genocide in the case of Armenians. Whether the fate of the Ottoman Armenians meets the definition of the crime of genocide, as provided by the United Nations Genocide Convention, remains an authentic historical controversy.

### **The U.N. Genocide Convention is not retroactive**

In this context I hasten to underline that, according to the principle of legality crystallized by the maxims *nullum crimen sine lege* and *nulla poena sine lege*, no accusation can be validly leveled against the members of the government of the Ottoman Empire or the Ottoman State on the basis of the Genocide Convention. As is known, international law, as provided by Article 28 of the Vienna Convention of the Law of Treaties,<sup>3</sup> prohibits the retroactive application of treaties unless a different intention appears from the treaty or is otherwise established.

<sup>3</sup> UN Vienna Convention of the Law of Treaties, Article 28, Last Access: June 11th, 2012 [http://untreaty.un.org/ilc/texts/instruments/english/conventions/1\\_1\\_1969.pdf](http://untreaty.un.org/ilc/texts/instruments/english/conventions/1_1_1969.pdf)

The U.N. Convention for the Prevention and Punishment of the Crime of Genocide which entered into force on January 12, 1951, contains no provisions prescribing its retroactive application. Furthermore the Convention's *travaux préparatoires* support the view that the negotiators' intention was to accept a prospective, not a retrospective obligation on behalf of the states they represented. Consequently, the Genocide Convention does not give rise to individual criminal or state responsibility for events which have occurred in 1915 in eastern Anatolia.

### **What would be the conclusions of a legal analysis in case the Genocide Convention was applied to the events of 1915?**

Although this is the situation, my aim in this essay is to determine whether or not the events of 1915 meet the definition of the crime of genocide as provided by the United Nations Genocide Convention. To be clearer, what I will try to elaborate in this essay would be what would be the conclusions of a legal analysis if the Genocide Convention were retroactively applicable to the events of 1915.

For such an analysis we have to establish the essential legal ingredients necessary for incriminating a person or persons for the crime of genocide. We have to note, however, at the outset that the principle of individual criminal responsibility which existed until recently has been modified by a judgment of the International Court of Justice and now states also can be held responsible and prosecuted for failing to act to prevent genocide and for acts of genocide attributable to them.

The analysis for establishing the legal ingredients of genocide requires first a review of the constituent elements of the crime of genocide under the light of the U.N. Convention for the Prevention and Punishment of the Crime of Genocide, as well as the jurisprudence which evolved from the application of the said Convention by the ad hoc international criminal courts. As matter of fact, a rich jurisprudence grew from the decisions of the International Criminal Tribunal for Yugoslavia (ICTY) and International Criminal Tribunal for Rwanda (ICTR).

Second, one has to examine how the 2007 landmark judgment of the International Court of Justice which, although it dealt primarily with the issue of state responsibility, also equally addressed perspectives on genocide law which had a deep impact on the jurisprudence of the two ad hoc international tribunals.

And finally seeks to establish whether in light of the provisions of the

Genocide Convention interpreted in accord with the established precedents and jurisprudence, the acts of the Ottoman government or its members can be validly characterized as genocide.

### **The essential elements of the crime**

The essential elements requisite to incriminate a person of the crime of genocide are laid down in Article II, which is the key provision of the Genocide Convention.

#### *Article II*

*In the present Convention, genocide means any of the following acts committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such:*

- (a) Killing members of the group;*
- (b) Causing serious bodily or mental harm to members of the group;*
- (c) Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part;*
- (d) Imposing measures intended to prevent births within the group;*
- (e) Forcibly transferring children of the group to another group.*

There are three main elements in this definition:

The first is the list of five prohibited acts the commission of which constitutes the objective/material element of the crime (*Actus Reus* of genocide).

The second element is a list of protected groups. Article II names four groups that are protected under the Convention, namely, national, ethnic, racial and religious groups. For genocide to occur under the Convention the actions must be aimed at such a group. It is of critical importance to note here that the list of the groups is exhaustive, for instance the political and cultural groups are not under the protection of the Convention.

The third element is the subjective/mental element: the commission of the enumerated acts with “the intent to destroy in whole or in part a national, ethnical, racial and religious group, as such.” (*Mens Rea of genocide*).

### The expression “as such”

Certain clarifications are necessary. In this context, the expression “as such” is of great significance as it qualifies the intent of the perpetrator. The perpetrator of genocide must have the purpose of destroying the group and his “victim is chosen not because of his individual identity, but rather on account of his membership in a national, ethnical, racial or religious group. The victim of the act is therefore a member of a group, chosen “as such”, which, hence, means that the victim of the crime of genocide is the group itself and not only the individual...<sup>4</sup>”. In other words, victimization of human beings is committed with an intent that reflect a culpable state of mind imbued with the intent to destroy the group to which the victimized human beings belongs. It is this characteristic of the intent which distinguishes genocide from other international crimes that fall into the category of “crimes against humanity.”

### Special intent: Aggravated criminal intention

“Genocidal intent” is usually described as “specific intent” or “special intent” which corresponds to the *dolus specialis* of continental legal systems. William Schabas, a well known authority on international criminal law, notes that the degree of intent required by article II of the Genocide Convention is usually described as “specific intent” or “special intent”. The concept of “specific intent” or *dolus specialis* in the context of the crime of genocide means an aggravated criminal intention, required in addition to the criminal intent accompanying the underlying crime.

The judgments of ad hoc international criminal tribunals ICTY and ICTR have contributed to the elucidation of *dolus specialis*. As a matter of fact ICTY stated in that respect stated that:

*The special intent which characterizes genocide supposes that the alleged perpetrator of the crime selects his victims because they are part of a group which he is seeking to destroy. Where the goal of the perpetrator or perpetrators of the crime is to destroy all or part of a group, it is the membership of the individual in a particular group rather than the identity of the individual that is the decisive criterion in determining the immediate victims of the crime of genocide.<sup>5</sup>*

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4 Prosecutor v. Akayesu, Case No. ICTR-95-4-T, Judgment, para. 521.

5 Prosecutor v. Jelisi, Case No. IT-95-10-T, Judgment, para. 67.

### The term “in whole or in part”

The term “in whole or in part” also necessitates clarification. The drafting history of the Convention indicates that the rationale for the expression “in part” was simply that genocide does not require intent to destroy the entire group and that intent to destroy a group only “in part” also would be sufficient. However, the drafters did not discuss what should be the quantitative and qualitative significance of the part selected for destruction.

In that respect the ICTY underlined that the individuals selected for destruction must be important to the group as whole, as would be the group’s leadership or all of its military-aged men. According to the Court’s ruling, the intent may “consist of the desired destruction of a more limited number of persons selected for the impact that their disappearance would have upon the survival of the group as such.”<sup>6</sup>

The International Court of Justice authoritatively interpreted “in part” as a “substantial part” in its ruling on the Bosnian application against Serbia by describing as “critical” the substantiality criterion:

*The drafting history of the Convention indicates that the rationale for the expression “in part” was simply that genocide does not require intent to destroy the entire group and that intent to destroy a group only “in part” also would be sufficient.*

*In the first place, the intent must be to destroy at least a substantial part of a particular group. That is demanded by the very nature of the crime of genocide: since the object and purpose of the Convention as a whole is to prevent the intentional destruction of the groups, the part targeted must be significant enough to have an impact on the group as a whole. That requirement of substantiality is supported by consistent rulings of ICTY and the International Criminal Tribunal for Rwanda (ICTR) and by the commentary of the ILC to its Articles in the Draft Code of Crimes against Peace and Security of Mankind.<sup>7</sup>*

### Is genocidal policy or plan an element of the crime of genocide?

One of the most important issues in the law of genocide is whether a genocidal policy or plan is an element of the crime of genocide. The ICTY Appeals Chamber ruling in the *Jeliscic* case that “the existence of a plan or

<sup>6</sup> Prosecutor v. Jeliscic, Case No. IT-95-10, Judgment, para. 49 (Appeals Chamber, July 5, 2001)

<sup>7</sup> Application of the Convention on the Prevention and Punishment of the Crime of Genocide (Bosnia and Herzegovina v. Serbia and Montenegro), Judgment, I.C.J., February 26, 2007. para. 198. [Hereinafter Bosnian Genocide].

policy is not a legal ingredient of a crime”<sup>8</sup> supported the view that, for incriminating a perpetrator of the crime of genocide, the existence of a plan or policy to destroy a group does not need to be proven. Nevertheless, the Appeals Chamber added that “in the context of proving specific intent, the existence of a plan or policy may become an important factor in most cases.”<sup>9</sup> In a sense the Chamber’s ruling does not discount the view that genocide can be committed by a lone *génocidaire*.

This view is strongly opposed by many scholars who think that the scope and organization of genocide requires “the acts of individual offenders within a collective enterprise”<sup>10</sup>, and particularly by William Schabas who argues that it is nearly impossible to imagine genocide that is not planned and organized either by the state itself or a state-like entity or by some clique associated with it.”<sup>11</sup>

According to Schabas, “Because of the scope of genocide it seems implausible that it can be committed by an individual acting alone. This is another way of saying that for genocide to take place there must be a plan, even though there is nothing in the Convention that explicitly requires this.”<sup>12</sup>

To prove his point Schabas mentions the inconsistencies at the Jelacic trial to the effect that although the Trial Chamber stated that no plan was required, it equally said that “it will be very difficult in practice to provide proof of the genocidal intent of an individual if the crimes committed are not widespread and if the crime charged is not backed by an organization or a system.”<sup>13</sup>

### The usage of inference to prove specific intent

At the ICTY and ICTR trials, the difficulty in establishing specific intent necessary for a conviction of genocide has been brought up quite frequently. If the accused confessed or prior to the perpetration of the crime made a public speech or some statements of genocidal nature, the specific intent to

8 “International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991” Case No.: IT-95-10-A  
Date: 5 July 2001 Appeals Chamber Judgment, Item 48. Last Access: June 10, 2012  
<http://www.icty.org/x/cases/jelacic/acjug/en/jel-aj010705.pdf>

9 Ibid.

10 C. Kress, (2005), “The Darfur Report and Genocidal Intent”, 3 *Journal of the International Criminal Justice* pp. 572-573.

11 William Schabas (2008) “State Policy As an Element of International Crimes” *The Journal of Criminal Law and Criminology* Vol. 98, No.3, p. 966

12 William Schabas (2000) *Genocide in International Law: The Crimes of Crimes* Cambridge University Press, Cambridge, supra note 21, p. 207

13 Prosecutor v. Jelisec, Case No. IT-95-IO-A, para. 101 (App. Chamber, Int’l Crim. Trib. for the Former Yugoslavia, July 5, 2001) <http://www.un.org/icty/jelisi/appeal/judgment>

destroy a group can be demonstrated explicitly. Otherwise specific intent has to be inferred from the material evidence, including evidence which demonstrates a consistent pattern of conduct by the accused. It is important to note in this context that the level of proof which is sought by the courts in this process is standard of proof beyond a reasonable doubt.

The relevant facts and circumstances from which ICTR and ICTY held that specific intent can be inferred include are as follows: “physical targeting of the group or their property”; “the fact of deliberately and systematically targeting victims on account of their membership of a particular group, while excluding the members of other groups”; “the use of derogatory language toward members of the targeted group”; “the weapons employed and the extent of bodily injury”; “the methodical way of planning”; “the systematic manner of killing”; “the repetition of destructive and discriminatory acts”; “the general political doctrine which gave rise to the constituent acts of genocide”; “the perpetration of acts which violate, or which the perpetrators themselves consider to violate the very foundation of the group”; “the scale of atrocities committed”; “the number of victims from the group”.

### **The ICJ judgment on Bosnia’s Genocide Case against Serbia**

The judgment of the International Court of Justice (ICJ), delivered on 26 February 2007 in the case brought by Bosnia and Herzegovina against Serbia and Montenegro in which Bosnia charged that Serbia had committed acts of genocide against Bosnian Muslims, is regarded by a significant majority of scholars of having “momentous importance”, “because it was the first time in history that an international interstate tribunal, and one endowed with the authority of the ICJ, had to establish the responsibility of a state for one of the most serious crimes of concern for the international community.”<sup>14</sup> This is a decision of considerable substance which not only addressed and clarified for the first time the nature of state responsibility regarding genocide, but also made an important contribution on international criminal law.

Until the ICJ’s ruling in question, the international practice in dealing with the crime of genocide was based on the individuality of the crime. According to this concept, only individuals could be held responsible for genocide crimes, whereas the state has only the obligation to punish those who have committed the crime of genocide. This practice was based on the 1946 judgment of the of the Nuremberg International Military Tribunal which espoused the principle that “crimes against international law are committed by men, not by

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14 Paola Gaeta, “The ICJ Judgement on Genocide in Bosnia: A Missed Opportunity?”, *Journal of International Criminal Justice*, 5 (2007), pp. 827-828.



abstract entities<sup>15</sup>” Article IV of the 1948 UN Genocide Convention, also reflecting this concept, prescribes that only persons commits genocide... “whether they are constitutionally responsible rulers, public officials or private individuals shall be punished for committing the crime of genocide.” The said article does not cover legal persons or the states.

The ICJ, by reviewing the preparatory work of the Genocide Convention and interpreting its articles 1<sup>st</sup> and 9<sup>th</sup>, has ruled that, although as a matter of principle, international law does not recognize the criminal responsibility of the state, and the Genocide Convention does not provide a vehicle for the imposition of such criminal responsibility, the states however are obliged not to commit genocide and consequently they obliged to punish and prevent genocide.<sup>16</sup> The Court also observes that the States are also responsible for acts of genocide committed by organs or groups whose acts are attributable to them.

It should be noted that the ICJ’s judgment on a dispute over a violation of the Genocide Convention is the first since the Convention was adopted in 1948. Equally it was also for the first time that a State was held responsible for violating the Convention, on grounds that it failed to take the necessary steps to prevent genocide.

### **Important concepts which emanate from ICJ’s decision**

Let us now examine certain aspects of the Court’s judgment which are important for our analysis.

First, the establishment by the Court of the criterion of due diligence to appraise the responsibility of the state under its obligation to prevent genocide is a significant step. According to this criterion a state cannot be under the obligation to succeed in preventing the commission of genocide irrespective of the circumstances. However, a state incurs responsibility if it manifestly fails to take the measures which were within its means, and which might contribute to preventing genocide.

The salient observation of the Court in that respect is as follows:

*... it is clear that the obligation in question is one of conduct and not one of result, in the sense that a State cannot be under the an obligation*

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15 Judgment of the International Military Tribunal, Trial of Major War Criminals, 1947, Vol.11. p. 223.

16 Application of the Convention on the Prevention an Punishment of the Crime of Genocide (*Bosnia and Herzegovina v. Serbia and Montenegro*), 2007, I.C.J. 140 February 26, 2007. Para. 166. [Hereinafter *Bosnian Genocide*].

*to succeed, whatever the circumstances, in preventing the commission of genocide; the obligations of States parties is rather to employ all means available to them, so as to prevent genocide so far as possible. A state does not incur responsibility simply because the desired result is not achieved; responsibility however incurred if the State manifestly failed to take all the measures to prevent genocide which were within its power, and which might have contributed to preventing genocide. In this area the notion of “due diligence” which calls for an assessment in concreto, is of critical importance. Various parameters operate when assessing whether a State has duly discharged the obligation concerned. The first, which varies greatly from one state to another, is clearly the capacity to influence effectively the action of persons likely to commit, or already committing genocide. This capacity itself depends, among other things, on the geographical distance of the State concerned from the scene of events, and on the strength of political links, as well as links of all other kinds, between the authorities of that State and the main actor of the events.<sup>17</sup>*

***For the state to be incriminated with genocide it is necessary to prove that the state by neglect manifestly failed its duty to undertake all timely measures which are reasonably available to it.***

Clearly, the view of the Court is that when a state acts responsibly to prevent actions and events which threaten to turn into a genocide by earnestly taking materially and legally all measures which are within its power to prevent the perpetration of genocide, even if it does not succeed in stopping the dreadful event, it cannot be held responsible for events and acts the nonetheless occur despite the state's best efforts to avert them.

The corollary of this conclusion is that for the state to be incriminated with genocide it is necessary to prove that the state by neglect manifestly failed its duty to undertake all timely measures which are reasonably available to it.

In this context the Court also considered the capacity of a state to influence persons committing the acts to be crucial<sup>18</sup>. The Court also specified that the obligation to prevent arises “at the instant that the state learns of, or should normally have learned of, the existence of a serious risk that genocide will be committed.”<sup>19</sup>

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17 *Bosnian Genocide*, para. 430.

18 *Ibid.* Para. 430.

19 *Bosnian Genocide*, para. 431.

Second, the ICJ rejecting the ICTY standard of “beyond reasonable doubt” decided to follow the standard of “fully conclusive evidence” for proving specific intent. This is what the Court said on this matter:

*The Court has long recognized that claims against State involving charges of exceptional gravity must be proved by evidence that is fully conclusive (cf. Corfu Channel (United Kingdom v. Albania), Judgement, I.C.J Reports 1949, p. 17). The Court requires that it be fully convinced that allegations made in the proceedings, that the crime of genocide or other acts enumerated in Article III have been committed, have been clearly established. The same standard applies to the proof of attribution for such acts.<sup>20</sup>*

*In respect to the Applicant’s claim that the Respondent has breached its undertakings to prevent genocide and to punish and extradite persons charged with genocide, the Court requires proof at a high level of certainty appropriate to the seriousness of the allegation.<sup>21</sup>*

The import of this particular ruling from the point of view of inferential evidence cannot be overstated. The Court openly rejects ICTY’s evolved jurisprudence based on inference for proving genocidal intent in the absence of incontrovertible proof to incriminate the accused. The Court would not rely on inference to prove specific intent. The Court rules that only conclusive or smoking gun evidence is requisite for indictments of genocide.

Third, ICJ rejects the approach adopted by ICTY and ICTR that the genocidal intent could be inferred from cumulative analysis of circumstantial evidence endorsed by a pattern of similar conduct directed against the targeted group. The Court considers that specific intent should be demonstrated for each particular case:

*Turning now to the Applicant’s contention that the very pattern of the atrocities committed over many communities, over a lengthy period, focused on Bosnian Muslims and also Croats, demonstrate the necessary intent, the Court cannot agree with such a broad proposition. The dolus specialis, the specific intent to destroy the group in whole or in part, has to be convincingly shown by reference to particular circumstances, unless a general plan to that end be convincingly demonstrated to exist; and for a pattern of conduct to be accepted as evidence of its existence, it would have to be such that it could only point to the existence of such intent.<sup>22</sup>*

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20 *Bosnian Genocide*, 2007 ICJ, para. 209

21 *Bosnian Genocide*, 2007 ICJ, para. 210

22 *Bosnian Genocide*, 2007 ICJ, para. 373.

Although the Court observed that the acts committed at Srebrenica were committed with the specific intent to destroy a part of the Bosnian Muslims and reiterated that these were acts of genocide, still imbued with an inexorable (unyielding) attitude on specific intent, it did not reach the same verdict for the other blood-curdling murders and atrocities committed all over Bosnia during the period 1992-1995.

Indeed the Court recognizes that it has been established by fully conclusive evidence that the Bosnians were systematically victims of massive killings and mistreatment, beatings, rape and torture during the conflict and in the detentions camps, and although these atrocities may amount to war crimes, and crimes against humanity, they cannot be characterized as genocide because it has not been established conclusively that they were committed with specific intent (*dolus specialis*) to destroy the Bosnians in whole or in part.

Fourth, the Court adopted an even higher standard when deciding on the question of attribution of the Srebrenica genocide to [Federal Republic of Yugoslavia? Or, Former Republic of Yugoslavia?] (FRY). With regard to the finding that Serbia had not committed genocide, the Court stated that the act of those involved could not be attributed to FRY, because they were not acting as its organs or agents nor under its command and control. On this matter the Court departing from the criterion of “overall control” applied by the ICTY’s Appeals Chamber in the Tadic case, adopted the “effective control” criterion established by its judgment in Military and Paramilitary Activities in and against Nicaragua (*Nicaragua v. United States of America*). According to the Appeals Chamber the appropriate criterion for imputing the acts committed by Bosnian Serbs to the FRY was “overall” control” exercised over the Bosnian Serbs by FRY without any need to prove that each operation was carried out on the FRY’s instructions , or under its effective control.

However, the ICJ said that “Genocide will be considered as attributable to a state if and to the extent that the physical acts constitutive of genocide that have been committed by organs or persons other than the State’s own agents were carried out, wholly or in part, on the instructions or directions of the state, or under its effective control. This is the state of customary international law, as reflected in the ILC articles on state responsibility.”<sup>23</sup>

Thus, the ICJ refused to find FRY culpable for the actions of Bosnian Serb militias or VRS (Army of Republika Srpska), despite the existence of overwhelming evidence that Milosevic regime trained, armed and had powerful influence over the VRS. In finding that these bonds and

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23 *Bosnian Genocide*, 2007, ICJ, para. 401.

accouplement were not sufficient to establish FRY responsibility for and complicity in the genocide perpetrated in Srebrenica, the ICJ imposed the “effective control” criterion which placed a considerable burden on Bosnia to prove that VRS had committed genocide in Srebrenica under the explicit instructions of FRY or that Srebrenica operations were carried out under the effective control of the FRY. These demands of the ICJ could only be satisfied if Bosnia was able to produce express and written evidence such as written instructions given by the General Staff of the FRY to the main staff of the VRS or documents proving the factual involvement and direction of the FRY organs in the Srebrenica operations.<sup>24</sup>

## Conclusions

From the foregoing it is clear that establishment of guilt for the crime of genocide requires the proven existence of the two legal ingredients of the crime.

The first is that the objective/material element of the offence, constituted by one or several acts enumerated in Article II of the Genocide Convention. The material element is in reality twofold. The first relating to the execution of the prohibited acts, and the second relates to the targeted group which must be a national, ethnical, racial or religious group. The material element of the crime is satisfied when it is proven that the prohibited conduct was carried out by the perpetrator against one of these groups or members of such group.

The second is the subjective/mental element (*mens rea*) of the offense, consisting of the aggravated criminal intention or specific intent (*dolus specialis*) to destroy, in whole or in part, the targeted group as such.

In light of the views expressed in the ICJ judgment on the Bosnian genocide case, the application of these ingredients for establishing guilt of genocide on the part of a government or its members must take the following into consideration:

First the government or its members incur responsibility if they manifestly failed to take all the measures which were within their power in a timely manner to prevent genocide. If, however, the government and its members act

24 The Court also stated that, in order to ascertain whether FRY is responsible “for complicity in genocide” it needs to consider whether the organ or person furnishing aid or assistance to a perpetrator of the crime of genocide acted knowingly, that is to say, in particular, was aware of the specific intent of the principal perpetrator. The Court is not convinced by the evidence furnished by Bosnia that these conditions were met. (ICJ judgement, para. 422). Furthermore the Court noted that a point which is clearly decisive in this connection is that it was not conclusively shown that the decision to eliminate physically the adult male population of the Muslim community from Srebrenica was brought to the attention of the Belgrade authorities when it was taken. (ICJ judgment, para.423).

according to the criteria of due diligence established by the Court, it would not incur responsibility if its efforts failed.

Second, the ICJ ruling has heightened the threshold of the specific intent. Proof of specific intent of the alleged perpetrator requires fully conclusive evidence. Inference cannot be relied on to prove intent. Only conclusive or smoking gun evidence is valid to prove specific intent. There should be either a program or plan regarding the execution of genocide or there should be conclusive evidence indicating the existence of such a plan.

Third, genocidal intent cannot be inferred from the cumulative evidence endorsed by a pattern of similar conduct directed against the targeted group. The specific intent to destroy the group in whole or in part, has to be convincingly shown by reference to particular circumstance, unless a general plan to that end can be convincingly demonstrated to exist.

Fourth, the attribution of culpability to the State because of the genocidal actions committed by organs or persons other than the State's own agents, necessitates express written evidence such as written instructions to the said organs or persons or the States' or its organs factual involvement and direction of the genocidal actions in question.

#### *Why the 1915 Events Cannot Be Considered As Genocide*

In the light of the forgoing information and arguments, if the United Nations Convention on the Prevention and Punishment of the Crime of Genocide were to apply, albeit retroactively, to the 1915 events, the events nonetheless cannot be regarded as genocide and the Ottoman government or its members can neither validly nor reasonably be accused of committing genocide because of the following reasons:

► **In order to establish guilt on the part of the Ottoman government or its members of genocide, the objective/material element which is one of the two constituent elements of crime must exist.** As for this, the existence and the implementation of a plan or program to perpetrate the five criminal acts stated in the Article II of the Convention (killing, causing serious bodily or mental harm, deliberately inflicting conditions of life calculated to bring about a group's physical destruction, preventing births and forcible transferring children to another group), credible evidence of the issuance by the Ottoman government or its members of orders and instructions to commit these crimes against Armenians or their encouragement for this purpose, or their complicity in these crimes or their attempt to commit these crimes is

necessary. Neither the existence of such a plan or program, nor the issuance of such orders nor have instructions, nor the encouragement and complicity of the Ottoman Government and its members been proven. Moreover, even if certain of the crimes specified in Article II were committed during the relocation process, all these took place beyond the will, intention and authority of the Ottoman government.

There are no documents or other evidence available to attribute these crimes to the government or its members. To the contrary, there is extensive credible evidence that the government and its members took all the necessary

*Neither the Ottoman administration nor the Ottoman officers planned or intended to massacre the country's Armenian citizens or to annihilate the Armenians. There are no declarations, orders or documents proving that such a plan or intent existed.*

measures with outmost care and diligence for the prevention of these acts. When, in some remote areas, the laws enacted, orders issued and precautionary measures taken for this purpose were violated, the government using all the available means to its authority tried to prevent such violations promptly and also promptly punished the criminals. Various military tribunals set up in different areas tried and sentenced the civilians, government officials and military officers who were found guilty of violations of the relevant laws and instructions with very severe penalties including death sentences.<sup>25</sup> **Under these**

**circumstances it is not possible to say that the objective/material element of the crime has been validly established.**

► **Neither the Ottoman administration nor the Ottoman officers planned or intended to massacre the country's Armenian citizens or to annihilate the Armenians. There are no declarations, orders or documents proving that such a plan or intent existed.** The research and investigations carried out for the last 95 years have revealed no such evidence in the Ottoman or foreign archives. Access to presumably relevant public and private Armenian archives has been restricted or denied to third-party researchers.

► **The decision on relocation was a military solution to a military problem.** Thus, as a result of enormous casualties resulting from the battles between the Russian Army and the Ottoman Third Army, the number of soldiers in the Third Army decreased from 168.608 –the number that existed on September 26, 1914- to 59.000 following the battles of Sarıkamış, Van, Malazgirt and Tortum valleys.<sup>26</sup> As of May 1915, the fact that the number of

25 Stanford J. Shaw, *The Ottoman Empire in World War I*, Vol.2, (Ankara: 2008) pp.1095-1099.

26 Edward J. Erickson, "The Armenians and the Ottoman Military Policy", *War in History*, Vol. 15 No. 2, (April 2008), p.145,148

soldiers in infantry divisions with an official strength set at 9.000 had declined to 2.000. The Third Army had suffered a devastating reduction of its practical effectiveness as a military organization. Furthermore, it was apparent that supplies and armament stocks at the front line diminished to such a critical point that any kind of a short-term interruption in logistical supply chain would create a deadly peril for the Ottoman Third Army. During this time period, Armenian guerrillas conducting hostile operations at the time in the area had the capacity to sever the logistic supply corridor of Sivas-Erzincan-Erzurum at any time. Moreover, the southern supply corridor of Diyarbakır-Bitlis-Van was also in danger due to armed Armenian insurgency. **The Third Army was not capable of diverting any military units from the front line for the purpose of securing and defending these vital lines of supply. This made relocation an existential necessity for the Ottoman Empire.** In this respect, it would be right to consider the relocation decision a military measure to a deal with a military problem.

► **The Ottoman Council of Ministers' Provisional Law on Replacement and Settlement, dated May 27, 1915, stated that "The Army, Army Corps, and Divisional Commanders are authorized to transfer and relocate the populations of villages and towns, either individually or collectively, in response to military needs, or in response to any signs of treachery or betrayal."**<sup>27</sup> This law, requiring certain Armenian local communities to relocate within the imperial territories, in addition to the aforementioned military necessities, resulted from the lethally belligerent acts of Armenians of these communities. These ranged from joining the ranks of the invading Russian army, cooperation with Russia, providing support to the enemy by setting up voluntary armed bands, to threatening and sabotaging the lines of defense and supply lines of the Ottoman army which was retreating before advancing Russian army,<sup>28</sup> revolting in many cities and attacking and massacring Turkish and Muslim people, and organizing armed attacks to Turkish and Muslim villages.<sup>29</sup>

► **It should be underlined that Ottoman Government acted with a full sense of responsibility to conduct the relocation in a safe and orderly manner.** Hence, there exist hundreds of formal archive documents such as codes, government decisions, decrees, regulations and directions, proving that the Government acted with the utmost attention and care in order to preserve the safety of the lives and property of the relocated and to take all the

27 Stanford J. Shaw, *The Ottoman Empire in World War I*, Vol.2 p.1052. See also, Yusuf Sarıay & Hikmet Özdemir (eds.), *Turkish-Armenian Conflict: Documents*, (Ankara:2007), p.65

28 Edward J. Erickson, "The Armenians and the Ottoman Military Policy" pp.141-167.

29 Sydney Nettleton Fisher, *The Middle East: A History*, (New York: 1959) pp.365-66. Justin McCarthy, et al., *The Armenian Rebellion at Van*, (Salt Lake City, UT: 2006) pp. 176-257.



precautions for affording the nourishment and health needs of them during the relocation process.<sup>30</sup>

► **To secure the lives and property of the relocated, the government carefully supervised the relocation process to the maximum practicable extent possible and supported it with resources to the full limit of its capability under the extremely adverse war conditions that prevailed at the time.**

**Government law enforcement resources were deployed to identify, try, and punish anyone,** whether a member of the army, a public servant or civilian, for breaches of the laws and regulations enacted to protect the lives and property of the Armenians. Archival documents establish that the government delved into the events, investigated offences and crimes such as the extortion of properties and assassination of Armenians during the relocation, and sent instructions to provinces in order to ensure that offenders were held to account and duly punished. When violations continued, more radical measures were taken and inquiry commissions were sent to the regions where they occurred. Those who were accused as a consequence of investigations of the commissions were brought before the Military Courts. **The court records show that in the middle of 1916, 1673 persons were put in trial, of whom 67 persons were sentenced to death, 524 persons were imprisoned and 68 persons were sentenced to hard labor, condemned to galleys and exiled.**<sup>31</sup>

► Armenian advocates claim that peaceable and passive Armenians were attacked by Turks without any provocation whatsoever. They assert that Armenians enlisted in the Russian army as a legitimate self defense action against the implementation of the relocation law. Those claims do not stand up to examination, particularly in light of the unambiguous context of the history of the preceding years and decades. Beginning in the last quarter of the nineteenth century Armenians in Anatolia, prepared for a wholesale rebellion and came to see the impending First World War as an extraordinary opportunity to realize their aim of founding an independent Armenian national state on the Ottoman lands with the support of Russia. Thousands of Ottoman Armenians trained in Russian military training camps before the war, and, when Turkish-Russian war broke out, they enrolled in the Russian army in order to support Russian war power in Anatolia. Authenticated

30 A selection of these documents is now available in English, see Yusuf Sarnay & Hikmet Özdemir, *Turkish-Armenian Conflict: Documents*, (Ankara:2007).

31 Yusuf Sarnay, "Ermeni Tehciri ve Yargılamalar 1915- (Armenian Relocation and the Trials of 1915-1916) in *Türk-Ermeni İlişkilerinin Gelişimi ve 1915 Olayları Uluslararası Sempozyumu Bildirileri*, (Ankara:2006), pp.263-264. For a somewhat different set of figures see, Stanford J. Shaw, *The Ottoman Empire in World War I*, Vol.2, pp.1098-1099.

archive documents clearly establish that under the leadership of Tashnak and Hinchak parties tens of thousands of Armenians were equipped with the weapons and munitions which were concealed in hidden depots in Anatolia. They set about to slaughter Turkish and Muslim people and cut the logistic and supply lines of the Turkish army.

► **Those historians and writers who assert that Armenians did not rebel but rather had no choice but to resist with guns once the relocation began do so without any benefit of supporting evidence. The great weight of evidence is unambiguously to the exact contrary. There are thousands of documents in Ottoman, Russian, American, French, English and German archives proving that Armenian rebellion and collaboration with the enemy began before the relocation and that with the outbreak of the war the Armenian rebels then openly engaged on the Russian side against the Ottoman state.** After Ottomans entered the First World War, the first organized Armenian-initiated violence commenced November 11, 1914, whereas the relocation law was enacted, May 27, 1915. In this context, Boghos Nubar Pasha's<sup>32</sup> (Head of Armenian National Delegation to Paris Peace Conference) and Hovhannes Katchaznuni's<sup>33</sup> (The First Prime Minister of the Independent Armenian Republic) declarations show that the claim that Armenians took part on the Russian side only after the relocation is untrue. They also show that the Ottoman Empire had an inarguable reason to transfer Armenian people to different regions outside of the Russian Army's theater of operations whom they supported.

► **It is true that the Armenians had suffered casualties during the clashes in Anatolia and relocation. However, it is not possible to prove or claim that it was the result of an intentional destruction act previously planned by the Ottoman administration.** On the contrary, the overwhelming preponderance of the hard evidence, and indeed the hard logic of the dire situation of the Ottoman government's forces in the region point to principal reasons for relocation causalities. The government's depleted resources were sadly inadequate to provide public order under the pressure of war conditions. The resulting disorder and lack of troops to protect effectively Armenians in the relocation process from armed marauders resulted in Armenian casualties. **The government already was helpless to protect its own vital military logistic and supply lines to the Third and Fourth Armies.** Protection of Armenian relocation convoys with full complements of regular military units was hopelessly beyond its means.<sup>34</sup> Acute shortages of vehicles, fuel, food

32 Memorandum by Boghos Nubar Pasha, 3 February, 1915. See Vatche Ghazarian (ed.), *Boghos Nubar's Papers and the Armenian Question 1915-1918*, (Waltham, MA: 1996) pp.3-5

33 Hovhannes Katchaznuni, *Dashnagtzoutiun has Nothing to Do Anymore*, (İstanbul: 2007) , pp.36-37

34 Edward J. Erickson, *Ordered to Die: A History of the Ottoman Army in the First World War*, (Westport, CT: 2001) p.103

and medicine under hard wartime conditions, along with bad weather and epidemic diseases such as typhus also took a heavy toll.<sup>35</sup> These woeful conditions wreaked terrible suffering on the Ottoman population as well.<sup>36</sup> However, naturally, a notable part of the Armenian casualties between 1914-1922 resulted from the hostile operations initiated and conducted by Armenian insurgents themselves, internal Armenian disputes and internecine wars.<sup>37</sup> Moreover, attacks by Armenians against Ottomans and the Muslim population provoked outrage and reprisals by survivors from traumatized and aggrieved local communities.<sup>38</sup>

► **The fact that different segments of the Ottoman Armenian people were subjected to very different treatments during relocation, makes**

*The fact that different segments of the Ottoman Armenian people were subjected to very different treatments during relocation, makes implausible the assertion that Armenian people were targeted as a “national, ethnic, racial and religious group” to be “destroyed in whole or in part”.*

**implausible the assertion that Armenian people were targeted as a “national, ethnic, racial and religious group” to be “destroyed in whole or in part”.** Indeed, the relocation decision was not applied to all Armenians living in all the cities and provinces. Armenians who were from certain sects, who had different positions and jobs and those who needed help and assistance were exempted from relocation. Armenians living in Istanbul, Izmir and Halep were excluded from relocation policy.<sup>39</sup> Equally those from Catholic and Protestant sects, those who were Ottoman Army officers and

served at the medical services, those who worked in Ottoman Bank and some consulates were not subject to relocation, as long as they remained loyal to the Ottoman State. Moreover, the sick, handicapped, aged people, orphan children and widows were also not subjected to the relocation.<sup>40</sup> Such persons were taken under protection in orphanages and villages, and their expenses were met from Migratory Funds by the state.

► **The Armenians who revolted against the Ottoman Empire resorted to rebellion to achieve independence by the means of armed political**

35 Hikmet Özdemir, *The Ottoman Army: Disease & Death on the Battlefield*, (Salt lake City, UT: 2008) pp.136-139

36 Justin McCarthy, *Muslims and Minorities: the Population of Ottoman Anatolia and the End of the Empire*, (New York: 1983), p.133. Hikmet Özdemir, *The Ottoman Army*, pp.142-145. Jeremy Salt, *The Unmaking of Middle East: A History of Western Disorder in Arab Lands*, (Berkeley, CA: 2008), pp.67-68.

37 Michael M. Gunter, *Pursuing the Just of their People: A Study of Contemporary Armenian Terrorism*, (Westport, CT: 1986), p.21.

38 Jeremy Salt, *The Unmaking of Middle East*, p.64

39 Guenter Lewy, *The Armenian Massacres in Ottoman Turkey: A Disputed Genocide*, (Salt Lake City, UT: 2005) pp.250-252.

40 Stanford J. Shaw, *The Ottoman Empire in World War I*, Vol. 2, pp.1076-1078

organizations (Tashnaks, Hincaks etc.). The leaders of the Armenian independence movement who fought in the ranks of the Russian Army sought participation in Paris Peace Conference as a belligerent power, and as a justification for their demand, they put forth through official documents, the dimensions of the roles that they had undertaken in the war against Ottomans and the “considerable sacrifices” they incurred Boghos Nobar Pasha openly claimed credit for Armenian war actions at the Conference by holding that it was Armenian participation in the war effort that led to what was asserted to be mistreatment by the Ottoman authorities.<sup>41</sup> However, political groups, as known, are not a “group” under the protection of the U.N. Genocide Convention.

► **In order to accuse the Ottoman Government or its members of having committed genocide, the existence of the subjective/mental element which is the second constituent element of the crime has also to be proven. For this purpose, it is necessary to prove that crime is committed with “special intent”. That means that, it must be proven that the Ottoman Government or its members intended to destroy Armenians with a will and intent focused on their destruction in whole or in part—because they were Armenians—by means of the prohibited acts enumerated in Article II. The International Court of Justice in its judgment of February 26, 2007 on Bosnia-Herzegovina – Serbia and Montenegro case, has ruled that special intent can only be established by fully “conclusive evidence” and refused circumstantial evidence to prove genocidal intent. Consequently, for the purpose of establishing the special intent it is necessary that a plan which reveals that the Ottoman Government was moved with the intent to destroy the Armenians in whole or in part because they were Armenians and used relocation as a method for the achievement of this aim should exist. However, such a plan or document does not exist. Armenian advocates despite their efforts for the last 95 years were not able to produce a single document that proves the existence of such a plan. Consequently it is not possible to assert the legal validity of the Armenian claims.**

► In the aforementioned jurisprudence it is assumed that the existence of racial hatred and discriminatory and degrading treatment against the victims of the massacre in the culture of the country where the crime has been committed is considered as an element in proving genocide. In this context, it is required that the Armenian side prove that they were subjected to genocide, they have to prove that in the Ottoman state a discriminatory policy was administered to the Armenian people emanating from the feeling of hatred toward the Armenians, and consequently Armenians because of their

41 Guenter Lewy, *The Armenian Massacres in Ottoman Turkey*, p.108.

nationality, religion and ethnicity were degraded and excluded from the society. However, it is not possible to discern the existence in the Ottoman-Turkish culture of racial hatred, degrading attitudes and treatment against the Armenians. In reality from the historical perspective Turkish-Armenian relations present a most interesting and attractive picture. Indeed, it is underlined by many Turkish and foreign historians and writers maintain that “it is so hard to show such an example in world history that two people who speak different languages and have different religions lived together intermingled and within a peaceful atmosphere for such a long time”. It should be emphasized that in the Ottoman Empire, there was no anti-Armenian posture in any way equivalent to, for example, traditional anti-Semitic attitudes as were seen in Germany, which paved the way to the Holocaust” Just to the contrary, the exact opposite stance was the main pillar of the Ottoman Empire. In 1914, for example, the Armenian leader Boghos Nubar Pasha was offered a place in the Ottoman Cabinet as a minister. **Referring to this, the British historian Norman Stone asks whether one could “imagine Hitler making Chaim Weizmann the same offer?”<sup>42</sup> Even as late as in February 1917, when Talat Pasha as the new Grand Vizier was about to form a new cabinet, the draft list he prepared included several Armenians as ministers in the new cabinet.<sup>43</sup>**

In conclusion, were the U.N. Genocide Convention to be retroactively applied to the Armenian genocide claim, the foregoing analysis leads us to conclude that the material and mental elements of the crime have not been constituted.

This shows that the claims accusing the Ottoman administration and its members of the crime of genocide are invalid and without sound or reasonable foundation. Consequently, it is clear that the relocation is a legally justifiable measure when taken by the state in order to protect its very existence.

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42 Norman Stone, “Vote Turkey this Christmas”, *Spectator*, 18 December, 2004.

<http://www.spectator.co.uk/print/politics/all/12979/vote-turkey-this-christmas.html>. See also Tarık Zafer Tunaya, *Türkiye’de Siyasal Partiler* (Political Parties in Turkey), Vol.3, (İstanbul: 1989), p.396.

43 Murat Bardakçı, *Talat Paşa’nın Evrak-ı Metrukesi* (Talat Pasha’s Remaining Documents), (İstanbul: 2008), p. 171.

## BIBLIOGRAPHY

- Bardakçı, Murat (2008) *Talat Paşa'nın Evrak-ı Metrukesi* (Talat Pasha's Remaining Documents), Everest Yayınları: İstanbul
- Erickson, Edward J. (2001) *Ordered to Die: A History of the Ottoman Army in the First World War*, Westport, CT
- Erickson, Edward J. (2008) "The Armenians and the Ottoman Military Policy", *War in History*, Vol. 15 No. 2,
- Fisher, Sydney Nettleton & William Ochenwald (1959) *The Middle East: A History*, McGraw-Hill: New York
- Gaeta, Paola (2007) "The ICJ Judgment on Genocide in Bosnia: A Missed Opportunity?" *Journal of International Criminal Justice* Vol. 5, no. 4
- Ghazarian, Vatche (1996) (ed.) *Boghos Nubar's Papers and the Armenian Question 1915-1918*, Waltham, MA
- Gunter, Michael M (1986) *Pursuing the Just Cause of their People: A Study of Contemporary Armenian Terrorism*, Greenwood Press: Westport, CT
- Katchaznoui, Hovhannes (2007) *Dashnagtzoutiun has Nothing to Do Anymore*, Kaynak Yayınları: İstanbul
- Kress, Claus (2005), "The Darfur Report and Genocidal Intent", *Journal of the International Criminal Justice* Vol.3 No.3
- Lewy, Guenter (2005) *The Armenian Massacres in Ottoman Turkey: A Disputed Genocide*, University of Utah Press: Salt Lake City, UT
- McCarthy, Justin (1983) *Muslims and Minorities: the Population of Ottoman Anatolia and the End of the Empire*, New York University Press: New York
- McCarthy, Justin et al. (2006) *The Armenian Rebellion at Van*, University of Utah Press Salt Lake City, UT
- Özdemir, Hikmet (2008) *The Ottoman Army 1914-1918: Disease & Death on the Battlefield*, University of Utah Press: Salt lake City, UT
- Salt, Jeremy (2008) *The Unmaking of Middle East: A History of Western Disorder in Arab Lands*, University of California Press Berkeley, CA

- Sarınay, Yusuf & Hikmet Özdemir (2007) (eds.), *Turkish-Armenian Conflict: Documents*, TBMM Publishing: Ankara
- Schabas, William (2000) *Genocide in International Law: The Crimes of Crimes*, Cambridge University Press, Cambridge
- Schabas, William (2008) “State Policy As an Element of International Crimes” *The Journal of Criminal Law and Criminology* Vol. 98, No.3
- Shaw, Stanford J. (2008) *The Ottoman Empire in World War I Vol. 2*, Türk Tarih Kurumu: Ankara
- Stone, Norman (2004) “Vote Turkey this Christmas”, *Spectator*  
<http://www.spectator.co.uk/print/politics/all/12979/vote-turkey-this-christmas.thtml>
- Tunaya, Tarık Zafer (1989) *Türkiye’de Siyasal Partiler (Political Parties in Turkey)*, Vol.3, İletişim Yayınevi: İstanbul
- Türk-Ermeni İlişkilerinin Gelişimi ve 1915 Olayları Uluslar arası Sempozyumu Bildirileri*, (2006) Hz. Hale Şıvgın, Gazi Üniversitesi: Ankara

# THE DISPUTE OVER NAGORNO-KARABAKH: A PROTRACTED CONFLICT

(DAĞLIK KARABAĞ İHTİLAFI: GECİKTİRİLMİŞ BİR ÇATIŞMA)

Aybars GÖRGÜLÜ  
TESEV

**Abstract:** *The aim of this paper is to discuss the historical background of the Nagorno-Karabakh conflict, to identify the positions of the main parties involved and to analyze this dispute from two different level-of-analyses. The first analysis will be a systemic one where the system level conflict dimension in the Caucasus will be investigated. This analysis will demonstrate how the two aspiring hegemons', namely the United States (US) and Russia, rivalry over critical energy resources in the Caucasus let the Nagorno-Karabakh conflict unresolved. The reasoning behind this hypothesis is that since other actors in the region have quite limited power capabilities vis-à-vis these great powers, the systemic dimension of the conflict counteracts their involvement to the definitive resolution. On the other hand, the second analysis which will examine the domestic factors determining foreign policy choices of the actors involved in the conflict will provide an alternative preference formation process other than the structural one. This approach will present the impact of state-society relations on the conflicted actors' preferences and foreign policy choices. Making this kind of a dual study is a necessity in terms of seeing the complete picture and understanding the reasons of why the Nagorno-Karabakh conflict remains unresolved despite all the bilateral and international efforts.*

**Keywords:** *Nagorno-Karabakh, Conflict Resolution, United States, Russia, system analysis, foreign policy*

**Öz:** *Bu makalenin amacı Dağlık Karabağ çatışmasının tarihsel arka planını tartışmak, müdahil olan tarafların konuya ilişkin tavırlarını tanımlamak ve sorunu iki farklı analiz-seviyesinde ele almaktadır. İlk analiz, Kafkasya'daki sistem düzeyinde çatışma boyutunun ele alınacağı sistemik bir analiz olacaktır. Bu değerlendirme iki hevesli hegemon, yani Birleşik Devletler ve Rusya arasında Kafkasya'daki enerji kaynakları üzerindeki rekabetin Dağlık Karabağ sorununun çözümlenmesini engellediği gösterilecektir. Bu hipotezin temelindeki*



*düşünce, bölgedeki diğer aktörlerin bu güçler ile karşılaştırıldığında güç kapasiteleri sınırlı olduğundan, çatışmanın sistem boyutu bu ülkelerin kesin çözüme müdahil olmasını önlemektedir. Çatışmaya müdahil olan aktörlerin dış politika tercihlerini belirleyen yerel sebepleri inceleyecek ikinci analiz, yapısal tercih oluşturma sürecinden farklı alternatif bir süreç oluşumunu ortaya koyacaktır. Bu yaklaşım devlet-toplum ilişkilerinin çatışan tarafların tercihleri ve dış politika seçimlerine etkisini gösterecektir. Böyle bir iki yönlü çalışma, resmin tamamının görülebilmesi ve tüm ikili ve uluslararası çabalara rağmen Dağlık Karabağ ihtilafının çözümsüz kalmasının sebeplerinin anlaşılması açısından gereklidir.*

**Anahtar Kelimeler:** *Dağlık Karabağ, İhtilaf Çözümü, Amerika Birleşik Devletleri, Rusya, sistem analizi, dış politika*

## INTRODUCTION

After the collapse of the Soviet Union in 1991, the international community has witnessed the emergence of fifteen new states on the soil of the old Soviet Empire. The South Caucasus<sup>1</sup>, which was one of the most diverse and conflict-ridden regions in the former Soviet Union lands, hosted three of these new countries, namely Armenia, Azerbaijan and Georgia. Besides economic misery and corrupted institutions that they inherited from the Old Empire; these new states were born into a world of fragmentation, political instability and internal conflicts. During the Cold War years, the frozen disputes were by and large controlled and suppressed by successive Soviet governments. Following the disappearance of this repressive authority, the conflicts have been reactivated. The willingness of the Moscow administration under the presidency of the Mikhail Gorbachev to implement reforms and to treat social and political problems more efficiently in the entire country aroused hopes within the Soviet Union's various nations that now they could review diverse conflicts that had been suppressed until then.<sup>2</sup> However, the escalation of sharp ethnic tensions and the exacerbation of armed conflicts have contributed both to the disintegration of the Soviet Union and in the emergence of new nation states.

The geopolitical struggle developing in the South Caucasus over its energy resources and energy transport routes has placed the region at the center of the global power struggle. In this regard, local conflicts in the region have entered into the sphere of interest of great powers. The dispute over

1 South Caucasus is the new name of the Transcaucasia region. In the Soviet regime, Transcaucasia was reflecting the Russian geographical position and literally meant beyond or behind the Caucasus.

2 Marina Kurkchyan, "The Karabakh Conflict". *The Armenians. Past and Present in the Making of National Identity*, ed. Edmund Herzig and Marina Kurkchyan. (New York: RoutledgeCurzon, 2005) pp. 147

Nagorno-Karabakh between Armenia and Azerbaijan is an excellent example of how a local conflict can serve as the manifestation of a larger power struggle between great powers, in this case for political and economic control over the Caucasus and the Caspian regions.<sup>3</sup> This persistent “frozen” conflict in the Black Sea and South Caucasus is a principal obstacle to political stability, economic development and regional cooperation. Although the roots of the disagreement can be traced further back, the Nagorno-Karabakh conflict became an international affair during the late 1980s when this predominantly Armenian enclave in the newly independent Republic of Azerbaijan witnessed an escalation of ethnic tension between Armenians and Azeris. Since the region hosting this conflict is a Euro-Atlantic borderland and at the same time a crossroads where the interests of many states overlap in a complex pattern, the Nagorno-Karabakh conflict immediately became an issue of interest in Trans-Atlantic politics.

*The dispute over Nagorno-Karabakh between Armenia and Azerbaijan is an excellent example of how a local conflict can serve as the manifestation of a larger power struggle between great powers, in this case for political and economic control over the Caucasus and the Caspian regions.*

The aim of this paper is to discuss the historical background of the Nagorno-Karabakh conflict, to identify the positions of the main parties involved and to analyze this dispute from two different level-of-analyses. The first analysis will be a systemic one where the system level conflict dimension in the Caucasus will be investigated. This analysis will demonstrate how the two aspiring hegemons', namely the United States (US) and Russia, rivalry over critical energy resources in the Caucasus let the Nagorno-Karabakh conflict unresolved. The reasoning behind this hypothesis is that since other actors in the region have quite limited power capabilities *vis-à-vis* these great powers, the systemic dimension of the conflict counteracts their involvement to the definitive resolution. On the other hand, the second analysis which will examine the domestic factors determining foreign policy choices of the actors involved in the conflict will provide an alternative preference formation process other than the structural one. This approach will present the impact of state-society relations on the conflicted actors' preferences and foreign policy choices. Making this kind of a dual study is a necessity in terms of seeing the complete picture and understanding the reasons of why the Nagorno-Karabakh conflict remains unresolved despite all the bilateral and international efforts.

3 Dina Malysheva, “The Conflict in Nagorno-Karabakh: Its Impact on Security in the Caspian Region”. *The Security of the Caspian Sea Region*, ed. Gennady Chufirin. (New York: Oxford University Press, 2001) pp. 257.

## The Historical Background

The South Caucasus has always been a strategic region at the crossroads of the Russian and Muslim<sup>4</sup> hegemonies and “a boundary zone contested by two major spheres of influence”.<sup>5</sup> After the collapse of the Russian and Ottoman empires in the first decade of the 20<sup>th</sup> century, the region was dominated by the Soviets. Moscow’s policies towards the South Caucasus aimed to control the internal disputes and establish a manageable system for the region. Following a policy of ‘divide and rule’, the Armenian populated Nagorno-Karabakh Autonomous Region was incorporated into Azerbaijan and the Azerbaijani populated Nakhichevan was separated from this country by an Armenian corridor. Consequently Azerbaijan’s direct contact with a major province was cut and the formation of a substantial Azerbaijan-Turkey border was blocked. On the other hand, the incorporation of an autonomous Nagorno-Karabakh into Azerbaijan created a constant source of conflict between Armenia and Azerbaijan. In this way, Moscow guaranteed that it would be a necessary arbitrator in the conflicts between the two nations. The new status quo did not change Armenia’s aspirations to integrate the Nagorno-Karabakh region into its territory, but such attempts were harshly crushed by the Moscow administration. So the successive Soviet governments were quite successful in managing and controlling the territorial disputes in the South Caucasus, but the approaching collapse of the Soviet Union in the late 1980s had the alarming effect of enflaming these frozen conflicts.

According to a 1989 census, Nagorno-Karabakh’s population was approximately 75 percent ethnic Armenian (145.000) and 25 percent ethnic Azeri (40.688).<sup>6</sup> The conflict over this territory began in February 1988 when demonstrations in both Nagorno-Karabakh and Armenia called for unification of the region with Armenia.<sup>7</sup> The territorial dispute rapidly escalated into armed conflict and the war intensified in 1992. In January 1992, Nagorno-Karabakh declared itself an independent republic, but has not been recognized by any state, including Armenia. A ceasefire was signed by military representatives of three sides in May 1994; however since that time Armenian forces have not only kept Azerbaijanis out of most Nagorno-Karabakh but also occupied seven regions of that country.<sup>8</sup> Since 1988, the conflict has produced new refugees and internally displaced people (IDP) on both sides: close to 350.000 Armenians from Azerbaijan

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4 It includes both Turkish and Persian Empires.

5 Kurkchiyan, (note 2), pp. 148

6 “Seven Years of Conflict in Nagorno-Karabakh” Human Rights Watch website (December 1994) ([http://www.geocities.com/fanthom\\_2000/hrw-azerbaijan/hrw-contents/2.html#g-d-h](http://www.geocities.com/fanthom_2000/hrw-azerbaijan/hrw-contents/2.html#g-d-h))

7 Rachel Goshgarian “Breaking the Stalemate: Turkish-Armenian Relations in the 21st Century” *Turkish Policy Quarterly* vol. 4, no.4. (Winter 2005), pp. 3

8 During the war, Armenia occupied approximately 20% of Azerbaijani territory, breaching international law.

and Karabakh, almost 700.000 Azeris from Armenia, Karabakh and surrounding Azerbaijani districts.<sup>9</sup> Attempts have been made at reconciliation, including a promising set of meetings at Key West in 2001. Later, meetings between the Ministers of Foreign Affairs of Armenia, Azerbaijan and Turkey took place in Reykjavik in May, 2002 and, again, in June 2004.<sup>10</sup> In addition to the bilateral contacts, international mediation efforts, especially under the aegis of the OSCE Minsk group<sup>11</sup> have tried to find a peaceful solution to this protracted conflict.

The OSCE Minsk group that was created in 1992 to find a peaceful resolution to the conflict has not yielded a successful result so far. The Group is headed by a co-chairmanship consisting of France, Russia and the US. Alongside France's symbolic and the US' limited presence in the South Caucasus; the only actor capable of putting pressure to both Armenia and Azerbaijan is Russia. So the conflict resolution process seems highly dependent to Russia's political calculations.

In 2007, the Minsk Group proposed a set of principles, a.k.a. Madrid principles, to the Presidents of Armenia and Azerbaijan. Even though these principles offer a ground that would satisfy both sides, no agreement is achieved so far. The principles were revised in 2009 and included following points:<sup>12</sup>

1. Return of the territories surrounding Nagorno-Karabakh to Azerbaijani control
2. An interim status for Nagorno-Karabakh providing guarantees for security and self governance
3. A corridor linking Armenia to Nagorno-Karabakh
4. Future determination of the final legal status of Nagorno-Karabakh through a legally binding expression of will
5. The right of all internally displaced persons and refugees to return to their former places of residence
6. International security guarantees that would include a peacekeeping operation

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9 Gerard J. Libaridian. *The challenge of statehood* (Cambridge: Blue Crane Books, 1999), pp. 8 – 9

10 Rachel Goshgarian "Breaking the Stalemate: Turkish-Armenian Relations in the 21st Century" *Turkish Policy Quarterly* vol. 4, no.4. (Winter 2005), pp. 4

11 The OSCE (Organization for Security and Co-operation in Europe) Minsk Group was created in 1992 by the Conference on Security and Cooperation in Europe to encourage a peaceful, negotiated resolution to the Karabakh conflict. The group was headed by a co-chairmanship consisting of France, Russia and the United States.

12 Mark Dietzen, 2010-11 Fox Fellow to Freie University in Berlin, *A New Look at Old Principles: Making the Madrid Document Work*. *Caucasus Edition* : April 1, 2011, Volume 4, Issue 1.

## Actors involved in the conflict and their positions:

### *Armenia*

Armenia argues that Nagorno-Karabakh is the historic motherland of the Armenian people and the roots of its cultural and religious traditions can be found there.<sup>13</sup> This country does not officially recognize the self-proclaimed Nagorno-Karabakh Republic (NKR) but defends its right of self-determination.<sup>14</sup> This means that Armenia sees the NKR as a belligerent party in the conflict together with Armenia and Azerbaijan. During the war, Armenia supported the Karabakh army and helped it to occupy seven regions surrounding this enclave.<sup>15</sup> In addition, a significant part of the state elites of modern Armenia are former activists of the Karabakh movement,<sup>16</sup> thus it exists an organic bond between Armenia and the NKR.

Since the NKR is not recognized by any state or organization; Armenia is blamed for the current situation which constitutes a breach of international law. UN Security Council Resolutions 822, 853, 874 and 884 call for an end to the occupation by Armenia and demand respect to the territorial integrity of Azerbaijan.<sup>17</sup> The deadlock in Nagorno-Karabakh paved the way to the exclusion of Armenia from profitable energy projects including the Baku-Tbilisi-Ceyhan oil pipeline.

Therefore, the resolution of the conflict would work to the advantage of Armenia by breaking its isolation, normalizing its relations with neighbors and the international community and improving economic and the social situation in the country. Armenia is totally against to the reintegration of NKR to Azerbaijan as a way of resolving the conflict, which clashes the Azerbaijani demand of subjecting this region to Azeri jurisdiction and legislation.

### *Azerbaijan*

Azerbaijan tries to defend its territorial integrity and refuses to recognize the NKR or to regard it as a party in the conflict. Azerbaijan claims that

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13 Kurkchian, (note 2), pp. 150

14 Malysheva, (note 3), pp. 261.

15 Haroutiun Khachatryan, "The Nagorno-Karabakh Conflict: Perspective of a Year-Long Deadlock" *Caucas Europe News* (07.10.2007) ([http://www.caucas.com/home\\_eng/breve\\_contenu.php?id=329](http://www.caucas.com/home_eng/breve_contenu.php?id=329))

16 A group of oligarchs/politicians who were born in Karabakh and who are very influential in modern Armenia is often called as the *Karabakh Clan*. The former president Kocharian and the current president Sargsyan are cited in this group.

17 "1993 UN Security Council Resolutions on Nagorno-Karabakh" US Department of State website (<http://www.state.gov/p/eur/rls/or/13508.htm>)

Nagorno-Karabakh is an “inalienable part” of its territory and that Soviet officials illegally detached this region from Azerbaijan. The invasion of Azerbaijani lands by Armenian forces during the war has gravely wounded the national pride of Azerbaijan. The quick defeat of Azerbaijani forces in particular demonstrated that Azerbaijan needed an urgent military reform in order to fight back. In 2005 Azerbaijani president Aliyev declared that Azerbaijan’s defense budget would be equal to Armenia’s entire budget.<sup>18</sup> This demonstrates how efficiently Azerbaijan uses the Caspian oil revenues to put pressure on Armenia. In this context, Kocharian, the former president of Armenia, has argued that in the near future Azerbaijan will be powerful enough to get back its occupied territories through military force.<sup>19</sup> Thus the status quo is about to change in the favor of Azerbaijan, at least from a military perspective.

The military doctrine adopted by Azerbaijan in 2010 envisages a military solution to the Nagorno-Karabakh conflict if “the territory could not be liberated peacefully.”<sup>20</sup> The International Crisis Group’s policy brief that was published in February 2011 also highlights the deterioration of the situation in the conflict. The report underlines that the “increased military capabilities on both sides would make a new armed conflict in the South Caucasus far more deadly than the 1992-1994 one that ended with a shaky truce.”<sup>21</sup> At the beginning, Azerbaijan’s negotiating position was as follows:<sup>22</sup>

1. The legislation that changed the status of Karabakh must be abolished
2. The seven districts adjacent to Nagorno-Karabakh presently occupied by the NKR army must be returned
3. The NKR army must be disarmed and disbanded
4. Nagorno-Karabakh must be subject to the jurisdiction and legislation of Azerbaijan

As of 2012, the fourth article seems quite unlikely to happen in the foreseeable future. Even though Azerbaijan is ready to grant Nagorno-Karabakh the highest status of self-government within Azerbaijan, the

18 Speech by Ilham Aliyev. Arm Info News Agency (29.09.2005)

19 Sinan Oğan. “Presidential Elections in Russia and Armenia and their Impact on Turkey and the Region” 2023 (15.03.2008)

20 “Azerbaijani parliament approves Military Doctrine” News.Az Website (09.06.2010), (<http://news.az/articles/17123>)

21 The briefing can be found on the following address: <http://www.crisisgroup.org/en/regions/europe/south-caucasus/B60-armenia-and-azerbaijan-preventing-war.aspx>

22 Malysheva, (note 3), pp. 260.

authorities of the de facto NKR defend this enclave's right to self-determination.<sup>23</sup> In other words, the status of Nagorno-Karabakh is actually the essential problem blocking any progress in official talks. Both Armenia and Azerbaijan could not find a consensus about this issue despite all the international pressures and supports.

### *The Nagorno-Karabakh Republic*

The problem with the NKR is that only Armenia recognizes it as a legitimate party in the conflict. Therefore it would be fair to claim that the crucial issue for the NKR is its status. In 2006, the parliament of NKR ratified a constitution declaring its sovereignty and independence,<sup>24</sup> but this decision is still not recognized by any country, including Armenia. On the contrary, this action attracted a great deal of criticisms from the international community and it has been argued that it hampered the OSCE Minsk group's mediation efforts.<sup>25</sup> Still, political elites of Karabakh continue to exert considerable influence on Armenian politics and they keep high-level positions in Armenia. Therefore Armenia remains the sole supporter of this autonomous region's long-term goal of the international recognition as an independent entity.

### *Russia*

After the collapse of the Soviet Union in 1991, it took a while for Russia to reestablish its dominion on the South Caucasus region. On the other hand, as the largest state on former Soviet Union land, Russia has always been a major party in the Nagorno-Karabakh conflict. The absence of diplomatic ties with Turkey and the war with Azerbaijan has naturally pushed Armenia to the Russian sphere of influence. In addition to the cultural and religious affinities between the two countries, Russia has become the protector of Armenia politically, economically and militarily.

23 Abasov & Khachatryan, *Karabakh Conflict Variants of Settlement: concepts and reality*. 3rd edition. Baku/Yerevan: Areat, Noyan Tapan. (2006) pp. 44

24 "Referendum in Nagorno-Karabakh caused a problem" *Sabah Newspaper* (11.12.2006) (<http://arsiv.sabah.com.tr/2006/12/11/dun107.html>)

25 Ibid.

In 1997, an agreement of friendship and mutual cooperation has been signed between Russia and Armenia allowing Russian forces to be stationed in the country.<sup>26</sup> According to the accord, in the case of a military clash, both sides would help each other and respond collectively against the aggressor party. In August 2010, Russia signed a new military agreement with Armenia and extended its military activities in this country. Accordingly, Armenian and Russian authorities have agreed that the Russian military base will remain in Armenia for 49 years instead of 25.<sup>27</sup> Azerbaijani authorities were not pleased and expressed their “concern about the stalling of the Nagorno-Karabakh problem in terms of expansion of the Russian army in the Caucasus”.<sup>28</sup> So the deadlock in Nagorno-Karabakh has given Russia a chance to exert great influence on Armenia and on the South Caucasus. In addition, the fact that Russia has been working behind the scenes to ensure the continuation of the conflict and supporting the *Karabakh clan* in Armenia, which profits politically and economically from the conflict, demonstrates that Russia is ultimately in favor of the status quo.

Indeed, until the breakout of the Five-Day War with Georgia in August 2008, Russia’s policy has been the maintenance of the status-quo, in other words, the freezing of the Nagorno-Karabakh dispute. However, Russia revisited this strategy after the war and started to play an active role in the resolution of the conflict as well as in the rapprochement between Turkey and Armenia. The signing of the Moscow Declaration<sup>29</sup> on the settlement of the Nagorno-Karabakh conflict by the Presidents of Armenia, Azerbaijan and Russia on November 2, 2008 and Sargsyan’s invitation of Turkey’s President Gül to Yerevan, which started the famous football diplomacy, during a Moscow visit, were crucial developments of this change.

Russia also took into consideration the fact that mega-energy transportation projects were extremely depended on Georgia and thus Baku-Tbilisi-Ankara line was getting stronger every day. So Russia supported the Armenia-Turkey rapprochement in order to “instigate” Baku against Turkey and attenuate the trilateral cooperation.<sup>30</sup> The plan worked well;

26 Hatem Cabbarlı “Ermenistan ve Rusya Arasında Gelişen İşbirliği” *Azsam* (April 2006) (<http://www.azsam.org/modules.php?name=News&file=article&sid=46>)

27 Hasan Selim Özerterem, “Russia’s Strengthening Military Presence in the Caucasus and the Black Sea” *The Journal of Turkish Weekly*, August 2010. (<http://www.turkishweekly.net/columnist/3373/russia-39-s-strengthening-military-presence-in-the-caucasus-and-the-black-sea.html>)

28 “Azerbaijan to discuss Russian-Armenian military agreement at OSCE PA’s session” *Trend News Website* (30.08.2010). (<http://en.trend.az/news/karabakh/1742830.html>)

29 The full text of the Moscow Declaration can be found in the following address: <http://www.reporter.am/go/article/2008-11-02-document-full-text-of-the-declaration-adopted-by-presidents-of-azerbaijan-armenia-and-russia-at-meiendorf-castle-near-moscow-on-november-2-2008>

30 Efgan Niftiyev, “Why Did Russia support Turkish-Armenian Rapprochement?” *Washington Review of Turkish and Eurasian Affairs*, June 2010. (<http://www.thewashingtonreview.org/articles/turkisharmenian-rapprochement.html>)



Azerbaijanis were provoked against Turkey in the aftermath of the declaration of the “Road Map” between Turkey and Armenia in April 2009. Erdoğan tried to ease his Azerbaijani counterparts in different occasions by declaring that the Armenia-Turkey border will not be open before the resolution of the Nagorno-Karabakh conflict.<sup>31</sup> Despite these support messages, Azerbaijan and Turkey clashed over energy in the following months which is actually the most important agenda item in bilateral relations.<sup>32</sup>

In the time being, Russia dominated the Nagorno-Karabakh conflict resolution process and Russia’s President of the time, Medvedev, started hosting his counterparts Aliyev and Sargsyan regularly in order to find a peaceful solution to the conflict. Later, it became clear that Russia was not after a quick resolution but instead trying to control both parts in order to hamper a hot war between Armenia and Azerbaijan. So Russia was being more careful after the Five-Day War that has once more demonstrated that protracted conflicts can easily turn into military disputes in the South Caucasus. It would not be inappropriate to argue that Russia consolidated his position in the South Caucasus after the Five-Day War. Russia supported Armenia-Turkey rapprochement and took responsibility in the resolution of the Nagorno-Karabakh conflict, thus it improved its post-war image.<sup>33</sup> But in the final stage, Armenia became more pro-Russian than ever, Azerbaijan-Turkey relations became worse and finally Armenia-Turkey rapprochement is suspended.

### *Turkey*

Turkey’s official policy towards the South Caucasus is one of pursuing a cooperative policy in order to consolidate its influence and maximize its interests. Turkey also aims to maintain regional security and stability by supporting the independence, territorial integrity and sovereignty of the South Caucasus countries. Thus Turkey encourages their integration into European and Euro-Atlantic structures as well as other international organizations. However, the disorder in this region has been an obstacle to Turkey’s plans to become an oil and natural gas hub connecting the Caspian resources to Europe. This is why ensuring the long-term stability of the Caucasus region became one of the major strategic concerns for Turkey’s foreign policy.

31 “Erdoğan Wants Armenian Withdrawal from Karabakh” *Euronews Website* (11.10.2009). (<http://www.euronews.net/2009/10/11/erdogan-wants-armenian-withdrawal-from-karabakh/>)

32 R. M. Cutler, “Azerbaijan and Turkey clash over energy” *Asia Times Online*, (23.10.2009). ([http://www.atimes.com/atimes/Central\\_Asia/KJ23Ag04.html](http://www.atimes.com/atimes/Central_Asia/KJ23Ag04.html))

33 Niftiyev (note 28)

Following the independence of South Caucasus states in 1991, Turkey established diplomatic ties with Azerbaijan and Georgia, while its first contacts with Armenia were quite positive. However the exacerbation of the Nagorno-Karabakh conflict and the invasion of Kelbejer rayon by Armenian forces strained the negotiation process and ultimately led to the complete closure of the Armenia-Turkey land border in 1993. As of today, the land border is still closed and very little progress is achieved in the Nagorno-Karabakh conflict resolution process.

Turkey's involvement to the conflict as a party rather than a mediator and its strong support for Azerbaijan motivated both by strategic factors - *oil rich Azerbaijan's importance in the region* - but also domestic factors; - *Azerbaijan being a Muslim and Turkic brother state* - has limited its potential role as a mediator. Still, Turkey is eager to act as a negotiator between the two sides, since the resolution of this conflict is vital to Turkey's interests in terms of both the normalization of Armenia-Turkey relations and the establishment of peace and stability in the Caucasus region. If we take into consideration the fact that the protocols that were signed between Armenia and Turkey in October 2010 were suspended mainly because of the deadlock in the Nagorno-Karabakh conflict resolution process; Turkey is definitely in favor of change in the status-quo and encourages diplomatic means for the resolution.

### *United States*

After the collapse of the Soviet Union, the US has started pursuing an active foreign policy in the former Soviet lands to fill the power gap in the region. US policy towards the Nagorno-Karabakh conflict was deeply influenced by the powerful Armenian lobby in the US Congress. In 1992, the Freedom Supports Act was passed by the Congress and denied all American aid to Azerbaijan unless "*it respects international human rights standards, abandons its blockade of Armenia, ceases its use of force against Armenia and Nagorno-Karabakh, and searches a peaceful solution to the conflict*".<sup>34</sup> Azerbaijan thus became the only former Soviet republic deprived of American aid, while Armenia continued to receive aid in generous quantities. On the other hand, the US is favor of the immediate resolution of the conflict and the normalization of Armenia's relations with its neighbors. This is why the US pushes Azerbaijan to sit at the negotiation table with Armenia to resolve the dispute over Nagorno-Karabakh. In this way, the US aspires to decrease the Russian influence on Armenia and to

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34 Svante E. Cornell. "Turkey and the Conflict in Nagorno-Karabakh: A delicate Balance" *Middle Eastern Studies* 34, no. 1 (1998). pp. 57.

pursue its interests by establishing stability and order in the South Caucasus and the Caspian Sea regions.

**As a result**, even though Russia is the undisputed strategic partner of Armenia, it firmly supports the territorial integrity of Azerbaijan. By the same token, the US supports Armenia financially and politically but tries also to establish good relations with Azerbaijan. These two aspiring hegemons' positions differ in their expectation from the conflict: The US wants an immediate resolution while Russia is satisfied with the status quo.

It is clear that the current situation threatens the transit of Caspian oil to the world market and thus harms all the main parties to the conflict.

*Hegemons' positions differ in their expectation from the conflict: The US wants an immediate resolution while Russia is satisfied with the status quo.*

Accordingly; Armenia, NKR and Azerbaijan are interested in peace since the first two are isolated from the world and the third is officially under occupation for almost 20 years. So the resolution of the conflict will be therefore beneficial for the main actors involved, but still there is little progress. According to Minasyan, "all parties to this conflict seek support from a considerable body of historical, political and legal

arguments to strengthen their respective positions and to justify the implementation of their political stance".<sup>35</sup> On the other hand, any actor seems ready to make a compromise for an everlasting peace that will satisfy all sides. Therefore, there is no serious progress to reach a peaceful agreement in the foreseeable future.<sup>36</sup>

### **A Systemic Approach to the Nagorno-Karabakh Conflict:**

The disintegration of the Soviet Union was at the same time the end of the bipolar world order. The US has been the winner of the Cold War in terms of erasing the Soviet Union from the political map of the world, but it has failed in establishing a unipolar system. Therefore, the power vacuum left behind with the collapse of the Old Empire has reactivated the conflicted patterns all around the world. If we are looking for an answer to the crucial question of why does the Nagorno-Karabakh conflict remains unresolved despite all the bilateral and international efforts; the neorealist paradigm should advise us to look at the structure of the post-Cold war international

35 Sergey Minasyan, "Nagorno-Karabakh after Two Decades of Conflict: is Prolongation of the Status Quo Inevitable?" *Caucasus Institute Research Papers*; № 2, Yerevan : Caucasus Institute, 2010, pp. 5

36 Ibid, pp. 6

system and to understand the dynamics of the scene set by the great powers. Then only we can understand how a very minor player like Armenia had obtained enough economic and military capabilities to conquer Nagorno-Karabakh and some other parts of Azerbaijan and no resolution has been achieved thus far.

Lena Johnson suggests that the new geopolitical structure during 1990s can be characterized as “*a process of Russian retreat from the Caucasus and Central Asia in the economic, political and military fields, an increasing involvement by external actors (both state and non-state) and increased competition between Russia and external state actors, first and foremost the US.*”<sup>37</sup> Doubtless it is correct to argue that the new Moscow administration has inherited a rather “weak power projection potential” from the Soviets, but Russia still remained a great power in the international system.<sup>38</sup> If we apply Waltz’s structural realism to the new status quo, Nagorno-Karabakh lies at the center of the new puzzle where great powers compete for strengthening their influence in the Caucasus region determined by key issues of energy and security. In this perspective, it can be argued that the behavior of the states in the Caspian region very much confirms the basic assumptions of the realist school of thought where states always seek to increase their security and international influence.<sup>39</sup>

Russia’s first and foremost aim in the Caucasus was to reestablish its dominance and to bring especially the three South Caucasus states back under its control. However it was not an easy task since all ex-Soviet republics were seeking ways of minimizing the Russian influence. The Nagorno-Karabakh conflict and the following blood feud between Armenia and Azerbaijan created an ample opportunity for Moscow administration to exert influence on these countries and balance them against each other effectively in order to accomplish its own security interests regarding a forward security zone in the Caucasus.<sup>40</sup> So the relocation of power in the region has created a strict competition between the two opposing great powers. Rosenkvist argues that the Caucasus broke into two camps: “The US sponsored East-West axis and the Russian sponsored North-South axis.” Accordingly, Russia supported Yerevan by providing the necessary means to conquer Nagorno-Karabakh and some other Azerbaijani provinces, while Azerbaijan improved its relations with Washington. So the minor players of the system became locked in the opposite sides of the great powers’ system

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37 Lena Johnson, “The New Geopolitical Situation in the Caspian Region”. *The Security of the Caspian Sea Region*, ed. Gennady Chufirin. (New York: Oxford University Press, 2001) pp. 11.

38 Morten Anstorp Rosenkvist, “Black Soil. Oil and Ethnicity in the Nagorno-Karabakh Conflict” *Working Papers - Programa CEI & Países Bálticos 007*, (Argentine Center of International Studies, 2005) pp. 4.

39 Johnson, (note 30), pp.13

40 Rosenkvist (note 31), pp.36

level conflict and gradually depended on the developments in the chess game between Russia and the US.

The deadlock in Nagorno-Karabakh is favored by Russia since the status quo guaranteed Armenia's dependency on this country and hampered the regional stability which is highly desired by the US in terms of transporting Caspian oil and gas resources to the Western markets without Russian interference. The US was aware that the way the Nagorno-Karabakh conflict is resolved will in many respects determine the prospects of a new geopolitical configuration in the Caucasus and in the Caspian region in general.<sup>41</sup> In this respect, increasing the share of western and especially American oil companies' access to the Caspian oil and gas resources would serve to minimize the West's dependence on Middle East oil. That is why the US declared the region as a zone of vital interests and began to play a more active role in the Caucasus. In this regard, the direct access of the US to the management of the Nagorno-Karabakh conflict in 1994 by being one of co-chairman of the Minsk Group has been accepted as an important development.

So attempts to solve the Nagorno-Karabakh conflict by reaching a consensus on the principles of a peaceful coexistence are hindered by the great divergence of interests between two great powers and this competition over the domination in the Caucasus blocked a resolution in the conflict. According to our systemic analysis the deadlock is upheld since the status quo best suits the interests of Russia and the US in their challenge over energy channels and their dominant positions demonstrate how the system level is crucial for explaining the state behavior. So if what matters most is the balance of power between the great powers, and it is the great powers not the minor ones that define the fate of the world politics, the Nagorno-Karabakh problem will remain unsettled until the system level conflict in the Caucasus will be solved.

### **A “Reductionist” Approach to the Nagorno-Karabakh Conflict:**

Structural realism was a good starting point for explaining the systemic factors impeding the resolution of the Nagorno-Karabakh conflict. However the inherent problems of this analysis such as underestimating the relationship between domestic politics and decision-making processes necessitates a second investigation which will explore the impact of state-society relations on the conflicted actors' preferences and foreign policy choices. This study will be “reductionist” according to Kenneth Waltz's

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41 Malysheva, (note 3), pp. 271.

terminology by looking solely to the role of unit-level forces in the Nagorno-Karabakh conflict, but will expand at the same time the limited range of phenomena encompassed by the neorealist analysis.

The essential argument of the liberal theory of IR formulated by Andrew Moravcsik is that “*the relationship between states and the surrounding domestic and transnational society in which they are embedded critically shapes state behavior by influencing the social purposes underlying state preferences.*”<sup>42</sup> However, Moravcsik’s theory is not a purely domestic or unit-level theory ignoring the international environment; on the other hand its fundamental premise is looking to the preference formation processes at the domestic level by taking into consideration the systemic outcomes of interstate interactions. Therefore in order to understand the complexity in Nagorno-Karabakh, besides the structural aspects, we should also analyze the domestic factors determining the decision making procedures and foreign policy choices of the involved parties. Our central question was why does the Nagorno-Karabakh conflict remain unresolved despite all the bilateral and international efforts and we sought the answer in the conflicting positions of Russia and the US. The same pattern will be followed in the second analysis with a focus on the domestic level.

Organized interest groups are a powerful force in the American domestic and foreign policies. Despite the fact that there exist various interest groups with different agendas, our analysis will focus solely on the ethnic ones, specifically the Armenian American lobby, in order to understand their level of efficiency on the American foreign policy preferences.

The Armenian population in the US is approximately one million and they are active under the umbrella Armenian Assembly of America (AAA) and the Armenian National Committee of America (ANCA). One of the essential agendas of the Assembly is to provide economic assistance to Armenians in the Nagorno-Karabakh, enhancing the American financial support to Armenia, which is the second highest amount after Israel, and lobbying for a resolution in Nagorno-Karabakh favoring Armenian interests.<sup>43</sup> The incontestable American support to Armenia as a result of the strong Armenian lobby’s pressure is a good example in terms of demonstrating how domestic level interests shape the foreign policy formulations. According to the balance of power in the region, the US should establish better relations with Azerbaijan since this country is the least depended one to Russia among the ex-Soviet republics and it possesses rich oil and natural gas resources which is crucial to the American interests.

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42 Andrew Moravcsik, “Taking Preferences Seriously: A Liberal Theory of International Relations” *International Organization*, Vol. 51, No. 4. (1997), pp. 516

43 Fraser Cameron. *US Foreign Policy after the Cold War: Global Hegemon or Reluctant Sheriff?* (London: Routledge, 2002) pp. 91

On the other hand, Armenia is the undisputed strategic partner of Russia and Russia exerts great influence on Armenian politics. It is argued that the US tries to balance the Russian influence in the region by doing so; however the absolute support to Armenia in every realm frustrates the American interests in the Caucasus similar to the support to Israel does in the Middle East.

According to our model, if the American foreign policy was solely influenced by the systemic factors, the US's first priority in the Caucasus would be supporting Azerbaijan since this state is a key to the gate for the West into the

*Russia follows a very careful foreign policy towards the irredentist movements in the region and this country's opposition towards the independence of Nagorno-Karabakh*

Caspian Sea and a pro-Moscow administration would change the geopolitical balance in the region. However as a result of the bargaining process between the domestic interest groups, the American foreign policy pays more attention to develop good relations with Armenia. This situation impedes American efforts to play a constructive role in the resolution of Nagorno-Karabakh conflict and fosters the deadlock.

Domestic factors are influential on the Russian foreign policy choices as well. One of the most crucial internal problems of Russia is the ethnic disputes and separatist movements in the Caucasus. The largely Muslim republics of this region including Chechnya, Ingushetia, Dagestan, Karachaevo-Cherkessia and Kabardino-Balkaria have serious problems with the Moscow administration due to their Islamic and nationalist aspirations. Since Russia regards the Caspian region as a central concern for its national security, the turmoil in these breakaway provinces constitutes the weak spot of Russia in terms fueling irredentism in other parts of the Caspian region and the Caucasus. Given the fact that the US and European states are highly interested with the developments in Caspian basin, the territorial disputes and regional clashes can foster the western perception of the power vacuum in the Caucasus and can legitimize the West's possible intervention to fill this gap and stabilize the region.<sup>44</sup> So Russia follows a very careful foreign policy towards the irredentist movements in the region and this country's opposition towards the independence of Nagorno-Karabakh should be evaluated in this context.

The main logic behind the fact that Russia would never recognize Nagorno-Karabakh as an independent state is that Azerbaijan would accept such a development as *casus belli* and start preparations for unleashing a new war in the South Caucasus. Azerbaijan will not obviously aim Russia due to the

44 European Neighborhood Policy can be evaluated in this context.

impossibility of winning such a war, but a new armed conflict with Armenia over Nagorno-Karabakh would be inevitable in this scenario. It is not easy to predict the results of such a new regional war; however it is highly probable that Russia might lose its advantageous position in the aftermath and this clash can trigger the conflictual pattern in Russia's problematic republics. In sum, Russia's policies of gradual change favoring the status quo in the Nagorno-Karabakh dispute have also a domestic aspect and a solution which will declare this enclave as an independent entity would jeopardize Russian interests in the region.

### CONCLUSION

With the dislocation of Soviet Union, Moscow's capabilities and responsibilities to manage the conflict over Nagorno-Karabakh have suddenly disappeared. This paved the way to a full scale war between Armenia and Azerbaijan resulting with conquest of the entire province of the Nagorno-Karabakh and seven surrounding *rayons* by the latter. Despite all the bilateral and the international efforts, no resolution has been achieved thus far. This paper tried to analyze the conflict by explaining the background, underlining main actors involved, their positions and finally discussing the logic behind the deadlock. The major argument of the study was that Nagorno-Karabakh conflict remained unresolved due the power struggle where the US and Russia were competing for strengthening their influence in the Caucasus region determined by key issues of energy and security. In the neorealist analysis, the strong system level conflict dimension employing a top-down influence in Nagorno-Karabakh has been analyzed. However looking solely to the systemic aspects and ignoring the domestic factors determining the policy formations in both sides would be insufficient for explaining the different features of the unresolved dispute in Nagorno-Karabakh. Therefore the domestic level factors influencing the foreign policy choices are also examined.

The ultimate aim of this study was to show different levels of preference formation processes and to underline that a single theory rests insufficient to explain the complex patterns and important aspects of post-cold war crises. The next step after this analysis would be looking at the regional dimension of the conflict by focusing specifically on Armenia and Azerbaijan. Even though these countries do not matter much on the global scale, they definitely have the capacity to influence the regional power balances with a potential of affecting the policies of the great powers competing for strengthening their influence in the Caucasus region. This regional dimension would certainly enhance the explanatory capacity of the analysis dealing with the complex pattern behind the deadlock in Nagorno-Karabakh.



## BIBLIOGRAPHY

- Abasov, A. and Khachatryan, H. *Karabakh Conflict Variants of Settlement: concepts and reality*. 3rd edition. Baku/Yerevan: Areat, Noyan Tapan. (2006)
- Attar, Aygün. *Karabağ Sorunu Kapsamında Ermeniler ve Ermeni Siyaseti* (Ankara: Atatürk Research Center Publications, 2005)
- “Azerbaijani parliament approves Military Doctrine” News.Az Website (09.06.2010).
- “Azerbaijan to discuss Russian-Armenian military agreement at OSCE PA’s session” Trend News Website (30.08.2010).
- Cameron, Fraser. *US Foreign Policy after the Cold War: Global Hegemon or Reluctant Sheriff?* (London: Routledge, 2002)
- Cabbarlı, Hatem. “Ermenistan ve Rusya Arasında Gelişen İşbirliği” *Azsam* (April 2006)
- Cornell, Svante E. “Turkey and the Conflict in Nagorno-Karabakh: A delicate Balance” *Middle Eastern Studies* 34, no. 1 (1998) pp. 51-72.
- Cutler, R M. “Azerbaijan and Turkey clash over energy” *Asia Times Online*, (23.10.2009).
- Dietzen, Mark. 2010-11 Fox Fellow to Freie University in Berlin, *A New Look at Old Principles: Making the Madrid Document Work*. *Caucasus Edition* : April 1, 2011, Volume 4, Issue 1.
- “Erdoğan Wants Armenian Withdrawal from Karabakh” Euronews Website (11.10.2009).
- Haroutiun Khachatryan, “The Nagorno-Karabakh Conflict: Perspective of a Year-Long Deadlock” *Caucaz Europe News* (07.10.2007)
- Goshgarian, Rachel “Breaking the Stalemate: Turkish-Armenian Relations in the 21<sup>st</sup> Century” *Turkish Policy Quarterly*. (Winter 2005) Vol.4 No.4. pp. 51-62
- Johnson, Lena. “The New Geopolitical Situation in the Caspian Region”. *The Security of the Caspian Sea Region*, ed. Gennady Chufirin. (New York: Oxford University Press, 2001)

- Kurkchian, Marina. "The Karabakh Conflict". *The Armenians: Past and Present in the Making of National Identity*, ed. Edmund Herzig and Marina Kurkchian. (New York: RoutledgeCurzon, 2005)
- Libaridian, Gerard. *The Challenge of Statehood*, (Cambridge: Blue Crane Books, 1999)
- Malysheva, Dina. "The Conflict in Nagorno-Karabakh: Its Impact on Security in the Caspian Region". *The Security of the Caspian Sea Region*, ed. Gennady Chufirin. (New York: Oxford University Press, 2001)
- Maharramzadeh, Akif. "Armenian-Azerbaijan Relations and the Nagorno-Karabakh Conflict in the Foreign Policy of Turkey." *The Journal of Turkish Weekly Website* (14.12.2006)
- Mearsheimer, John J. *The Tragedy of Great Power Politics*. (New York: Norton, 2003)
- Minasyan, Sergey "Nagorno-Karabakh after Two Decades of Conflict : is Prolongation of the Status Quo Inevitable?" Caucasus Institute Research Papers ; № 2, Yerevan : Caucasus Institute, 2010.
- Moravcsik, Andrew. "Taking Preferences Seriously: A Liberal Theory of International Relations" *International Organization*, Vol. 51, No. 4. (1997), pp. 513-553
- Niftiyev, Efgan. "Why did Russia support Turkish-Armenian Rapprochement?" *Washington Review of Turkish and Eurasian Affairs*, June 2010.
- Ogan, Sinan. "Presidential Elections in Russia and Armenia and their Impact on Turkey and the Region" *2023* (15.03.2008)
- Özertem, Hasan Selim, "Russia's Strengthening Military Presence in the Caucasus and the Black Sea" *The Journal of Turkish Weekly*, August 2010.
- "Referendum in Nagorno-Karabakh Caused a Problem" *Sabah Newspaper* (11.12.2006)
- Rosenkvist, Morten Anstorp. "Black Soil. Oil and Ethnicity in the Nagorno-Karabakh Conflict" *Working Papers - Programa CEI & Paises Bálticos 007*, (Argentine Center of International Studies, 2005)

“Seven Years of Conflict in Nagorno-Karabakh” Human Rights Watch Website (December 1994)

Viotti, Paul R. and Kauppi, Mark V. *International Relations Theory: Realism, Pluralism, Globalism, and Beyond*, 3rd Edition (Boston: Allyn and Bacon, 1998)

Waltz, Kenneth. *Theory of International Politics*. (New York: McGraw Hill, 1979)

# HOW TO CREATE A PROBLEM OF REFUGEES: THE EVACUATION OF CILICIA BY FRANCE AND THE FLOW OF ARMENIAN CIVILIANS (1921-1922)

(MÜLTECİ SORUNU NASIL YARATILIR? FRANSA'NIN KİLİKYA'YI  
TAHLİYESİ VE SİVİL ERMENİLERİN AYRILMASI 1921-1922)

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**Abstract:** *Examining the historical, political, and geographical context of the French evacuation of Cilicia, this article examines the different explanations for the flow of Armenian refugees which accompanied this withdrawal. Relying mostly on the French archives, it concludes that both the French and the Kemalist authorities did their best to prevent the flow of refugees and provided real guarantees to the Christian populations. The movement of refugees is largely due to the anti-Turkish policy followed by the Armenian committees and the Greek government.*

**Keywords:** *Armenian Revolutionary Federation-Dashnak; Aristide Briand; Robert de Caix; Boghos Nubar Pasha; Cilicia; Henry Franklin-Bouillon; Hunchak Party; Kemal Atatürk; Ramkavar Party.*

**Öz:** *Bu makale Fransızların Kilikya'dan çekilmesinin tarihi, siyasi ve coğrafi şartlarını incelerken, bu çekilmeye katılmış olan Ermeni mültecilerin durumuna ilişkin farklı açıklamaları değerlendirmektedir. Makale, Fransız arşivlerine dayanarak hem Fransız hem de Kemalist otoritelerin Ermenilerin göçmesine engel olmak için ciddi çaba gösterdiğini ve Hristyan nüfusa hakiki taahhütler sundukları sonucuna varmaktadır. Mültecilerin hareketi Ermeni komiteleri ve Yunan hükümetinin Türk-karşıtı politikalarından kaynaklanmaktadır.*

**Anahtar Kelimeler:** *Ermeni Devrimci Federasyonu – Taşnak, Aristide Briand, Robert de Caix, Bogos Nubar Paşa, Kilikya, Henry Franklin-Bouillon, Hınçak Partisi, Kemal Atatürk, Ramvakar Partisi*

The evacuation of Cilicia and neighboring regions by France (November 1921-January 1922) and its most dramatic consequence, the flow of Armenian refugees to other places—namely Hatay, Syria, Lebanon, Cyprus, İstanbul, İzmir—received too little attention in scholarly literature, and is frequently used for a political agenda.

During the time of ASALA and JCAG/ARA terrorism, the ASALA newspaper *Hay Baykar* charged France for the “betrayal” of Armenians in Cilicia. Some Armenian propagandists, like Séta Papazian<sup>1</sup> and Patrick Devedjian,<sup>2</sup> even alleged that the evacuation was caused by the “massacre” of the Armenian population of Cilicia at the end of 1921—a purely imaginary “massacre” in this precise case, as it will be recalled in this paper. Since Ms. Papazian’s association was created at the instigation of Jean-Marc “Ara” Toranian, spokesman of the ASALA from 1976 to 1983 and editor-in-chief of *Hay Baykar* from its beginning (1976) to its end (1988), and since Mr. Devedjian was a defense lawyer of ASALA terrorists from 1981 to 1984, such an argument from them is not a surprise, but a continuity.<sup>3</sup>

In another category of authors, Donald Bloxham, who has no experience in Ottoman and Turkish history, alleges without any footnote to justify his affirmation that “Turkish nationalist forces were driving the French occupying force out of Cilicia, and were only too happy to see tens of thousands of Armenians depart with them.”<sup>4</sup>

On the other side of the historiography, Robert F. Zeidner produced a very detailed account of the French occupation of Cilicia and its vicinity, but his presentation of the evacuation is surprisingly short.<sup>5</sup> Stanford J. Shaw gave an interesting indication of the role of Armenian propaganda in his multi-volume study of the war of independence<sup>6</sup>, but he did not develop this point

1 Génocide arménien: le dérapage de Pierre Nora –II Par Séta Papazian | L’Arche | 23/06/2011 <http://larchemag.fr/2011/11/18/184/genocide-armenien-le-derapage-de-pierre-nora-ii/>

2 La Chaîne parlementaire (LCP), January 24, 2012.

3 On the misuse of history to defend the Armenian terrorism: Maxime Gauin, “Remembering the Orly Attack,” *Review of International Law and Politics*, VII-27, 2011, pp. 113-139.

4 Donald Bloxham, *The Great Game of Genocide*, New York-Oxford: Oxford University Press, 2005, p. 5. This is unfortunate that some great university press allow the publication of books written by non-specialists, without even a serious checking. On other shortcomings and inaccuracies of Donald Bloxham’s book, see Yücel Güçlü, “Review of *The Great Game of Genocide*,” *The Middle East Quarterly*, Spring 2006, pp. 67-68, <http://www.meforum.org/969/the-great-game-of-genocide> ; Serdar Palabıyık, “A Literature between Scientificity and Subjectivity: A Comparative Analysis of the Books Written on the Armenian Issue,” *Review of Armenian Studies*, IV-11/12, 2007, <http://www.eraren.org/index.php?Lisan=en&Page=DergiIcerik&IcerikNo=476> ; and Jeremy Salt, “Forging the Past: OUP and the Armenian Question,” *Eurasia Critic*, January 2010, <http://eurasiacritic.co.uk/articles/forging-past-oup-and-armenian-question>

5 Robert F. Zeidner, *The Tricolor over the Taurus. The French in Cilicia and Vicinity, 1918-1922*, Ankara: TTK, 2005, pp. 290-291.

6 Stanford J. Shaw, *From Empire to Republic. The Turkish War of National Liberation, 1918-1923. A Documentary Study*, tome III-1, pp. 1420-1421.

in his article, dealing this time only with the war crimes of the Armenian Legion and the panic of 1921.<sup>7</sup> Yücel Güçlü offers a significant quantity of data on the French army's withdrawal and the emigration of Armenians, but no definitive conclusions, and this a prudent choice since he uses so little French sources for this part of his book.<sup>8</sup>

The most detailed scholarly analysis of the reasons for the flow of Armenian refugees is the one of Dzovinar Kévonian.<sup>9</sup> However, if Dr. Kévonian presents arguments in favor of a different thesis before concluding, and if she avoids the pathos and the polemical tone too frequently present in the writings of Armenian scholars, her development of this precise point is not the most convincing part in her book and cannot be regarded as the last word on the subject, as it will be seen below.

In short, the explanations for the quick movement of refugees from Cilicia to Syria and Lebanon can be classified as follows:

- The Kemalists, or both French and Kemalists, were chiefly responsible;
- Most of the refugees were driven by a virtually inevitable movement of panic;
- The Armenian committees were mainly responsible, possibly with foreign complicities.

This paper analyzes these various explanations.

## **Background (1862-1920)**

### *The Armenian Revolutionary Movement and Rebellions (1862-1918)*

The most famous place of Armenian revolutionary activities in the Ottoman Empire was Van,<sup>10</sup> but the Armenian revolutionaries were also very active in Cilicia and its vicinity. The first really nationalist Armenian insurrection took place in Zeytun in 1862.<sup>11</sup> There was another uprising in 1878,<sup>12</sup> and

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7 Stanford J. Shaw, "The Armenian Legion and its Destruction of the Armenian Community of Cilicia," in Türkkaya Ataöv (ed.), *The Armenians in the Late Ottoman Period*, Ankara: TTK/TBMM, 2001, pp. 158-164.

8 Yücel Güçlü, *Armenians and the Allies in Cilicia. 1914-1923*, Salt Lake City: University of Utah Press, 2010.

9 Dzovinar Kévonian, *Réfugiés et diplomatie humanitaire*, Paris, Publications de la Sorbonne, 2004.

10 Justin McCarthy and alii, *The Armenian Rebellion at Van*, Salt Lake City, University of Utah Press, 2006.

11 Louise Nalbandian, *The Armenian Revolutionary Movement*, Berkeley-Los Angeles-London, University of California Press, 1963, pp. 67-78.

12 Yusuf Sarıncay (ed.), *Osmanlı Belgelerinde Ermeni İsyanları*, Ankara, 2008, volume I, pp. 3-14.

again in 1895-96. Despite the numerous crimes of the insurgents, there were no counter-massacres against Armenians in Zeytun in 1895-96.<sup>13</sup>

A letter of the common secretariat of the London and Marseille committees to the Armenian archbishop of Adana, on August 9, 1892, explained in advance the strategy of the revolutionaries: to use “hypocrisy,” and when the right time would come, to destroy the telegraph lines, to “kill the high civil servants,” to “spoil the Public Treasury,” and to take the weapons of military depots.<sup>14</sup> As early as 1890s, Armenian revolutionaries, especially the Hunchak party, deployed intense activities in the Çukurova plains.<sup>15</sup>

Regardless, as Robert F. Zeidner remarks:

*On the other hand, it was thanks to prompt action of local Turkish authorities, so often maligned for incompetence, corruption and bad faith by Western travelers and diplomats, that Cilicia proper and Elazig-Harput were spared from slaughter during the massacres of 1894-1896. During the episode of April 1909, Mersin and areas outside Cilicia proper were similarly spared, with the one notable exception of Latakia on the northern Syrian coast.<sup>16</sup>*

The “episode of April 1909” was more a violent, bloody, interethnic conflict (around 17,000 Armenians and 1,850 Muslims, mostly Turks, were killed) rather than an unprovoked and one-sided massacre.<sup>17</sup>

In continuity with the revolutionary activities of the previous years and decades, the Armenian committees organized uprisings in Zeytun and Cilicia, with the hope of obtaining an Anglo-French landing. These projects eventually failed, with London and Paris preferring to focus on the Dardanelles (Çanakale) operation.<sup>18</sup>

13 Aghassi (Garabet Toursakissian), *Zeitoun, depuis les origines jusqu'à l'insurrection de 1895*, Paris, Mercure de France, 1897, pp. 193 and sqq. (reference to the massacres of Turks p. 289); Kamuran Gürün, *The Armenian File. The Myth of Innocence Exposed*, Istanbul, Türkiye İş Bankası, 2007 (1st edition in English, Nicosia-London, 1985, 1st edition in Turkish, Ankara, 1983) pp. 191-196; Jeremy Salt, *Imperialism, Evangelism and the Ottoman Armenians. 1878-1896*, London-Portland: Frank Cass, 1993, pp. 105-106.

14 Yusuf Sarıncay (ed.), *Osmanlı Belgelerinde Ermeni-Fransız İlişileri*, Ankara, 2002, volume I, 1879-1918, pp. 19-22 (Turkish version) and 294-299 (French version), <http://www.devletarsivleri.gov.tr/Forms/belge/993/8.PDF><http://www.devletarsivleri.gov.tr/Forms/resim/993/8.PDF>

15 Yücel Güçlü, *Armenians and the Allies...*, pp. 38-39.

16 Robert F. Zeidner, *The Tricolor...*, p. 45.

17 Nejla Günay, “1909 Adana Olaylarının Maraş'taki Yansımaları ve Maraş Divan-ı Harbi Orfisinin Yargılamaları,” *Ermeni Araştırmaları*, 29, 2008, pp. 87-118; Kamuran Gürün, *The Armenian File*, pp. 212-217; Yücel Güçlü, *Armenians and the Allies...*, pp. 39-50; Salâhi R. Sonyel, “The Turco-Armenian ‘Adana Incidents’ in the Light of British Secret Documents,” *Belleten*, LI, December 1987, pp. 1291-1338, [http://www.ttk.org.tr/templates/resimler/File/fulltext/Belleten\\_Makale/bel201-1291\\_1338.pdf](http://www.ttk.org.tr/templates/resimler/File/fulltext/Belleten_Makale/bel201-1291_1338.pdf)

18 Edward J. Erickson, “Captain Larkin and the Turks: The Strategic Impact of the Operations of HMS Doris in Early 1915,” *Middle Eastern Studies*, XLVI-1, January 2010, pp. 151-162, <http://www.ic->

However, Guenter Lewy observes: “in the absence of a large Kurdish population, no massacre took place in Cilicia, and a substantial part of the Armenian exiles sent to southern Syria and Palestine survived.” A part of Adana’s Armenians escaped the forced displacement, as well as most of the Armenians of Maraş. Another 6,000 of the Armenians of Urfa were allowed to come back as early as 1917.<sup>19</sup> “Elizabeth Webb, who had been teaching in Adana since 1886, testified as an eyewitness that the Armenians exiled from the Adana district fared much better than most others in the Ottoman Empire.”<sup>20</sup> Even Arnold Toynbee conceded, in the Blue Book, that “the respectable Moslem townspeople seldom desired the extermination of their Armenian neighbors, sometimes openly deplored it, and in several instances even set themselves to hinder it from taking effect. We have evidence of this from various places,” especially in Cilicia.<sup>21</sup> In 1922, Toynbee came forward, concluding that “During the deportation of the Armenians in 1915, the Turkish civil population displayed more human feeling in Cilicia (as far as the evidence goes) than in any other province.”<sup>22</sup>

*Several French officials, including Jules Hamelin and Robert de Caix, opposed the use of the Armenian legionnaires in Anatolia.*

### *Armenian War Crimes, 1918-1920*

Several French officials, including Jules Hamelin and Robert de Caix, opposed the use of the Armenian legionnaires in Anatolia.<sup>23</sup> Perhaps they were aware of the serious problems of discipline during the previous months.<sup>24</sup>

Even before the arrival of the Légion d’Orient in Cilicia, several of its

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[america.org/media/Ericson\\_LarkinandtheTurks.pdf](http://america.org/media/Ericson_LarkinandtheTurks.pdf); Yücel Güçlü, *Armenians and the Allies...*, pp. 51-77; Yusuf Halaçoğlu, *Facts on the Relocation of Armenians (1914-1918)*, Ankara: TTK, 2002, pp. 47-48 and 58-60; Guenter Lewy, *The Armenian Massacres...*, pp. 103-106; Salâhi R. Sonyel, *Minorities and the Destruction of the Ottoman Empire*, Ankara: TTK, 1993, pp. 402-405 and 410-412.

19 Guenter Lewy, *The Armenian Massacres...*, pp. 186-187, 202-203, 218-220 and 252 (quotation p. 252).

20 Yücel Güçlü, *Armenians and the Allies...*, p. 82.

21 *The Treatment of Armenians in the Ottoman Empire*, London-New York-Toronto: Hodder & Stoughton, 1916, p. 652.

22 Arnold J. Toynbee, *The Western Question in Greece and Turkey*, London-Bombay-Sidney: Constable & C<sup>o</sup>, 1922, p. 312, n. 1, <http://www.archive.org/download/cu31924027921778/cu31924027921778.pdf> See also Yücel Güçlü, *The Holocaust and the Armenian Case in Comparative Perspective*, Lanham-Boulder-New York-Toronto-Plymouth, University Press of America, 2012, pp. 68-79.

23 Dzovinar Kévonian, *Réfugiés et diplomatie...*, p. 58.

24 Punitions, juillet 1917-février 1919, SHDN, 4 H 34, dossier 1 ; SHDN, 4 H 34, dossier 2, « Mutinerie au camp des réfugiés du Djébel Moussa ».



members committed serious crimes. The exactions against Muslims of Syria are the main reasons for the forward advance toward Anatolia and the separation between the Armenian Legion and the Syrian Legion, as early as November 1918.<sup>25</sup> The crimes continued during the last weeks of 1918 and the beginning of 1919.<sup>26</sup> In February, the 4<sup>th</sup> battalion of the Armenian Legion attacked *without provocation* the Muslims, including North African soldiers of the French army, burned two houses, plundered several shops and had to be disarmed under the threats of the “cannons and machineguns” of the French Navy.<sup>27</sup> As a result, the battalion was dissolved: About fifty Armenians were sent to martial-courts, 400 to a disciplinary battalion in Egypt, and the 400 remaining, who were “non-suspect,” were dispatched to other units.<sup>28</sup> This solution (to simply just fire legionnaires) was increasingly used during 1919, since the ordinary punishments were not sufficient to stop their violence.<sup>29</sup>

As a result, the Armenian Legion was reduced during 1919 to a “small unit,” and the French authorities stressed, as early as November 1919, that its presence has “no political character.”<sup>30</sup> Regardless, the remaining legionnaires continued to raise more and more disciplinary problems<sup>31</sup>—problems which are conveniently erased in the account published in 1921 by Colonel Édouard Brémont, probably less because of his staunchly pro-Armenian stance than to show a better image of himself after he was recalled in France, in September 1920.<sup>32</sup> As a result of this chronic and criminal indiscipline, the French government decided to simply dissolve the Armenian Legion itself, in June-July 1920<sup>33</sup> (the dissolution was completely effective in September).

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25 Télégramme du général Hamelin au ministre de la Guerre et au ministre des Affaires étrangères, 2 février 1919, AMAE, P 1426 ; Robert F. Zeidner, *The Tricolor over...*, p. 70.

26 Lettre du général Hamelin au ministre de la guerre, 15 février 1919, AMAE, P 1426 (annexe) ; Gustave Gautherot, *La France en Syrie et en Cilicie*, Courbevoie : Librairie indépendante, 1920, pp. 148-150 ; Robert F. Zeidner, *The Tricolor over...*, pp. 78-79.

27 Télégrammes de l’amiral Cassard au ministre de la Marine, 18 février et 1er mars 1919 ; télégramme de François Georges-Picot au ministère des Affaires étrangères, 19 février 1919 ; télégrammes chiffrés du général Gouraud au ministère des Affaires étrangères, 23 et 26 février 1919, AMAE, P 1426 ; Gustave Gautherot, *La France en...*, pp. 153-157 ; Robert F. Zeidner, *The Tricolor...*, p. 80.

28 Télégramme chiffré du général Hamelin au ministère de la Guerre, 6 mars 1919, AMAE, P 1426 ; Robert F. Zeidner, *The Tricolor over...*, pp. 78-83.

29 Gustave Gautherot, *La France en...*, p. 148. Seealso Général Hamelin au ministre de la Guerre, 27 juin 1919, AMAE, P 16672.

30 Le ministre des Affaires étrangères au représentant français à Izmir, 15 novembre 1919, AMAE, P 17784.

31 Rapport du capitaine Josse, 20 avril 1920 ; Avis du général Dufieux n° 3382/1, 27 avril 1920, SHDN, 4 H 42, dossier 6 ; Maxime Bergès, *La Colonne de Marach et quelques autres récits de l’armée du Levant*, Paris, La Renaissance du livre, 1924, pp. 56, 81-82, 89 et 142-143.

32 Édouard Brémont, *La Cilicie en 1919-1920*, Paris, Imprimerie nationale, 1921. Regardless, Brémont’s account contains interesting parts; some of them are used in this article.

33 Lettre du ministre de la Guerre au ministre des Affaires étrangères, 20 mai 1920 ; réponse du ministre des Affaires étrangères, 18 juin ; ministre de la Guerre au ministre des Affaires étrangères, 12 juillet, AMAE, P 1426.

It was not yet sufficient. The French authorities had to dissolve new groups of volunteers, which provoked more complaints (because of burnings, massacres, and other violence) than congratulations for their military capacities.<sup>34</sup> Even more seriously, in July 1920, various Armenians of Adana committed “every day isolated murders [and] pillages,” threatening to kill the Turks and the Arabs, expelling them from the city; eventually, Armenian arsonists set fire to the city, in several places.<sup>35</sup> As a result, under the orders of Colonel Brémont, six Christians (five Armenians and one Assyrian) were sentenced to death and hanged.<sup>36</sup>

General Gouraud, High Commissioner in Beirut, summarized the situation as follows, in a note of November 25, 1920:

*Previously arms had been indeed distributed to the Armenians, either to defend their villages or so that they could form auxiliary units attached to the French columns operating in Cilicia. In each instance, the Armenians have taken advantage of this retreat to treat the Turks exactly as the Armenians claim they have themselves been treated, looting and burning villages and massacring unarmed Muslims.*<sup>37</sup>

This violence was far from being spontaneous. The consensus of the French officers and observers was that the Armenian committees, especially the Ramkavar party and its affiliated groups, like the Union nationale arménienne, incited both Armenian legionnaires and civilians against Turks, and even created an underground hierarchy against the one of the French army.<sup>38</sup> The implication of Armenian committees in the troubles and war crimes is corroborated by the numerous letters seized by the French army, “preaching rebellion” (especially the letters sent by the Ramkavar committee of Cairo) and more generally the anti-French propaganda of

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34 Rapport du général Gouraud à Alexandre Millerand, 21 juillet 1920, AMAE, P 16674 ; Paul Bernard, *Six mois en*, pp. 91-92 ; Édouard Brémont, *La Cilicie en...*, p. 67 ; Rapport hebdomadaire, 22-29 septembre 1920, SHDN, 4 H 58, dossier 2.

35 Paul Bernard, *Six mois en Cilicie*, Aix-en-Provence, Éditions du Feu, 1929, pp. 59-78 (quotation pp. 59-60) ; Robert F. Zeidner, *The Tricolor Over...*, p. 250. For a Turkish first-hand account : AbdülğaniGirici, *Adana Ermeni Mezalimi Hatıraları*, Ankara, TTK, 2011.

36 Édouard Brémont, *La Cilicie en...*, p. 62 ; Paul Bernard, *Six mois en...*, pp. 63, 71-72 et 85.

37 Justin McCarthy, *Death and Exile. The Ethnic Cleansing of Ottoman Muslims, 1821-1922*, Princeton: Darwin Press, 1995, p. 207. The behavior of the Armenian Legion was not very different of the one of other Armenian volunteers units in this period: Maxime Gauin, “The Convergent Analysis of Russian, British, French and American Officials Regarding the Armenian Volunteers (1914-1922).” *International Review of Turkish Studies*, 1.4, Winter 2011-2012, pp. 18-34, <http://armenians-1915.blogspot.com/2012/03/3341-convergent-analysis-of-russian.html>

38 SHDN, 4 H 42, dossier 6 (documents too numerous to be all mentioned here); Général Hamelin au ministre de la Guerre, 27 juin 1919, AMAE, P 16672; Gustave Gautherot, *La France en...*, pp. 135-136 ; Roger de Gontaut-Biron, *Comment la France s'est installée en Syrie (1918-1919)*, Paris : Plon, 1922, pp. 54-55, <http://www.archive.org/download/commentlafrances00gontuoft/commentlafrances00gontuoft.pdf>

1919-1920, caused by the repression of the offenses perpetrated by Armenians.<sup>39</sup>

### “Armenian Propaganda Service” at Work (1920-1921)

#### *Armenian Nationalist Propaganda: Allegations of “Massacres”*

On January 9, 1920, British Member of Parliament Ancurin Williams asked, in a letter, what the government of His Majesty wanted to do against the threats of “massacres” of Armenians by Kemalists. On January 14, W. S. Edmonds of the Eastern Department of the Foreign Office dismissed the claims: “The Armenians have naturally been full of the most alarmist rumors, but this particularly one is probably meant to influence Paris.”<sup>40</sup> It does not seem that the French authorities of Beirut, İstanbul, and Paris took these kinds of allegations seriously. After having received a copy of a new protest of the Armenian religious leaders against “massacres,” General Gouraud replied that “the attitude of the Armenians hardly justifies” this protest: Quite the contrary, Armenians “burned Turkish villages” and killed Turkish civilians in Gaziantep, using the building of an American Protestant mission for this purpose.<sup>41</sup>

This is not an isolated case. In a report of June 25, 1920, Commander Labonne, chief of the French army’s intelligence service in Turkey from 1918 to 1920, wrote that “nowhere [in the Kemalist-dominated regions] is the Christian population threatened.”<sup>42</sup> It can be incidentally noted that Labonne did not like the Kemalists, and that the Kemalists did not like him.<sup>43</sup>

Correspondingly, the intelligence service of the French Navy warned several times Paris against the “Armeno-Greek provocations”, especially the “so-called massacres in Cilicia” of March 1920, “at least very exaggerated”.<sup>44</sup> After a careful verification, U.S. Admiral Bristol, High

39 Télégramme de l’amiral Cassard au ministre de la Marine, 10 mars 1919, AMAE, P 1426 ; Année 1919 — Dossier relatif à l’influence des comités arméniens [et] aux réclamations et mauvais esprit des légionnaires, SHDN, 4 H 42, dossier 6 ; *Les Armées françaises au Levant*, tome I, Vincennes : Service historique de l’armée de terre, 1979, p. 123 ; Télégramme du général Gouraud au ministère des Affaires étrangères, 23 octobre 1920 ; télégramme du consul Laporte au ministère, 3 novembre 1920 ; télégramme de Robert de Caix au ministère, 13 décembre 1920 ; télégramme de Gaillard au ministère, 14 décembre 1920, AMAE, P 16674.

40 Salâhi R. Sonyel, “How Armenian Propaganda Nurtured a Gullible Christian World In Connection With the Deportation and ‘Massacres,’” *Belleten*, January 1977, p. 167.

41 Télégramme du général Gouraud au ministre des Affaires étrangères, 23 avril 1920, AMAE, P 17784.

42 SHDN, 7 N 3210, dossier 2. See also « Le mouvement nationaliste » (1919), 7 N 3210, dossier 1.

43 Rapport du général Franchet d’Esperey au ministre de la Guerre, 28 juin 1920, SHDN, 7 N 3210.

44 Lieutenant de Vaisseau Rollin, chef du S.R. Marine, 19 octobre 1920, AMAE, P 16674.

Commissioner in İstanbul—who was not “pro-Turkish,” at least at that time—also came to the conclusion about the allegations that the rumors propagated by some Armenians on “massacres” by Kemalists in Kars during and after the capture of this city were baseless.<sup>45</sup>

Not only did the Kemalist command avoid ordering any “massacre,” but they also attempted to gain the support of Armenians in Cilicia and its vicinity.<sup>46</sup> Even the irregulars, in general, “do not molest the peasants who rally them, even if Christians,” and the difference in treatment being given was based on political stances, not religion or ethnicity—with the “avowed aim to associate Christians and Muslims in a common effort to expel the aliens [the French troops].”<sup>47</sup> In this perspective, it is absolutely remarkable that Talat Pasha himself recommended to Kemal the reconciliation with “all the Armenians”.<sup>48</sup>

*In this perspective, it is absolutely remarkable that Talat Pasha himself recommended to Kemal the reconciliation with “all the Armenians”.*

All these facts deny the poorly substantiated allegations of Levon Marashlian, who for instance relies only, for the end of 1921, on an anonymous “French” report forwarded by the Armenian delegation. The very existence of the author cannot even be proven.<sup>49</sup>

Similarly, it is simple to show his ignorance and his bias to allege, like Mr. Bloxham, who relies for his affirmation only on Brémond—or more precisely one of the less convincing pages of Brémond’s book—that

*The level of violence thus encouraged or permitted by the legionnaires, if not directly perpetrated by them, can only be a matter of speculation [sic], but the nature and scale of the other incidents are by no means remarkable, given the wartime experiences of the Armenians in the Legion and attacks on individual legionnaires, and given too that assaults by Muslim irregulars on the Christian population had continued right up to the armistice and beyond.<sup>50</sup>*

45 Heath Lowry, “American Observers in Anatolia circa 1920: The Bristol Papers,” in *Armenians in the Late Ottoman Empire and Turkish Republic (1912-1926)*, İstanbul, 1984, pp. 42-58, <http://www.tallarmeniantale.com/BristolPapers.htm>

46 Rapport hebdomadaire, 9-15 mars 1920, SHDN, 4 H 58, dossier 1.

47 Rapport hebdomadaire, 16-22 mars 1920, SHDN, 4 H 58, dossier 1.

48 Fiche n° 4.389/2, 7 juillet 1920, SHDN, 7 N 3210, dossier 3, sous-dossier 5.

49 Levon Marashlian, “Finishing the Genocide,” in Richard G. Hovannisian (ed.), *Remembrance and Denial. The Case of the Armenian Genocide*, Detroit: Wayne State University Press, 1999, pp. 122-124 (reference to the spurious “report” p. 124).

50 Donald Bloxham, *The Great Game...*, p. 152.

*Repeated Blackmail to Secure an Occupation of Cilicia (1920-1921)*

The decision of the San Remo conference, confirmed by the Sèvres treaty, to leave most of Cilicia to Turks did not please the Armenian committees. They quickly reacted.

In the beginning of July 1920, Zabel Essayan, a representative of the Delegation of Integral Armenia,<sup>51</sup> visited Albert Defrance, the High Commissioner in Istanbul. She stated very frankly that “the Armenians must provoke troubles and incidents with the Muslims, to force the French to remain or to intervene.” In addition, Defrance learnt that “the Armenian notabilities of Smyrna contributed 100,000 liras to support or create fighting organizations, with the goal to provoke troubles and to force the French to intervene.”<sup>52</sup> This is corroborated by a report of the military intelligence service in Cilicia, explaining that an Armenian volunteer unit created in July 1920, which also included recruits from America and İzmir, was dissolved as early as September because of the threat which this unit represented to the security of the local inhabitants.<sup>53</sup> Similarly, in commenting on the general attack of Armenians against Muslims in Adana, in July 1920, Paul Bernard wrote that “there is certainly an intrigue of the Armenians to force our hand in the Peace Conference, and in any case, to remain the masters of the city.”<sup>54</sup>

There were other attempts to prevent, as early as 1920, any restitution of Cilicia to the Turks. On August 5, 1920, Mihran Damadian, the accredited representative in Cilicia of the Delegation of Integral Armenia, the four Armenian parties present in this region, as well as the chief of the three Armenian religious communities, proclaimed an “Armenian Republic of Cilicia.” In less than one hour, Colonel Brémont stopped by force what he called in his book a “ridicule comedy” and a “lamentable manifestation,” orchestrated by “delinquents.”<sup>55</sup> In September, a new Armenian Republic of Cilicia was proclaimed by the revolutionary parties. The “army” (around 400 men) of this “republic” was encircled by the French troops and immediately surrounded. The political leaders were deported out of Cilicia.<sup>56</sup>

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51 İbrahim Ethem Atnur, *Türkiye’de Ermeni Kadınlar ve Çocukları Meselesi (1915-1923)*, Ankara, Babil, 2005, p. 266.

52 Télégramme d’Albert de France au ministère des Affaires étrangères, 4 juillet 1920, AMAE, P 16674.

53 Rapport hebdomadaire, 22-29 septembre 1920, SHDN, 4 H 58, dossier 2.

54 Paul Bernard, *Six mois en...*, pp. 59-60.

55 Paul Bernard, *Six mois en...*, pp. 87-89 ; Édouard Brémont, *La Cilicie en...*, pp. 66-67.

56 Paul Bernard, *Six mois en...*, pp. 107-108 ; Rapport hebdomadaire, 22-29 septembre 1920, SHDN, 4 H 58, dossier 2.

The paradoxical fight of the Armenian nationalists against the Sèvres treaty, or more exactly its clauses regarding Cilicia, continued in Fall 1920. D. G. Osborne of the Eastern Department of the Foreign Office wrote in November that:

*This [agitation in Cilicia] is, no doubt, quite true and fully accords with the Dashnak propaganda methods. Thus Hadjin falls at the psychological moment and exaggerated reports of massacres are inserted in the press of the whole world thanks to the highly developed Armenian propaganda service.<sup>57</sup>*

Not surprisingly, there was a new wave of Armenian agitation against the first agreement signed between the Kemalists and France, in London, March 1921 (it was finally not ratified, Kemal Atatürk being dissatisfied, but in practice it became the first version of the Ankara agreement). The Ligue internationale philarménienne wrote to the League of Nations on June 20, 1921, not only to ask for a Wilsonian Armenia, but also to advocate the maintenance of the French troops in Cilicia.<sup>58</sup> Daring to use as arguments the “services which they [the Armenians] provided to the French army in 1920-1921” and the fears of “extermination” (it is not difficult to guess what the reaction in the Quai d’Orsay was), the Armenian Gregorian Patriarchate, the Armenian Catholic Patriarchate, and the Armenian Protestant community wrote to the French authorities to express their opposition to the London agreement of March 1921.<sup>59</sup>

Gabriel Noradounkian, interim president of the Délégation nationale arménienne (DNA), asserted in summer 1921 that the evacuation of Cilicia by the French army “would have the effect to obligate the 150,000 Christians of Cilicia, who currently form the majority [sic] to leave or to remain with a great anguish and under a permanent threat.”<sup>60</sup> This document shows that the DNA did not even pay attention to the counter-productive effect its propaganda may have had on the likelihood of others believing it: The Christians were in fact a minority in Cilicia, and the French authorities knew that. : The Christians were in fact a minority in Cilicia, and the French authorities knew that.<sup>61</sup> This letter of blackmail is also important in understanding the responsibilities of the DNA in the final flow of Armenian refugees, which is discussed in detail below. For the moment, let’s simply note that it is hardly imaginable that the DNA was

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57 Salâhi R. Sonyel, “How Armenian Propaganda...”, p. 168.

58 Lettre de la Ligue internationale philarménienne au secrétaire général de la Société des nations, 20 juin 1921, AMAE, P 16676.

59 Lettre du général Pellé à Aristide Briand, 22 juillet 1921, AMAE, P 16676.

60 Lettre de Gabriel Noradounkian à Aristide Briand, 1921, 9 août 1921, AMAE, P 16676.

61 Rapport de Georges-Picot, 2 janvier 1919, AMAE, P 17784 ; Rapport du colonel Mougin, 8 décembre 1919, SHDN, 7 N 3120, dossier 1 ; Bulletin périodique n° 39, 5 décembre-5 janvier 1922, SHDN, 4 H 59, dossier 1.

less alarmist in speaking with the Armenians of Cilicia than in its letter to the French government. It is even harder to imagine that when considering how the legend of the “Turkish barbarian” is a recurrent, central dimension of Armenian nationalist propaganda, and has been since its origins.<sup>62</sup> This propaganda is full of affirmations like:

*The Turk is not a member of the best human race—the Indo-European or Aryan, like the Armenians. The Turk does not even belong to the next best races, the Semitic, like the Jews and the Arabs. He is a branch of the Mongolian race, and, as such, incapable of assimilating complex ideas and higher forms of civilization.*

*The mental inferiority of the Turk, unfortunately matched with a religion of a very low order, has made him what he is, worse than savages.*<sup>63</sup>

And:

*One need only turn the pages of his history—a veritable chamber of horrors—to convince oneself that massacre, outrage, and devastation have always been congenial to the Turk.*<sup>64</sup>

Such quotations cannot be attributed to only isolated extremists: the Dashnak ideologue Mikael Varandian,<sup>65</sup> as well as the Dashnak and Ramkavar delegations to the peace conferences, assumed an openly racist, and even “Aryan,” perspective.<sup>66</sup>

As a result, it does not make any sense to allege that the whole movement of Armenian refugees after the Ankara agreement was due to supposedly weaker guarantees in this text than in the Sèvres treaty and in the first draft of the agreement signed in London, in March 1921.<sup>67</sup> Regardless, these guarantees will now be examined.

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62 Justin McCarthy, *The Turk in America. The Creation of an Enduring Prejudice*, Salt Lake City: University of Utah Press, 2010.

63 Augustus W. Williams and Mgrditch Simbad Gabriel, *Bleeding Armenia: Its History and Horrors*, Chicago, Publishers' Union, 1896, p. 425.

64 Avetoon Pesak Hacobian, *Armenia and the War*, New York: G. Doran & C<sup>o</sup>, ca 1917-1918, pp. 38-39. See also pp. 44-47 and 56-61.

65 Mikael Varandian, *L'Arménie et la question arménienne*, Laval: G. Kavanagh & Cie, 1917, pp. 23-30.

66 Lettre de la Délégation de la République arménienne à Raymond Poincaré, 9 février 1922, AMAE, P 16676 ; Aide-mémoire des Délégations arméniennes réunies aux Puissances, 20 décembre 1922, AMAE, P 16677. See also Compte-rendu de la visite d'Avétis Aharonian à M. de Peretti, 28 mars 1922, AMAE, P 16676. For the posterity of the “Aryan race” obsession in the 1920s: Jordi Tejel Gorgas, *Le Mouvement kurde de Turquie en exil : continuités et discontinuités du nationalisme kurde sous le mandat français en Syrie et au Liban (1925-1946)*, Berne : Peter Lang, 2007, pp. 227-228.

67 Such misleading allegations are typified by Michel Paillarès, *Le Kémalisme devant les Alliés*, Paris-Istanbul, éditions du Bosphore, 1922, pp. 382-386.

## The Franco-Kemalist Efforts and Guarantees

Even the catholicos of Cilicia acknowledged that there were no Kemalist attempts to expel Armenians, quite the contrary:

*The Kemalists hardly expected this big movement of emigration. Immediately, they did their best to stop it. They wrote from Pozanti, and by their agents, they expressed their desire to have a meeting with the leaders of the Christian communities.*<sup>68</sup>

Indeed, as reported the intelligence service of the French army, “the Turks understood quite well that this mass emigration could become an economic disaster for Cilicia.”<sup>69</sup>

As early as the beginning of November, both General Gouraud and Kemal Atatürk diffused public statements to relieve the Christian populations, stressing the amnesty, the legal equality, and the punishment of any violation of the Ankara agreement; it is the interest of the Turkish authorities, explained Gouraud, to maintain order.<sup>70</sup> As explained by a military report, a mass emigration of Christians “cannot be admitted by the French authorities.”<sup>71</sup> Several times, the local French authorities reiterated their efforts, and the official reports clearly show that the situation was “quiet” without “incident”: There was no Turkish provocation; quite the contrary, the Catholic Church of Adana was inaugurated in November 1921, in the presence of Admiral Grandclément, representing the High Commissioner in Beirut, and the Turkish authorities always cooperated with the French ones to give a feeling of safety.<sup>72</sup>

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Then, H. Franklin-Bouillon, the chief negotiator, himself went to the Çukurova plain, and explained repeatedly, in full collaboration with the Turkish authorities, that:

68 Michel Paillarès, *Le Kémalisme devant...*, p. 381.

69 Bulletin périodique n° 39, 5 décembre 1921-5 janvier 1922, 4 H 59, dossier 1.

70 Bulletin périodique n° 36, 20 octobre-5 novembre 1921, 4 H 59, dossier 1 ; Yücel Güçlü, *Armenians and the...*, pp. 211-212.

71 Bulletin de renseignements n° 274, 3-5 novembre 1921, 4 H 61, dossier 3.

72 Bulletins de renseignements n° 279, 17-21 novembre 1921, and 280, 21-26 novembre 1921, 4 H 61, dossier 3 ; Rapport d'ensemble sur les opérations la commission d'évacuation, mars 1922, AMAE, P 17787.



- The laissez-passer signed by France allowed for departure, and also for return in Anatolia, in a timeframe of one year;
- The Turkish laws on military requisitions and military duty were postponed;
- The amnesty is full and all the questions would be solved by the joint commission (see below).

It was not until December 8 that Franklin-Bouillon lost any hope to stop and reverse the emigration movement.<sup>73</sup> He had some reasons to insist, since the promises which he gave were close to the demands presented in November 1921 by Catholic bishop Jean Naslian, “in the name of all the Armenian communities” (namely Gregorian, Catholic, and Protestant).<sup>74</sup> Indeed, the Christians feared “even more [than reprisals] the military duty”<sup>75</sup>: They were exempted from that for at least three months. In October 1921, “the Armenians of Maraş were not deported, but had to pay heavy taxes of [military duty’s] exemption.”<sup>76</sup> Risk did not exist for the Armenians of Cilicia and other territories evacuated by the French army.

Another guarantee given to the Christian population was the nomination of moderate civil servants, highly appreciated by the French authorities for their competence and their democratic ideas; the few administrators who did not please the French authorities were changed immediately after the demand of Franklin-Bouillon.<sup>77</sup> Similarly, the American missionary William Nesbit Chambers praised the military administrator Muhittin Paşa and the civil governor Hamit Bey.<sup>78</sup> Even the catholicos of Cilicia wrote that he personally knew Hamit Bey, “a good and loyal man” who, as a governor, never allowed any crime against the Christians.<sup>79</sup>

In such a context, the guarantee of the commissions for the properties of emigrants was very strong.

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73 Commandement supérieur, Levant — Journal des marches et des opérations, 22 novembre, pp. 456-457, 24 novembre, pp. 458-459, 28 novembre, p. 460, 8 décembre, p. 465, SHDN, 4 H 47, dossier 1 ; Yücel Güçlü, *Armenians and the Allies...*, pp. 213-216.

74 Télégramme du général Pellé au ministère des Affaires étrangères, AMAE, P 16676.

75 Bulletin périodique n° 36, 20 octobre-5 novembre 1921, SHDN, 4 H 59, dossier 1.

76 Bulletin de renseignements n° 271, 18-19 octobre 1921, SHDN, 4 H 61, dossier 3.

77 Bulletins de renseignements n° 284, 8-10 décembre 1921, and n° 286, 14-16 décembre 1921, SHDN, 4 H 61, dossier 3 ; Commandement supérieur, Levant — Journal des marches et des opérations, 14 décembre, p. 468, 18 décembre, p. 469, SHDN, 4 H 47, dossier 1 ; Télégramme chiffré de l'état-major à Beyrouth pour le ministère de la Guerre, 11 décembre 1921, AMAE, P 17786 ; Télégramme du consul général Laporte à Raymond Poincaré, 1er mars 1922 ; Robert de Caix à Raymond Poincaré, 5 mars 1922, AMAE, P 17787.

78 Yücel Güçlü, *Armenians and the...*, pp. 142-143.

79 Michel Paillarès, *Le Kémalisme devant...*, p. 385.

*A commission for the properties of emigrants was established in Adana on November 28. The head of this commission is the mayor and includes two French officers or civil servants, representing the joint commission of evacuation, the mudir of the police, [and] a Christian notability of every community, named by the chief of the community. The mission of this commission is the following:*

- a) *Identify the abandoned quarters, deny access to them, to ensure the conservation of the buildings;*
- b) *Safeguard the properties of the emigrants in the partially abandoned quarters;*
- c) *Concentrate the Christians in the central quarters of the city;*
- d) *Determinate by quarter and by community the present Christian population.*

*Police, gendarmerie, and, if the president of the commission asks for this, the military, helps the execution of the commission's mission.*

*Analogous commissions are organized for the protection of the emigrants' properties by the administrative controllers and counselors in their cities. The conservation of the emigrants' properties has a capital importance, since it can decide to return to Cilicia a part of the Christians who, by fear, left or want to leave Cilicia, which is again Turkish.<sup>80</sup>*

As a result, the Armenian committees practiced a systematic sabotage of these efforts, at least until December 1921, with the help of the Greek government.

### **The Armenian Nationalists' Policy and the Greek Complicity**

Several French documents clearly accuse Armenian committees of having provoked the Christian population to exile, by propaganda, and even by force. As early as October 1921, a "Cilician Union" was formed in Paris, and the third point of its program was to "make propaganda [...] in Cilicia, in France and other countries."<sup>81</sup>

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80 Bulletin de renseignements n° 285, 11-13 décembre 1921, SHDN, 4H 61, dossier 3.

81 Bulletin de renseignements n° 268, 9-12 octobre 1921, SHDN, 4 H 61, dossier 3.

The official diary of the High Command in the Near East observes that, according to General Bordeaux and Colonel Sarrou, the exodus “seems to have been organized in following an order (*semble avoir été organisé sur un mot d’ordre*).”<sup>82</sup> Franklin-Bouillon reported to the ministry of foreign affairs that he had “through the statements of the chiefs of the [Christian] communities, the evidence of the constant pressure and threats exerted by the agents of the [Armenian] committees.”<sup>83</sup> This is corroborated and made clear by the correspondent of *Le Temps* in Hatay who noted, at the end of December 1921, that

*Systematic propaganda continues to be exerted to maintain concerns, to obstruct the work of appeasement by the authorities, and to incite emigration. This action goes to prevent the Armenians, by the most serious threats, from joining the commissions established by the French authorities for the safeguarding of the properties owned by absent persons.*<sup>84</sup>

In considering the strong tradition of political assassinations and harassment by the Armenian Revolutionary Federation (especially active in the time of the Nemesis Operation) and the Hunchak Party,<sup>85</sup> this accusation is very credible. More particularly, inter-Armenian terror took place in Cilicia in September 1920; the same month, the house of the vali (governor) of Adana was damaged by explosives and two other houses were destroyed by incendiary bombs.<sup>86</sup>

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82 Commandement supérieur, Levant — Journal des marches et des opérations, 22 novembre 1921, pp. 456-457.

83 Télégramme du consul général Laporte au ministère des Affaires étrangères, « De la part de M. Franklin-Bouillon, pour M. Briand », 6 décembre 1921, AMAE, P 17786.

84 « L’émigration des Arméniens », *Le Temps*, 30 décembre 1921, p. 2.

85 Louis Nettement, consul de France à Tiflis, L’Arménie. Notes de voyage, 6 octobre 1920, AMAE, P 16674 ; Directeur de la Sûreté générale au ministre de l’Intérieur et au ministre des Affaires étrangères, président du Conseil, 23 mai 1922, AMAE, P 16676; Hratch Dasnabedian, *The History of the Armenian Revolutionary Federation, 1890-1924*, Milan: Oemme, 1989, pp. 47-48, 62-63, 71 and 76-77; Jacques Derogy, *Opération Némésis*, Paris, Fayard, 1986 (English translation: *Resistance & Revenge: The Armenian Assassination of the Turkish Leaders Responsible for the 1915 Massacres and Deportations*, New Brunswick, NJ: Transaction, 1990); Kâmurân Gürin, *The Armenian File*, p. 188; H. M. Knadjian, *The Eternal Struggle*, Fresno: Republican Printing House, ca 1918, reprint 2010, pp. 13-30; Heath Lowry, “Nineteenth and Twentieth Century Armenian Terrorism: ‘Threads of Continuity’,” in *International Terrorism and the Drug Connection*, Ankara: Ankara University Press, 1984, pp. 71-83; Justin McCarthy and alii, *The Armenian Rebellion...*, pp. 90-91 and 110-115; Hasan Oktay, “On the Assassination of Van Mayor Kapamacıyan by the Tashnak Committee,” *Review of Armenian Studies*, 1-1, 2002, pp. 79-89, <http://www.eraren.org/index.php?Lisan=en&Page=Dergilcerik&IcerikNo=94> ; Louise Nalbandian, *The Armenian Revolutionary...*, pp. 110-114 and 171; Hikmet Özdemir, *Üç Jöntürkklü Ötümü: Talat, Cemal, Enver*, İstanbul, Remzi Kitabevi, 2007; Kapriel Seropé Papazian, *Patriotism Perverted*, Boston: Baïkar Press, 1934, pp. 13-18, 28, 32-37, 40-41 and 57-73; Rapport présenté au congrès socialiste international de Copenhague par le parti arménien « Dachanktzioutiou », Geneva, 1910, pp. 9 and 15-17; Arshavir Shirakian, *The Legacy: Memoirs of an Armenian Patriot*, Boston: Hairenik Press, 1976; “Claim Trust of Murder,” *The Lake County Time* (Chicago), July 24, 1907 ; “Assassin is Put to Death — Armenian Revolutionist Dies for the Murder of Countryman,” *The Fort Wayne Sentinel*, December 6, 1909.

86 Paul Bernard, *Six mois en...*, pp. 109-110 ; Édouard Brémond, *La Cilicie en...*

The intelligence service (SR) of the French army alleged that the Christians who left “obeyed the orders of the [Armenian] committees.”<sup>87</sup> In another report, the SR relied on the statements of the “moderate Christian milieu”: “The attitude of the American and English missions, of the chiefs of [Christian] communities, and of the Armenian bishop of Izmir, only encouraged emigration.”<sup>88</sup> *Le Temps* remarked that immediately after the alarmist appeal of the Armenian archbishop of Izmir, the Greek government sent three ships, without making any difference between the Greek citizens and the Ottoman citizens. The daily suspected the Greek comments to be motivated by the goal to create problems between Paris and London.<sup>89</sup>

On December 16, 1921, Aristide Briand, minister of foreign affairs and president of the ministers’ council, met Avetis Aharonian and Gabriel Noradounkian; he assumed the charges made by the French representatives:

*According to my information, the exodus of the Armenian population from Cilicia is largely the result of the zealous propaganda which unknown individuals and Gomidehs [committees] have made on the spot. For what earthly reason I do not know. But this propaganda is doubly embarrassing for France. On the one hand, the Armenians are fleeing from Cilicia, a fact which discredits France for having failed to give refugee Armenians the needed protection, and on the other hand, the refugees have found no other protector outside of France, and once again, we have been forced to give them asylum and to care for their needs. Now I ask you, how long shall this abnormal situation continue to last?*<sup>90</sup>

Using diplomatic language, Briand said “unknown individuals and committees,” but his question to the Armenian delegates clearly shows that he considered that they had at least a share of responsibility in the situation. Briand repeated these accusations in front of the Senate, on December 29.<sup>91</sup>

Even more seriously, Robert de Caix, general secretary of the high commissioner in the Levant, wrote in a report to Raymond Poincaré that Colonel Pettelat “prevented, by his strong and quick decisions, the Armenians of Dörtyol from committing violence, prepared in advance, with

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87 Bulletin périodique n° 39, 5 décembre 1921-5 janvier 1922, SHDN, 4 H 59, dossier 1.

88 Bulletin de renseignements n° 285, 11-13 décembre 1921, SHDN, 4H 61, dossier 3.

89 « La question des chrétiens de Cilicie », *Le Temps*, 18 novembre 1921, p. 2.

90 AvetisAharonian, « From Sardarapat to Sèvres and Lausanne (A Political Diary) », quoted in Yücel Güçlü, *Armenians and the Allies...*, p. 151.

91 « Bulletin du jour — Qui fixe les paiements de l’Allemagne ? Vers la paix de l’Orient », *Le Temps*, 31 décembre 1921, p. 1.

the goal to prevent the withdrawal of our troops and to provoke new hostilities between us and the Turks.”<sup>92</sup> Similarly, the correspondent of *Le Temps* in Hatay explained that “the extremist elements wish that the conflict obligate the French troops to again occupy the region, and to lead to the rupture of the Ankara agreement.”<sup>93</sup> This cannot be considered a minor affair: The French army seized one machinegun, 2,000 rifles, and 300,000 cartridges.<sup>94</sup> Less serious, but not negligible, events took place elsewhere: On the night of December 18, Armenians of Gaziantep opened fire on a French patrol; other Armenians, in the same city and during the same evening, hurled empty bottles at soldiers of the colonial infantry, even after the soldiers had identified themselves.<sup>95</sup>

All these findings are in perfect accordance with the threats of Madame Essayan in July 1920. They are also in remarkable coherence with the diplomatic attempts to prevent the implementation of the Ankara agreement.<sup>96</sup> For instance, following the demands of the Armenian organizations, the Belgian government asked for the inscription of the Christian minorities issue on the agenda, including the maintaining of French troops in Cilicia, “wished by the Armenians.” The French reaction was: “We have the right to be surprised,” since the Belgian ambassador previously received a negative response to such a demand.<sup>97</sup> This intervention is in continuity with the attempts against the agreement of London, mentioned before.

At the end of December, the office of the military intelligence service in İstanbul alleged that the “propaganda activity” took place to “justify a British intervention” with a Greek complicity.<sup>98</sup> It is not possible to make a case, relying on this single document, against the British government itself, even in considering that this government was deeply discontent with the Ankara agreement<sup>99</sup> and that at least one British MP, T. P. O’Connor, assumed false rumors which alleged that the agreement included a clause to

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92 Robert de Caix à Raymond Poincaré, 5 mars 1922, AMAE, P 17787.

93 « L’émigration des Arméniens », *Le Temps*, 30 décembre 1921.

94 « Commandement supérieur, Levant — Journal des marches et des opérations, 1921 », 25 novembre, p. 459, 26 décembre, p. 473, 29 décembre, p. 474 ; SHDN, 4 H 47, dossier 1 ; Bulletin périodique n° 39, 5 décembre 1921-5 janvier 1922, SHDN, 4 H 59, dossier 1 ; Bulletin de renseignements n° 288, 21-24 décembre 1921, SHDN, 4 H 61, dossier 3.

95 « Commandement supérieur, Levant — Journal des marches et des opérations, 1921 », 18 décembre 1921, p. 459.

96 *Osmanlı Belgelerinde Ermeni-Fransiz...*, volume III, pp. 239-241 and 574-576,

<http://www.devletarsivleri.gov.tr/Forms/resim/995/104.PDF>

97 L’ambassadeur français à Bruxelles à Aristide Briand, 11 décembre 1921, AMAE, P 17786.

98 Dzovinar Kévonian, *Réfugiés et diplomatie...*, pp. 89-90.

99 « L’accord franco-turc », *Le Temps*, 4 novembre 1921, p. 1 ; « Bulletin du jour — L’Angleterre et l’accord franco-turc », *Le Temps*, 9 novembre 1921, p. 1 ; « Bulletin du jour — Une note britannique à la presse française », *Le Temps*, 13 novembre 1921, p. 1.

expel Christians were true, and as a result, openly advocated for actions against the implementation of the Franco-Turkish diplomatic text.<sup>100</sup> It is only safe to notice, however, that as late as 1923, a member of an Armenian nationalist organization, probably the ARF-Dashnak, proudly said to an Armenian working for the French intelligence service in Istanbul, that Armenian nationalists are working “with the English” against the Turks to create “if not an independent Kurdistan, at least a permanent foyer of potential agitation.”<sup>101</sup> In these conditions, and in considering that in 1921 the fanatic turcophobe David Lloyd George was still the Prime Minister of the UK, it is not an extrapolation to consider that Armenian and Greek nationalists could sincerely *believe* in the possibility of a British intervention—rightly or wrongly, that is irrelevant for this study.

Actually, it seems that archbishop Bedros Sarajian believed in this possibility, since in a telegraph to *The Times* (London), he “appealed to Britain, as the personification of justice [...] to permit the Armenians to find a home under a Christian flag where they might exist in peace.”<sup>102</sup> The mention of a “Christian flag” is additional proof of the fanaticism of the Armenian leadership, unable to accept any Turkish rule, in any condition. The appeal to Great Britain follows a long tradition to create trouble in Anatolia with the goal to provoke a British (or Russian) intervention.<sup>103</sup> Regardless, there was no “massacre” and the evacuation was carried out quietly.<sup>104</sup>

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The most scholarly contestation of this view was developed by Dzovinar Kévonian. However, despite the seriousness of Ms. Kévonian’s work, she fails to convince in this case. She asserts that the allegations against the Armenian organizations started “with the arrival of Franklin-Bouillon in Adana on November 23, and after the departure, the next day, of General

100 « L'accord d'Angora aux Communes », *Le Temps*, 12 novembre 1921, p. 2.

101 Rapport du général Pellé à Raymond Poincaré, 1er mai 1923, AMAE, P 16677.

102 Yücel Güçlü, *Armenians and the...*, p. 143.

103 Joseph L. Grabill, *Protestant Diplomacy and the Near East: Missionary Influence on American Policy, 1810-1927*, Minneapolis: University of Minnesota Press, 1971, p. 263; William L. Langer, *The Diplomacy of Imperialism. 1890-1902*, New York: Alfred A. Knopf, 1960, pp. 150-160, 204-210 and 349-350; Guenter Lewy, *The Armenian Massacres...*, pp. 11-29; Kapriel Seropé Papazian, *Patriotism Perverted...*, pp. 21-23; G. Pasdermadjian, *Bank Ottoman: Memoirs of Armen Garo*, Detroit: Armen Topouzian, 1990.

104 Bulletin périodique n° 39, 5 décembre-5 janvier 1922, SHDN, 4 H 59, dossier 1; Rapport d'ensemble sur les opérations la commission d'évacuation, mars 1922, AMAE, P 17787; Yücel Güçlü, *Armenians and the...*, p. 152.

Dufieux”; this was a kind of self-justification, against the accusations developed in London and Paris, against the French government.<sup>105</sup> However, as it was said before, the official diary of the French army noted an apparent “order” as early as November 22. *Le Temps* warned against the misuse of the question of Cilician Christians in America and the UK in its issue of November 19. And the accusation was not specifically French: Kemal Atatürk publicly denounced the “rumors” propagated against Turks.<sup>106</sup>

Even more strikingly, Ms. Kévonian herself quotes, on page 89 of her book, a military intelligence report dated November 5-20, 1921. So, this accusation actually emerged *before* the efforts of Franklin-Bouillon to maintain the Christian populations in place, and their final failure; as a result, such an accusation can hardly be dismissed as a simple self-justification by the French chief negotiator.

Dr. Kévonian presents an apparently stronger argument in quoting a letter sent by the Ramkavar-dominated Armenian National Delegation (DNA) to its representative in Beirut. Indeed, there is no kind of direct call for mass emigration in this letter. Dzovinar Kévonian concludes that the document refutes the accusations of Franklin-Bouillon. There are at least three big problems with this way of reasoning:

- a) At first, Ms. Kévonian assumes, without any evidence, that Franklin-Bouillon charged only the DNA for incitation to flee Cilicia. Quite the contrary, the plural form in his telegram of December 1921 (“the committees”) and the complete absence of precise references to the DNA show that Franklin-Bouillon did not specifically accuse this organization. As seen before, French documents also put the blame on Armenian religious leaders. As a result, even shaping the most irrefutable case for the innocence of the DNA would leave intact the question of whether other Armenian committees, especially the ARF, and Armenian churchmen were guilty or not of propaganda campaigns to provoke an unneeded exile of Cilician Christians.
- b) This letter was sent from Paris to Beirut. As explained before, the French authorities had lost their trust in the DNA and Ramkavar committee because of letters “preaching rebellion” sent as early as the first half of 1919. The “ridicule comedy” of August 5, 1920 did not improve the image of the Armenian organization in the eyes of the French administration. It is quite obvious that the DNA in Paris was

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105 Dzovinar Kévonian, *Réfugiés et diplomatie...*, pp. 89-91.

106 « Dans le Proche-Orient — Proclamation de Moustapha Kemal », *Le Temps*, 13 décembre 1921, p. 2.

under the surveillance of the police (*Renseignements généraux*) and the office of Beirut under the surveillance of the military intelligence service. As a result, to send an explicit letter preaching propaganda, from Paris to Beirut, would have been the final suicide for the Ramkavars, who would have risked being simply expelled from the French territories. Even in 1919, the letters “preaching rebellion” were sent from Cairo, not Paris.

- c) Dr. Kévonian herself writes (p. 92) that the DNA wanted to concentrate Armenian immigrants around Hatay, “on both sides of the boundary, in the perspective of the constitution of a national home.” Since the Turkish side did not want an Armenian home in the Turkish territory,<sup>107</sup> how was it possible without preventing the full application of the Ankara agreement?<sup>108</sup> Dr. Kévonian continues in writing that this idea of the DNA for a national home could explain the “agitation” in Dörtyol—and we saw before that the goal of the agitators was to provoke a new Turko-French conflict.

### **Elements of Comparison: The Situation of the Armenians Who Remained in Turkey**

To conclude an evaluation of the causes of the Armenian refugee flow, it is necessary to see the immediate context of this emigration movement, i.e., to compare it with the situation of the Armenians who remained in Turkey.

The intelligence service of the French army, very sensitive to the difficulties of the Armenians, regardless acknowledged that “in the territories restituted to Turkey, the Christians suffered only small vexations, due to the fanaticism of few individuals,” a generally satisfactory situation prevailed because of “the high civil servants, particularly well chosen,” and who managed a “strict application” of the Ankara agreement. If “elsewhere” the situation may have been less good, it was because of bad local administrators and “despite the efforts of the central government.”<sup>109</sup> The calm in Adana province was confirmed in February 1922 by Julian Gillespie, U.S. assistant trade commissioner in İstanbul.<sup>110</sup>

There is concrete evidence of the determination of the Turkish authorities.

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107 Télégramme du général Pellé au ministère des Affaires étrangères, 31 octobre 1921, AMAE, P 16676.

108 On this impossibility: Courrier d'un diplomate français (non signé) à Paul Bargeton, membre de la délégation française à Lausanne, 4 janvier 1923, AMAE, P 16677.

109 Bulletin de renseignements n° 306, 10-12 février 1922, SHDN, 4 H 62, dossier 1.

110 Yücel Güçlü, *Armenians and the...*, p. 153.



In the end of January 1922, “a caravan, composed in majority by Armenians, coming from Maraş to Gaziantep, has been attacked en route by about sixty bandits, who robbed the travelers and took their weapons to two gendarmes of the escort”<sup>111</sup>—which means that the authorities provided an escort. About two weeks later, the chief of the gang was arrested, sentenced to death, and hanged.<sup>112</sup> Even for less serious affairs, the Turkish justice was without indulgence: In January 1922, “two Turks who had spanked an Armenian have been sentenced to three months in jail.”<sup>113</sup> A French Consul remained in Adana, and another in Gaziantep. When the one of Gaziantep raised concerns due to the temporary absence of the *mutessarif*, his protests were seriously listened to.<sup>114</sup> In addition to security measures, sheikh Senoussi “preach[ed] every Friday in the mosque the tolerance vis-à-vis the Christians and the obedience to the laws.”<sup>115</sup>

The comparison between Cilicia proper on one side, the region of Gaziantep on the other side is especially illuminating. The mutessarif of Gaziantep

*seems to have produced an excellent impression on the Christian population. He met on December 6 [1921] the religious leaders and the notabilities of the city, and assured them that he was ready to take strong measures against the Muslims who would try to threaten or commit reprisals against Christians. These affirmations apparently relieved the Armenians, who remain quiet and do not abandon their work.*<sup>116</sup>

In Gaziantep, there was no mass emigration, no general movement, but individual and familial emigration, mostly of Armenians who served the French; in March 1922, around 5,000 Armenians remained in this city.<sup>117</sup>

The reference to the Christians of Pontus, made by Dzonivar Kévonian and many others, is surely interesting in itself, but irrelevant for a direct comparison with Cilicia and vicinity: In Pontus, the Turkish authorities were confronted by an insurrectional movement, launched by separatist Greeks, with a nationalist Armenian complicity.<sup>118</sup>

More relevant is the Greek scorched earth policy in western Anatolia during

111 Bulletin de renseignements n° 300, 23-25 janvier 1922, SHDN, 4 H 62, dossier 1.

112 Bulletin de renseignements n° 304, 4-6 février 1922, SHDN, 4 H 62, dossier 1.

113 Bulletin de renseignements n° 295, 11-12 janvier 1922, SHDN, 4 H 62, dossier 1.

114 Télégramme du consul de France à Gaziantep, 22 mai 1922, AMAE, P 16676.

115 Bulletin de renseignements n° 298, 17-19 janvier 1922, SHDN, 4 H 62, dossier 1.

116 Bulletin de renseignements n° 284, 8-10 décembre 1921, 4 H 61, dossier 3.

117 Rapport d'ensemble sur les opérations la commission d'évacuation, mars 1922, AMAE, P 17787.

118 Turkish General Staff, *Romaic Activities in the Archive Documents. 1918-1922*, Ankara: ATASE, 2009; Justin

the retreat of summer 1922—a policy carried out with the complicity of Armenian extremists—and the systematic exile of Christians imposed by the *Greek* army.<sup>119</sup> Avétis Aharonian expressed very frankly the views of the Armenian Revolutionary Federation to the French administration, at the end of March 1922: “this is a death struggle which will continue between the Turkish people and the Armenian people.”<sup>120</sup> Not surprisingly, the ARF-Dashnak and the other Armenian nationalist parties were hostile to the Society of Turco-Armenian Friendship, created in 1923 by Berç Keresteciyan, general director of the Ottoman Bank (Keresteciyan was eventually deputy of Afyon from 1935 to 1946).<sup>121</sup>

## Conclusion

There was no “French betrayal” and no “Kemalist ethnic cleansing,” but a coherent, continuous policy of Christian nationalists to prevent, in Cilicia and elsewhere, the cohabitation of the communities in a post-Ottoman Turkey. The Kemalist leadership was not “happy to see tens of thousands of Armenians depart.” The myths regarding both the French and Kemalists were propagated with an obvious political agenda: to blackmail the Turks and to hide the responsibilities of the Armenian committees.

*There was no “French betrayal” and no “Kemalist ethnic cleansing,” but a coherent, continuous policy of Christian nationalists to prevent, in Cilicia and elsewhere, the cohabitation of the communities in a post-Ottoman Turkey.*

These heavy responsibilities exist in three timeframes:

- a) They created, before and during WWI, an inter-ethnic conflict for political reasons (the dream of “Greater” or “Integral Armenia”);
- b) They exacerbated the conflict in 1918-1920;
- c) They fiercely fought the projects to keep an important Christian population in Cilicia, and more generally in Turkey.

Further researches in other archives would provide more detailed

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McCarthy, *Death and Exile...*, pp. 287-289 and 325-326; Yusuf Sarımay, Hamit Pehlivanlı and Abdullah Saydam, *The Pontus Issue and the Policy of Greece*, Ankara: Atatürk Research Center, 2000; Salâhi R. Sonyel, *Minorities and the...*, pp. 346-348, 352-353, 359-367, 372-376, 421.

119 AMAE, P 1380 (documents too numerous to be all mentioned here); Rapport du général Gouraud à Raymond Poincaré, 19 août 1922, AMAE, P 16677.

120 Compte-rendu de la visite d’Avétis Aharonian à M. de Peretti, 28 mars 1922, AMAE, P 16676.

121 Rapports du général Pellé à Raymond Poincaré, 17 avril et 1er mai 1923, AMAE, P 16677.

information, but unfortunately, some of the most pertinent sources, namely the archives of the Armenian Revolutionary Federation and those of the Armenian Patriarchate, are closed to independent researchers, even Armenian ones.<sup>122</sup> The possibility remains, however, to work in the Boghos Nubar Library, in the British, U.S., and Turkish National Archives as well as in the Hoover Institution, and of course, to continue the work in the French archives.

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122 “Study the Armenian Genocide With Confidence, AraSarafian Suggests,” *The Armenian Reporter*, December 18, 2008. <http://www.reporter.am/go/article/2008-12-18-study-the-armenian-genocide-with-confidence-ara-sarafian-suggests>; Yücel Güçlü, “Will Untapped Ottoman Archives Reshape the Armenian Debate?,” *The Middle East Quarterly*, XVI-2, Spring 2009, pp. 25-42, <http://www.meforum.org/2114/ottoman-archives-reshape-armenian-debate>

## BIBLIOGRAPHY

### Primary Sources

- « L'émigration des Arméniens », *Le Temps*, 30 décembre 1921, p. 2
- « Le mouvement nationaliste » (1919), 7 N 3210, dossier 1
- Aide-mémoire des Délégations arméniennes réunies aux Puissances, 20 décembre 1922, AMAE, P 16677
- Année 1919 — Dossier relatif à l'influence des comités arméniens [et] aux réclamations et mauvais esprit des légionnaires, SHDN, 4 H 42, dossier 6
- Bulletin de renseignements n° 268, 9-12 octobre 1921, SHDN, 4 H 61, dossier 3
- Bulletin de renseignements n° 271, 18-19 octobre 1921, SHDN, 4 H 61, dossier 3
- Bulletin de renseignements n° 274, 3-5 novembre 1921, 4 H 61, dossier 3
- Bulletin de renseignements n° 284, 8-10 décembre 1921, 4 H 61, dossier 3
- Bulletin de renseignements n° 288, 21-24 décembre 1921, SHDN, 4 H 61, dossier 3
- Bulletin de renseignements n° 295, 11-12 janvier 1922, SHDN, 4 H 62, dossier 1
- Bulletin de renseignements n° 298, 17-19 janvier 1922, SHDN, 4 H 62, dossier 1
- Bulletin de renseignements n° 300, 23-25 janvier 1922, SHDN, 4 H 62, dossier 1
- Bulletin de renseignements n° 304, 4-6 février 1922, SHDN, 4 H 62, dossier 1
- Bulletin de renseignements n° 306, 10-12 février 1922, SHDN, 4 H 62, dossier 1
- Bulletin de renseignements n° 285, 11-13 décembre 1921, SHDN, 4H 61, dossier 3
- Bulletin périodique n° 36, 20 octobre-5 novembre 1921, 4 H 59, dossier 1

Bulletin périodique n° 36, 20 octobre-5 novembre 1921, SHDN, 4 H 59, dossier 1

Bulletin périodique n° 39, 5 décembre 1921-5 janvier 1922, 4 H 59, dossier 1

Bulletin périodique n° 39, 5 décembre 1921-5 janvier 1922, SHDN, 4 H 59, dossier 1

Bulletin périodique n° 39, 5 décembre-5 janvier 1922, SHDN, 4 H 59, dossier 1

Bulletin périodique n° 39, 5 décembre-5 janvier 1922, SHDN, 4 H 59, dossier 1

Bulletins de renseignements n° 279, 17-21 novembre 1921, and 280, 21-26 novembre 1921, 4 H 61, dossier 3

Bulletins de renseignements n° 284, 8-10 décembre 1921, and n° 286, 14-16 décembre 1921, SHDN, 4 H 61, dossier 3

Commandement supérieur, Levant — Journal des marches et des opérations, 14 décembre, p. 468, 18 décembre, p. 469, SHDN, 4 H 47, dossier 1

Commandement supérieur, Levant — Journal des marches et des opérations, 22 novembre 1921

Commandement supérieur, Levant — Journal des marches et des opérations, 22 novembre, pp. 456-457, 24 novembre, pp. 458-459, 28 novembre, p. 460, 8 décembre, p. 465, SHDN, 4 H 47, dossier 1

Compte-rendu de la visite d'Avétis Aharonian à M. de Peretti, 28 mars 1922, AMAE, P 16676

Compte-rendu de la visite d'Avétis Aharonian à M. de Peretti, 28 mars 1922, AMAE, P 16676

Courrier d'un diplomate français (non signé) à Paul Bargeton, membre de la délégation française à Lausanne, 4 janvier 1923, AMAE, P 16677

Directeur de la Sûreté générale au ministre de l'Intérieur et au ministre des Affaires étrangères, président du Conseil, 23 mai 1922, AMAE, P 16676

Fiche n° 4.389/2, 7 juillet 1920, SHDN, 7 N 3210, dossier 3, sous-dossier 5

Général Hamelin au ministre de la Guerre, 27 juin 1919, AMAE, P 16672

Général Hamelin au ministre de la Guerre, 27 juin 1919, AMAE, P 16672

L'ambassadeur français à Bruxelles à Aristide Briand, 11 décembre 1921, AMAE, P 17786

Le ministre des Affaires étrangères au représentant français à Izmir, 15 novembre 1919, AMAE, P 17784

Lettre du général Hamelin au ministre de la guerre, 15 février 1919, AMAE, P 1426 (annexe)

Lettre de Gabriel Noradoukian à Aristide Briand, 1921, 9 août 1921, AMAE, P 16676.

Lettre de la Délégation de la République arménienne à Raymond Poincaré, 9 février 1922, AMAE, P 16676

Lettre de la Ligue internationale philarménienne au secrétaire général de la Société des nations, 20 juin 1921, AMAE, P 16676

Lettre du général Pellé à Aristide Briand, 22 juillet 1921, AMAE, P 16676

Lettre du ministre de la Guerre au ministre des Affaires étrangères, 20 mai 1920 ; réponse du ministre des Affaires étrangères, 18 juin ; ministre de la Guerre au ministre des Affaires étrangères, 12 juillet, AMAE, P 1426

Lieutenant de Vaisseau Rollin, chef du S.R. Marine, 19 octobre 1920, AMAE, P 16674.

Louis Nettement, consul de France à Tiflis, L'Arménie. Notes de voyage, 6 octobre 1920, AMAE, P 16674

Paul Bernard, Six mois en Cilicie, Aix-en-Provence, Éditions du Feu, 1929

Punitions, juillet 1917-février 1919, SHDN, 4 H 34, dossier 1 ; SHDN, 4 H 34, dossier 2, « Mutinerie au camp des réfugiés du Djébel Moussa »

Rapport d'ensemble sur les opérations la commission d'évacuation, mars 1922, AMAE, P 17787

Rapport d'ensemble sur les opérations la commission d'évacuation, mars 1922, AMAE, P 17787

Rapport d'ensemble sur les opérations la commission d'évacuation, mars 1922, AMAE, P 17787

Rapport de Georges-Picot, 2 janvier 1919, AMAE, P 17784

Rapport du capitaine Josse, 20 avril 1920 ; Avis du général Dufieux n° 3382/1, 27 avril 1920, SHDN, 4 H 42, dossier 6

Rapport du colonel Mougin, 8 décembre 1919, SHDN, 7 N 3210, dossier 1

Rapport du général Franchet d'Esperey au ministre de la Guerre, 28 juin 1920, SHDN, 7 N 3210

Rapport du général Gouraud à Alexandre Millerand, 21 juillet 1920, AMAE, P 16674

Rapport du général Gouraud à Raymond Poincaré, 19 août 1922, AMAE, P 16677

Rapport du général Pellé à Raymond Poincaré, 1er mai 1923, AMAE, P 16677

Rapport hebdomadaire, 16-22 mars 1920, SHDN, 4 H 58, dossier 1

Rapport hebdomadaire, 22-29 septembre 1920, SHDN, 4 H 58, dossier 2

Rapport hebdomadaire, 22-29 septembre 1920, SHDN, 4 H 58, dossier 2

Rapport hebdomadaire, 22-29 septembre 1920, SHDN, 4 H 58, dossier 2

Rapport hebdomadaire, 9-15 mars 1920, SHDN, 4 H 58, dossier 1

Rapport présenté au congrès socialiste international de Copenhague par le parti arménien «Dachantzoutioun », Geneva, 1910, pp. 9 and 15-17

Rapports du général Pellé à Raymond Poincaré, 17 avril et 1er mai 1923, AMAE, P 16677

Robert de Caix à Raymond Poincaré, 5 mars 1922, AMAE, P 17787

SHDN, 4 H 42, dossier 6

SHDN, 4 H 47, dossier 1

SHDN, 7 N 3210, dossier 2

Télégramme chiffré de l'état-major à Beyrouth pour le ministère de la Guerre, 11 décembre 1921, AMAE, P 17786

Télégramme chiffré du général Hamelin au ministère de la Guerre, 6 mars 1919, AMAE, P 1426

- Télégramme d'Albert de France au ministère des Affaires étrangères, 4 juillet 1920, AMAE, P 16674
- Télégramme de François Georges-Picot au ministère des Affaires étrangères, 19 février 1919;
- Télégramme de Gaillard au ministère, 14 décembre 1920, AMAE, P 16674
- Télégramme de l'amiral Cassard au ministre de la Marine, 10 mars 1919, AMAE, P 1426
- Télégramme de Robert de Caix au ministère, 13 décembre 1920
- Télégramme du consul de France à Gaziantep, 22 mai 1922, AMAE, P 16676
- Télégramme du consul général Laporte à Raymond Poincaré, 1er mars 1922; Robert de Caix à Raymond Poincaré, 5 mars 1922, AMAE, P 17787
- Télégramme du consul général Laporte au ministère des Affaires étrangères, « De la part de M. Franklin-Bouillon, pour M. Briand », 6 décembre 1921, AMAE, P 17786
- Télégramme du consul Laporte au ministère, 3 novembre 1920
- Télégramme du général Gouraud au ministère des Affaires étrangères, 23 octobre 1920
- Télégramme du général Gouraud au ministre des Affaires étrangères, 23 avril 1920, AMAE, P 17784
- Télégramme du général Hamelin au ministre de la Guerre et au ministre des Affaires étrangères, 2 février 1919, AMAE, P 1426
- Télégramme du général Pellé au ministère des Affaires étrangères, 31 octobre 1921, AMAE, P 16676
- Télégramme du général Pellé au ministère des Affaires étrangères, AMAE, P 16676
- Télégrammes chiffrés du général Gouraud au ministère des Affaires étrangères, 23 et 26 février 1919, AMAE, P 1426
- Télégrammes de l'amiral Cassard au ministre de la Marine, 18 février et 1er mars 1919



## Secondary Sources

- « Commandement supérieur, Levant — Journal des marches et des opérations, 1921 », 25 novembre, p. 459, 26 décembre, p. 473, 29 décembre, p. 474 ;
- « Commandement supérieur, Levant — Journal des marches et des opérations, 1921 », 18 décembre 1921, p. 459.
- « Dans le Proche-Orient — Proclamation de Moustapha Kemal », *Le Temps*, 13 décembre 1921, p. 2.
- « L'accord franco-turc », *Le Temps*, 4 novembre 1921
- « L'émigration des Arméniens », *Le Temps*, 30 décembre 1921
- « La question des chrétiens de Cilicie », *Le Temps*, 18 novembre 1921
- “Assassin is Put to Death — Armenian Revolutionist Dies for the Murder of Countryman,” *The Fort Wayne Sentinel*, December 6, 1909
- “Claim Trust of Murder,” *The Lake County Time* (Chicago), July 24, 1907
- “Study the Armenian Genocide With Confidence, Ara Sarafian Suggests,” *The Armenian Reporter*, December 18, 2008. <http://www.reporter.am/go/article/2008-12-18-study-the-armenian-genocide-with-confidence-ara-sarafian-suggests>
- « Bulletin du jour — L'Angleterre et l'accord franco-turc », *Le Temps*, 9 novembre 1921, p. 1
- « Bulletin du jour — Une note britannique à la presse française », *Le Temps*, 13 novembre 1921
- « Bulletin du jour — Qui fixe les paiements de l'Allemagne ? Vers la paix de l'Orient », *Le Temps*, 31 décembre 1921
- « L'accord d'Angora aux Communes », *Le Temps*, 12 novembre 1921
- Aghassi (Garabet Toursakissian), *Zeitoun, depuis les origines jusqu'à l'insurrection de 1895*, Paris, Mercure de France, 1897
- Ataöv, Türkkaya (ed.), *The Armenians in the Late Ottoman Period*, Ankara: TTK/TBMM, 2001

- Atnur, İbrahim Ethem *Türkiye’de Ermeni Kadınlar ve Çocukları Meselesi (1915-1923)*, Ankara, Babil, 2005
- Bergès, Maxime *La Colonne de Marach et quelques autres récits de l’armée du Levant*, Paris, La Renaissance du livre, 1924
- Bloxham, Donald *The Great Game of Genocide*, New York-Oxford: Oxford University Press, 2005
- Brémond, Édouard *La Cilicie en 1919-1920*, Paris, Imprimerie nationale, 1921
- Dasnabedian, Hratch *The History of the Armenian Revolutionary Federation, 1890-1924*, Milan: Oemme, 1989
- Derogy, Jacques *Opération Némésis*, Paris, Fayard, 1986 (English translation: *Resistance & Revenge: The Armenian Assassination of the Turkish Leaders Responsible for the 1915 Massacres and Deportations*, New Brunswick, NJ: Transaction, 1990)
- Erickson, Edward J. “Captain Larkin and the Turks: The Strategic Impact of the Operations of HMS Doris in Early 1915,” *Middle Eastern Studies*, XLVI-1, January 2010
- Gaun, Maxime “Remembering the Orly Attack,” *Review of International Law and Politics*, VII-27, 2011
- Gaun, Maxime “The Convergent Analysis of Russian, British, French and American Officials Regarding the Armenian Volunteers (1914-1922),” *International Review of Turkish Studies*, 1.4, Winter 2011-2012
- Gautherot, Gustave *La France en Syrie et en Cilicie*, Courbevoie : Librairie indépendante, 1920
- Girici, Abdülğani *Adana Ermeni Mezalimi Hatıraları*, Ankara, TTK, 2011
- Gontaut-Biron, Roger de *Comment la France s’est installée en Syrie (1918-1919)*, Paris : Plon, 1922
- Gorgas, Jordi Tejel *Le Mouvement kurde de Turquie en exil : continuités et discontinuités du nationalisme kurde sous le mandat français en Syrie et au Liban (1925-1946)*, Berne : Peter Lang, 2007
- Grabill, Joseph L. *Protestant Diplomacy and the Near East: Missionary*

- Influence on American Policy, 1810-1927*, Minneapolis: University of Minnesota Press, 1971
- Gürün, Kâmuran *The Armenian File. The Myth of Innocence Exposed*, İstanbul, Türkiye İş Bankası, 2007 (1<sup>st</sup> edition in English, Nicosia-London, 1985, 1<sup>st</sup> edition in Turkish, Ankara, 1983)
- Güçlü, Yücel "Review of *The Great Game of Genocide*," *The Middle East Quarterly*, Spring 2006
- Güçlü, Yücel "Will Untapped Ottoman Archives Reshape the Armenian Debate?," *The Middle East Quarterly*, XVI-2, Spring 2009
- Güçlü, Yücel *Armenians and the Allies in Cilicia. 1914-1923*, Salt Lake City: University of Utah Press, 2010.
- Güçlü, Yücel, *The Holocaust and the Armenian Case in Comparative Perspective*, Lanham-Boulder-New York-Toronto-Plymouth, University Press of America, 2012
- Günay, Nejla "1909 Adana Olaylarının Maraş'taki Yansınmaları ve Maraş Divan-ı Harbi Orfisinin Yargılamaları," *Ermeni Araştırmaları*, 29, 2008
- Hacopian, Avetoon Pesak *Armenia and the War*, New York: G. Doran & C°, ca 1917-1918.
- Halaçoğlu, Yusuf *Facts on the Relocation of Armenians (1914-1918)*, Ankara: TTK, 2002
- Kévonian, Dzovinar *Réfugiés et diplomatie humanitaire*, Paris, Publications de la Sorbonne, 2004.
- Knadjian, H. M. *The Eternal Struggle*, Fresno: Republican Printing House, ca 1918, reprint 2010
- Langer, William L. *The Diplomacy of Imperialism. 1890-1902*, New York: Alfred A. Knopf, 1960
- Lowry, Heath "American Observers in Anatolia circa 1920: The Bristol Papers," in *Armenians in the Late Ottoman Empire and Turkish Republic (1912-1926)*, İstanbul, 1984
- Lowry, Heath "Nineteenth and Twentieth Century Armenian Terrorism: 'Threads of Continuity'," in *International Terrorism and the Drug Connection*, Ankara: Ankara University Press, 1984

- Les Armées françaises au Levant*, tome I, Vincennes : Service historique de l'armée de terre, 1979
- Marashlian, Levon "Finishing the Genocide," in Richard G. Hovannisian (ed.), *Remembrance and Denial. The Case of the Armenian Genocide*, Detroit: Wayne State University Press, 1999
- McCarthy, Justin *The Armenian Rebellion at Van*, Salt Lake City, University of Utah Press, 2006.
- McCarthy, Justin *Death and Exile. The Ethnic Cleansing of Ottoman Muslims, 1821-1922*, Princeton: Darwin Press, 1995
- McCarthy, Justin *The Turk in America. The Creation of an Enduring Prejudice*, Salt Lake City: University of Utah Press, 2010.
- Nalbandian, Louise *The Armenian Revolutionary Movement*, Berkeley-Los Angeles-London, University of California Press, 1963
- Oktay, Hasan "On the Assassination of Van Mayor Kapamacıyan by the Tashnak Committee," *Review of Armenian Studies*, I-1, 2002
- Özdemir, Hikmet *Üç Jöntürklü Ölümü: Talat, Cemal, Enver*, İstanbul, Remzi Kitabevi, 2007
- Paillarès, Michel *Le Kémalisme devant les Alliés*, Paris-İstanbul, éditions du Bosphore, 1922
- Palabıyık, Serdar "A Literature between Scientificity and Subjectivity: A Comparative Analysis of the Books Written on the Armenian Issue," *Review of Armenian Studies*, IV-11/12, 2007
- Papazian, Kapriel Serope *Patriotism Perverted*, Boston: Baikar Press, 1934
- Pasdermadjian, G. *Bank Ottoman: Memoirs of Armen Garo*, Detroit: Armen Topouzian, 1990
- Salt, Jeremy « Forging the Past: OUP and the Armenian Question,» *EurasiaCritic*, January 2010
- Salt, Jeremy *Imperialism, Evangelism and the Ottoman Armenians. 1878-1896*, London-Portland: Frank Cass, 1993
- Sarınay, Yusuf (ed.), *Osmanlı Belgelerinde Ermeni-Fransız İlişileri*, Ankara, 2002, volume I, 1879-1918

- Sarınay, Yusuf, Hamit Pehlivanlı and Abdullah Saydam, *The Pontus Issue and the Policy of Greece*, Ankara: Atatürk Research Center, 2000
- Shirakian, Arshavir *The Legacy: Memoirs of an Armenian Patriot*, Boston: Hairenik Press, 1976
- Shaw, Stanford J. *From Empire to Republic. The Turkish War of National Liberation, 1918-1923. A Documentary Study*, tome III-1
- Sonyel, Salâhi R. "How Armenian Propaganda Nurtured a Gullible Christian World In Connection With the Deportation and 'Massacres'," *Belleten*, January 1977
- Sonyel, Salâhi R. "The Turco-Armenian 'Adana Incidents' in the Light of British Secret Documents," *Belleten*, LI, December 1987
- Sonyel, Salahi R. *Minorities and the Destruction of the Ottoman Empire*, Ankara: TTK, 1993
- The Treatment of Armenians in the Ottoman Empire*, London-New York-Toronto: Hodder & Stoughton, 1916
- Toynbee, Arnold J. *The Western Question in Greece and Turkey*, London-Bombay-Sidney: Constable & C°, 1922
- Turkish General Staff, *Romaic Activities in the Archive Documents. 1918-1922*, Ankara: ATASE, 2009
- Varandian, Mikael *L'Arménie et la question arménienne*, Laval: G. Kavanagh & Cie, 1917
- Williams, Augustus W. and Mgrditch Simbad Gabriel, *Bleeding Armenia: Its History and Horrors*, Chicago, Publishers' Union, 1896
- Zeidner, Robert F. *The Tricolor over the Taurus. The French in Cilicia and Vicinity, 1918-1922*, Ankara: TTK, 2005

Source : Bibliothèque nationale de France  
<http://gallica.bnf.fr/ark:/12148/bpt6k244604/f2.zoom.langFR>

2. — LE TEMPS. — 30 décembre 1921.

### L'émigration des Arméniens

De notre correspondant d'Alexandrette :

Le départ des émigrants arméniens se poursuit très régulièrement, en même temps que le retrait des troupes françaises. Tandis qu'à Mersine les derniers réfugiés s'embarquent sur les navires venus de Syrie à Alexandrette, d'autres arrivent par chemin de fer, emportant avec eux leurs meubles et des matériaux de construction de toute sorte.

A Deartyol, un comité a tenté de se constituer, avec le concours des montagnards. Ce comité doit résister par la force à l'installation des autorités turques après le départ des troupes françaises. Les éléments extrêmes souhaitent que le conflit oblige les troupes françaises à réoccuper la région et conduise à une rupture de l'accord d'Angora. Les éléments raisonnables, beaucoup plus nombreux, craignant d'ailleurs d'intervention des brigands qui infestent les montagnes voisines, ont demandé aux autorités françaises de s'opposer à la réalisation de ce plan.

Une propagande systématique continue de s'exercer pour entretenir l'inquiétude, entraver l'œuvre d'apaisement des autorités et pousser à l'émigration. Cette action va jusqu'à interdire aux Arméniens, sous les menaces les plus graves, de faire partie des commissions organisées par les autorités françaises pour la sauvegarde des biens des absents.



# INTRA-OR INTERNATIONAL VIOLENCE? THE ORIGINS OF ARMENIAN TERRORISM<sup>1</sup>

(ULUSAL YA DA ULUSLARARASI ŞİDDET?  
ERMENİ TERÖRİZMİNİN KÖKENLERİ)

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**Abstract:** *The violent re-emergence of the “Armenian Question” more than 50 years after being internationally settled by the Treaty of Lausanne in 1923, has conveniently been placed in a narrative that proves continuity in the Armenians’ struggle against the Turkish government. It is attributed to a series of specific events that triggered the Armenian violence and a number of more general factors that facilitated its emergence. This narrative, however, is flawed. This paper suggests that the origins of the radicalization of Armenian youth groups in the early 1970s was not a product of a century-old vendetta against the Turks, but resulted from an internal struggle for power and influence within the Armenian community. We also argue that this intra-Armenian violence, which began in Beirut, Lebanon and then spread internationally, has largely been overlooked by historians.*

**Keywords:** *Armenian Question, ASALA, JCAG, terrorism*

**Öz:** *1923 yılında Lozan Antlaşması ile uluslararası açıdan çözümlenmiş olan “Ermeni Sorunu”nun şiddetli bir şekilde yeniden ortaya çıkması, Ermenilerin Türk hükümetine karşı mücadelesinde devamlılık olduğunu iddia eden bir söylem içerisine bilinçli bir şekilde yerleştirilmiştir. Bu hareket Ermeni şiddetini tetikleyen bir seri olay ve bu şiddetin ortaya çıkmasını sağlayan daha genel daha genel faktörlere bağlanmaktadır. Ancak bu söylem hatalıdır. Bu makale Ermeni gençlik örgütlerinin 1970’li yıllardaki radikalleşmesinin, Türklere yönelik yüz yıllık bir öç duygusundan değil, Ermeni toplumu içerisinde bir güç ve etkinlik kazanma mücadelesinden kaynaklandığını iddia etmektedir. Ayrıca Ermeni gruplar arasında Lübnan Beyrut’ta başlayan ve uluslararası Alana sıçrayan bu şiddet hareketinin tarihçiler tarafından büyük ölçüde gözardı edildiği öne sürülmektedir.*

**Anahtar Kelimeler:** *Ermeni Sorunu, ASAL, Adalet Komandoları, terörizm*

<sup>1</sup> An older and shorter version of this paper was presented at the University of Padua Conference, on July 1-3, 2010.



## INTRODUCTION

Between 1975 and the mid-1980s, at least two Armenian groups targeted and killed approximately 70 individuals and wounded another 500 through a combination of assassinations, bombing campaigns and violent assaults that covered North America, Europe, the Middle East and the south Pacific. The three deadliest attacks occurred in the summers of 1982 and 1983, when 20 people were murdered and close to 150 injured in separate attacks at the Esenboğa Airport in Ankara, Orly Airport in Paris, and at the Covered Bazaar in Istanbul.<sup>2</sup> Despite becoming more indiscriminate towards the nationality of their victims by the end of their campaign, these Armenian groups initially focused their violence almost exclusively on Turkish citizens, the Turkish government and Turkish business interests. Today, if they are remembered at all, they are primarily known for the assassinations carried out on Turkish diplomats and their families during the 1970s and 1980s.

By the time the deputy director for the UN Center for Social Development and Humanitarian Affairs was killed in Vienna, Austria on November 20, 1984, 31 Turkish diplomats and members of their immediate families had been murdered by Armenian activists since the campaign first took the lives of the Turkish Consul General of Turkey, Mehmet Baydar, and Consul of Turkey, Bahadır Demir, in Santa Barbara, CA on January 27, 1973.<sup>3</sup> Ostensibly, the aims of the terrorists were to force the Turkish government to acknowledge that the ethnic conflict in eastern Anatolia in 1915 was an Ottoman sponsored, and directed, genocide against the Armenians, to pay reparations to the families of these victims, and to return the provinces of eastern Anatolia to the Armenians.

This movement, even at the peak of its activity, had virtually no chance of reaching its stated goals. First, the government of the Turkish Republic certainly was not going to revise its interpretation and position on decisions made sixty years before by the government of the Ottoman Empire during World War I because of Armenian violence and threats of violence. By extension, therefore, discussions over reparations were meaningless. Finally, the prospect of violating the territorial sovereignty of the Turkish Republic, especially along the longest NATO border with the Soviet Union, during the height of the Cold War, was preposterous. Yet, Armenian terrorism continued.

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2 Michael M. Gunter, *"Pursuing the Just Cause of Their People": A Study of Contemporary Armenian Terrorism*, (Westport, CT: Greenwood Press, 1986), 70.

3 Ömer Engin Lütem, *Armenian Terror* (Ankara: Center for Eurasian Studies, 2007):

The violent re-emergence of the “Armenian Question,” more than 50 years after being internationally settled by the Treaty of Lausanne in 1923, has conveniently been placed in a narrative that proves continuity in the Armenians’ struggle against the Turkish government. It is attributed to a series of specific events that triggered the Armenian violence and a number of more general factors that facilitated its emergence. This narrative, however, is flawed. The available evidence suggests that the origins of the radicalization of Armenian youth groups in the early 1970s was not a product of a century-old vendetta against the Turks, but resulted from an internal struggle for power and influence within the Armenian community. This intra-Armenian violence, which began in Beirut, Lebanon and then spread internationally, has largely been overlooked by historians.

Before fading away in the late 1980s,<sup>4</sup> the Armenian Secret Army for the Liberation of Armenia (ASALA) and the Justice Commandos Against Armenian Genocide (JCAG) were linked to various militant Palestinian organizations, including the Abu Nidal Organization and the Popular Front for the Liberation of Palestine, as well as other international terrorist organizations, international narcotic trafficking and extortion rings and even to the USSR, Libya, Syria, Greece and Cyprus.<sup>5</sup> In a geographical and temporal environment where the Armenian organizations had to compete with such groups as the Italian Red Brigades, the German Red Army Faction, the Irish Republican Army, the Basque ETA, and the PLO for media exposure and government attention, the Armenians managed extremely well. In the early 1980s, various U.S. government officials described Armenian terrorists as the most dangerous, savage and mysterious group in existence,<sup>6</sup> and in 1981 they actually accounted for the highest number of documented international terrorist attacks in the world.<sup>7</sup>

*The available evidence suggests that the origins of the radicalization of Armenian youth groups in the early 1970s was not a product of a century-old vendetta against the Turks, but resulted from an internal struggle for power and influence within the Armenian community.*

4 Mehmet Ali Birand, “Thanks to Nuri Güneş,” *Turkish Daily News*, February 10, 2007.

5 For just a sampling see Andrew Corsun, “Armenian Terrorism: A Profile,” in *Department of State Bulletin* Vol. 82, No. 2065 (August 1982): 35; Gunter, 90-115; Anat Kurz and Ariel Merari, *ASALA—Irrational Terror or Political Tool* (Boulder, CO: Westview Press, 1985), 39-52; Paul Henze, *GOAL: Destabilization: Soviet Agitational Propaganda, Instability and Terrorism in NATO South* (Marina del Rey, CA: European Institute for Security Research, 1981), 36; Andrew Mango, *Turkey and the War on Terror: For Forty Years We Fought Alone* (New York: Routledge, 2005), 12; Marvin Howe, “Turks Blame Cypriots for Attacks in Name of Armenians,” *New York Times*, February 28, 1980; E.J. Dionne, Jr., “Armenian Terror: Tangle of Motives,” *New York Times*, August 1, 1983; and all of *Armenian Terrorism, Its Supporters, the Narcotic Connection, the Distortion of History*. Ankara, Turkey: Ankara University, 1984.

6 Radio TV Reports, Inc., “Armenian Terrorists,” January 10, 1983, CIA Records Research Tool ([http://www.foia.cia.gov/search\\_archive.asp](http://www.foia.cia.gov/search_archive.asp)), ESDN: CIA-RDP88-01070R000100520004-4; and Gunter, 1.

7 “Patterns of International Terrorism: 1981,” in *Department of State Bulletin* Vol. 82, No. 2065 (August 1982): 16.

Twenty-five years after the apparent cessation of attacks by these Armenian groups, little is still known about the Armenian terrorists of the 1970s and 1980s. Most of the limited literature on ASALA and the Justice Commandos, written during the early and mid-1980s, was based on speculation, government announcements, press reports, and information leaked by the militants themselves. Further scholarship on ASALA and the Justice Commandos, which are not only part of the historiography on terrorism, nationalism, violence and diaspora politics, but also of the Armenian and Turkish tensions that persist today, has been impeded by three factors.

First, unlike the Red Brigades and the Red Army Faction, only a handful of Armenian operatives were ever captured and none, at least as far the records show, were part of the top leadership. Those members who were captured generally refused to cooperate publicly with the arresting authorities and so provided very little insight or information into the organizations. Secondly, the headquarters of both ASALA and the Justice Commandos were located in Beirut from 1975 until, at least in the case of ASALA, the Israeli invasion in 1982. Even if these organizations maintained their own records, it is unlikely that they survived the chaos of civil war and the subsequent evacuation after the Israeli invasion. Finally, government documents on either ASALA or the Justice Commandos are only now being declassified.

Piecing together the history of these violent Armenian groups forces researchers to work with the thin published record and what is slowly trickling out of the archives. Fortunately, enough material has been released from the archives to enable a reinvestigation of the origins of Armenian terrorism. What has emerged is enough to question the series of specific events that occurred in 1960s and 1970s that have been attributed to the increasing radicalization of the Armenian youth and their decision to employ violence in a struggle that had largely been dormant since the early 1920s.

The dominant narrative used to explain the violent re-emergence of the “Armenian question” cites four specific events that occurred during the late 1960s and early 1970s that galvanized and strengthened Armenian public opinion and triggered their decision to act on their grievances against the Turkish government. The first two events are the organized commemorations and anti-Turkish demonstrations held to mark the 50<sup>th</sup> anniversary of the events of 1915 on April 24, 1965 in Beirut, Lebanon and Yerevan, Soviet Armenia.<sup>8</sup> The demonstrations in Lebanon are attributed with establishing April 24 as the official day of commemoration of the

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8 Gunter, 31-32

Armenian Massacres,<sup>9</sup> while the latter, which developed into a boisterous demonstration that was eventually suppressed by the Soviet authorities, extracted concessions from the Soviet government allowing for the annual commemoration of April 24<sup>th</sup> with public demonstrations and permission to construct a memorial to the victims and territories lost to Turkey in 1915 in Yerevan<sup>10</sup>.

Third, in January 1973, a 78-year old ethnic Armenian invited the Consul General and Consul of the Turkish Consulate in Los Angeles to lunch at a Santa Barbara hotel under the pretense of returning a painting which had been stolen from the Ottoman Sultan's residence. Instead, after lunch, both the Consul General and Consul were shot and killed at point-blank range. During the ensuing trial, the defendant attempted to turn his murder trial into an indictment of the Turkish government for the events of 1915. The trial, some argue, stimulated not only the Armenian communities of California, but the international diaspora as well. Although most claim that this individual had been working alone, many view his act as the model and inspiration for the assassination of Turkish diplomats over the ensuing decade.<sup>11</sup>

*Both groups began to assassinate Turkish diplomats and bomb Turkish government installations, initially in Europe, and then spreading to the Middle East and North America before they moved on to more sophisticated attacks, including hijacking and hostage-taking, later in the decade.*

Finally, in 1974 a paragraph specifically labeling the events of 1915 as the “first case of genocide in the twentieth century” was deleted from a report on the prevention of genocide that was submitted to the UN Commission on Human Rights.<sup>12</sup> Perhaps on its own, this deletion would have gone unnoticed, or at least, uncontested, but in conjunction with the rising assertiveness of the various Armenian diasporas since 1965, and the relatively well publicized murders of the Turkish diplomats in 1973, the deletion caused indignation and exasperation on the part of Armenians worldwide.

By 1975, these factors led to the emergence of two groups based in a hostile, violent and politically deteriorating Beirut: ASALA and the Justice Commandos. Both groups began to assassinate Turkish diplomats and bomb

9 Ibid.,31.

10 Michael Bobelian, *Children of Armenia: A Forgotten Genocide and the Century-Long Struggle for Justice*, Kindle Edition (New York: Simon & Schuster, 2009), Location 2229-2296.

11 Gunter, 36-37; Kurz, *ASALA—Irrational Terror or Political Tool*, 3; and Michael Bobelian, *Children of Armenia*, 2724-2946.

12 Gunter, 36-37, & Kurz, *ASALA*, 62.

Turkish government installations, initially in Europe, and then spreading to the Middle East and North America before they moved on to more sophisticated attacks, including hijacking and hostage-taking, later in the decade. The specifics of ASALA's origins are unknown, but it is recognized as the original group and it is credited, by their own admission, with starting the terrorist campaign on January 20, 1975 with the bombing of the World Council of Churches' office in Beirut.<sup>13</sup> The Justice Commandos, on the other hand, is an offshoot of one of the original and most powerful modern era Armenian political parties, the *Dashnaks*, or the Armenian Revolutionary Federation, whose origins date to 1890.<sup>14</sup> Afraid that the youthful, aggressive, militant and, potentially, more popular ASALA would be more attractive than the Armenian Revolutionary Federation, its leadership created the Justice Commandos Against the Armenian Genocide to maintain its membership ranks and compete with ASALA for new recruits.<sup>15</sup>

Although ASALA was a Marxist organization, and the JCAG leaned to the right, they were nearly unanimous in the goals they sought to achieve through their violent attacks. Frustrated by the inability and indifference of the established Armenian political organizations and leaders to achieve the goals of the diaspora over the 60 years between 1915 and 1975, the two groups eventually arrived independently at three essential aims to their struggle: first, to force the Turkish government to recognize and admit that the forced relocations and Armenian deaths in eastern Anatolia in 1915 constituted an act of genocide; second, to force the Turkish government to make financial reparations to the survivors and, if necessary, their descendants, of 1915; and third, to liberate the Armenian provinces of eastern Turkey.

The two groups differed, however, over what the third aim actually entailed. The JCAG, and its successor, the Armenian Revolutionary Army, appear to have envisioned a relatively ambiguous independent Armenia carved out of eastern Turkey.<sup>16</sup> ASALA sought an independent Armenia that encompassed all of the historic lands of the ancient kingdom, which inevitably meant some form of either collaboration, or conflict, with the Soviet Union and Soviet Armenia.<sup>17</sup> Due to their Marxist ideology, most observers believed

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13 Corsun, *Armenian Terrorism*, 31 & 34; Popular Movement for the ASALA, *ASALA Interviews* (Great Britain, April 1982), 9; Gunter, 33; Kurz, *ASALA*, 21;

14 Corsun, 33; Gunter, 55; Kurz, 17; & Central Intelligence Agency, Directorate of Intelligence, *Terrorism Review*, July 29, 1985, 15. CIA Electronic Reading Room (<http://www.foia.cia.gov/>).

15 Corsun, 32; Gunter, 55-56; & *Terrorism Review*, 15.

16 Corsun, *Armenian Terrorism*, 33.

17 *ASALA Interviews*, 31; & Kurz, 1.

that ASALA simply aimed at unifying Turkey's eastern provinces with Soviet Armenia.<sup>18</sup>

Agreements or disagreements over the details of their specific aims, though, were a relatively moot point. Not only did they ultimately fail to achieve their goals, but even contemporary observers, during the height of the campaign, saw virtually no chance for the Armenian terrorists to force recognition, financial compensation or territory from the Turkish government.<sup>19</sup> Furthermore, in a recent study on the history of terrorism, the author admits that the Armenian terrorist groups of the 1970s and 1980s defy normal categorization, simply because these movements had “no hope of success.”<sup>20</sup> Other motivations have been suggested, including the desire to raise global awareness to the events of 1915, to “re-awaken” the dormant, or sleeping Armenian nationalism of the diaspora or even more simply, that the Armenian groups just wanted to murder Turks, and felt justified in doing so, in revenge for the massacres of 1915.<sup>21</sup> The JCAG, however, came out on at least one occasion to publicly dispel this notion.<sup>22</sup> What then, helped to produce and sustain this hopeless cause?

Most scholars who have researched ASALA and the Justice Commandos have acknowledged some more general factors, even if these factors remain unexplored, that contributed to the origins of Armenian violence in the mid-1970s. The first is the collapse of the Lebanese state, and what the violence and chaos surrounding the outbreak of civil war may have meant to the large, and one of the most concentrated, Armenian diaspora in Beirut.<sup>23</sup> The second, and also within the context of Lebanon, are conjectures on the potential political and social impact that the rise of the Palestinian Liberation Organization, due to the proximity of the Palestinian cause, had on the Armenians living in Lebanon.<sup>24</sup> The third is the increasing global attention paid to international human rights during this period, which started with the civil rights movements of the 1960s and culminated in the Helsinki Accords, which the Armenians attempted to use to their advantage.

Additionally, the first five years that ASALA and the Justice Commandos were in operation, was a period of rising tension between Turkey and the

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18 Metin Tamkoç, “International Terrorism: The Russian Connection,” in *Armenian Terrorism, Its Supporters, the Narcotic Connection, the Distortion of History* (Ankara, Turkey: Ankara University, 1984), 64.

19 Gunter, 36; *Terrorism Review*, 16; Kurz, 19.

20 Gerard Chaliand and Arnaud Blin, eds., *The History of Terrorism from Antiquity to Al Qaeda*, Kindle Edition (Berkeley and Los Angeles, CA: University of California Press, 2007), location 3046.

21 Gunter, 36; Kurz, 3; Mango, 11.

22 Corsun, 34.

23 Gunter, 33-35; Kurz, 16-17; Mango, 11-12.

24 Ibid.

West and a general decrease in European and North American public attitudes and approval towards Turkey. The Turkish intervention on Cyprus in 1974, the subsequent partitioning of that island, the U.S. arms embargo imposed on Turkey in wake of the intervention, the territorial dispute over rights in the Aegean Sea between Greece and Turkey, which percolated throughout this period, and, finally, alleged human rights violations in wake of the Turkish military's takeover of the government in September of 1980, all contributed to the deterioration of the Western publics' opinion of Turkey.<sup>25</sup>

A re-evaluation of the accepted origins of these Armenian groups exposes inconsistencies in the standard narrative and invites an investigation into the “deeper roots” of Armenian terrorism suggested by earlier scholars.<sup>26</sup> First, the contention that Armenian political terrorism originated independently with ASALA, a group whose members were a contingent of the diaspora youth in Beirut dissatisfied with the failures of traditional Armenian political outlets, appears to rest on a thin evidentiary foundation. Despite their perceived setback in the United Nations in 1974, the traditional channels of Armenian political expression

had made significant gains by 1975, including monuments dedicated to victims of 1915, annual commemorations, media exposure on April 24<sup>th</sup> of each year and, at least in the United States, an increase in non-violent Armenian student activism.<sup>27</sup>

This raises key questions. Where were the Armenian youths getting their information on the ineptitude of the Armenian political system? Why did they believe they could achieve by force and violence, the recognition, reparations and territory that Armenian politicians had failed to secure? Objectives that they themselves should have recognized as unattainable within the context of the geopolitical situation they were operating under.

Second, the belief that the Justice Commandos Against the Armenian Genocide was organized by the Dashnaks in an effort to compete for youth

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25 Mango, 20.

26 Gunter, 36.

27 “Armenia Remembers,” *New York Times*, April 24, 1965; “Massacre of Armenians by Turks Commemorated,” *New York Times*, April 26, 1965; Richard F. Shephard, “1915 Genocide is Still Vivid to Armenians Here,” *New York Times*, April 24, 1975; Bobelian, 2361-2581

membership with the suddenly more attractive ASALA falters under scrutiny. ASALA's first terrorist attack, against the offices of the World Council of Churches, on January 20, 1975, appears to have been relatively ignored by the international media at the time. The next two major attacks, assassinations of the ambassadors to Austria and France, and the French ambassador's driver, at the end of October 1975, have both been attributed to the Justice Commandos. The second confirmed attack by ASALA was not carried out until February 1976, when the first-secretary at the Turkish Embassy in Beirut was assassinated. The next five assassinations, between June 1977 and December 1979, are believed to have been the work of the Justice Commandos.<sup>28</sup> The first international terrorist attack by ASALA seems to have been a bomb attack at the Turkish Airlines office in Geneva in December 1978, almost four years after their campaign began.<sup>29</sup> The claim, therefore, that the JCAG was created to compete with an aggressive and assertive ASALA is unconvincing.

Finally, an aspect that has been overlooked, but one that may hold the most promise, is the dynamic within the Armenian community of Beirut itself. One of the more interesting events surrounding the origins of Armenian terrorism is the attack mentioned above on the World Council of Churches in January 1975. This attack was followed by another bomb attack of an affiliate of the World Council of Churches, the Armenian National Committee for Homeless Armenians in Rome on December 23, 1979.<sup>30</sup> In an interview after the attacks, ASALA claimed that the reason behind both attacks was that the World Council of Churches and the Armenian National Committee for Homeless Armenians were collaborating with Western powers to "facilitate the emigration of Armenian youth from the Arab world and socialist countries toward the United States,"<sup>31</sup> and accused the WCC of belonging "to the CIA."<sup>32</sup>

When asked specifically about the attacks on the ANCHA in Rome, the leader of ASALA replied that the ANCHA in Rome was in league with the United States and Turkey to "liquidate the Armenian question" through the emigration of Armenians away from their historical homeland, and were working under the protection of the Vatican and with the cooperation of the Armenian Church and the Dashnak party.<sup>33</sup> He went on to threaten further

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28 Gunter, 68-69.

29 *Armenian Atrocities and Terrorism: Testimonies of Witnesses*, (Washington, DC: Assembly of Turkish American Associations, 1997), 81.

30 *ASALA Interviews*, 33.

31 *ASALA Interviews*, 9; Gunter, 31.

32 State Department Telegram, Beirut 1278, AMEMBASSY BEIRUT to USMISSION GENEVA, January 28, 1975 (<http://aad.archives.gov/aad/series-description.jsp?s=4073&cat=all&bc=sl>).

33 *ASALA Interviews*, 32-33.



attacks on both the Pope and the Vatican, if the “traffic of Armenian emigrants” did not stop.<sup>34</sup>

It is significant that the first attack of a terrorist group allegedly dedicated to extracting an admission of guilt from the Turkish government for alleged crimes against the Armenian people would be directed towards the World Council of Churches in January 1975. An organization in Beirut, staffed by Armenian relief workers, that was helping other Armenians to escape the rapidly deteriorating conditions in Beirut. There is further evidence that ASALA was threatening, intimidating, and even possibly harming the Armenian residents of Beirut in a manifesto promising “punishment by death” to Armenians who did not abandon their “fascist organizations” and “rejoin the Armenian ranks” through ASALA.<sup>35</sup>

Compounding the problem, or question, of stability within the Armenian community of Beirut was the sudden and sharp increase of Soviet Armenians being granted exited visas from the USSR, first noticed by the U.S. State Department in June 1975.<sup>36</sup> 59 percent more Soviet Armenians had applied for emigration to the United States by the end of April 1976, than had for the entire 1975 calendar year.<sup>37</sup> This wave of Armenian emigration peaked in 1980, when approximately 1,000 Armenians were leaving the USSR per month.<sup>38</sup> The majority of these individuals would ultimately end up in the United States, but many of them were initially granted permission only to go to Lebanon, where they continued their emigration process through the United States Embassy and with the help of the very same World Council of Churches bombed in January 1975.

The Armenians émigrés who ended up in Lebanon were subjected to a less than ideal environment as they waited up to two years for a visa to continue to the United States, as the State Department tried to cope with the sudden surge in applications. Not only did they arrive in the midst of ongoing civil war, but they were also subjected to an “intense hostile attitude from the local Armenians.”<sup>39</sup> Perhaps in response to this hostility, although they cited

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34 Ibid., 34.

35 Ibid., 12. See also Department of State Telegram, GENEVA 6267, USMISSION GENEVA to SECSTATE WASHDC 5186, and August 11, 1975.

36 State Department Telegram, GENEVA 4171, USMISSION Geneva to SECSTATE WASHDC 3480, June 4, 1974.

37 State Department Telegram, MOSCOW 7704, “Subject: Soviet Emigration to the US—The Armenian Avalanche,” AMEMBASSY MOSCOW to SECSTATE WASHDC 3964, May 15, 1976.

38 “More Quit Armenia than Arrive,” *New York Times*, June 26, 1978; “Armenians Leaving Soviet for the US,” *New York Times*, May 25, 1980; Michael Binyon, “Armenians Kiss Russia Goodbye in Hordes,” *The Globe and Mail (Canada)*, May 26, 1980; & Barbara Slavin, “Soviet Union is Letting its Armenian People Go,” *New York Times*, July, 6, 1980.

39 Department of State Telegram, GENEVA 6267, USMISSION GENEVA to SECSTATE WASHDC 5186, August 11, 1975.

lack of sufficient funds, the World Council of Churches temporarily suspended applications for resettlement assistance in May 1976,<sup>40</sup> complicating the already precarious position of the Armenian refugees. Unfortunately, with the exception of the later assassination of some of the top leadership of ASALA and JCAG, very little attention has been paid to intra-Armenian violence during the most active period of Armenian terrorism.

In conclusion, we know much less than we should about the origins, motivations and mechanics of violence in the Armenian diaspora during the 1970s and 1980s. The explanation that this phenomenon naturally emerged from the frustration and discontent that had been simmering for over 50 years, and the timeline of events that supported this theory, are not supported by the evidence. Non-violent Armenian political activity steadily increased after 1965, and gains were being made. The origins of the terrorist campaign against Turkish nationals, the Turkish government, Turkish business interests and, eventually, anyone who got in the way, appears to have had less to do with a radicalized youth embracing violence to further their community's cause in defiance of ineffective political leaders, or anti-Turkish hatred, as it does with a political struggle between various Armenian diaspora factions over power and influence. The turning point in this intra-Armenian struggle was the Yanikian murders in Santa Barbara. After January 1973, it was clear that the Armenian diaspora would support, morally, financially, and politically, indiscriminate attacks against Turkish citizens, and within two years both ASALA and the Justice Commandos had begun their campaigns. It appears that murdering Turkish diplomats was the key in this early contest over power and influence within the Armenian community. Obviously, definitive answers will await the release of further documents additional research into the local Armenian political, media and church organizations of 1970s Lebanon, but it would seem that this research may contain more satisfying answers as to why a group of individuals would spend a decade murdering innocents for a hopeless cause.

*The explanation that this phenomenon naturally emerged from the frustration and discontent that had been simmering for over 50 years, and the timeline of events that supported this theory, are not supported by the evidence.*

<sup>40</sup> Department of State Telegram, GENEVA 3610, USMISSION GENEVA to AMEMBASSY MOSCOW, May 11, 1976.

## BIBLIOGRAPHY

Ankara University. *Armenian Terrorism, Its Supporters, the Narcotic Connection, the Distortion of History*. Ankara, Turkey: Ankara University, 1984.

*Armenian Atrocities and Terrorism: Testimonies of Witnesses*. Washington, DC: Assembly of Turkish American Associations, 1997.

Birand, Mehmet Ali. "Thanks to Nuri Gündeş." *Turkish Daily News*, February 10, 2007. <http://arama.hurriyet.com.tr/arsivnews.aspx?id=-599507>

Bobelian, Michael. *Children of Armenia: A Forgotten Genocide and the Century-Long Struggle for Justice*. New York: Simon & Schuster, 2009.

Chaliand, Gerard and Arnaud Blin, eds. *The History of Terrorism from Antiquity to Al Qaeda*. Berkeley and Los Angeles, CA: University of California Press, 2007.

Corsun, Andrew. "Armenian Terrorism: A Profile." In *Department of State Bulletin* Vol. 82, No. 2065 (August 1982): 31-35.

Department of State. "Patterns of International Terrorism: 1981." In *Department of State Bulletin* Vol. 82, No. 2065 (August 1982): 9-21.

Dekmejian, R.H. "Soviet-Turkish Relations and Politics in the Armenian SSR." In *Soviet Studies* Vol. 19, No. 4 (April 1968): 510-525.

Elad, Shlomi and Ariel Merari. *The Soviet Bloc and World Terrorism*. Boulder, CO: Worldview Press, 1984.

Goren, Roberta. *The Soviet Union and Terrorism*. Winchester, MA: Allen & Unwin, 1984.

Gunter, Michael M. "*Pursuing the Just Cause of their People*": *A Study of Contemporary Armenian Terrorism*. Westport, CT: Greenwood Press, 1986.

Henze, Paul. *Goal: Destabilization. Soviet Agitational Propaganda, Instability and Terrorism in NATO South*. Marina Del Ray, CA: European American Institute for Security Research, 1981.

Kurz, Anat and Ariel Merari. *ASALA—Irrational Terror or Political Tool*. Boulder, CO: Westview Press, 1985.

Mango, Andrew. *Turkey and the War on Terror: For Forty Years We Fought Alone*. New York: Routledge, 2005.

- "Historiography by Political Committee and Committed Historians: Review Article." In *Middle Eastern Studies* Vol. 25, No. 4 (October 1989): 531-562.

Miller, Donald E. and Lorna Touryan Miller. "Memory and Identity Across the Generations: A Case Study of Armenian Survivors and their Progeny." In *Qualitative Sociology* Vol. 14, No. 1 (1991): 13-38.

Popular Movement for the ASALA. *ASALA Interviews*. Britain, April 1982. (UCLA Library).

Sezer, Duygu B. "Peaceful Coexistence: Turkey and the Near East in Soviet Foreign Policy." In *Annals of the American Academy of Political and Social Science* Vol. 481 (September 1985): 117-126.

Shughart, William F. "An Analytical History of Terrorism, 1945-2000." In *Public Choice* Vol. 128, No. 1-2 (2006): 7-39.

Şimşir, Bilal N. *Şehit Diplomatlarımız (1973-1994)*. Vol. 2. Ankara, Turkey: Bilgi Yayınevi, 2000.

Snitch, Thomas H. "Terrorism and Political Assassinations: A Transnational Assessment, 1968-80." In *Annals of the American Academy of Political and Social Science* Vol. 463 (September 1982): 54-68.



# DELUSIONS RESULTING FROM NATIONALIST VIEWPOINTS AND ARMENIAN ALLEGATIONS

(MİLLİYETÇİ BAKIŞ AÇILARININ NEDEN OLDUĞU YANILSAMALAR VE ERMENİ İDDİALARI)

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**Abstract:** *In the studies made so far, neither Armenian nationalism, nor ethnic nationalism nourished within this nationalism has ever fallen in the area of interest of researchers. In this article Armenian nationalism is raised within the context of nationalist delusions. Questions to which answers are sought are as follows: “What kind of an image does the Armenian nationalism project within the picture that portrays the world history of nationalism? Will the qualities of materials that enable us to follow the evolutionary process of Armenian nationalism be able to give a different viewpoint to the interpretations regarding nationalism?” Within this framework, without forcing the article’s limits of volume, attention has been drawn to the typological features of Armenian nationalism, its differences that can be qualified as original and the mechanism that operates the reproduction tools of that nationalism. For the assessments regarding the Armenian nationalism, formation of nationalism in world scale and its stages of development have been used as historical background. The subject that has been opened to debate in this article is that the tools of struggle against ethnic nationalism, rather than becoming measures, operates the mechanism that gives birth to and reproduces the ethnic discriminations, ethnic nationalisms and even racism.*

**Keywords:** *Armenia, Karekin Njdeh, nationalism, racism, nation-state model, French Revolution, Enlightenment, modernism.*

**Öz:** *Şu ana kadar yapılan çalışmalarda ne Ermeni milliyetçiliği ne de bu milliyetçilik içerisinde filizlenen etnik milliyetçilik araştırmacıların ilgi alanına girmiştir. Bu makalede milliyetçi yanılısamalar çerçevesinde Ermeni milliyetçiliği incelenmektedir. Cevap aranan sorular şöyle sıralanabilir: “Dünya milliyetçilik tarihini temsil eden bir resimde Ermeni milliyetçi projesi nasıl bir görünüm sergilemektedir? Ermeni milliyetçiliğinin evrimleşme sürecini izlememize imkân tanıyan materyallerin kalitesi, milliyetçiliğe dair yorumlara farklı bir bakış açısı*

*sunmakta mıdır?” Bu bağlamda, makalenin sınırları zorlanmadan, Ermeni milliyetçiliği, onu orijinal kılan farklılıkları ve yeniden üretilme araçlarını kontrol eden mekanizmaların tipolojik özelliklerine dikkat çekilecektir. Ermeni milliyetçiliğine dair değerlendirmeler için, dünya çapında milliyetçiliğin oluşumu ve gelişim evreleri tarihsel arka plan olan kullanılmıştır. Bu makalede tartışmaya açılan konu etnik milliyetçiliğe karşı mücadele araçları, önlem olmaktan çıkarak, etnik ayrımcılıkları, etnik milliyetçiliği ve hatta ırkçılığı ortaya çıkan ve yeniden üreten mekanizmaları kontrol etmekte olduğudur.*

**Anahtar Kelimeler:** *Ermenistan, Karekin Njdeh, milliyetçilik, ırkçılık, ulus-devlet modeli, Fransız Devrimi, Aydınlanma, modernizm.*

The aim of this study is to draw attention to the Armenian allegations which obtain the possibility of living in the background of the delusions resulting from nationalist viewpoints and its thesis is the rhetoric through which those allegations are voiced and the behaviors displayed when presenting those allegations have a problematic character that can be qualified as ethnic discrimination, ethnic nationalism and ever increasing racism. The following question has been at the first stage of the study: “Is it possible to talk about a phenomenon that can be qualified as Armenian nationalism based on the existing data?” For instance, B. Gaibov, in the foreword of his book, stated that “*in 1919 attention was drawn by a British journalist who visited Caucasus, that the nationalists who sowed the ideology of ‘Greater Armenia’ were inclined to stage their bloody plays and to perform those plays,*”<sup>1</sup> and he was not alone in his thought. At the second stage, Armenian documents in which the Armenian nationalism is presented have been categorized and subsequently the questions to which the answers must be sought have been formulated: What kind of an image depicts the Armenian nationalism project within the picture that shapes the history of world nationalism? Will the qualities of materials that enable us to follow the evolutionary process of Armenian nationalism be able to give a different viewpoint to the interpretations regarding nationalism? Thus, as far as this article’s limits of volume allow, the typological features of Armenian nationalism, its differences that can be qualified as original and the mechanism that operates the reproduction tools of that nationalism will be within our area of interest. The data obtained will be presented by the method of deduction and for the assessments; the formation of nationalism on world scale and its revolutionary stages will be used as background. With this method, it is designed to maintain the integrity of pattern of subject-time-place.

1 Б.Гаибов, *Даишаки* (Из материалов департамента полиции), Баку, 1990, с. 3.  
(Текст печатается из архивов департамента полиции – ЦГАОР СССР, ф. 102, оп. ед. хр. 280, лл. 1-№- об.)

The diversity and variability of definitions made regarding nation and nationalism resulting from the fact that as a living existence, the nation and as an ideology, as a subject, as a concept the nationalism are suitable for reproducing and producing repeatedly. Thus, in order to facilitate the researcher's job, it is impossible to make nation and nationalism static by cramming them into a mould of which dimensions have been previously determined. This is due to the fact that, existing data document that nationalism has an ever-changing character which is on a time, place and nation basis. Therefore, the fact that Western experience and knowledge become the only reference for the definitions made is one of the very basic problems of the perceptions in the modern period that must be discussed. The fact that the tools (which are radically declining criticism) used in struggling with ethnic nationalism operate the mechanism leading to birth and reproduction of ethnic discrimination, ethnic nationalism and even racism successfully, rather than being used as a measure, is another issue that needs to be evaluated. The view which reflects "For this reason nations and nationalism are unlikely to disappear, at least until all areas of the globe have made the painful transition to an affluent and stable modernity, on the West model"<sup>2</sup> has, unfortunately, been refuted especially through the Western model proposed in the citation. For example, on the state basis, what happened in Germany during World War II was a very painful experience for humanity. On the individual basis (at least apparently), the most shocking incident that should be dwelled on due to both its impact and its consequences is the attack which was perpetrated on July 22, 2011 in the Norwegian capital of Oslo by Anders Behring Breivik and led to death of more than seventy innocent people.<sup>3</sup> Following the attack, Breivik's list including hatred as fundamentalist Christian, ethnic nationalist, etc. was of great importance for that context. In addition to being a catastrophe, the rhetoric full of hatred against Turkey<sup>4</sup> and the expressions decorated with Armenian claims, which

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2 Anthony D.Smith, *Küreselleşme Çağında Milliyetçilik*, translation by Derya Kömürçü, Everest, İstanbul, 2002, p.xix.

3 "Dünya Böyle Katliam Görmedi" *Milliyet*, April 7, 2012 <http://dunya.milliyet.com.tr/dunya-boyle-katliam-gormedi/dunya/dunyadetay/24.07.2011/1418028/default.htm>

4 Andrew Breivik, 2083 A European Declaration of Independence, London, 2011, p. 40, 60, 85, 86, 92, 93, 95, 98, 113, 124, 126, 127, 129, 142, 143, 144, 145, 148, 149, 150, 152, 154, 155, 156, 157, 159, 160, 161, 162, 163, 164, 166, 167, 168, 169, 170, 171, 172, 174, 175, 176, 177, 178, 179, 181, 182, 187, 236, 237, 238, 239, 254, 255, 256, 258, 259, 260, 261, 264, 271, 275, 332, 412, 418, 430, 536, 550, 553, 566, 567, 582, 597, 645, 665, 699, 712, 714, 728, 757, 758, 1229, 1249, 1314, <http://mehmettekn.wordpress.com/2011/07/27/anders-behring-breivikin-manifestosu/> (07.04.2012); Manifesto of the terrorist Oslo Anders Breivik in Behring, video [http://www.liveleak.com/view?i=89a\\_1311444384](http://www.liveleak.com/view?i=89a_1311444384) (07.04.2012).



were included in a manifesto issued by Breivik, are so significant that cannot be neglected.

*The Armenian Genocide, the first genocide of the 20th Century, occurred when two million Armenians living in Turkey were eliminated from their historic homeland through forced deportations and massacres (Berwick, 159)*

The above expression, which was cited from Breivik's manifesto without making a particular elimination, is widely used by the Armenians in their accusations and ethnic discrimination against Turkey as a consolidating element. Even a simple search in Google by writing the first sentence of this expression as «Հայոց ցեղասպանությունը XX դարի առաջին ցեղասպանությունն էր» or «Այն XX դարի առաջին ցեղասպանությունն էր» will be satisfactory to indicate the widespread use of the said expression in the Armenian language.<sup>5</sup> Our question is: whether the sources of the thought which motivated Breivik for that frightful act are analyzed from this perspective, as well?

If we accept the claim of Peter Alter, who said that Herder was the first to use the term of “nationalism” in 1977, (and if we take only the West as reference), this would not mean that there were previously no nations and nationalist movements in the field of application, but would help us to find the starting point of the process of systematic thinking in this regard. As a matter of fact, Anthony D. Smith makes an assessment suggesting that this is a modernist deception<sup>6</sup> and that “*it is almost certain that pre-modern ethnic identities form the main line in the statements regarding at least why and how the nations in Europe were born*”.<sup>7</sup> The ethnic identity underlined by Smith has been important throughout the history. This thinking stems from the fact that we still emphasize that mother of Plato, who lived between B.C 427-347, was a noble woman and Platon's uncles were governors.<sup>8</sup> This thinking is based on the French Revolution. In fact, if the ideology of the French Revolution (1789-1799), which opened the door to the nation-state model, lacked infrastructure, then the red cap (“Phrygian cap”) worn by the Phrygians as an expression of freedom during the 10<sup>th</sup> century B.C. would not remain as the

5 Only for three of these web sites, see <http://www.newsarmenia.am/arm1/20100323/42220627.html> (10.04.2012); “About the Genocide” *Genocide.am* [http://genocide.am/article/about\\_the\\_genocide.html?armenian](http://genocide.am/article/about_the_genocide.html?armenian) (09.04.2012); “Հայաստանի տեսարժան վայրեր” <http://www.marina.am/Hcex.html> (09.04.2012)

6 Anthony D. Smith, *ibid.*, p. 27.

7 Anthony D. Smith, *Milli Kimlik*, translation by Bahadır Sina Sener, İletisim, İstanbul, 2010, p.118.

8 Karl Popper, “Açık Toplum ve Düşmanları”, translation by Mete Tuncay, Vol.1, Plato, [www.altuncizdiklerim.com](http://www.altuncizdiklerim.com), p. 4 (05.04.2012); Sibel Akgün, “Karl Popper’ın Tarih, Toplum ve Siyaset Felsefesi Üzerine Görüşleri (Views of Karl Popper regarding History, Society and Political Philosophy)”, <http://www.flsfdergisi.com/sayi7/59-76.pdf> (05.04.2012).

symbol of the French revolutionists.<sup>9</sup> This thinking is based on the references to the basic elements constituting the Armenian national identity. Let's give an example. The first teacher of the Armenian religion is Grigor Lusavoric.<sup>10</sup> This is a reference to the 2<sup>nd</sup>- 4<sup>th</sup> century. However, the first teacher in the Armenian culture is not only the religious leader Grigor Lusavoric; the Armenian language also has its first teacher: Mesrop Mashtots. Primary school textbooks in the Armenian language contain the following expression: *"The Armenian language was created by Mesrop Mashtots. And he became the first teacher of the Armenian language."*<sup>11</sup> The process chosen for the Armenian history is older compared to the examples mentioned above. The Armenian historian G.H.Sarkisyan states the birth of the Armenian ethnicity dates back to B.C. 2000-1000's<sup>12</sup> The citation given below is also interesting as it presents the general character of the legend on the birth of the Armenian nation:

*... It was the 5<sup>th</sup> century. The situation was heavy for the Armenian people. Armenia was shared between the two world leaders of the time, Persia and Byzantine and the state of Armenia was broken down. The two parts of the people of Armenia became foreigner to each other and national purity and national existence were at risk.*

*At those deadly times, forward looking and Armenophile children of the Armenian people directed their efforts towards preserving the basic elements – language, culture, legends- that established the national existence.<sup>13</sup>*

If what is told in the Armenian history were to be used as data, the Vardan Mamikonyan revolt (388 or 391-451) can cast a pioneer for nationalism and nation-state model. Where is the delusion? In what the Armenian nationalists tell? In the data that the Western science world use?

After the first half of the 20<sup>th</sup> century, first practices emerged in the art texts,

9 The cap worn by the woman symbolizing liberty with a flag in her one hand and a rifle in her other hand in the painting *Liberty Leading the People* (Eugène Delacroix 1830) is the "Phrygian cap". See, [http://www.eugenedelacroix.org/Liberty-Leading-the-People-\(28th-July-1830\)-1830.html](http://www.eugenedelacroix.org/Liberty-Leading-the-People-(28th-July-1830)-1830.html) (10.04.2012)

10 Елена Чудинова, *Рассказ о крещении Армении*, Легенды Армении, изд. «КРОН-Пресс», Москва, 1996, с. 14-20. Also see. <http://www.chudinova.info/prosaedpartedfr.php?KProizvName=24&KProseFragmantName=84> (10.04.2012).

Note: For historical information lying beneath the legend told by Ye.Cudinova, see, Մ.Գ. Ներսիսյան, *Հայ Ժողովրդի Պատմություն*, Երևանի Համալսարանի Հրատարակչություն, Երևան, 1985, էջ. 105.

11 Մ.Բ.Ղաթախյան և ուրիշներ, *Այբբենարան Ընթերցարան*, «Լույս», Երևան, 1989, էջ.81. For more information, see also by the history books.Մ.Գ. Ներսիսյան, a.g.c., s.117-120.

12 Գ.Հ.Սարգսյան, Հին Հայկական Պետության Առաջացումը և Ծաղկումը, (Մ.Գ. Ներսիսյան, *Հայ Ժողովրդի Պատմություն*), Երևանի Համալսարանի Հրատարակչություն, Երևան, 1985, էջ.33-52.

13 Կոնստանդին Խոնդավերդիյան և ուրիշներ, «Վարդան Մամիկոնյան, 388 կամ 391-451», *Ոսկեպորիկ*, (Հայկական Հանրագիտարանի Գլխավոր Խմբագրություն), Երևան, 1999, էջ. 154.

which modern thought and modernist comprehension had difficulty to comprehend. After that without exception, scientists representing all disciplines started to make assessments that the data they collected at the practice sites were not a product of modern thought, modern perception, modern phenomenon or modernist movements. This was the first sign indicating that humanity tends to abandon the values of modernism which it had assumed and adopted and used in its daily practices with great energy.

Following are some of the values and phenomenon preferred by humanity for two hundred years during which modernism was dominantly effective: Modernism; sanctified the mind, will, reformism, revolt, and liberty, which it inherited as a thought from the philosophy of Enlightenment, and asserted that humans were equal. At that time the French Revolution was regarded as a call for national freedoms all over the world. According to the data, ideology of nationalism that held the freedom flag<sup>14</sup> attracted attention as a movement that charmed not only the politicians, but also the thinkers, artists/litterateurs. At this point representatives of romanticism are worth remembering, because it is partially correct to search for the roots of nationalism in romanticism. It is partially correct because the French Revolution did not create nations and nationalism, but reproduced. Putting aside the discussion on the historical past of nationalism, let's indicate a special feature we determined in the character of the Romantic nationalism and give a concrete example: the British Poet Lord George Gordon Byron (1788-1824) is a classic in literature. He is the pioneer of the Romantic Movement. Therefore he has numerous fans in the literature world that would accept his manners and words without any judgment. Byron came down to the battlefield to support –using arms- Greece that revolted against the Ottoman Empire between 1823-1832 and died for this sake –but due to illness-. The question in this context is: what was the connection that made a British noble Byron to feel himself close to the Greek nationalists? Was it the ancient Greek literature? His ethnic origin? An attempt to regain his lost reputation? Bonds of faith? Or his delusions caused by the nationalist viewpoint?<sup>15</sup>

Demonstrating the character and size of assistance supplied by global public opinion for the revolting ethnic groups against the current order with the contributions of nationalism, Byron is a substantial case. The further reflection of this support on the Armenian history a lot later, in late 19<sup>th</sup>

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14 The indication of this perception in art is the painting *Liberty Leading the People* (Eugene Delacroix; 1830), a masterpiece of the French painting and art that was made in the memory of the public revolt in 1830. The content of this painting is frequently used in the placards and posters of the revolts that claimed liberty.

15 Another classic in literature, the Russian poet A.S.Pushkin (1799-1837) wrote his story "The Shot" (1891) in which he prototyped the British poet Byron as Silvio, first cleared him off his character as a poet. In the said work Silvio is a "worthless person" that wastes his skills, energy and time." Note: the "useless person" type in the Russian literature is an important means of criticism used especially in the 19th century. See. Александр Пушкин, Выстрел, <http://ilibrary.ru/text/89/p.2/index.html> (08.04.2012)

Century, was as follows: with the influence of nationalism, also the Armenians living under the authority of Ottoman Empire finally rebelled. The material and spiritual support that the Armenians received from the Western countries, Russia and the USA was high enough to inebriate them. As a result of this revolt, an independent state called the People's Republic of Armenia was established in Caucasia on May 28, 1918.<sup>16</sup> As it is today, the ruling party was the ARF<sup>17</sup> (The Armenian Revolutionary Federation) in that period.<sup>18</sup> Right at this point, that's at a point where success was achieved, we face a different phenomenon in the character of nationalism through Armenian nationalism. As known, the Ottoman Empire was one of the first states to recognize the People's Republic of Armenia officially. In other words, this was a success craved by Armenians. One of the concrete documents of this issue is the Batumi Agreement signed between the Ottoman Empire and the People's Republic of Armenia on June 3, 1918. But the People's Republic of Armenia terminated its presence with the will of the Armenian people and accepted to be under the sway of the USSR. In the textbook for the 9<sup>th</sup> and 10<sup>th</sup> grades of the secondary school composed by G. A. Avetsiyan illustrates the feelings of Armenians about those days as follows:

*Armenian laborers welcomed the October Revolution with a great pleasure. <...>. In Alexandrapolis meeting dated November 10, with five thousand participants, following decision was arrived: 'We do solemnly swear we will support and defend the recently established Worker – Peasant Alliance and we are ready to stand up for this governance and to fight off any anti-Soviet settlements! We salute Comrade Lenin who has proved to be the leader of the world proletariat and the defender of the poor in cities and villages!'<sup>19</sup>*

We should state that Armenians are not the unique example in this regard and similarly, Ukraine, Georgia, Azerbaijan and other nations gave up their demands for independence. Our question is that: Should we interpret this, namely the extinction of the underlying fire of nationalism which was very high then, as the withdrawal of “fire producers”<sup>20</sup>? While the answer to this

16 Armenian historians provide varied information regarding the official name of their first independent state: such as Republic of Armenia, Democratic Republic of Armenia. In this article, the history book that the Ministry of Education and Science of the Republic of Armenia issued in 2001 was benefited from. (See, Վ.Բ. Բարխուդարյան, *Պատմություն 10*, Երևան, 2001, էջ. 192).

17 Հայ Յեղափոխական Դաշնակցություն (ՀԾԴ)..

18 The first Prime Minister of the People's Republic of Armenia is Hovhannes Katchaznouni; the first Minister of Interior, Alexander Khatisyan; the first Minister of Foreign Affairs, Aram Manukian; the first Minister of Defense, Hovhannes Hakhverdyan; the first Minister of Economy, Khachatur Karchikyan. (See, Վ.Բ. Բարխուդարյան, *ibid.*, էջ. 192).

19 Г.А. Аветисян (Под его редакцией), *История армянского народа*, «Луйс», Ереван, 1985, с.52-53.

20 For the remark of Dankward Rustow, see, Umüt Özkırmılı, *Milliyetçilik Üzerine Güncel Tartışmalar*, İstanbul Bilgi Üniversitesi Yayınları, İstanbul, 2005, p.15.

question is being searched, what took place in the Caucasian region before and after the Bresk-Litovsk Agreement (March 3, 1918-19), primarily the reflections of the German Revolution in Caucasia, should be necessarily assessed.

Another factor to be noted here is the sympathy to the military power of Russia. The following quotation can give an idea about the level of this sympathy:

*The Yerevan Castle was lost in the fog. The mountains and valleys boomed five days and nights.*

*After the fifth day of the siege, realizing that there was no hope for escape, Persians chose a few people among them: They left the castle at the last moment and declared their surrender with the key of the city in their hands.*

*Yerevan had never experienced such a scene. As long as the Armenian spirit and language exist, that happy moment when the Russian troops entered the castle to celebrate the liberation of the Armenian land will never be forgotten. (adapted from H. Abovyan)<sup>21</sup>*

This is the unique characteristics of nationalism in Caucasia in the second half of 18<sup>th</sup> Century and in Armenia –special focus of this paper – in the first half of 19<sup>th</sup> Century.

Triggered by the French revolution, the feudal system declined all over the world and it was replaced with a two-polar-system (capitalist and socialist). The form of political organization, which was an extension of all these and accepted at the universal level was the nation-state model. As an important detail, state structures of the USA and the USSR that led the above-mentioned poles (capitalism and socialism) are out of this generalization.

A book entitled “*The Limits to Growth*” was published by The Club of Rome in 1972.<sup>22</sup> The book featured the results of an analysis which is very closely related with our subject and prepared by Donella H. Meadows, Dennis L. Meadows, Jorgen Randers et al. These researchers generated various scenarios based on world population growth, use of natural resources and

21 (For the Armenian and Russian versions of the article) А.С.Гарибян, Дж. А. Гарибян. *Краткий курс армянского языка*, «Луйс», Ереван, 1980, С. 82-83. Also, for the Russian version of the novel titled *Wounds of Armenia (Раны Армения)* by Hacatur Abovyan, a reference to the text above, see, <http://armenianhouse.org/abovyan/wounds-of-armenia/wounds.html> (10.04.2012).

22 Donella H. Meadows, Dennis L. Meadows, Jorgen Randers, *The Limits to Growth*, the new versions of the book is available in 37 languages at <http://www.clubofrome.at/about/limitstogrowth.html> (02.04.2012).

industrial production rate as from the year 1900. As J. Rangers notes, “*The book states that the environmental harm done by the people cannot continue limitlessly as the World has physical boundaries.*”<sup>23</sup> It seems like the “fixed” everywhere in the world will start to move from their place. Actually we can say that as of December 26, 1991 when the dissolution of USSR was officially announced, they have “officially” started moving. Köksal Şahin draws the following picture that depicts the nature of the new designs about the future of humanity in his article “Nationalism as an Ideology”:

*It is observed that nationalism and the nation-based world order has become a matter of debate in the last quarter of the 20<sup>th</sup> century. This phase has been a period which has frequently raised approaches suggesting that the nation-state model has become functionally and philosophically insufficient, and nationalism will be marginalized both as a sense and ideology. According to its proponents, the humanity has reached a new phase of civilization where the nation-state and nationalism are not present, demonstrated by the transformation of the industrial society to an information society as well as minimization of national borders. Concepts and practices such as nation, nationalism, nation-state, national identity, national economy and even national interest that address the conditions of modernity (industrial society) lost their validity and each became a threat to world peace and stability.*<sup>24</sup>

No clear statements have been made yet as to what kind of a mass organization is suggested by the architects of globalization. The assessment of information and utopian foresights on globalization brings to mind the following question: “could it be assessed that the states that united together as a nation-state after the fall of the bipolar system and Armenian Republic (Հայաստանի Հանրապետություն) which regained its independence in 1991 have fallen behind the time? Let us review the independence process through the example of Armenia rather than formulating the answer to the question.

This is how the process developed according to the interview given in Russian to BBC on April 18, 2011 by Levon Ter-Petrosyan, the Armenian High Council Chairman at the time of declaration of Armenian independence and later first President of the Armenian Republic: Ter-Petrosyan calls G.E. Burbulis, the then State Secretary of the Russian Federation and informs him of their intention to join the Slavic club (meaning the Commonwealth of

23 Reyhan Oksay, “Küresel çöküşü engellemenin tek yolu büyümei durdurmak...(The only way to prevent global downfall is to stop growth” Cumhuriyet/Bilim-Teknoloji, issue:1300, February 15, 2012 p.8.

24 Köksal Şahin, “Bir İdeoloji Olarak Milliyetçilik”, Akademik Bakış, sayı:12, Celalabad-Kırgısistan, Mayıs 2007, s.2.

Independent States). Burbulis responds by stating that the idea is interesting and that he will convey it to Yeltsin. Boris Yeltsin calls the next day and wants to confirm the validity of the news. Ter-Petrosyan maintains that they are ready to join the CIS on one condition. When Yeltsin inquires what this condition is, Ter-Petrosyan points out that CIS countries have mutual recognition of each others' independence. Then the following conversation takes place:

*Yeltsin: don't even mention it, I will recognize Armenia's independence today if you want.*

*Ter-Petrosyan: Of course I want it.*

*acclaimed nationalism in the process of establishment of the nation-states has been trapped inside the national borders after the completion of the establishment process in order to be tamed – at least there has been such an expectation.*

*Ter-Petrosyan: But I thought this was a joke. We are sitting home and we turn on the TV and the first news is 'According to Boris Nikolayevich's statement Russia recognized the independence of Armenia and Kazakhstan.'<sup>25</sup>*

The following assessment by Umut Özkırmılı can create basis to debate the information presented by Armenian nationalism.

*The 'crisis' of the nation-state is one of the most frequently resorted clichés, and the future of nations and nationalism that are under the double pressure of globalization and identity politics seem more vague than ever to many people. According to Hall, growing interdependence of the planet encircles the nation-state from the top. The enormous changes brought by globalization increasingly undermine the stability of all sorts of national formation. On the other hand, however, there is a movement coming from below. The restrained groups and people within the nation-states begin to rediscover their identities which they have forgotten for a long time.<sup>26</sup>*

The idea that we will underline in this quotation will be about “the restrained groups within the nation-states”. Based on this idea, we can make that comment: acclaimed nationalism in the process of establishment of the nation-states has been trapped inside the national borders after the completion of the establishment process in order to be tamed – at least there has been such an expectation. However the ideal of national integration of the nation-states

<sup>25</sup> [http://www.bbc.co.uk/russian/multimedia/2011/04/110415\\_v\\_terpetrosyan\\_int.shtml](http://www.bbc.co.uk/russian/multimedia/2011/04/110415_v_terpetrosyan_int.shtml) (08.04. 2012)

<sup>26</sup> Umut Özkırmılı, *Milliyetçilik Üzerine Güncel Tartışmalar*, s.115.

led to the emergence of a problematic organizational structure in the examples of Italy and Germany. This problem in Europe is the transformation of nationalism into racism. Afterwards, the extremist tendencies that are considered to have been controlled by the experiences of the Second World War and appeared partially to be “restrained” are transformed at this time into “xenophobia”<sup>27</sup> (outside the subject of this article). Briefly the information presented above creates impression that racism emerges when there is an intense tendency to form a homogeneous society.

The Armenian nationalism and the ethnic nationalism that is reinforced by such nationalism have not been a topic of interest for researchers in their studies conducted to date. However hatred and disgust observed in the Armenian ethnic nationalism have a patrimonial character. Let’s detail our opinion with some typical examples of Armenia’s current life:

- 1) An epigraph that demonstrates a heritage of thought which a historian received from an Armenian ruler of the past and handed over to the youth:

*Always be brave! Don't be afraid of being killed and enter the battlefield without any fear! Cross yourself and wave your sword! Never bow to a foreigner! Don't believe in false promises! Glorify the nation that you are the ishkan (prince) and mentor of by shedding blood for blood! .... Praise the honor of the nation of your ancestry! ... Your grandfather's names are as great as Armenian king's!... (The advice of Sason ishkan (prince) to his son)*<sup>28</sup>

- 2) The biography of the Armenian leader Karekin Njdeh (1886-1955). Especially information related to Njdeh’s last activity described in Armenian encyclopedia is remarkable:

*He collaborated with the German fascists during the Second World War, became a member of the “Armenian National Board” that was established in Berlin (1942), was arrested in Bulgaria in 1944 and delivered to the Soviet court.*<sup>29</sup>

Njdeh was exiled to Siberia after being tried by the Soviet court as he was in cooperation with the Nazis. The postcard and postage stamp below were

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27 Aysun Gezen, Alman Siyasi Tarihinde Kronik Irkçılık: Geçmişten Günümüze “Öteki” Oluşumları ve Siyasal Yaşama Yansımaları” (Master’s Thesis). Thesis Advisor: Associate Professor Hilal Onur Ince, Hacettepe University, Institute of Social Sciences, Department of Political Science and Public Administration, Discipline of Politics and Social Sciences, Ankara, 2010, p.78.

28 Մհեր Հակոբյան, Հայ ժողովրդի Ռազմական Տարեգիրք (1803-1813), Երևան, 2009.

29 Հայկական Սովետական Հանրագիտարան, Հատոր 8, Երևան, 1982, էջ. 269.



published in Armenia for Njdeh’s honor. These are the only two of the visual documents which show the attitude of the Republic of Armenia (declared its independence in 1991) that it finds Njdeh as affirmative and takes what up he does seriously.



**Picture 1:** A postage stamp and a postcard published in Armenia for the honor of Njdeh.

- 3) The actual information issued on the official site of the Republic of Armenia shows that the Republic of Armenia is very close to the ethnic homogeneity:

Demographic Structure of the Republic of Armenia <sup>30</sup>	
Population	3.274,3 (initial data from 2012)
Ethnic structure	Armenian %96 Minorities: Russian, Yezidi, Kurdish, Assyrian, Greek, Ukrainian, Jewish and others
Official Language	Armenian
Religion	Majority of the population are Christians
Church	Armenian Apostolic Church
Religious Center	St Etchmiadzin–Armenian Apostolic Church Cathedral and residence of the Catholicos of all Armenians

Mankind’s social life has been shaped by Western dominated conceptions for such a long time. O.Ewald (1881-1940) says “*at the end of the Middle Ages and the Renaissance, a thought which does not acknowledge any authority other than reason in getting to know the world <...> emerges. This thought reaches its peak at the border line between the 18<sup>th</sup> and the 19<sup>th</sup> centuries, <...> its impacts lasts up to day. Various institutions, critical systematic*

30 <http://www.gov.am/am/demographics/> (11.04.2012)

*suspicion, and even mysticism are partners in this achievement.*"<sup>31</sup>. Then he emphasizes concerning the Enlightenment philosophy, which provided intellectual root of this period, that it owed its basis to the UK, its deepening to Germany, its rhetoric and driving force to France. Another philosopher Teodor W. Adorno (1903-1969) helps us to see a different face of modernism, "Today, culture infects everything with similarity. It creates a system such as films, radio and magazines. Concerning rhetoric, each of these are in agreement within themselves and altogether."<sup>32</sup> From his point of view, the products of culture now constitute industrial products that can be exported and imported, which represents a right observation. This is a critical attitude against modernism. Of course, this criticism has rightful bases. However, it would be very unfair to derogate modernism for all of its values and outcomes. On the other hand, this does not mean disregarding the problems of modernism. One of the biggest defects of modernism was that it did not perceive the possibility that the ethnic nationalism it praised could lean towards racism. It is a fact that the life of modernism has come to an end. Another reality arising from the available data is that, the new era can be a much more fruitful ground for nationalism to thrive. In the frame of this concept, the patrimonial tradition, which feeds the aggressive and irredentist vein (identified as a subject for another study) that is rife with grudge and hatred and is able to flourish within Armenian nationalism, should be pursued primarily by Armenian nationalists and this pursuit should be seen as an obligation.

***In the frame of this concept, the patrimonial tradition, which feeds the aggressive and irredentist vein (identified as a subject for another study) that is rife with grudge and hatred and is able to flourish within Armenian nationalism, should be pursued primarily by Armenian nationalists and this pursuit should be seen as an obligation.***

31 Oskar Ewald, *Fransız Aydınlanma Felsefesi (French Philosophy of Enlightenment)*, translation by Gürsel Aytaç, DOĞUBATI, 2010, p.9.

32 Teodor W.Adorno, *Kültür Endüstrisi*, translation by Nihat Ünler-Mustafa Tüzel-Elçin Gen, İletişim, İstanbul, 2008, p.47.

## BIBLIOGRAPHY

Аветисян, Г.А. (1985; Под его редакцией), *История армянского народа*, «Луйс», Ереван.

Adorno, W. Teodor (2008), *Kültür Endüstrisi*, translation by: Nihat Ünler-Mustafa Tüzel Elçin Gen, İletişim, İstanbul.

Akgün, Sibel, “Karl Popper’ın Tarih, Toplum ve Siyaset Felsefesi Üzerine Görüşleri” *Felsefe ve Sosyal Bilimler Dergisi*, Sayı:7, pp. 59-76

Aytaç, Kemal (2009), *Avrupa Eğitim Tarihi*, DOĞUBATI, Ankara.

Breivik, Anders Behring (2011) *2083: A European Declaration of Independence*, London,

<http://publicintelligence.net/anders-behring-breiviks-complete-manifesto-2083-a-european-declaration-of-independence/> (07.04.2012).

Բարխուդարյան, Վ.Բ. (2001), Պատմություն 10, Երևան.

Bilgin, Haluk (2006) *Eko-Faşizim* (Unpublished Ph.D.Thesis), Thesis Advisor: Prof. Dr. Ayşegül Mengi, Ankara Üniversitesi Sosyal Bilimler Enstitüsü Sosyal Çevre Bilimleri ABD, Ankara.

Чудинова, Елена (1996), Рассказ о крещении Армении, Легенды Армении, изд. «КРОН-Пресс», Москва.  
<http://www.chudinova.info/prosaedpartedfr.php?KProizvName=24&KProseFragmantName=84> (10.04.2012).

Durdu, Zafer (Bahar 2009) “Modern Devletin Dönüşümünde Bir Ara Dönem: Sosyal Refah Devlet’i”, *Muğla Üniversitesi Sosyal Bilimler Enstitüsü Dergisi* (İLKE), Sayı 22, s. 37-50.

Ewald, Oskar (2010), *Fransız Aydınlanma Felsefesi* translation by: Gürsel Aytaç, DOĞUBATI, Ankara.

Гарибян, А.С., Гарибян, Дж. А. (1980) *Краткий курс армянского языка*, «Луйс», Ереван.

Гаибов, Б. (1990), Дашнаки (Из материалов департамента полиции), Баку.

- Gezen, Aysun (2010), *Alman Siyasi Tarihinde Kronik Irkçılık: Geçmişten Günümüze “Öteki” Oluşumları ve Siyasal Yaşama Yansımalar* (Unpublished Master’s Thesis). Thesis Advisor: Associate Professor Hilal Onur Ince, Hacettepe University, Institute of Social Sciences, Department of Political Science and Public Administration, Discipline of Politics and Social Sciences, Ankara, 2010.
- Ղալթախյան, Ս.Բ. և ուրիշներ, (1989), *Այբբենարան Ընթերցարան*, «Լույս», Երևան.
- Հակոբյան, Մհեր (2009), *Հայ ժողովրդի Ռազմական Տարեգիրք (1803-1813)*, Երևան.
- Խուդավերդիյան, Կոնստանդին և ուրիշներ (1999), «Վարդան Մամիկոնյան, 388 կամ 391-451», *Ոսկեպորիկ, (Հայկական Հանրագիտարանի Գլխավոր Խմբագրություն)*, Երևան, Էջ. 154.
- İnam, Abdulhalim (2007), *Belçika’da Katolik Din Dersi Öğretmenleri Yetiştirme Programları Üzerine Bir Araştırma* (Unpublished Master’s thesis), Thesis Advisor: Mustafa Tavukçuoğlu, Selçuk Üniversitesi Sosyal Bilimler Enstitüsü Felsefe ve Din Bilimleri Anabilim Dalı, Din Eğitimi Bilim Dalı, Konya.
- Meadows, Donella H., Meadows, Dennis L., Randers, Jørgen, *The Limits to Growth*, <http://www.clubofrome.at/about/limitstogrowth.html> (02.04.2012).
- Ներսիսյան, Մ.Գ. (1985), *Հայ ժողովրդի Պատմություն*, Երևանի Համալսարանի Հրատարակչություն, Երևան.
- Oksay, Reyhan (15 Şubat 2012) “Küresel çöküşü engellemenin tek yolu büyümeyi durdurmak...” (The only way to prevent global collapse is to stop growth...), *Cumhuriyet /Bilim-Teknoloji*, sayı:1300.
- Özkırımlı, Umut (2009), *Milliyetçilik Kuramları*, 3. Baskı, Doğu-Batı, Ankara, s.33.
- Özkırımlı, Umut (2005), *Milliyetçilik Üzerine Güncel Tartışmalar*, İstanbul Bilgi Üniversitesi Yayınları, İstanbul.
- Popper, Karl, “Açık Toplum ve Düşmanları”, *Platon* translation by Mete Tunçay, Cilt 1, [www.altincizdiklerim.com](http://www.altincizdiklerim.com), s.4 (05.04.2012).
- Пушкин, Александр, *Выступел*, <http://ilibrary.ru/text/89/p.2/index.html> (08.04.2012).

Մարգարյան, Գ.Հ. (1985), *Հին Հայկական Պետության Առաջացումը և Ծաղկումը*, (Մ.Գ. Ներսիսյան, Հայ Ժողովրդի Պատմություն), Երևանի Համալսարանի Հրատարակչություն, Երևան, էջ.33-52.

Santayana, George (1932) *The Life of Reason, Reason in Science*, New York: Scribines's.

Smith, Anthony D. (2010), *Milli Kimlik*, translation by Bahadır Sina Şener, İletişim, İstanbul.

Smith, Antony D. (2002), *Küreselleşme Çağında Milliyetçilik*, translation by Derya Kömürcü, Everest, İstanbul, s.xix.

Şahin, Köksal (Mayıs 2007), “Bir İdeoloji Olarak Milliyetçilik”, *Akademik Bakış*, sayı: 12, Celalabad-Kırgızistan.

Сумленный, Сергей (2006) “Армянская диаспора Германии: От непризнания к интеграции”, *«21-й ВЕК»*, №2(4), С.112-123. [http://www.noravank.am/upload/pdf/21\\_ru.pdf](http://www.noravank.am/upload/pdf/21_ru.pdf)

Yılmaz, Mehmet (2006), *Modernizmden Postmodernizme Sanat*, Ütopya, Ankara, s.18.

Manifesto of Oslo Terrorist Anders Behring Breivik, video [http://www.liveleak.com/view?i=89a\\_1311444384](http://www.liveleak.com/view?i=89a_1311444384) (07.04.2012).

# ARMENIA'S FOREIGN POLICY: SMALL STATE IRREDENTISM

(ERMENİSTAN'IN DIŐ POLİTİKASI:  
KÜÇÜK DEVLET AYRILIKÇILIĐI)

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**Abstract:** *Armenian foreign policy showed how small states can also be source of instability in their regions if they became a part of the regional power struggle and if they are supported by one of the major regional power. With the existence of Diaspora in various countries, Armenia could follow multi dimensional foreign policy and become important country for the transportation of regional energy resources. However the Nagorno-Karabakh conflict, Armenia's irredentist policy regarding the conflict and its relations with the neighbors did not allow Armenia to strengthen its sovereignty and to have constructive relations with its neighbors. In this article Armenia's policy towards the Nagorno-Karabakh conflict, Armenia's relations with its neighbors and particularly its relations with Russia and Turkey will be analyzed.*

**Keywords:** *Armenia, Russia, Turkey, Protocols, Sarkisian*

**Öz:** *Ermeni dış politikası küçük devletlerin bölgesel güç mücadelelerine taraf olmaları ve bölgesel güçlerden biri tarafından desteklendiklerinde nasıl o bölgelerde istikrarsızlık kaynağı olabileceklerini açıkça göstermektedir. Birçok farklı ülkede diasporaya sahip olduğundan Ermenistan çok yönlü bir dış politika izleyebilecek ve bölgesel enerji kaynaklarının iletilmesi açısından önemli bir ülke konumuna gelebilecekti. Ancak Dağlık Karabağ ihtilafı, Ermenistan'ın bu çatışmada ayrılıkçılığı destekleyen konumu ve komlu ülkeler ile ilişkileri, Ermenistan'a egemenliğini güçlendirme ve komşuları ile yapıcı ilişkiler kurmasını engellemiştir. Bu makalede Ermenistan'ın Dağlık Karabağ ihtilafına yönelik politikası komşuları ve özellikle Rusya ve Türkiye ile ilişkileri değerlendirilecektir.*

**Anahtar Kelimeler:** *Ermenistan, Rusya, Türkiye, Protokoller, Sarkisyan*

## Introduction

Armenia became independent after the collapsed of the Soviet Union. This is the case when a big power and/or empires disintegrate, many small states enter international politics. In the Caucasus region, three small states, Armenia, Azerbaijan and Georgia became independent. There are many definitions of small states. One such definition is that “*a small power is a state which recognizes that it cannot obtain security primarily by use of its own capabilities and that it must rely fundamentally on the aid of other states, institutions, processes, or developments to do so.*”<sup>1</sup> However, smallness is a relative concept and it depends on the international society to which a state is a member of.<sup>2</sup> Small states exhibit certain common foreign policy behavior such as a low level of participation in world affairs, limit their behavior to their immediate geographic area, and rely on superpowers for protection, partnership, and resources.<sup>3</sup> Having a limited capacity to implement foreign policy and insecurities regarding their survival does not mean that small states cannot become security threats in their region. In fact irredentist claims of small states in the post-Cold War era created instability and regional conflicts. Armenian irredentism became a part of country’s foreign policy and it was this foreign policy that worsened the situation in the Nagorno-Karabakh conflict and contributed to the destabilization of the Caucasus.

In this article, certain aspects of Armenian foreign policy will be analyzed in terms of their impact on shaping the post-Cold War Caucasus. The article will try to evaluate the fact that although Armenia is a land-locked state and lacks strategic depth in its relations with Russia, Diaspora’s role in Armenian politics differentiated it from a typical small state. Armenia followed irredentist policy with the Russian support, particularly until 1994 when the ceasefire agreement was signed in the Nagorno-Karabakh conflict. Besides its alliance with Russia, Armenia managed to get substantial amount of aid from the US thanks to its Diaspora. Thus, in this article, the role of Diaspora in Armenian foreign policy, Armenia’s policy towards the Nagorno-Karabakh conflict, Armenia’s relations with Russia and Turkey will particularly be focused due to their impact to Armenian foreign policy.

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1 Robert L. Rothstein, *Alliances and Small Powers*, New York: Columbia University Press, 1968, p. 29. See also Jeanne A.K. Hey, *Small States in World Politics: Explaining Foreign Policy Behavior*, London: Lynne Rienner Publishers, 2003. Robert O. Keohane, “Liliputians’ Dilemmas: Small States in International Politics”, *International Organization*, Vol. 23, Issue 2, 1969, pp. 291-310, published online, 22 May 2009.

2 See Martin Wight, *Power Politics*, edited by Heddeley Bull and Holbrood C., Leicester University Press, 1978.

3 Jeanne A.K. Hey, *Small States in World Politics: Explaining Foreign Policy Behavior*, London: Lynne Rienner Publishers, 2003, p. 5.

## Basic Parameters of the Armenian Policy

When Armenia became independent, the most important issue for its foreign policy was the Nagorno-Karabakh conflict. In fact Nagorno-Karabakh problem affected Armenia's relations with its neighbors, particularly, with Azerbaijan and Turkey. Armenia gave special priority for its relations with Russia. Armenia's irredentist foreign policy and aggravation of the Nagorno-Karabakh problem as a result, made Armenia extremely dependent on Russia. Occupation of Azerbaijan's territories created insecurity in Armenia since there is possibility that Azerbaijan might try to get back its territories using military means. In this atmosphere Russia is considered as a military protector. However, this situation prevented Armenia to strengthen its sovereignty after the independence.

Diaspora is also a factor that should be taken into account analyzing Armenian foreign policy. Diaspora engaged to dictate its agenda on Armenian foreign policy. Diaspora was particularly eager to include genocide allegations into the Armenian foreign policy priorities.

*As a land-locked state Armenia needed to establish good neighborly relations, which would open new opportunities for trade and Armenia would feel more secure through constructive relations with other regional countries.*

As a land-locked state Armenia needed to establish good neighborly relations, which would open new opportunities for trade and Armenia would feel more secure through constructive relations with other regional countries. However, Armenian irredentism and its impact on domestic politics prevented Armenia to follow foreign policy accordingly. Armenia's first President Levon Ter-Petrosian aimed to normalize relations with Turkey and his advisor Libaridian argued that "... *what if having normal diplomatic and economic relations with Turkey is in the interest of Armenia as well as of Karabakh? Would not improved Armeno-Turkish relations weaken the Azerbaijani negotiating position, the rigidity of which is based on a policy of struggling the Armenian economy? Should the answer to these questions be positive... then the normalization of relations with Turkey would facilitate Armenia's role as a transit route of Caspian Sea hydrocarbon resources.*"<sup>4</sup>

Ter-Petrosian refrained to put genocide allegations in Armenia's foreign policy in order to normalize Armenia's relations with Turkey. However,

4 Gerard J. Libaridian, *The Challenge of Statehood, Armenian Political Thinking Since Independence*, Blue Crane Books, Watertown, 1999, p. 116.



Armenian occupation of Azerbaijan's territories continued during Ter-Petrosian's Presidency, as it will be discussed below, which at the end led to the closure of the Turkish-Armenian border. While Ter-Petrosian at least in his statements emphasized the importance of the normalizations of relations with Turkey, his policies created diversion with certain Diaspora organizations and their associates in Armenia. In fact Ter-Petrosian's conflict with Diaspora supported Armenian Revolutionary Federation (ARF) started with his election as a President. In 1994 the ARF was banned to operate in Armenia. However, the ARF's campaign against Ter-Petrosian continued abroad particularly in the US. After the election of Ter-Petrosian as a President of Armenia second time in 1996, campaign was hastened against Ter-Petrosian arguing that elections were rigged and the process which resulted the resignation of Ter-Petrosian started. After the 1996 Lisbon Summit of the Organization for Security and Cooperation in Europe (OSCE) which called the withdrawal of all occupying Armenian armed forces from Nagorno-Karabakh and surrounding areas of Azerbaijan, and the return of all refugees to their homes, criticisms by Armenians both home and abroad against Ter-Petrosian intensified. In 1997 OSCE Minsk Group proposed a new peace plan for the solution of the Nagorno-Karabakh conflict. Ter-Petrosian faced even more pressure when he gave impression that he might accept the proposal and at the end he resigned.<sup>5</sup>

After the Ter-Petrosian era Kocharian became President of Armenia and the reign of "Karabakh Clan" started in Armenia. Armenia followed more rigid policy regarding the solution of the Nagorno-Karabakh conflict and Armenia's relations with Turkey. Kocharian allowed reactivation of the ARF. Genocide allegations and international recognition was prioritized in Armenian foreign policy. During Kocharian's two term Presidency one of the important events which has implications of the Armenian foreign policy was the attack on Armenian Parliament in 1999. Including Prime Minister Vazgen Sarkisian and Speaker of the Parliament Karen Demirciyan, 8 members of the Parliament were killed. Despite the fact that Prime Minister Vazgen Sarkisian was against Ter-Petrosian's Karabakh policy, he gave the impression that he was ready for compromise in the problem and he would be the person who might support Kocharian, if Kocharian were ready for the settlement. However, his assassination ended this possibility.<sup>6</sup>

In 2008 Ser Sarkisian became the President of Armenia. Sarkisian was born

5 Kamer Kasım, "Armenia's Foreign Policy: Basic Parameters of the Ter-Petrosyan and Kocharyan Era", *The Review of Armenian Studies*, Vol. 1, Issue 1, 2002, pp. 95-97. Joseph R. Masih and Robert O. Krikorian (eds.), *Armenia at the Crossroads*, Harwood Academic Publishers, 1999, pp. 112-114. "Armenia Agrees in Principle to Karabakh Peace Plan", *Radio Free Europe/Radio Liberty Newslines*, 8 October 1997.

6 Kamer Kasım, "Armenia's Foreign Policy: Basic Parameters of the Ter-Petrosyan and Kocharyan Era", *The Review of Armenian Studies*, Vol. 1, Issue 1, 2002, pp. 99-100. Gerard Libaridian, "Armenia in the Wake of Assassination", *BCSIA Documents*, <http://ksgnotes1.harvard.edu/BCSIA/Library/nfs/pubs/ArmeniaTalk>, 8 November 1999.

in Nagorno-Karabakh like his predecessor. Sarkisian served as a Defence Minister of Armenia and in 2007 he became Prime Minister. When Sarkisian was elected as President, the Nagorno-Karabakh problem continued to be the most important issue in Armenian foreign policy. Another important issue is the rapprochement process with Turkey, which will result in signing the protocols between the two countries. About the process between Turkey and Armenia Sarkisian argued that *“Armenia’s position is clear: in the 21st century borders between neighboring countries must not be closed. Regional cooperation could be the best means of supporting stability. The Turkish side offers to form a commission that would study historical facts. We don’t oppose the creation of such a commission, but when the border between the states is open.”*<sup>7</sup>

Sarkisian continued the policies of Kocharian in the case of genocide allegations and the Nagorno-Karabakh conflict. However, Sarkisian needed to reconsider current situation of closed border with Armenia’s two neighbors during the August 2008 Russian-Georgian conflict. During the conflict Armenian-Georgian border was closed, which impacted on the Armenian economy badly since 2/3 of foreign goods come to Armenia from Georgian way.<sup>8</sup> Thus opening of the Turkish-Armenian border would become important for Armenian economic and politic stability.

***Although the Armenian administration argued that Armenia was not a part of the Nagorno-Karabakh conflict, it was obvious that without the support of Armenia, the Nagorno-Karabakh Armenian forces could not occupy the territory of Azerbaijan.***

### **Armenia’s Relations with Other Regional Actors under the Shadow of the Nagorno-Karabakh Conflict**

As an independent state Armenia faced the Nagorno-Karabakh conflict, which started before its independence. When Armenia and Azerbaijan became independent in 1991, the Nagorno-Karabakh conflict transformed from the domestic affairs of the Soviet Union to the regional conflict. Although the Armenian administration argued that Armenia was not a part of the Nagorno-Karabakh conflict, it was obvious that without the support of Armenia, the Nagorno-Karabakh Armenian forces could not occupy the territory of Azerbaijan. Armenia refrained from recognizing the self declared “Nagorno-Karabakh Republic”. As Levon Ter-Petrosian stated

7 European Stability Initiative web site, [http://www.esiweb.org/index.php?lang=en&id=322&debate\\_ID=2&slide\\_ID=12](http://www.esiweb.org/index.php?lang=en&id=322&debate_ID=2&slide_ID=12)

8 Naira Melkumian, “Armenia: Economy Hit by Georgian War”, *IWPR*, 16 October 2008.

that “We want to make every effort to ensure that the problem of Nagorno-Karabakh is not regarded as a conflict between Armenia and Azerbaijan. It is wrong to say that Armenia has territorial claims on Azerbaijan. But if we officially recognize the ‘Republic of Nagorno-Karabakh’, we could be accused of interference or even provocation.”<sup>9</sup> However, Ter-Petrosian was a leader of the Karabakh Committee, which aimed to put Nagorno-Karabakh under the control of Armenia. In fact Ter-Petrosian was arrested together with other members of the Karabakh Committee in December 1988. Ter-Petrosian was one of the leading instigators of the secessionist movement in Karabakh. During his Presidency Armenia’s support enabled the Armenian forces occupied about 20 % of Azerbaijan’s territory and one million people became Internally Displaced Person (IDP) as a result.

In 1994 ceasefire agreement was signed and the Nagorno-Karabakh problem turned into “Frozen Conflict”. During the peace process Ter-Petrosian tried to change status quo. However there was disagreement within the Armenian administration. The process resulted with the resignation of Ter-Petrosian. Before his resignation Ter-Petrosian insisted the necessity for finding solution to the conflict. He stated that “It is not possible to maintain the status quo for a long period of time because neither the international community nor Armenia’s economic capabilities will permit it. To solve the question of Karabagh we have only one option, a compromise solution, which does not mean that one side is the victor and the other the loser; it does mean finding an agreement based on what is possible when the conflict has reached maturity.”<sup>10</sup>

With Kocharian’s Presidency Armenia followed more rigid policy towards the Karabakh conflict. Besides the fact that he is from Nagorno-Karabakh, Kocharian’s special ties with the Armenian Revolutionary Federation and its supported organizations made more difficult for Armenia to accept the withdrawal of at least the territories outside the Nagorno-Karabakh. Kocharian first even rejected to meet with the President of Azerbaijan Aliyev to discuss solution for the Nagorno-Karabakh conflict. However, Kocharian met with Aliyev in Paris in March 2001 and in Key-West Florida in April 2001.<sup>11</sup> These talks did not result with an agreement. During Kocharian era the most important event regarding the Nagorno-Karabakh conflict was the introduction of Madrid Principles in November 2007 OSCE Summit.

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9 Michael P. Croissant, *The Armenia-Azerbaijan Conflict Causes and Implications*, London: Preager, 1998, p. 70.

10 Levon-Ter-Petrosian, “War or Peace? Time for Thoughtfulness”, [http://khosq.com/hy/article/2009/08/06/war\\_or\\_peace\\_time\\_for\\_thoughtfulness\\_by\\_levon\\_ter\\_petrosian\\_1998](http://khosq.com/hy/article/2009/08/06/war_or_peace_time_for_thoughtfulness_by_levon_ter_petrosian_1998).

11 Kamer Kasım, “Armenia’s Foreign Policy: Basic Parameters of the Ter-Petrosyan and Kocharyan Era”, *Review of Armenian Studies*, Vol. 1, Issue 1, 2002, pp. 98-99.

Although it did not lead to result, the next important attempt regarding to find solution for the Nagorno-Karabakh conflict came after August 2008 Russian-Georgian conflict. Moscow Declaration was signed in November 2008. The Declaration stated that parties will try to solve the conflict on the basis of the norms and principles of international law and of the decisions documents adopted within that framework. Since all adopted documents of UN, OSCE, Council of Europe and other organizations indicated that the solution would be based on the territorial integrity of Azerbaijan, it might be argued that the Declaration confirms the territorial integrity of Azerbaijan. The Moscow Declaration referred to the Madrid Principles and committed to the political solution of the Nagorno-Karabakh problem. This means that the Moscow Declaration disregards the Azerbaijan's warning to the use of military force to get back its territories.<sup>12</sup>

The Moscow Declaration was important since the both sides agreed with the document. However, the Moscow Declaration and subsequent attempts did not achieve breakthrough in the peace process. The breakthrough in the Nagorno-Karabakh conflict needed to put pressure on the Armenian side, since the Nagorno-Karabakh and seven districts are under the Armenian occupation. Russian role is particularly important in this context. Russia is the only power which can put a real pressure on Armenia to force it for concession in the Nagorno-Karabakh conflict. Russia in many ways acted as a supporting actor of Armenia, which damaged the position and effectiveness of the OSCE Minsk Group. Azerbaijan questioned the Russian role as one of the co-chairs of the Minsk Group.<sup>13</sup>

### *Armenia's Relations with Russia*

Armenia established special economic, political and military relations with Russia. This relationship made Armenia depend on Russia in many ways. Russian foreign policy impacted on Armenian domestic and foreign policies. Russia used mechanisms such as Commonwealth of Independent States (CIS) Common Security Treaty Organisation (CSTO) to manipulate regional events. Azerbaijan's rejection of the membership of CIS and Russian military presence in its territories encouraged Russia to support the

12 Liz Fuller, "Moscow Declaration A Victory for Armenia", *Radio Free Europe/Radio Liberty*, [http://www.rferl.org/content/Moscow\\_Declaration\\_A\\_Victory\\_For\\_Armenia/1337592.html](http://www.rferl.org/content/Moscow_Declaration_A_Victory_For_Armenia/1337592.html), 3 November 2008. Liz Fuller, "Azerbaijan Floats Principles for Karabakh Peace Settlement", *Radio Free Europe/Radio Liberty*, [http://www.rferl.org/content/Azerbaijan\\_Floats\\_Principles\\_For\\_Karabakh\\_Peace\\_Settlement\\_/1357686.html](http://www.rferl.org/content/Azerbaijan_Floats_Principles_For_Karabakh_Peace_Settlement_/1357686.html), 9 December 2008. Fariz Ismailzade, "Moscow Declaration on Nagorno-Karabakh: A View From Baku", *Turkish Policy Quarterly*, Vol. 3, No. 3, 2008, [http://www.turkishpolicy.com/images/stories/2008-03-tpq/fariz\\_ismailzade.pdf](http://www.turkishpolicy.com/images/stories/2008-03-tpq/fariz_ismailzade.pdf).

13 Michael J. Baranick and Samuel Schwabe, "In Pursuit of Peace in Nagorno-Karabakh", *The Cornwallis Group XI: Analysis for Civil-Military Transitions*, pp. 321-322. For the Third Party Mediation in the Nagorno-Karabakh conflict see Bahar Başer, "Third Party Mediation in Nagorno-Karabakh: Part of the Cure or Part of the Disease", *Journal of Central Asian and Caucasian Studies*, Vol. 3, No. 5, 2008, pp. 86-114.

Armenian side in the Nagorno-Karabakh conflict. Until the ceasefire in the conflict, Russian direct or indirect support helped the Armenian forces to occupy Azerbaijan's territories. The most important event, which publicized the Nagorno-Karabakh conflict in international media, was Hocali massacre. The role of Russian 366 Motor rifle regiment in the Hocali massacre is generally accepted. With the help of the Russian regiment the Armenian forces attacked and 613 people were killed in February 1992. Another important event, which indicated open Russian support to the Armenian side, came with the Armenian forces attack to Nakhichevan. When Armenian forces attacked Nakhichevan in May 1992, the possibility of military intervention was discussed in Turkey with the reference to the 1921 Kars Treaty. Russia reacted against possible Turkish intervention and the Commander of the CIS Joint Armed Forces Shaposhnikov indicated that such intervention could trigger a Third World War.<sup>14</sup>

The Nagorno-Karabakh conflict provided Russia an opportunity to control Armenian foreign policy and to check Azerbaijan as Russia wanted Caspian energy resources to pass through its territory. The ceasefire in the Nagorno-Karabakh conflict was managed with the Russian initiative and after this, Russia tried to be a part of the solution of the conflict. However, its ties with Armenia and military presence made Russia an unreliable and a biased actor from Azerbaijan's perspective. Russia made a proposal through the OSCE Minsk Group in November 1998 called "common state" proposal, which gave the Nagorno-Karabakh its own constitution, flag, seal and anthem. Nagorno-Karabakh would form its own legislative, executive and judicial authorities. The proposal even gave right to the Nagorno-Karabakh to establish direct external contacts with foreign states. This proposal was rejected by Azerbaijan on the grounds that it would violate its territorial integrity.<sup>15</sup>

The next important Russian attempt came to solve the Nagorno-Karabakh problem after the Russian-Georgian conflict of August 2008. This produced Moscow Declaration as mentioned above. The Presidents of Russia, Azerbaijan and Armenia met in Kazan on 24 June 2011 and this meeting did not produce any agreement. Russian President Medvedev was disappointed and stated that he would organize another summit only if both sides firmly

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14 See Michael P. Croissant, *the Armenia-Azerbaijan Conflict, Causes and Implications*, Westport, Connecticut, London: Praeger, 1998, pp. 78-81. Kamer Kasım, "The Nagorno-Karabakh Conflict From Its Inception to the Peace Process", *Armenian Studies*, Issue 2, June-July-August 2001, pp. 170-185. Kamer Kasım, "Azerbaycan ile İlişkiler", *USAK Stratejik Gündem*, <http://www.usakgundem.com/yazar/1990/azerbaycan-ile-ilişkiler.html>, 1 March 2011.

15 For the details of the proposal See Ali Abasov and Haroutiun Khachatryan, *The Karabakh Conflict, Variants of Settlement: Concepts and Reality*, Baku/Yerevan 2006, [http://www.ca-c.org/dataeng/books/book-1/Abaso\\_Khachatryan.pdf](http://www.ca-c.org/dataeng/books/book-1/Abaso_Khachatryan.pdf), Appendix 19. See also Kamer Kasım, "The Nagorno-Karabakh Conflict: Regional Implications And The Peace Process", *Caucasus International*, Vol. 2, No. 1, Spring 2012, pp. 93-110.

express their readiness to sign up to the principles of the settlement.<sup>16</sup> If Russia wanted to solve the Nagorno-Karabakh problem and put pressure on Armenia, the problem would have been solved. Considering the fact that Armenia depended on Russia economically, it would be very difficult for Armenia to resist the Russian pressure. However, Russia should be convinced that the solution to the Nagorno-Karabakh conflict is to the benefit of Russia.

On the Armenian side, although it might be argued that Russian military presence provides security for Armenia, the same military presence and Russian influence prevents Armenia from following multi-dimensional foreign policy and establishing constructive relations with its neighbors.<sup>17</sup> How can the structure of Armenian-Russian relations change? The structural change in the Armenian-Russian relations require both the will for change in both sides and also certain adjustment in regional and sub-regional systems, which will impact on Armenia's foreign relations in return. One important change might be the Armenian integration with the West. This idea particularly was put forward by the US administration after the August 2008 Russian-Georgian war. In this strategy the normalization of Turkish-Armenian relations is the priority, since Turkey is a gateway to the West for Armenia.

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### *Armenia's Relations with Turkey*

Armenia's relations with Turkey have been problematic since the independence of Armenia despite Turkey's quick recognition of Armenian independence. There are obstacles for normal diplomatic relations. Armenian genocide allegations and Armenia's policy regarding genocide allegations became the main obstacle in Turkey-Armenia relations. Armenian Declaration of Independence stated that "*The Republic of Armenia stands in support of the task of achieving international recognition of the 1915 Genocide in Ottoman Turkey and Western Armenia.*"<sup>18</sup> This

16 "Russia's Medvedev Frustrated with Karabakh Impasse", *Radio Free Europe/Radio Liberty*, [http://www.rferl.org/content/russia\\_medvedev\\_frustrated\\_karabakh\\_impasse/24248417.html](http://www.rferl.org/content/russia_medvedev_frustrated_karabakh_impasse/24248417.html), 27 June 2011.

17 Kamer Kasim, "Russian-Armenian Relations: A Strategic Partnership or Hegemonic Domination", *Review of Armenian Studies*, Vol. 1, No. 2, 2003, pp. 34-35.

18 For the text of Armenian Declaration of Independence see <http://www.gov.am/en/independence/>

Declaration and statements of Armenian officials also indicated another problem in Turkish-Armenian relations. The term “Western Armenia” is referred to the territories within Turkey. Armenia’s obscurity regarding the Kars Treaty, which was drawn the Turkish-Armenian border created rift in the relations. Ter-Petrosian and Armenian National Movement were criticized for their arguments against putting the genocide claims in the Declaration of Independence. At the end Armenian Declaration of Independence was accepted including genocide allegations and hint of territorial claims.

Armenian irredentism regarding the territory of Turkey continued and expressed from the Armenian leaders since the independence of Armenia. For example, when a student asked Armenian President Sarkisian whether Armenia could regain “Western Armenia” he said that “*Armenia’s present generation has successfully resolved the matter of Karabakh ‘a part of our homeland’ and the next generation now growing up, has its own responsibility to fulfill with honor.*”<sup>19</sup>

Sarkisian’s respond to the question indicated Armenian territorial claims and its ambiguity about Turkish-Armenian border and the related treaties about it. This type of Armenian irredentism existed before the independence of Armenia and continued after its independence as well. This atmosphere prevented Armenian politicians and political parties to have different approach towards Armenian-Turkish relations. However international atmosphere forced Sarkisian reevaluate Armenia’s policy towards Turkey. The most important event was the August 2008 Russian-Georgian conflict, which caused all regional countries to reevaluate their regional policies.

In the case of Turkish-Armenian relations before the August 2008 conflict there was a pressure to normalize Turkish-Armenian relations. The US is particularly eager for normalization. One objective of this policy was to strengthen the US administrations’ hand against the Armenian Diasporas’ attempts for the adoption of genocide resolution from the Congress.<sup>20</sup> Another objective was to bring Armenia closer to the West and “rescue” her from Russian control. For the first objective the US administration thought that if Turkey-Armenia relations were normalized, it would be easier to convince the congress members that genocide resolutions are against the US interest and also will damage the Turkish-Armenian rapprochement. The objective of bringing Armenia closer to the West was given more

19 Vladimir Socor, “Armenian President Casts Doubt on Ongoing Negotiating Processes”, *Eurasia Daily Monitor*, Vol. 8, Issue 148, 2 August 2011.

20 Kamer Kasım, “Türkiye-Ermenistan İlişkileri: Protokollere Giden Süreç ve Sonrası”, *Ermeni Araştırmaları Dergisi*, 10. Yıl Özel Sayısı, 2011, pp. 83-99.

importance after the August 2008 Russian-Georgian conflict. The conflict indicated that Russia could easily use military power in the region and Armenia's peculiar position as provider of military base to Russia that weakens the US influence and gives upper hand to Russia. To reverse this situation, normalization of Turkish-Armenian relations and particularly the opening of the Turkish-Armenian border were crucial.<sup>21</sup> Thus international pressure existed for the normalization of Turkish-Armenian relations.

Turkey and Armenia had an important step for rapprochement in April 2009 when the two sides agreed on a framework to normalize their bilateral relations. With the road map in Turkish-Armenian relations the two countries committed to develop good neighborly relations in mutual respect and progress peace, security and stability in the Caucasus. At the beginning of the normalization process Armenian domestic politics was affected from it and Armenian Revolutionary Front left from the coalition protesting the road map. After the road map, the US President Obama used the term "Mets Yeghern" ("Great Disaster" in Armenian language) in his 24<sup>th</sup> April speech. Diaspora criticized Sarkisian arguing that due to the rapprochement process with Turkey, Obama did not say "genocide" in his speech.<sup>22</sup> Despite this criticism Armenian administration continued the rapprochement process and the protocols between Turkey and Armenia were signed on 10<sup>th</sup> October 2009 in Switzerland. Sarkisian came to Turkey to watch football match between Turkish and Armenian national teams on 14<sup>th</sup> October 2009.

There are two protocols: 1. The Protocol on the Establishment of Diplomatic Relations between the Republic of Armenia and the Republic of Turkey and 2. the Protocol on Development of Relations between the Republic of Armenia and Republic of Turkey. According to the protocols, Turkish-Armenian border will be opened within two months after the ratification of the protocols. Regarding the issue of genocide allegations, which is also one of the obstacles in bilateral relations, a sub-commission of historical dimension would be established in order to provide an impartial scientific examination of historical records. With regard to the recognition of borders, the protocols emphasized to respect and ensure to respect for the principles of equality, sovereignty, non-intervention in internal affairs of other states, territorial integrity and inviolability of frontiers. Protocols also confirmed the mutual recognition of the existing border between the two countries as defined by the relevant treaties of international law.<sup>23</sup> Despite the fact that protocols mentioned the opening of

21 Kamer Kasım "Turkey, Russia and the US's Policy Towards the Karabakh Problem", *International Conference on Nagorno-Karabakh Conflict and Its Solution Ways*, Azerbaijan/Baku, Qafqaz University International Conflict Research Center, 28-30 May 2010.

22 Gayene Abrahamyan, "Armenia: Obama Escapes Blame For Omission", *Eurasia Insight*, [http://www.eurasianet.org/departments/insight/articles/eav050109\\_pr.shtml](http://www.eurasianet.org/departments/insight/articles/eav050109_pr.shtml), 1 Mayıs 2009.

23 See for the text of the protocols, Turkish Foreign Ministry, <http://www.mfa.gov.tr/data/DISPOLITIKA/t%C3%BCrkiye-ermenistan-ingilizce.pdf>



the Turkish-Armenian border within the two months after entry into force, it was not clear how the border would be opened without a solution for the Nagorno-Karabakh conflict. Protocols did not mention any direct reference to the Nagorno-Karabakh conflict, while it is necessary to recall that Turkey closed its border with Armenia after the occupation of Kelbecer by the Armenian forces. Turkish Prime Minister before the protocols in May 2009, clearly stated in Baku that Turkey would not open its borders as long as occupation of the territories of Azerbaijan continued.<sup>24</sup> Despite promises from the Turkish authorities at the highest level, Azerbaijan was disappointed that protocols did not mention the Nagorno-Karabakh problem. Azerbaijan lobbied to prevent Turkey opening the Armenian border before the solution of the Nagorno-Karabakh problem. While Turkey continued its effort to convince Azerbaijan that Armenian border would not be opened without solution of the Nagorno-Karabakh conflict, Azerbaijan was criticized by the US. As a reaction Azerbaijan did not include joining NATO as Azerbaijan's strategic goal in its military doctrine adopted on June 8<sup>th</sup> 2010.<sup>25</sup>

Protocols and rapprochement with Turkey disturbed Armenian parties, which support Armenia to continue its irredentist claims and policies. Armenian Revolutionary Front criticized the protocols as undermining the international recognition of the Armenian genocide, legitimizing the current border between Turkey and Armenia, and linking the normalization of the relations with the resolution of the Nagorno-Karabakh conflict.<sup>26</sup> Armenian Diaspora also criticized the protocols particularly due to the article about the establishment of the sub historical commission.

For the ratification of protocols in Armenia, Armenian Constitutional Courts approval is needed. While the Armenian Constitutional Court approved the conformity of the protocols with the Armenian Constitution, its interpretation of the protocols was against the spirit of the protocols and created a great debate about the meaning of the articles. For example Armenian Constitutional Court stated that the provisions of the protocols cannot be interpreted or applied in the legislative process and the application practice of the Republic of Armenia as well as in the interstate relations in a way that would contradict provisions of the preamble to the Republic of Armenia Constitutions and the requirements of Paragraph 11 of the Declaration of Independence of Armenia.<sup>27</sup> Since the Declaration of

24 Mina Muradova, "Azerbaijan: Turkish Prime Minister Offers Strong Support For Baku's Position on Karabakh", *Eurasia Insight*, <http://www.eurasianet.org/departments/insightb/articles/eav051309a.shtml>, 13 Mayıs 2009.

25 Maxim A. Suchkov, "Re-engaging the Caucasus: New Approaches of U.S. Foreign Policy in the Region", *Journal of Central Asian and Caucasian Studies*, Vol. 6, No. 11, 2011, p. 144.

26 "ARF Issues Statement on Constitutional Court Ruling", *Armenian Weekly*, <http://www.armenianweekly.com/2010/01/13/arf-issues-statement-on-constitution-court-ruling/>, 13 Ocak 2010.

27 For the Armenian Constitutional Courts decision see <http://concourt.am/english/decisions/common/pdf/850.pdf>

Independence referred to the genocide allegations and mentioned the “Western Armenia”, this put questions about Armenia’s view of territorial integrity and sub-historical commission. Turkey’s expectations from the protocols are to discuss genocide allegations in a scientific platform and to receive a clear recognition of the borders from the Armenian side. If these expectations were not to be fulfilled, the protocols would be meaningless for Turkey.

In the end, the process of ratification of protocols was suspended by the Armenian side. The Armenian administration could not stand the criticism from domestic politics and Diaspora. Sarkisian also realized that Turkey would not open the border before the settlement of the Nagorno-Karabakh conflict and Armenia had no intention to take a step for the solution of the conflict. Sarkisian was also aware of the fact that Armenia would not face international pressure in suspending the protocols. Armenia directed the blame towards Turkey arguing that Turkey is putting condition for the implementation of the protocols.

*The countries putting pressure on Turkey to open the Armenian border underestimated the importance of the Nagorno-Karabakh problem, which continue to prevent the Turkish-Armenian rapprochement process.*

Armenia’s policy towards Turkey was quite contradictory. Armenian administration wanted the Turkish-Armenian border to be opened. However, Armenia continued its policy about genocide allegations and recognition of the Turkish-Armenian border. Besides the Armenian administration was very reluctant to take steps about the solution of the Nagorno-Karabakh conflict. It became clear that Turkish-Armenian border could not be opened before the settlement of the Nagorno-Karabakh problem. The countries putting pressure on Turkey to open the Armenian border underestimated the importance of the Nagorno-Karabakh problem, which continue to prevent the Turkish-Armenian rapprochement process.

#### *Other Factors and Parliamentary Elections*

The Nagorno-Karabakh conflict and relations with Russia and Turkey are important factors in Armenian foreign policy. Besides the above discussed factors Armenia’s relations with Iran and Georgia also played a role in Armenia’s policy. Iran provided important channel for Armenia particularly before the ceasefire in the Nagorno-Karabakh conflict. Iran’s perceptions of threat from Azerbaijan due to the Iran’s ethnic structure resulted in Iran’s

improvement of its relations with Armenia. Armenia's relations with Iran are indicated in very diverse fields from security to energy. Common visits of military and security officials, cooperation in natural gas are the examples of close relations. Armenia-Iran natural gas pipeline was opened in 2007. Railway projects and plan to construct hydro-electric power plant on Aras River are other instruments to establish strong ties between Armenia and Iran.<sup>28</sup>

Georgia became important for Armenian trade since Turkey and Azerbaijan borders were closed. This importance became obvious during the Russian Georgian conflict of August 2008. During the conflict Armenian-Georgian border was closed and the Armenian economy suffered as a result. Armenian irredentism targeting the Armenian minority in Georgia is potential diverging issue between Armenia and Georgia. However, Armenia can not afford to have problem with Georgia while not having any relations with two of its neighbors. During the August 2008 conflict, the rumor that Russia used its base in Armenia to attack Georgia created rift in the relations. Karabakh Armenians' support of the Russian recognition of Abkhazia and South Ossetia despite the fact that Armenia did not recognize these breakaway republics created suspicion in Georgia.<sup>29</sup>

The basic parameters in Armenian foreign policy and its relations with neighbors did not show major breakthrough or change. Parliamentary elections of 6 May 2012 also indicated that Armenian policy would continue in the same direction. Republican Party received 45 % of the vote and continued to be a major force in Armenian politics. This strengthens Sarkisian's hand, which means that if Sarkisian wants to take step to normalize its relations with Turkey, he will face fewer obstacles in domestic politics. In fact Armenian Revolutionary Federation was one of the losers of the election. The ARF fiercely opposed the Turkish-Armenian rapprochement and protocols and they questioned the validity of the Turkish-Armenian border. The party encourages and supports the Armenian irredentism. However, this election result does not mean that Armenian political parties and particularly the Republican Party are ready and willing to normalize Armenia's relations with Turkey.<sup>30</sup>

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28 Vladimir Socor, "Iran-Armenia Gas Pipeline: Far more than Meets the Eye", *Eurasia Daily Monitor*; Vol. 4, No. 56 <http://www.jamestown.org/single/?nocache=1&txtnews%5Bttnews%5D=32607>, 21 March 2007.

29 Kamer Kasım, *Soğuk Savaş Sonrası Kafkasya*, Ankara: USAK Yayınları, 2011, pp. 85-86.

30 See Marilisa Lorusso, *The 2012 Armenian Parliamentary Elections: Implications for Armenian Foreign Policy*, IAI Working Papers 12, May 2012. Kamer Kasım, "Ermenistan Parlamento Seçimleri: Değişim Uzak", *Analist*, June 2012.

## Conclusion

Although Armenia is a small state, which became independent after the collapse of the Soviet Union, it spread instability in the Caucasus with its irredentist policy. Armenian policy managed to separate Nagorno-Karabakh and surrounding regions from Azerbaijan. The same policy was the main obstacle for the settlement of the Nagorno-Karabakh conflict. As was the case for many small states Armenia became a tool in the competition and power struggle among the regional powers. In this struggle, its special relations and partnership with Russia provided Armenia protection and security. However, at the same time this relationship damaged Armenian sovereignty. Armenian irredentism limited its foreign policy options despite Armenia had great advantage of having a large Diaspora in different countries. A more compromising stand in Armenian policy regarding the Nagorno-Karabakh conflict and its relations with Turkey would give Armenia a chance to have a role in transportation of Caspian energy resources to the international markets.

Armenian domestic political actors restricted themselves with the narrow and irredentist interpretation of the Armenian Declaration of Independence. This prevented Armenia to openly recognize its border with Turkey and to reach an agreement for the solution of the Nagorno-Karabakh conflict. At the end Armenia became a state which has no diplomatic relations and closed borders with two of its neighbors. This can hardly be considered as a successful foreign policy.

## BIBLIOGRAPHY

- “ARF Issues Statement on Constitutional Court Ruling”, *Armenian Weekly*, <http://www.armenianweekly.com/2010/01/13/arf-issues-statement-on-constitution-court-ruling/>, 13 Ocak 2010.
- “Armenia Agrees in Principle to Karabakh Peace Plan”, *Radio Free Europe/Radio Liberty Newslines*, 8 October 1997.
- “Russia’s Medvedev Frustrated with Karabakh Impass”, *Radio Free Europe/Radio Liberty*, [http://www.rferl.org/content/russia\\_medvedev\\_frustrated\\_karabakh\\_impasse/24248417.html](http://www.rferl.org/content/russia_medvedev_frustrated_karabakh_impasse/24248417.html), 27 June 2011.
- Abasov, Ali and Haroutiun Khachatryan, *The Karabakh Conflict, Variants of Settlement: Concepts and Reality*, Baku/Yerevan 2006, [http://www.ca-c.org/dataeng/books/book-1/Abaso\\_Khachatryan.pdf](http://www.ca-c.org/dataeng/books/book-1/Abaso_Khachatryan.pdf).
- Abrahamyan, Gayane “Armenia: Obama Escapes Blame For Omission”, *Eurasia Insight*,
- Başer, Bahar “Third Party Mediation in Nagorno-Karabakh: Part of the Cure or Part of the Disease”, *Journal of Central Asian and Caucasian Studies*, Vol. 3, No. 5, 2008, pp. 86-114.
- Baranick, Michael J. and Samuel Schwabe, “In Pursuit of Peace in Nagorno-Karabakh”, *The Cornwallis Group XI: Analysis for Civil-Military Transitions*, pp. 321-322.
- Croissant, Michael P. *The Armenia-Azerbaijan Conflict Causes and Implications*, London: Praeger, 1998
- Croissant, Michael P. *The Armenia-Azerbaijan Conflict, Causes and Implications*, Westport, Connecticut, London: Praeger, 1998
- Fuller, Liz “Azerbaijan Floats Principles for Karabakh Peace Settlement”, *Radio Free Europe/Radio Liberty*, [http://www.rferl.org/content/Azerbaijan\\_Floats\\_Principles\\_For\\_Karabakh\\_Peace\\_Settlement\\_/1357686.html](http://www.rferl.org/content/Azerbaijan_Floats_Principles_For_Karabakh_Peace_Settlement_/1357686.html)
- Fuller, Liz “Moscow Declaration A Victory for Armenia”, *Radio Free Europe/Radio Liberty*, [http://www.rferl.org/content/Moscow\\_Declaration\\_A\\_Victory\\_For\\_Armenia/1337592.html](http://www.rferl.org/content/Moscow_Declaration_A_Victory_For_Armenia/1337592.html)

Hey, Jeanne A.K. *Small States in World Politics: Explaining Foreign Policy Behavior*, London: Lynne Rienner Publishers, 2003, p. 5.

Ismailzade, Fariz "Moscow Declaration on Nagorno-Karabakh: A View From Baku", *Turkish Policy Quarterly*, Vol. 3, No. 3, 2008

Kasım, Kamer "Turkey, Russia and the US's Policy Towards the Karabakh Problem", *International Conference on Nagorno-Karabakh Conflict and Its Solution Ways*, Azerbaijan/Baku, Qafqaz University International Conflict Research Center, 28-30 May 2010.

Kasım, Kamer "Armenia's Foreign Policy: Basic Parameters of the Ter-Petrosyan and Kocharyan Era", *Review of Armenian Studies*, Vol. 1, Issue 1, 2002, pp. 99-100.

Kasım, Kamer "Azerbaycan ile İlişkiler", *USAK Stratejik Gündem*, <http://www.usakgundem.com/yazar/1990/azerbaycan-ile-İlişkiler.html>, 1 March 2011.

Kasım, Kamer "Russian-Armenian Relations: A Strategic Partnership or Hegemonic Domination", *Review of Armenian Studies*, Vol. 1, No. 2, 2003, pp. 34-35.

Kasım, Kamer "The Nagorno-Karabakh Conflict From Its Inception to the Peace Process", *Review of Armenian Studies*, Issue 2, June-July-August 2001, pp. 170-185.

Kasım, Kamer "The Nagorno-Karabakh Conflict: Regional Implications And The Peace Process", *Caucasus International*, Vol. 2, No. 1, Spring 2012, pp. 93-110.

Kasım, Kamer "Türkiye-Ermenistan İlişkileri: Protokollere Giden Süreç ve Sonrası", *Ermeni Araştırmaları Dergisi*, 10. Yıl Özel Sayısı, 2011, pp. 83-99.

Kasım, Kamer *Soğuk Savaş Sonrası Kafkasya*, Ankara: USAK Yayınları, 2011, pp. 85-86.

Kasım, Kamer "Ermenistan Parlamento Seçimleri: Değişim Uzak", *Analist*, June 2012.

Keohane, Robert O. "Liliputians' Dilemmas: Small States in International Politics", *International Organization*, Vol. 23, Issue 2, 1969

Libaridian, Gerard J *The Challenge of Statehood, Armenian Political*

*Thinking Since Independence*, Blue Crane Books, Watertown, 1999, p. 116.

Libaridian, Gerard “Armenia in the Wake of Assassination”, *BCSIA Documents*,  
<http://ksgnotes1.harvard.edu/BCSIA/Library.nfs/pubs/ArmeniaTalk>, 8 November 1999.

Lorusso, Marilisa *The 2012 Armenian Parliamentary Elections: Implications for Armenian Foreign Policy*, IAI Working Papers 12, May 2012.

Masih, Joseph R. and Robert O. Krikorian (eds.), *Armenia at the Crossroads*, Harwood Academic Publishers, 1999, pp. 112-114.

Muradova, Mina “Azerbaijan: Turkish Prime Minister Offers Strong Support For Baku’s Position on Karabakh”, *Eurasia Insight*,

Melkumian, Naira “Armenia: Economy Hit by Georgian War”, *IWPR*, 16 October 2008.

Rothstein, Robert L. *Alliances and Small Powers*, New York: Columbia University Press, 1968, p. 29.

Socor, Vladimir “Iran-Armenia Gas Pipeline: Far more than Meets the Eye”, *Eurasia Daily Monitor*, Vol. 4, No. 56  
<http://www.jamestown.org/single/?nocache=1&txtnews%5Bttnews%5D=32607>, 21 March 2007.

Socor, Vladimir “Armenian President Casts Doubt on Ongoing Negotiating Processes”, *Eurasia Daily Monitor*, Vol. 8, Issue 148, 2 August 2011.

Suchkov, Maxim A. “Re-engaging the Caucasus: New Approaches of U.S. Foreign Policy in the Region”, *Journal of Central Asian and Caucasian Studies*, Vol. 6, No. 11, 2011, p. 144.

Ter-Petrosian, Levon “War or Peace? Time for Thoughtfulness”,  
[http://khosq.com/hy/article/2009/08/06/war\\_or\\_peace\\_time\\_for\\_thoughtfulness\\_by\\_levon\\_ter\\_petrosian\\_1998](http://khosq.com/hy/article/2009/08/06/war_or_peace_time_for_thoughtfulness_by_levon_ter_petrosian_1998)

Wight, Martin *Power Politics*, edited by Hedley Bull and Holbrooke C., Leicester University Press, 1978.

# FACTS AND COMMENTS

(OLAYLAR VE YORUMLAR)

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**Abstract:** *This article addresses the period of August 2011-May 2012, including Turkey-Armenia and Diaspora relations, the stances of the US and France on the Armenian question, parliamentary elections in Armenia and the commemoration of April 24 in Armenia and Turkey and provides some comments concerning these issues.*

**Key Words:** *Turkey-Armenia relations, US, France, Armenian Parliamentary Elections, 24 April 2012, Abdullah Gül, Recep Tayyip Erdoğan, Ahmet Davutoğlu, Serge Sarkisian, Edward Nalbandyan, Hillary Clinton, Barack Obama*

**Özet:** *Bu yazı, Ağustos 2011-Mayıs 2012 döneminde, Türkiye-Ermenistan ve Diaspora ilişkilerini, ABD ve Fransa'nın Ermeni sorununa ilişkin tutumlarını, Ermenistan'da parlamento seçimlerini ve 24 Nisan'ın Ermenistan'da ve Türkiye'de anılmasını incelemekte ve bu konularda bazı yorumlarda bulunmaktadır.*

**Anahtar Kelimeler:** *Türkiye-Ermenistan İlişkileri, ABD, Fransa, Ermenistan Parlamento Seçimleri, 24 Nisan 2012, Abdullah Gül, Recep Tayyip Erdoğan, Ahmet Davutoğlu, Serj Sarkisyan, Edward Nalbantyan, Hillary Clinton, Barack Obama*

## I. TURKEY-ARMENIA AND TURKEY-DIASPORA RELATIONS

In this section of our article, we will address the main developments, approximately within the last ten months (August 2011-May 2012), in the relations between the two countries and also in Turkey's interactions with the Diaspora.



## 1. The Official Statements of the Parties

Previously, we had mentioned that President Sarkisian had provided rather harsh and uncompromising messages concerning Turkey.<sup>1</sup> He has also continued to criticize Turkey during his speech delivered on 23 September 2011 in the United Nations General Assembly.<sup>2</sup>

In his speech, the President has alleged that the normalization process of Turkey-Armenia relations has been initiated by them and has put forth that the establishment of diplomatic relations and the opening of the borders could become the first steps in overcoming the mistrust, suspicion and uncertainty existing between both sides and that although this initiative of Armenia was supported by the international community, Turkey has prevented the ratification and implementation of the protocols.

First we should note that the argument on Armenia initiating the normalization process of relations between the two countries is not true. Turkey has made contacts with Armenia many times in the past for normalization and has proposed a “Commission of Historians” in 2005 which could have resolved the issue of genocide once and for all, but refraining from the reactions that could arise from negotiations with Turkey, President Kocharian has preferred to remain inactive on this issue or to delay it. However, acting more boldly, Sarkisian has accepted to hold talks with Turkey after being elected.

On the other hand, Sarkisian’s belief that “the establishment of diplomatic relations and the opening of the borders would become the first steps in enabling us to start a dialogue and overcoming the air of mistrust, suspicion and uncertainty existing” also draws attention. Generally, after the Protocols have been ratified and the border is opened, other steps to be taken and especially initiatives to be taken towards eliminating the “results of genocide” appear in the minds of the Armenians. These include the returning of properties (to the inheritors) of those being relocated and also paying compensation to them. In the moral aspect, Turkey is expected to apologize to the Armenians for the relocation. The Dashnaks and other radical Armenians also include Turkey giving territory to Armenia among these steps. There is no consensus on the size of this territory. Various views exist, ranging from Wilsonian Armenia to only giving Mount Ararat.

President Sarkisian’s speech delivered in the UN General Assembly has mostly emphasized the prevention of genocide as if the threat of genocide exists in the region where Armenia is located and has said that in order to

1 Ömer Engin Lütem (2011) “Facts and Comments” *Review of Armenian Studies*, Number 23, p.19

2 “Speech by Serzh Sargsyan, the President of the Republic of Armenia in the 66th session of the General Assembly” September 23, 2011 <http://www.president.am/events/statements/eng/?id=107>

prevent this, (past) genocides must be recognized and condemned. It is noteworthy to indicate that this conviction, which has been put forth for many years by Armenian writers and politicians, is actually incorrect, because almost everyone in the world recognizes that the Jews have been subjected to genocide and fiercely condemns it. However, this recognition and condemnation have not been able to prevent the Rwandan and Bosnian genocides and similar events to genocide such as Darfur taking place.

In his speech, President Sarkisian has also expressed that the genocide perpetrated in the Ottoman Empire against the Armenians has been recognized and condemned by numerous country parliaments, international organizations and genocide scholars' community, but that the same does not hold true for Turkey, which continues to engage in a policy of denying this atrocious crime committed against humanity. After understanding that Turkey will not ratify the Protocols unless positive developments take place regarding the Karabakh issue, Sarkisian's statements comprise a new manifestation of his approach, which could be summarized as criticizing Turkey on every opportunity and even vilifying it.

The constant accusations of Armenian officials towards Turkey has also drawn the attention of the US and Russia. As will be seen below, while the US has utmost effort for a dialogue to be re-established between the sides, Russia has conducted a similar initiative.

After Dmitri Medvedev, the President of the Russian Federation has called President Gül and expressed his condolences for the earthquake that occurred in and surrounding the city of Van, has said that he is with Armenian President Serge Sarkisian and has led to a phone conversation being held between them. While Sarkisian has indicated that they are ready to provide assistance for the earthquake and that they could immediately send a search and rescue team if allowed, President Gül has thanked him and has indicated that international assistance is not required at the moment.<sup>3</sup> Turkey, which had turned down the offers for aid by foreign countries right after the earthquake, had later on accepted these aids due to the size of the damage. However, Armenia's (and Israel's) insistent offer for assistance has been understood more of an initiative for propaganda in Ankara after the Foreign Ministry spokesman expressed that they do not mix humane gestures up with political responsibilities and that these aids do not mean a positive development in the existing problems.<sup>4</sup> Later on, Foreign Minister Davutoğlu has also confirmed this by saying that the

3 "Gül'e Sürpriz Telefon (Surprise Call to Gül)", *Hürriyet*, 25 October 2011.

4 "Editorial". *Stupeur et Tremblement. Ayrıca Armenews*, 30 October 2011; "Ankara Salue l'Aide d'Israel et de l'Arménie, Mais Pas de Détente en Vue" *Armenews*, 30 October 2011 [http://www.armenews.com/article.php3?id\\_article=74152](http://www.armenews.com/article.php3?id_article=74152)

assistance received from Armenia and Israel could not play a role in reconciliation with those countries.<sup>5</sup> On the other hand, it has been seen that taking advantage of this event, the Diaspora press has emphasized that the earthquake took place in the historical lands of Armenia and moreover, aid was delivered by plane since the border remained closed.<sup>6</sup>

The positive atmosphere created by the aid for the Van earthquake has lasted for only a short period. When French Foreign Minister Alain Juppé's words during his visit to Turkey in November that he supports Turkey's proposal for a joint commission of historians with Armenia<sup>7</sup> is reminded to Edward Nalbandyan, he has considered these statements as an attempt to put under doubt the reality of France and many other countries officially recognizing and condemning the Armenian genocide<sup>8</sup> and has once again rejected the proposal for a Commission of Historians which could contribute greatly to the resolution of most of the problems existing between the two countries.

On the other hand, in a statement issued by Prime Minister Erdoğan, together with Azerbaijani President Ilham Aliyev, at the opening of a plant at Petkim Aliaga facility, the words "Just as we are one nation in two states, we have one heart. This is why we will carry on fighting hand-in-hand with Azerbaijan until Karabakh is freed from occupation"<sup>9</sup> has put forth that no change should be expected in Turkey's approach.

Minister for EU Affairs and Chief Negotiator Egemen Bağış is a figure in the government who is closely interested in the Armenian question and who delivers statements on this issue. He has mentioned several times in April that the Ottoman Deputies have been deported to Malta in 1920, were supposed to be brought to trial there for their treatment of the Armenians, but that this was not possible due to lack of evidence. Moreover, by referring to Prime Minister Erdoğan's proposal for a Commission of Historians in 2005, he has called on those possessing documents (regarding the genocide allegations) to come forth and for this issue to be addressed in an international commission.<sup>10</sup>

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5 "Davutoğlu Confirmed No New Shifts in Armenian-Turkish Process", *News.am*, 12 November 2012.

6 Ibid

7 Ömer Engin Lütem (2011) "Facts and Comments", *Review of Armenian Studies*, No. 24. p. 15

8 "Tarihçiler Komisyonuna Ortak Tepki (Mutual Reaction Against the Commission of Historians)", *Agos*, November 25, 2011.

9 "President of Azerbaijan, "Ilham Aliyev and Turkish Prime Minister Recep Tayyip Erdogan attended the ceremonies to open the AYPE-T factory and to lay the foundation for the Heydar Aliyev vocational lyceum and the Star refinery of Petkim" November 25, 2011. <http://en.president.az/articles/3387>

10 "Bağış'tan Ermeni Çıkmışı (An Armenian Outburst by Bağış)", *CnnTürk*, 15 April 2012.

Meanwhile, MHP Leader Devlet Bahçeli has also addressed the Armenian question in a speech delivered in April in the French city of Metz and by saying that “the genocide allegations are baseless, nonsensical, and nothing like that has ever happened”, “people within the Diaspora who tried to put our nation in the defendant’s chair will experience embarrassment”,<sup>11</sup> he has repeated once again his own and his party’s recognized approach.

Within the period under observation, Armenian President Sarkisian has spoken many times on Armenia’s relations with Turkey and the genocide allegations.

In a speech delivered to the Armenians during his visit to Marseille in December, with the excuse of attending the 20th Congress of the European People’s Party, Sarkisian has put forth that they preach neither hatred nor revenge, that in this context Talat Pasha’s murderer Tehlirian acted not in a rapture of revenge but in the rapture of justice, that now they are strong enough to demand justice and has also indicated that as long as they are united, they will never allow the elimination of the memories of the Armenian genocide.

Then, Sarkisian, who has addressed relations with Turkey, has said the following:

*We have no doubt that Turkey will repent. It is neither a precondition, nor an attempt to fire revenge. Turkey must face its own history. Sometime, the Turkish leadership will find strength and will reevaluate its approaches toward the Armenian Genocide. Our position has not altered and it is precise: We are ready to have normal relations with Turkey as it befits neighboring states. Neighboring states such as, for instance, Poland and Germany, whose Chancellor Willy Brandt, realizing the crimes of his own country, went down on his knees in the Warsaw Ghetto. Sooner or later, Turkey, which views itself as a European country, will have a leadership which will be worthy of being called European and which will bow head at the Tsitsernakaberd Memorial. The sooner, the better, however it's a prerogative of the people of Turkey. We don't obligate them; they should do it for the benefit of the Turkish people, just as Willy Brandt did for the German people.<sup>12</sup>*

11 “Soykırım İddialarını Fransa’da Reddetti (The Rejection of the Genocide Allegations in France)”, *Habertürk*, 7 April 2012.

12 “The full text of the speech could be found on the website of the Armenian President” <http://www.president.am/events/visits/eng/?visits=1&id=344>

In this speech of the Armenian President, the following points draw attention:

First of all, he does not see Soghomon Tehlirian as a murderer, but as a person administering justice. Despite openly confessing in a German court that he murdered Talat Pasha, the biased jury's decision of his acquittal has led to this conviction among Armenians. However, what does not legally change is that Tehlirian is a murderer. Armenian public opinion may not believe this. What is important here is that the Armenian President, who is in a position having most responsibility, has also ignored the principles of law and has not regarded Tehlirian as a murderer.

*Armenian President, who is in a position having most responsibility, has also ignored the principles of law and has not regarded Tehlirian as a murderer.*

Secondly, he expresses that Armenia is now strong enough to demand justice and this also shows that he accepts the Diaspora's statements as it is. Of course, how strong Armenia is could be debatable.

If these issues are brought to the agenda in the future by Armenia, they will become the source for new disagreements between the two countries.

Concerning the Armenian President's statements which directly refers to Turkey, Sarkisian's words that he does not doubt that Turkey will repent, that Turkey must face its own history, and that sooner or later Turkey will have a leadership which will be worthy of being called European and which will bow head at the Tsitsernakaberd Memorial, have never been mentioned before by any Armenian President. Putting forth points which are impossible for Turkey to accept and characterizing the individuals governing Turkey today as non-European actually shows that Sarkisian is not willing at all to reach an agreement with Turkey. It could be understood that this harsh stance of Sarkisian is based on the fact that he does not want to reach an agreement in any area with Turkey before the presidential elections to be conducted in February 2013, because he believes that each agreement will be criticized and this will be to his disadvantage in the elections. In fact, even if Turkey ratifies the Protocols without any preconditions, as Armenia has always wanted, there is no guarantee that Armenia will also ratify these documents. On the other hand, if Sarkisian faces difficulties in winning the presidential elections, it is possible that he would denounce the Protocols which was essentially taken off the Parliament's agenda.

Reaction against Sarkisian's rather negative speech from Turkey has come from European Union Minister and Chief Negotiator Egemen Bağış. Apart from referring to Sarkisian as the "presumptuous president", he has said that no one could dare to bring the Turkish people to their knees. Furthermore, he has stated that "you already brought your nation to a point where they no longer have any strength left within them because of famine and poverty. Armenia's population fell from 4 million to 2 million. People are running away to all parts of the world. Some of them also came to our country".<sup>13</sup>

It could be seen through other occasions also that the Armenian President, who generally uses a moderate language, attempts to speak in a harsher language when Turkey is the subject. For instance, in his speech delivered on 10 March 2012 at the Congress of the Republican Party,<sup>14</sup> which is the Leader of, he has put forth that although the initiative of the Protocols didn't develop in the way desirable for Armenia, it still created some important results. He has said that first it has solidified the process of the international recognition of the Armenian genocide, secondly that it showed that the only obstacle for establishment of relations between Armenia and Turkey rest with Ankara and another capital, and third of all that Turkey was compelled to sign an international document (the Protocols) which rules out any precondition for establishment of the relations. Furthermore, by indicating that the denial of the Armenian genocide constitutes the prolongation of that crime, he has supported the views of the Dashnaks, which they have conveyed all along, and has tried to accuse the Turkish Republic of also participating in the "genocide" and later on, has repeated his last view in some of his election speeches.<sup>15</sup>

What has caused Serge Sarkisian to act this way is that he had formerly defended the Protocols both in Armenia and within the Diaspora. Now with more of a royalist approach than a king, he is attempting to prevent the criticisms that could be directed towards him regarding this issue.

Also in some of his statements provided due to the parliamentary elections, President Sarkisian has addressed Turkey-Armenia relations. In one of them, he has indicated that the Republican Party is resolute in the issue of struggling for international recognition of the Armenian genocide,<sup>16</sup> while in another statement he has put forth that in advance of the 100<sup>th</sup> anniversary

13 "Egemen Bağış'tan Sarkisyan'a: Haddini Bilmez Cumhurbaşkanı (From Egemen Bağış to Sarkisian: Presumptuous President)", *IHA*, 11 December 2011.

14 <http://www.president.am/events/statements/eng/?id=123>

15 "Republican Party of Armenia Considers any Denial of Genocide Direct Continuation of the Crime", *Armenpress*, 19 April 2012.

16 "Deniers of the Armenian Genocide Trespasted All Admissible Limits", *Armenpress*, 14 April 2012.

of the Armenian genocide, they will redouble their efforts at its international recognition and condemnation.<sup>17</sup> According to a Turkish source,<sup>18</sup> in a speech delivered a week before the parliamentary elections, the President has adopted a harsher language by saying that they are living alongside a country which denies the genocide against the Armenians and distorts its history everyday, that the crime continues today through the denial of history, that their claims for justice and compensation will continue and that they do not accept Turkey's insolent and arrogant policy.

The approach of Foreign Minister Nalbandyan is not any different. First, he clearly rejects a link being drawn between the Protocols and the Karabakh Conflict and also by repeating at every opportunity that "the ball is now in Turkey's field", he conveys that Armenia will not take any new initiative to revive the Protocols and calls on Turkey to ratify and implement the Protocols without linking it to the Karabakh issue. Meanwhile, he tries to undermine Ankara's efforts to revive the Protocols through Switzerland,<sup>19</sup> despite some news that Switzerland has accepted to play such a role again. Nalbandyan has conveyed his stance on negotiating again with Turkey by saying that neither direct nor mediated talks are underway today with Turkey and that this will only be possible when Turkey becomes ready for some practical steps.<sup>20</sup> It is unclear what these practical steps are, but it could be seen that in order to negotiate again with Turkey, Armenia tries to gain some concessions from Turkey. We must note here that Prime Minister Erdoğan had confirmed, through Swiss Foreign Minister, that an initiative was started with Armenia concerning this issue, but has said that "it was the other side which also ran away from this initiative. We always remained at the table but they fled".<sup>21</sup>

The Armenian Foreign Minister has not only criticized Turkey for its relations with Armenia, but also for the problems existing with its other neighbors. In response to a journalist's question during the Foreign Minister of Uruguay's visit to his country, he has said that Davutoğlu stated about Turkey's willingness to have zero problems with its neighbors, but the result was the increase of the problems with those countries, that they know from experience that it is very difficult to reach an agreement with Turkey and

17 "Sarkisyan Vows Greater Efforts at Genocide Recognition", *Azattyun*, 19 April 2013.

18 "Sarkisyan'dan Türkiye'ye Ağır İthamlar (Harsh Accusations from Sarkisian to Turkey)", *Haber7*, 30 April 2012.

19 "Signes de Relance des Protocoles" *Nouvelles d'Arménie Magazine*, No. 182, January 2012.

20 "No Talks are Underway With Turkey, Armenian FM", *News.am*, 30 January 2012.

21 "Erdoğan: "Umarım Hollande'ın AB üyelüğimizi Ermeni Sorununa Bağladığı Doğru Değildir (Erdoğan: I Hope It Is Not True That Hollande Has Linked Turkey's EU membership to the Armenian Question)", *Euroactiv.com.tr*, 8 May 2012.

that Turkey created difficulties not only during the negotiations, but even after the signing, and rejects to ratify and implement those agreements.<sup>22</sup>

In a press conference given together with US Foreign Minister Hillary Clinton, during her visit to Yerevan on 4 June 2012, Edward Nalbandyan<sup>23</sup> has said that concerning relations with Turkey, their position remains the normalization of relations without preconditions.

In response to the Dashnak organ Yerkir newspaper's question of "Turkey insists on highest level that negotiations over the normalization of the Armenian-Turkish relations are underway. Are these claims true?", he has said "Negotiations are not conducted, negotiations cannot be conducted, as negotiations are over and they resulted in signing of the protocols, which Turkey refuses to respect and implement, trying to put forward preconditions" and has indicated that Armenian-Turkish relations should be normalized without preconditions, that this is the approach of the international community, as was stated by Madame Secretary as well.

As could be seen, the Armenian Foreign Minister does not seek to restart negotiations with Turkey. The US Foreign Minister also emphasizing that they have urged the ratification of the protocols without preconditions and that there is no linkage between the protocols process and the Karabakh negotiations has encouraged the Armenians.

It is for sure that just as with President Sarkisian, the parliamentary elections also lie at the basis of Foreign Minister Nalbandyan's uncompromising approach. In fact, this issue has also been presented by Prime Minister Erdoğan and Foreign Minister Davutoğlu to Hillary Clinton, who seems persistent on talks being held between the two sides, and it has been declared that Turkey is always ready to normalize relations with Armenia, but the Yerevan government must get rid of domestic policy concerns and abandon its genocide allegations.<sup>24</sup> However, following the parliamentary elections that was held on May 6, the presidential elections, which is much more important for Armenia, will be held in the beginning of next year. Then, activities for the commemoration for the 100th anniversary of 1915 are expected to intensify. In short, it is not expected for Armenia's "domestic policy concerns" to come to an end in a short time.

22 "The address and answers of the Armenian Minister of Foreign Affairs Edward Nalbandian and Luis Almagro, the Minister of Foreign Affairs of Uruguay during the joint press conference" 04 May 2012  
[http://www.mfa.am/en/interviews/item/2012/05/04/nalbandian\\_almagro](http://www.mfa.am/en/interviews/item/2012/05/04/nalbandian_almagro) 4 May 2012

23 "Press conference - Foreign Minister Edward Nalbandian's and US Secretary of State Hillary Clinton's statements and answers during joint press conference" - 04.06.2012 -  
<http://www.mfa.am/en/press-conference/item/2012/06/04/clinton/>

24 "Clinton'a 3 Açık Mesaj (3 Open Messages to Clinton)", *Hürriyet*, 4 April 2012.



On the other hand, it could also be observed that there is no change in Turkey's policy towards Armenia. This has been indicated by Prime Minister Erdoğan's statement issued to President Obama during the Nuclear Security Summit in Seoul that "I said that it is not possible for us to take a step back".

From the information provided to the press by the Prime Minister, it could be understood that he has also discussed the following points with President Obama.<sup>25</sup>

The Prime Minister has expressed that although Turkey has worked together with the Minsk Group's three members (the US, Russia and France) on the resolution of the Karabakh conflict for 20 years, it has not obtained any result and that Turkey is ready to do their share of work regarding the Karabakh issue. This point is particularly important because it is possible for Turkey to ratify the protocols and/or open the border if significant steps are taken towards the resolution of the Karabakh conflict.

*It is possible for Turkey to ratify the protocols and/or open the border if significant steps are taken towards the resolution of the Karabakh conflict.*

Second of all, it could be understood that the Prime Minister has conveyed to President Obama his concern with the draft resolutions in the US Congress and in return, has been met with understanding.

Last of all, Prime Minister Erdoğan has explained the Armenians in Turkey and what has been done for the Armenian citizens working in Turkey to President Obama. (In summary, these include restoration of some Armenian churches in Turkey by the state, returning of some properties to Armenian foundations and providing education for the children of the Armenian citizens working in Turkey.)

## **2. Relations with Turkey in the Armenian Parliamentary Elections and the Karabakh Conflict**

It could be seen that relations with Turkey during the Armenian parliamentary elections has not been addressed much. In essence, this also holds true for relations with Azerbaijan. The reason for this situation is not that importance is not attached to relations with Turkey, but because there is no serious divergence of opinion that exists between the parties. In other

<sup>25</sup> "Obama'ya 24 Nisan Uyarısı (24 April Warning to Obama)", *İhlas*, 26 March 2012.

words, there is no issue to be discussed in a situation where everyone believes that an Armenian genocide took place and that Turkey must recognize this genocide, give compensation to the concerning parties and return the properties. Since this also holds true for the Karabakh Conflict where no one supports Karabakh joining Azerbaijan, the Karabakh issue has also not been addressed much.

It could be seen that Ter-Petrossian has addressed these two issues the most. Based on the WikiLeaks documents, he has accused the Government of accepting Turkey's proposal for a Commission of Historians and also the Madrid principles in the Karabakh issue. However, Armenia has not accepted the proposal for a Commission of Historians. Regarding the Karabakh Conflict, it is difficult to say that Armenia has completely accepted the Madrid Principles whose full text has not been declared.

Although the genocide allegations have not been mentioned much during the election campaigns, it could be understood that the issue has been addressed in the parties' election programs.

At a time when the 100th anniversary of 1915 is drawing near, the Republican Party has indicated that people's unity is necessary for the international recognition of the genocide and that it will continue the efforts on keeping the issues on its recognition and condemnation in the agenda of the international community.

The parties of Prosperous Armenia, Heritage and Armenian National Congress have expressed that they attach great significance to the international recognition of the genocide and have also stressed the importance of the normalization of Turkey-Armenia relations without preconditions and the necessity of the opening of borders.

While the Rule of Law Party has also stressed the international recognition of the genocide, it has attached significance to the establishment of good neighborly relations with Turkey without preconditions.

Armenia's Democratic Party, which has received 0.37 percent of the votes in the elections, has said that relations with Turkey cannot be settled at the cost of refusal of Armenia's legal demand. What these legal demands are have not been explained.

The United Armenians Party, which has received 0.2 percent of the votes, also after rating high the recognition of the genocide allegations, has stressed the necessity of reviewing the 1921 Moscow and Kars treaties.

Armenia's Communist Party, receiving 1.5 percent of the votes, has indicated that it is unequivocally against establishment of any relations with Turkey and will demand from the world recognition of the Armenian genocide.

On the other hand, the Dashnak Party which has a special place in relations with Turkey, demands that no documents be signed that would question the legitimacy of US President Woodrow Wilson's Arbitrary Verdict of the Treaty of Sevres of 1920 which has left 120.000 km<sup>2</sup> of today's Turkey to Armenia and the signature of the Armenian side should be recalled from the Turkey-Armenia Protocols.

Some Turkish journalists travelling to Yerevan in order to follow the elections have spoken with some Armenian statesmen concerning relations with Turkey. Below, we are providing very briefly some of these individuals whom we deem significant.<sup>26</sup>

Samvel Nikoyan (Speaker of the Parliament): Recognition of the genocide is necessary for Armenia's security. (This view is common both in Armenia and among the Diaspora. However, it cannot be understood how a link has been drawn between the recognition of the genocide allegations and Armenia's security.) Turkey having close relations with Azerbaijan and supporting it creates fear in Armenia. The proposal for a Commission of Historians is like trying to re-discover whether or not the sun rises from the east. All of us heard from our families what happened in 1915. The Protocols must be implemented without any preconditions (without linking them to the Karabakh conflict), but Turkey views the Armenian Question from the perspective of Karabakh. It conducts economic relations through Georgia.

Galust Sahakyan (Leader of the Ruling Republican Party of Armenia): Turkey thinks like the Ottomans. It continues the ideas of Abdülhamit and the Young Turks. There is no need for historians in order to understand what happened in 1915. For us, a joint commission of historians is where joint works could be conducted in the areas of education, culture, art and history and a commission which will write history books that will instill friendship among the young. Turkey is becoming more democratic. There are those who also address the genocide. The other parties used to say "Turkey should first recognize the genocide and then establish relations with this country". But, we say that first relations could start and then the problems could be resolved. We are not going to take any steps back within the Karabakh issue.

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26 "Sınır Açılıp İlişkiler Başlarsa Sorunlarımız da Çözülür (Our Problems Will Be Resolved if the Border Is Opened and Relations are Established)", *Stargazete.com*, 14 May 2012.

For us, the Karabakh problem and the genocide issue are more important than an establishment of relations with Turkey. Turkey is a great state, the Turks are a great nation, but the Azerbaijanis are not like that. The numbers of Azerbaijanis in Karabakh have never exceeded 150 thousand. Azerbaijan is an artificial country created by the USSR. Azerbaijan does not exist in historical sources, but Armenia exists within works belonging to the period before Christ; it has an alphabet and architecture, but the Azerbaijanis do not. It is natural for territorial claims to follow the recognition of the genocide. The situation of the Turks killed in the war in Eastern Anatolia (the Turks who have died as a result of the Armenian atrocities?) is not the same with the situation of the Armenians who were murdered by the government in a planned manner. The Armenians have been forced to relocate.

Vartan Oskanyan (Former Foreign Minister): I do not believe in the necessity for a Joint Commission of Historians. This means that history, which we know very well, will be researched all over again. All researches define 1915 as genocide. First we should normalize our relations. Turkey showed that it considers Karabakh more important and more of a priority than opening of the Armenian border. Turkey will not take any steps; the border will not be opened unless the Karabakh issue is resolved. I do not foresee a settlement in a short period.

Raffi Hovhannisyan (Armenia's first Foreign Minister and Leader of the Heritage Party): We did not only lose our people in 1915, we also lost our original homeland. We lost our homes, churches, traditions and culture of living. Those responsible for this are the Young Turks and the Europeans. This problem is a great burden for both nations. We must overcome this. I am against the Protocols. For me, what is essential are Turkey-Armenia relations, Karabakh is secondary in importance. We lost so much after the genocide that we were only able to preserve Karabakh. Together with Turkey, we want to become EU members and a part of European values. There is a slight change within the Turkish community, but the main trend is not changing, politics is not changing.

Giro Manoyan (Member of the Dashnak Party): In our opinion, there is no problem that exists between the two communities. The problem is in the Turkish state ignoring the genocide. Turkey's recognition of the genocide is a security matter for us (why?), it is not correct to separate the Ottomans from the Turkish Republic. I believe that it is a continuation of the Kemalists and Young Turks. Nothing new exists in the Protocols for the Armenians. The Armenian government was wrong in signing the Protocols; it must withdraw its signature. Both sides should start diplomatic relations

without preconditions, the border should be opened and the problems between the two countries should be settled according to international norms. We have lost so much that we cannot give up Karabakh.

Two of the five individuals, Nikoyan and Sahakyan, whose statements we have provided examples from, are from the same party. The other three figures are from different parties. Despite this, their views on relations with Turkey and the genocide allegations are almost the same. On the other hand, these views contradict a majority of the views in Turkey. This situation clearly displays why problems existing between Turkey and Armenia fail to be resolved.

### **3. Some of Turkey's Initiatives**

Right after the signing of the Turkey-Armenia Protocols, Turkey linking the ratification of these documents to significant developments taking place within the Karabakh conflict and in return, Armenia making the Protocols null and void through the decision of the Constitutional Court have not only prevented a normalization of relations between the two countries, but have also caused them to enter a period of tension. It is still possible to say that current relations are still worse than relations during the period before the Protocols were signed. As mentioned above, particularly due to domestic policy reasons, Armenia does not seem willing to change its approach without receiving important concessions from Turkey such as the border being opened. On the other hand, again as mentioned above, the Turkish Prime Minister has indicated that Turkey is not ready for a change in policy. From this, it could be assumed that the current situation will continue for some time.

When observing more closely, it could be seen that Turkish-Armenian relations is not based on Turkey-Armenia relations. Truly, Turkey-Diaspora relations and the situation of the Armenians in Turkey are also on the agenda. It could be understood that since progress has not been achieved in Turkey-Armenia relations, Turkey has tried to become more active in these two areas mentioned.

#### **a. Efforts to Settle Some of the Problems of the Armenians in Turkey**

First of all, we must note that the Armenians in Turkey are not a part of the problem concerning Turkish-Armenian or Turkey-Armenia relations. However, there is the possibility that some problems of this community will be exaggerated by the Armenian Diaspora or by Armenia itself and will be

used against Turkey as an instrument of propaganda. But beyond this, it is the natural right of the Armenians, as citizens in Turkey, to expect the Government to settle their problems. It is not possible to provide detailed information on these problems within the framework of this article, but in summary we could say that these problems comprise properties of the Armenian Foundation, restoration of the Armenian religious and other monuments in Turkey and some problems regarding schools.

The Turkish Government has started the process of resolving these problems by deciding on the restoration of the Akhtamar Church in Van. As known, after its restoration, the church has been opened as a museum. Moreover, religious liturgies take place at least once a year. The restoration of some Armenian churches, especially the one in Diyarbakır, continues.

Second of all, the Government has decided, through a decree law in 2001, on returning some properties belonging to non-Muslim foundations which were confiscated for various reasons. With the regulations being implemented on 1 October 2011, there have been applications by 26 foundations, belonging to 10 Greek, 9 Armenian, 3 Jewish, 2 Syrian, 1 Chaldean and 1 Bulgarian community, for the returning of 78 immovable properties<sup>27</sup> and procedures for returning them have started. Therefore, one of the most important complaints of non-Muslims has reached a solution.

### **b. Turkey's Initiatives to Establish Contacts with the Diaspora Armenians**

In Foreign Minister Ahmet Davutoğlu's opening speech on 23 December 2011 at the 4<sup>th</sup> Ambassadors Conference in Ankara,<sup>28</sup> it has been indicated that the concept of Diaspora must be changed, that each person migrating from the lands of Anatolia is the Diaspora of Turkey regardless of their religion and sect, and therefore it is important to go and talk to Armenians wherever they are and address their common history. Furthermore, he has signified that they should win the hearts of the Armenians by explaining to them that they have lived together for 10 centuries, but that some colonialists created trouble between them in the beginning of the 20<sup>th</sup> century.

27 "Azınlık Cemaatleri Vakıflarından 78 Taşınmaz Gayrimenkul için Başvuru" *Hristiyan Gazete*, 13 April 2012  
<http://www.hristiangazete.com/2012/04/azinlik-cemaatleri-vakiflarindan-78-tasinmaz-gayrimenkul-icin-basvuru/>

28 "Dışişleri Bakanı Sn. Ahmet Davutoğlu'nun IV. Büyükelçiler Konferansı Açılış Konuşması" 23 December 2011  
[http://www.mfa.gov.tr/disisleri-bakani-sn\\_-ahmet-davutoglu\\_nun-iv\\_-buyukelciler-konferansi-acis-konusmasi\\_-23-aralik-2011.tr.mfa](http://www.mfa.gov.tr/disisleri-bakani-sn_-ahmet-davutoglu_nun-iv_-buyukelciler-konferansi-acis-konusmasi_-23-aralik-2011.tr.mfa)

On the other hand, some news were come across which put forth that contacts had started with some of the Diaspora Armenians.<sup>29</sup>

An Armenian newspaper<sup>30</sup> had written that the Turkish diplomats worldwide were instructed to invite and involve the Diaspora Armenians in Turkish events, to participate in Armenian community activities, invite to Turkey those Armenians who harbor anti-Turkish sentiments, to establish good relations with Armenian diplomats, to deliver speeches to explain Turkey's position on Armenian genocide claims, to establish contacts with local academics, to familiarize diplomats of countries neighboring Turkey with Turkey's position on Armenian genocide claims, to advocate the creation of a joint commission of historians, to promote normalization of Turkey-Armenia relations and to emphasize that the peaceful resolution of the Karabakh conflict would benefit Turkey-Armenia relations.

The same source has also indicated that Foreign Minister Davutoğlu had spent several hours in Washington in March 2012, meeting privately with several Armenians from the Los Angeles area to discuss Turkey-Armenia reconciliation and had invited the attendees to come to Ankara.

This development has created a rush among the Diaspora Armenians in the US. The same source also expressed that the Armenians who choose to get involved in Turkish recruitment schemes could well be seeking fame or fortune, or is well-intentioned, but naïve do-gooders and they should be mindful of the consequences of their actions. Furthermore, it wrote that the Turkish government would exploit such efforts to create the false impression that Armenians and Turks are in the process of reconciling, so only Armenian officials and credible leaders with diplomatic expertise should be negotiating with shrewd and skilled Turkish diplomats.<sup>31</sup>

Last of all, some Turks and Armenians favoring a dialogue met in Washington at an institution called HasNa.<sup>32</sup> Ömer Taşpınar, an executive board member of HasNa, after emphasizing in his speech delivered for this occasion that the only real hope towards a solution in the long term within the Turkish-Armenian dispute was to go from “people to people”, he has said that the Armenians experienced a ‘trauma’ due to the 1915 events, while the Turks experienced it because of the disintegration of the Ottoman Empire and called on the parties to refrain from actions that would trigger

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29 *Milliyet*, 12 April 2012.

30 “Sassounian: Turkey’s Foreign Minister in Search of ‘soft ‘ Armenians”, *The Armenian Weekly*, 10 April 2012.

31 *Ibid*.

32 “Uzlaşmacı Ermenilerle Türkler, Washington’da buluştu (Compromising Armenians and Turks Met in Washington)”, *Zaman*, 14 April 2012.

these traumas. Taşpınar, who also indicated that the hints of some Armenians that they will first make Turkey recognize the ‘genocide’ and then make financial compensation and territorial demands has fueled the ‘threat perception’ in Turkey, has said that in the first stage, the dialogue could first start between those Turks ready to recognize the genocide allegations and the Armenians who do not find the 1915 events similar to the Holocaust.

Although Taşpınar has received reproachful and criticizing comments from some Armenians in the room, US Armenian Mary Anne Kibarian, member of HasNa who is originally from Harput, has said that she supports dialogue between people and that the recognition of genocide should not be set as a precondition for this. Kibarian, who also indicated the significance of engagement between people through trade, called on the opening of the border between Turkey and Armenia.

The Armenian National Committee of America, which is the most important Armenian institution in the US that has a Dashnak tendency and the Armenian Assembly of America, which much rather represents the prosperous Armenians have chosen to remain silent for the time being concerning this issue. However, the journalist/writer read the most by the Armenians in the US Harut Sassounian has suggested that the major Armenian organizations should start drafting a common strategy and a list of demands from Turkey. Moreover, he has put forth that no Armenian organization or individual should be involved in separate negotiations with Turkey, denying Ankara the opportunity to create disunity in the Diaspora. On the other hand, he called on the diasporan representatives to coordinate their negotiation positions with leaders of Armenia and Karabakh to assure a common stand vis-à-vis Turkey.<sup>33</sup>

Establishing direct contacts with the Diaspora Armenians is a display of goodwill. On the other hand, it is an action which will contribute to surpassing some biases and extreme stances of the Diaspora Armenians. Even though obtaining a result in the short term is very difficult, it is beneficial to follow this path.

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33 Harut Sassounian. “How Should the Diaspora React to the Turkish Overtures”, *The Armenian Weekly*, 23 May 2012.



#### 4. Efforts to Revive Turkey-Armenia Relations

As briefly mentioned above, Turkey-Armenia relations have currently seem to have entered a period of tension which is beyond only suspension. The main reason for this is, Armenia is still in an atmosphere of elections. Following the Parliamentary Elections held on May 6, the Presidential Elections are now expected in February next year and it could be understood that within this timeframe, President Sarkisian, seen as the main person responsible for the signing of the Turkey-Armenia Protocols, will not take any initiative to restore relations with Turkey. On the other hand, it is also assumed that in order not to seem as making concessions, Sarkisian will remain passive regarding the Karabakh Conflict. When considering that Turkey sets significant developments taking place within the Karabakh Conflict as a precondition for the ratification of the Protocols by the Turkish Grand National Assembly, it could be better understood that relations between the two countries are still at a stalemate.

Meanwhile, it could be seen that some articles have been published in the Turkish press that this static situation is not to Turkey's advantage, that at a time when 2015 is drawing near, the various activities which the Armenians will organize for its anniversary will harm Turkey and therefore, Turkey should not wait and take some measures.<sup>34</sup> On the other hand, some suggestions on what Turkey could do regarding this issue have not come from the Turkish press or writers, but from David L. Phillips who is known for holding close contacts with the US Foreign Ministry, at least during the Republicans' period.

Phillips has dedicated the final section entitled "The Way Forward" of his research published on March 2nd 2012 by Columbia University, Institute for the Study of Human Rights and known shortly as "Diplomatic History: The Turkey-Armenia Protocols"<sup>35</sup> to what could be done for the normalization of relations between the two countries.

Phillips has been frequently mentioned in the past years on issues concerning Turkey-Armenia relations and the Armenian Question. Through

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34 Mehmet Ali Birand has led this movement in Turkey. Look at his following articles published in Hürriyet Newspaper articles on this subject: "Gelin Geçmişimizle Kendimiz Hesaplaşalım" (Come, Let's Settle with Our Own Past) *Hürriyet*, 26 January 2012; "ABD Raporu: Ermenistan ile İlişkiler Açılmalı" (US Report: Relations Must Resume with Armenia) *Hürriyet*, 2 March 2012; "Kendimizi 'soykırım'a Teslim Ediyoruz (We Are Surrendering to 'Genocide')" *Milliyet*, 24 April 2012

35 *Diplomatic History: The 2009 Protocol on the Establishment of Diplomatic Relations between the Republic of Armenia and the Republic of Turkey and the 2009 Protocol on the Development of Bilateral Relations between the Republic of Turkey and the Republic of Armenia*. Columbia University, Institute for the Study of Human Rights in collaboration with the Future of Diplomacy Project, Harvard Kennedy School, March 2012

the initiative of the US Foreign Ministry, he has established the “Turkish-Armenian Reconciliation Commission” in 2001 comprised of some Turkish and Armenian individuals and has served as its coordinator (moderator) until the Commission ended in 2004. Although the members of this Commission were important personalities at one time, they had no official position; in other words, the members did not represent the governments of Turkey or Armenia. This Commission was an implementation of the US method known as “track two” diplomacy in which non-official individuals or non-governmental organizations come together in order to contribute to or make the resolution of some international issues easier. It has been observed that “track two” dialogues have been beneficial for the development of cultural, scientific, sportive and even economic relations. However, in cases where serious divergences in political issues exist, it is very difficult for these kinds of dialogues to produce tangible results; in other words, to achieve what the governments have failed in doing so. In fact, the Turkish-Armenian Reconciliation Commission has also experienced this course.

The event which brought the end of the Commission is that upon Phillip’s proposal, the ICTJ (International Center for Transitional Justice) was asked whether or not the 1948 UN Genocide Convention could be applied to the 1915 events. In the ICTJ’s response, it was indicated that the 1948 Convention cannot be applied retroactively and therefore compensation and territory could not be claimed from Turkey. But ICTJ also addressed an issue which was not asked from them and expressed that if the UN Convention was applied retroactively, then the 1915 events would be considered as genocide. Since this response also implied that Turkey would not pay compensation or give territory if it recognizes the Armenian genocide allegations, it had drawn the objections of its Turkish members. On the other hand, the Dashnak Party, which had no members in the Commission, was not at all pleased with this response which did not take into consideration their territorial claims and passed an order to a jurist named Alfred de Zayas to write a report indicating that the 1948 Convention may be applied retroactively. Righteously, Phillips was held responsible for this event which caused displeasure on both sides and the Commission disbanded when it was no longer able to continue with other members.

The talks in the Commission were confidential. In 2005, by writing a book entitled “Unsilencing the Past”, Phillips disclosed these talks and tried to settle accounts with some of its members.

Meanwhile, President Bush has expressed in his 24 April statements in 2005

and 2006 that the analysis of ICTJ, while not the final word, has marked a significant step towards reconciliation. Therefore, it has been understood that the formula of “not paying compensation or giving territory if genocide is recognized” put forth by Philips is also supported by the US Government and most probably inspired by it.

On the other hand, the governments of Turkey and Armenia have preferred to avoid “track two” activities which are out of their control.<sup>36</sup>

The quite important proposals mentioned at the end of Phillips’s research, which we mentioned above and which was published in the beginning of March under the title “Diplomatic History: The Turkey-Armenia Protocols”, are provided below in summary without changing its contents and gathering them under certain headings so that they will be understood better:

#### **a. Proposals on Intensifying Civil Society Activities**

At the top of Phillips’s proposals come the “track two” activities, which is his area of specialization; in other words, the activities between the civil society organizations and professional associations of Turkey and Armenia. Phillips finds “track two” activities necessary when there is absence of progress at the intergovernmental level. He complains that there are not enough funds and that the EU should participate in these activities and should establish a “Turkey-Armenia Opportunity Fund”. Moreover, he calls on the Swedish International Development Agency, which we believe has funded some activities, to organize a “Track Two Implementation Review Conference”.

Phillips’s concrete proposals on civil society activities could be summarized as follows.

1. Civil society organizations should prepare a “Friendship Treaty” enumerating principles of good neighborly relations and collectively identifying areas of common endeavor.
2. Another proposal for think tanks of both countries is to conduct a public opinion survey on social attitudes of Turks towards Armenians and of Armenians towards Turks and the results of it to

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36 Extensive Information was provided in our past Journals on the Works of the Turkish-Armenian Reconciliation Commission, ICTJ’s report and within this framework, David L. Phillips’s activities. On this issue see: *Ermeni Araştırmaları*, No. 2, pp. 15-22; No. 3, pp. 23-25; No. 4, pp. 15-18; No. 16-17, p. 57; No. 20-21, pp. 49-51; No. 25, p. 14 and No. 33-34, p. 51

be used to inform future Track Two activities, shape public policy and encourage intergovernmental contact.

#### **b. Proposals for Economic Cooperation**

1. Restoration of the Ani Bridge across the Akhurian River (Arpaçay) between Turkey and Armenia as a symbol of Armenia's cultural presence in modern Turkey or at least opening it for tourism,
2. Rebuilding of the "Statute of Humanity", which was dismantled in Kars on grounds that it was unwanted by the population, as "a symbol of Turkish-Armenian reconciliation" with input from Turkish and Armenian artists,
3. Establishing "Centers of Excellence" in fields such as cancer research in Armenia as a magnet for Turks and other international experts and Armenia relaxing visa processing for Turks who are visiting for academic meetings,
4. Increasing new charter flights between Van and Yerevan in order to expand people-to-people and commercial contacts and Turkish Airlines opening an office in Yerevan for this purpose,
5. Ankara opening the border for Armenian tourist buses and allowing pilgrim groups and cultural tours to travel,
6. Within the framework of the Black Sea Economic Cooperation, 200 Armenian trucks have been allowed to travel through Turkey. Thus, Armenian trucks should also be allowed to off-load in Turkey,
7. Turkey importing electricity from Armenia in order for the economic development of its provinces bordering Armenia,
8. Establishing a "Qualifying Industrial Zone" in the Armenian region of Kazakh bordering Turkey which consists of an industrial park and a free-trade zone. Qualifying goods would have access to the US market without tariffs or quotas,
9. Turkey has a fiber optic cable that extends all the way to Kars. A feasibility study should be conducted on the opportunities of this cable being used in Armenia.

### c. Proposals on Reviving Intergovernmental Contacts

1. Phillips puts forth that the conclusion reached in the report of the ICTJ, which we mentioned above (Turkey will not pay compensation or give territory if it recognizes the genocide allegations), should be used as a road map in intergovernmental contacts and rapprochement between the two countries.
2. Another important proposal is for Turkey and Armenia to recognize and open the existing border. For this, diplomatic notes reaffirming commitments in the 1921 Treaties of Moscow and Kars should be exchanged. Therefore, the free transit of commodities will also be guaranteed. An exchange of diplomatic notes does not require parliamentary authorization.
3. Inspired from Armenia's assistance during the Van Earthquake, Turkish-Armenian cooperation in the field of emergency preparedness must be achieved,
4. Turkish citizenship should be offered to the descendants of relocated Armenians.
5. Taking into consideration that Prime Minister Erdoğan apologized for those who died in Dersim and depending on timing and circumstances, he puts forth that apologizing for the suffering of Armenians may be in Turkey's national interest.
6. Before considering a Joint Historical Commission proposed by Turkey, a research committee of Turkish, Armenian and international historians could be established to focus on methodology of archival research.
7. A joint committee of Turkish and Armenian restoration experts should identify monuments and cultural sites for rehabilitation.
8. An exhibition which displays the role of Armenians in the Ottoman Army should be opened.
9. The names of the "Righteous Turks" who sheltered and saved Armenians from relocation should be profiled in the Armenian Genocide Museum in Yerevan.
10. The Obama Administration should conduct a policy review exploring innovative approaches co-mingling Turkish and Armenian

interests. Meanwhile, whether US recognition of the genocide allegations would create conditions for reconciliation should be discussed.

11. Article 301 of the Turkish Criminal Code should be abolished.
12. Another one of Phillips's proposals concerns Azerbaijan. According to this, if Baku shows that it lacks the political will to make progress in the Karabakh issue, the Minsk Group co-chairs should suspend negotiations after announcing Azerbaijan's obstructionism.
13. Prime Minister Erdoğan should issue an executive order in the name of humanity to open the Turkey-Armenia border and submit the Protocols for ratification by the Turkish Grand National Assembly. This magnanimity is in accordance with Islamic principles and helps to realize Atatürk's ideal of "Peace at home, peace abroad".

From Phillips's proposals on what could be done for the normalization of Turkey-Armenia relations, the following conclusions have been reached:

First of all, it could be seen that Phillips attaches too much importance on the activities of civil society organizations shortly referred to as "track two". Although the idea of intensifying civil society activities when there is absence or minimization of contacts on an intergovernmental level is accurate in essence, it is difficult to receive positive outcomes from the activities and initiatives of civil society organizations during a period when serious disagreements exist between the two countries, especially concerning the genocide allegations, inviolability of borders and the Karabakh issue.

Within this framework, as Phillips has proposed, although preparing a "Friendship Treaty", as a result of "track two" activities, is possible in principle, it should not be expected from the governments of any of the two countries to adopt texts prepared by individuals and/or institutions lacking both competence and responsibility.

*Although the idea of intensifying civil society activities when there is absence or minimization of contacts on an intergovernmental level is accurate in essence, it is difficult to receive positive outcomes from the activities and initiatives of civil society organizations during a period when serious disagreements exist between the two countries, especially concerning the genocide allegations, inviolability of borders and the Karabakh issue.*

Therefore, there will be a greater chance for “track two” activities to be successful if they deal with more moderate concerns and emphasize issues such as science, culture, sports and economics in particular.

When observing Phillips’s proposals, it could be seen that almost all of them are to Armenia’s favor. It is obvious that a person who acts as a mediator must remain “neutral” as possible. However, just as he did with the works of the Turkish-Armenian Reconciliation Commission, this time he has brought forward proposals which please the Armenians. But, by doing this, he reduces the possibility of these proposals being taken into consideration by Turkey.

As known, the Turkey-Armenia Protocols have failed to be implemented due to the Karabakh issue and the border between the two countries continues to remain closed. Phillips proposes for the bridge across the the Akhurian River (Arpaçay) to be restored and at least opened for tourism, the border to be opened for Armenian tourist buses, pilgrim groups and cultural tours, new charter flights between Van and Yerevan to be increased in order to expand people-to-people and commercial contacts and Armenian trucks to be allowed to off-load in Turkey. If all these are realized, then to a great extent the border will be opened; in other words, the Protocols will partially be implemented through some kind of a method as a “bypass”.

There are some speculations, mostly based on Armenian/US sources that the eastern provinces of Turkey needs energy, that Armenia is capable of selling electricity and therefore, such a great trade-off will contribute to the development of relations between the two countries. Phillips repeats these speculations. However, when examined closely, it could be seen that Armenia does not possess reliable resources for producing electricity. The Metsamor Nuclear Power Plant, which is the main source of energy, has already lived out its lifespan and is closed frequently for restoration. Other sources of petroleum and natural gas in producing electricity are also imported by Armenia. Due to some security issues, importation through Georgia is sometimes ceased. In this situation, experiencing problems is inevitable when receiving electricity from Armenia.

Some of Phillips’s proposals under the heading of reviving intergovernmental contacts would not lead to a revival of these contacts, but on the opposite would cause their failure from the very beginning if they are insisted upon.

The ICTJ’s famous formula of Turkey not paying compensation and not giving territory to Armenia if it recognizes the genocide allegations

completely contradicts Turkey's policy which it has followed until now and which has no reason to not continue from now on. When remembering the great reactions of governments and public opinion in Turkey towards the US genocide resolutions, there is no possibility that US recognition of the genocide allegations will lead to reconciliation over time between the two countries. The proposal that Prime Minister Erdoğan should apologize to the Armenians just as he did for the Dersim events is based on a very incorrect, but common belief that only the Armenians have suffered during the First World War. The fact that 518.000 civilian Muslims were slaughtered by Armenian gangs during the war has been proven by the Ottoman official documents recently published. Therefore, it is evident that unless the Armenians and their advocates possess a "just memory", it will not be possible for true reconciliation between Turkey-Armenia and the Turks and Armenians to be reached.

Phillips is not realistic at all on the Karabakh issue. He proposes that if Azerbaijan does not show the political will necessary in resolving this issue; in other words, does not make concessions to Armenia, the Minsk Group co-chairs should suspend negotiations. When considering the criticisms of Azerbaijan together with Turkey towards the Minsk Group, we do not believe that they will complain if this Group ceases to function.

Phillips's most constructive proposal is the one regarding the recognition and opening of the border between Turkey and Armenia. He states that this could be done through exchange of diplomatic notes and that this does not require parliamentary authorization. Technically this is possible. However, it seems that he has forgotten that the border remains closed because no progress has been achieved in the Karabakh issue.

Last of all, Phillips calls on Prime Minister Erdoğan to issue an executive order "in the name of humanity" to open the Turkey-Armenia border and submit the Protocols for ratification by the Turkish Grand National Assembly. However, it is difficult to understand what the benefit will be of the Turkish Prime Minister abandoning its policy, which Turkey has followed for years, and giving Armenia such a gift by ignoring its relations with Azerbaijan.

We believe that Phillip's proposals essentially reflect Armenian views and therefore, there is no possibility for it being accepted and implemented as a whole. Perhaps it might be possible to dwell on some of them which do not have a political aspect (such as extending the Turkish optic cable to Armenia) if Armenia is still interested after it is rid of the election atmosphere it currently is in.



Let us also note that proposals towards reviving relations between Turkey and Armenia have not only come from Phillips. Richard Giragosian, an American Armenian who is the Director of the Regional Studies Center in Yerevan and therefore, who has come to Turkey many times in the recent years, has listed the measures that could be taken as follows:

- The Embassy of Turkey in Georgia being accredited by Yerevan
- Opening of the border for a certain period of time (once a month?) for trucks and also for tour (tourism) buses
- Turkish Airlines opening an office in Yerevan

*Apart from Turkey's strategic position, the US Government also seeks to maintain friendly relations with Turkey due to its influence over the Middle East countries.*

Giragosian has said that these proposals have been conveyed to Turkish officials and are being evaluated and that furthermore, 2015 forms a pressure upon Turkey, therefore the Turkish Government could take some of these steps.<sup>37</sup>

The interesting point here is that these kinds of proposals indirectly aim towards partially implementing the protocols. The Turkish Embassy in Tbilisi opening an office in Yerevan will mean diplomatic relations being established, while opening the border for a certain time or on certain days for trucks and tour buses will constitute the means towards the border being opened completely.

In conclusion, since Turkey still links the ratification of the protocols by the Turkish Grand National Assembly and their implementation to positive and significant developments taking place within the Karabakh Conflict, it is possible to say that the proposals mentioned above have been put forth in order for Turkey to at least partially change its policy.

## II – THE US AND THE ARMENIAN QUESTION

The US continues to be the most active country within the Armenian question. Apart from Turkey's strategic position, the US Government also seeks to maintain friendly relations with Turkey due to its influence over the Middle East countries. As seen so far, a great majority of the US Congress also embraces and supports this policy. On the other hand, a Group exists in both houses of the Congress which supports extreme Armenian views

37 "Sınırlar Ayda Bir Gün Açılabilir (Borders Could Be Opened Once a Month)", *Taraf*, 27 April 2012.

although contradicting US interests and which is far from being a majority, but still cannot be underestimated.

Below, we will summarize the main developments on the Armenian question that occurred in the US starting from approximately the end of 2011 until today (May 2012).

### 1. Vice President Joe Biden's Visit to Turkey

The US Government's desire to maintain friendly relations as much as possible with Turkey has clearly been displayed during Vice President Joe Biden's visit to Ankara in the beginning of December in 2011.

Biden, who is a senator in the Congress since 1973, had especially supported the Armenian allegations without any refrains while he was Chairman of the Senate's Foreign Relations Committee. Trying not to openly contradict the President's policy after becoming Vice President, he has worked towards maintaining the same approach in a reasonable manner.<sup>38</sup> Meanwhile, it is known that Biden was also close to the Greek lobby in the past and had openly disputed with Prime Minister Ecevit and Foreign Minister İsmail Cem in the 1990's when crises like Kardak with Greece had occurred.<sup>39</sup>

In the talks held with President Gül and Prime Minister Erdoğan during Biden's visit, the situation in Iraq has been addressed in detail and the issue of PKK has been stressed. The subjects of Iran and nuclear weapons have also been important matters of discussion during the talks. The issues of the situation in Syria and Turkey-Israel relations, the elections in Egypt, and Libya, Kosovo and Bosnia have also been mentioned. By remaining under the influence of the Greek lobby, Biden has also conveyed his hope towards the Greek Theological School in Heybeliada being reopened and has praised the steps taken towards returning of the properties of minorities in Turkey.<sup>40</sup>

Concerning the Armenian Question, which was not emphasized much during the talks, news were published in the press that he was concerned over the steps taken towards the normalization of relations between Turkey and Armenia<sup>41</sup> and that he hopes Turkey will take steps in the upcoming months regarding the Protocols.<sup>42</sup>

38 See: *Ermeni Araştırmaları*, No. 23-25, p. 18; No. 30, p.26; Sayı 31, p. 27; No. 32, p. 37 and 40

39 "12 Yılda Biden'e Ne Oldu ? (What Happened to Biden in 12 Years?)", *Hürriyet*, 7 December 2011.

40 "Erdoğan, Biden Discuss Iraq, Cooperation Against PKK in Istanbul", *Today's Zaman*, 4 December 2011.

41 "Eskiden Sevmez di, Şimdi Türkiye'ye Aşık (He Did Not Like It in the Past, Now He Adores Turkey)", *Milliyet*, 3 December 2011.

42 "Erdoğan'dan ne İstedi? (What Did He Want From Erdoğan?)", *CNN Türk*, 4 December 2011.

These statements of Biden do not reflect the policy of the US on Turkey-Armenia relations. This policy could be summarized as follows: The US does not find it convenient for Turkey to link the ratification of the Turkey-Armenia Protocols by the Turkish Grand National Assembly to significant developments taking place in the Karabakh Conflict. However, it also understands that it is not possible for Turkey to ratify the Protocols and especially to open the border by disregarding the stance of its public opinion and relations with Azerbaijan. On the other hand, when considering that Armenia did not want to be active regarding the Karabakh issue during the parliamentary and presidential elections, together with Turkey's approach, a static situation emerges and this creates concern that the normalization process of Turkey-Armenia relations will be negatively influenced.

In order to eradicate the drawbacks of this situation within a range of possibilities, the US wants contacts between Turkey and Armenia to continue and for the Turkish border to be temporarily opened under certain circumstances and moreover, in order to make it easier for public opinions to come close to each other, the US promotes the NGOs of both countries to make contacts with each other.

On the other hand, in order to fulfill Turkey's most important request, the US Government objects to the initiatives in the Congress which foresees the recognition of the Armenian genocide allegations or which tries to offend Turkey in other areas. From this aspect, as will be seen below in connection with the criticisms directed towards Hillary Clinton, it could be understood that it is also not against the genocide allegations being studied by historians and other scholars.

## **2. Statements of Chairwoman of the House Foreign Affairs Committee Ileana Ros-Lehtinen**

As has tried to be explained above, it could be seen that in general, the US recently needs Turkey's cooperation concerning issues that relate to the Middle East and that within this framework, relations which seem to have developed between the two countries have influenced the Congress and also the Republicans within the opposition. On the other hand, although there are those among the Republican members of the Congress who support the Armenian views, their numbers are approximately 1/3rd less compared to the Democrats.

At a conference held in Washington at the beginning of December, with the cooperation of the Turkish-American Association and the Turkish

Confederation of Turkish Businessmen and Industrialists, the Republican Chairwoman of the US House Foreign Affairs Committee Ileana Ros-Lehtinen had said that the 1915 events were a tragedy, but giving those massacres a correct historical recognition is a very delicate topic and that she believes it is inappropriate for the Congress to deal with their recognition. Furthermore, she has indicated that Turkey and Armenia could directly deal with the issue instead and that she strongly supports the proposal for Turkish and Armenian historians to examine those tragic events.<sup>43</sup> Also by repeating that she is a strong supporter of the lasting value of the ties between Turkey and the US, she had stressed that as the Chairwoman of the US House Foreign Affairs Committee, she will work towards strengthening and sustaining this significant tie for generations.

The interesting point here is that Ros-Lehtinen has found it inappropriate for the 1915 events to be classified; in other words, being determined whether they constitute genocide or not within the Congress and supporting this issue being addressed by Turkish and Armenian historians. This approach is in complete accordance with Turkey's views.

### 3. The US Armenians Criticizing Foreign Minister Hillary Clinton

A response which US Foreign Minister Hillary Clinton had given in reply to a question posed on 26 January 2012 caused her to be strongly criticized by the Diaspora Armenians. This question was on why the US does not recognize the 1915 events as genocide while France has adopted a law which punishes those denying the Armenian genocide allegations.

By referring to freedom of speech in her response, Clinton has said that one of US's great strengths is, it does not criminalize speech and that the US will never go down that path to criminalize it. Then, by going to the core of the issue, she has indicated that this (genocide allegations) has always been viewed as a matter of historical debate rather than political and that to try to use government power to resolve historical issues opens a door that is a very dangerous one to go through. On the other hand, she has expressed that she thinks the free market of ideas, the academic community, and the open architecture of communication which is even great now than in the past, are the proper fora for this kind of engagement and that's where it's worked out.<sup>44</sup>

43 "Dünya'yı Şaşırtan Ermeni Çıkışı (Armenian Outburst Which Surprised the World)", *Kanal A Haber*, 2 December 2011.

44 "Clinton Calls Genocide Recognition a 'Dangerous Door'", *Asbarez*, 26 January 2012.

We must elaborate on these statements of Clinton. She has first openly criticized the French law which foresees the punishment of those denying the genocide allegations and has emphasized that such a law will never take place in the US. Secondly and more importantly, she has considered the genocide allegations as a matter of historical debate rather than political and has supported the idea of this issue being addressed and resolved through scientific research. This way, Clinton has opposed the Armenian views which relentlessly stress that the genocide allegations is not historical, but a political issue. Therefore, if the genocide allegations are considered as a current issue and not a historical one just as the Armenian circles have put forth, then matters like returning the properties left behind in Turkey to the descendants of the relocated Armenians, paying compensation and giving some Turkish territory to Armenia will have to be addressed for the resolution of this issue. However, these kinds of results will not be obtained from historical discussions.

On the other hand, Francis Ricciardone, the US Ambassador to Ankara, has said in response to a question that Turkish and Armenian historians must come together.<sup>45</sup>

Armenian organizations have immediately shown reactions to US Foreign Minister's statements. One of the two largest Armenian organizations in the US, the Armenian Assembly of America's Executive Director Bryan Ardouny, in a letter sent to President Obama, has complained about Hillary Clinton and then referring to the President's promises made during the election campaign, has urged him to unequivocally affirm the Armenian genocide.<sup>46</sup> (By means of responding to this letter through Hillary Clinton, President Obama has expressed his displeasure.) On the other hand, Ara Hamparyan, Executive Director of the Armenian National Committee of America, the most important Dashnak organization which has been established second, has said that it is a sad spectacle to see Secretary Clinton appeal to scholars, the overwhelming majority of whom have already spoken against Turkey's denial of the Armenian genocide.<sup>47</sup>

By sending a long letter to Clinton on 9 February 2012, Ken Hackikian, Chairman of this organization has protested her dismissal of the Armenian genocide as a "matter of historical debate" on 26 January and indicating that this description is factually inaccurate and morally offensive, has put forth that as Clinton herself, President Obama and Vice President Biden had

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45 "Türk ve Ermeni Tarihçiler Artık Bir Araya Gelsin (Turkish and Armenian Historians Should Come Together)", *Milliyet*, 1 February 2012.

46 Armenian Assembly of America, Press Release, 2 February 2012

47 "ANCA Condemns Clinton Complicity in Genocide Denial", *The Armenian Weekly*, 17 January 2012.

stated multiple times and as the International Association of Genocide Scholars has unanimously affirmed, the Armenian genocide is a matter of settled history. On the other hand, he has indicated that Clinton's idea that further study is needed to determine whether the Armenian genocide was in fact genocide is a shameful suggestion and that this proposal will only embolden Ankara's efforts to derail a truthful and just resolution of this crime. In his letter, Hachikian also posed ten questions to Clinton in order to support Armenian views.<sup>48</sup>

In order to show what kinds of arguments have been used against the increasing Armenian criticisms, the full text of Clinton's response on March 1st 2012 to this long letter<sup>49</sup> is provided below:

*The issue you raise is a serious one. On April 24, 2011, President Obama memorialized the 1.5 million Armenians who, in 1915, were massacred or marched to their death in the final days of the Ottoman Empire, resulting in one of the worst atrocities of the twentieth century. During my visit to Armenia in 2010, I visited the memorial at Tsitsernakaberd as a sign of respect for those who lost their lives during this tragedy. In his statement, the President also noted "History teaches us that our nations are stronger and our cause is more just when we appropriately recognize painful pasts and work to rebuild bridges of understanding towards a better tomorrow." In support of the President's policy, I continue to urge Armenia and Turkey. Only by working together to address these horrific events can they achieve a full, frank, and just acknowledgment of the facts.*

*In addition to my ongoing dialogue with Armenian and Turkish officials, the United States will continue to support the courageous steps taken by individuals in Armenia and Turkey to foster a dialogue that acknowledges the history they share in common as part of efforts to move forward. It is my belief that their efforts are laying the foundation for a more prosperous and peaceful future for the peoples of both countries and the region as a whole.*

By utilizing some of Clinton's explanations provided in the House Appropriations Sub-Committee on State-Foreign Relations, member of the House of Representatives Adam Schiff, together with some other members, have tried to pressure her on this issue. Clinton has said that her comments

48 "ANCA: Ten Questions For Hillary Clinton", *Asbarez*, 9 February 2012.

49 "Clinton Responds to ANCA; Continues to Characterize Genocide As 'A Conflict'", *Asbarez*, 7 March 2012.

of January 26 were in reference to the French Parliament's recent legislation on the Armenian genocide and have mostly provided her responses within the framework of President Obama's 24 April statements.

Meanwhile, Adam Schiff and Robert Doyle (they are the co-sponsors of H.Res.304 which relates to the recognition of the genocide allegations in the US) have opened for signature, by the members of the House of Representatives, a letter they had written to be sent to Hillary Clinton. In summary, in this letter, they have objected to mischaracterizing the Armenian genocide as a historical debate and have indicated that this is a thoroughly documented "crime" and was previously condemned by President Obama, Vice President Biden and Hillary Clinton. Also by expressing that the inaccurate description of the Armenian genocide as an open question provides American encouragement to Turkey in its shameful campaign of denial, they have conveyed their hope that the Obama Administration will seize the opportunity to make an unequivocal recognition this April 24<sup>th</sup>.<sup>50</sup> 61 members of the House have signed this letter.<sup>51</sup>

46 of the House members who signed the letter are Democrats, while 15 of them are Republicans. Almost half of the 61 representatives (26 members) are from California. 6 representatives, each from New York, New Jersey and Massachusetts, have signed the letter. The other signatories are from Illinois (4 members), two each from Rhode Island, Maryland and Michigan and one member each from Florida, Iowa, Arizona, Ohio, Pennsylvania, Minnesota and Virginia. The following conclusions are drawn from this information. First of all, the letter has been signed by 14% of the members of the House of Representatives and this is very far from the absolute majority (218) of the House which holds 435 seats in total. Furthermore, those who have signed the letter are from states, especially from California, where the Armenians are densely populated. No one has signed from 35 states. In conclusion, it could be said that the number of those supporting Armenian interests is quite low and some of them are more concentrated in some states.

On the other hand, it has been seen that the Armenian press in the US has also strongly criticized Hillary Clinton. Harout Sassounian, a popular author known for his extreme views and for telling everybody what to do, has written that regarding the genocide allegations, Clinton had supported Armenian views when she was Senator, but that after becoming Secretary

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50 "Over 60 Reps. Press Clinton to Disavow Dismissal of Genocide", *The Armenian Weekly*, 29 February 2012.

51 "60 U.S. Representatives Urge Clinton to Disavow Genocide Statement" *The Armenian Reporter*, March 10, 2012.

of State, Mrs. Clinton suffered from total amnesia, that the events have not changed and that she should resign for making offensive remarks about the Armenian community.<sup>52</sup> On the other hand, columnist Igor Muradyan of the Dashnak newspaper *Lragir*, which is published in Armenia, has characterized Clinton as “Talat Pasha in Skirt”.<sup>53</sup>

#### 4. Initiatives of Armenian Advocates in the Congress

Decrease in the number of those supporting Armenian views in the US Congress during Obama’s period had caused Armenian advocates to seek a new strategy. It could be seen that this strategy entailed cooperation with the Greek lobby and bringing forth some of the problems that relate to the Christians in Turkey, in order to win the support of the religious groups whose numbers are quite high in the US. Although it was assumed that the US Jews would also take part in this strategy after the “Mavi Marmara” incident, there has been no observation that the Jews have given more support than before to the Armenians.

Within the framework of this strategy, the draft resolutions that have been submitted to the House of Representatives or to the Senate last year and this year are provided below in chronological order: (the number of co-sponsors of these resolutions do not give any idea concerning the possibility of their adoption. This number could change over time. The numbers of co-sponsors provided below are as from 14 May 2012.)

a. Draft Resolution H.RES.180 dated 3 March 2011

Urging Turkey to respect the rights and religious freedoms of the Ecumenical Patriarchate

Number of co-sponsors 23

b. Draft Resolutions S.RES.196 dated 24 May 2011

Calling upon the Government of Turkey to facilitate the reopening of the Ecumenical Patriarchate’s Theological School of Halki without condition or further delay

Number of co-sponsors 5

52 “Clinton Should Resign for Making Offensive Remarks”, *The Armenian Weekly*, 14 March 2012.

53 “Talat Pahsa in Skirt”, *Lragir*, 20 April 2012.



- c. Draft Resolution H.RES.304 dated 14 June 2011

Affirmation of the United States record on the Armenian Genocide resolution (recognition of the genocide allegations by the US)

Number of co-sponsors 90

- d. Draft Resolution H.RES.306 dated 15 June 2011

Urging the Republic of Turkey to safeguard its Christian heritage and to return confiscated church properties

An amended version of it has been adopted on 13 December 2011.

- e. Draft Resolution H.RES.506 dated 20 December 2011

Calling upon the Government of Turkey to facilitate the reopening of the Ecumenical Patriarchate's Theological School of Halki without condition or further delay. It is the same as the resolution in article b.

Number of co-sponsors 27

- f. Draft Resolution S.RES.399 dated 19 March 2012

Affirmation of the United States record on the Armenian genocide resolution (recognition of the genocide allegations by the US). A slightly amended version of the resolution in article c.

Number of co-sponsors 12

- g. Draft Resolution S.RES.392 dated 8 March 2012

Urging the Republic of Turkey to safeguard its Christian heritage and to return confiscated church properties. It is the same as the resolution in article d which has been adopted on 13 December 2011. It is understood that the same text must now also be adopted by the Senate.

Number of co-sponsors 2

Besides only one of these draft resolutions, a voting was not held for any of the others. This situation shows that from the date they were presented until now, there is no chance for them to be adopted. Under normal conditions, it is difficult for such a possibility to also emerge in this year of elections.

Most likely in order to please the Armenian lobby, one of these draft resolutions have been amended and adopted at the end of 2011. This resolution is H.Res.306 dated 15 June 2011 which has been mentioned above urging Turkey to safeguard its Christian heritage and to return confiscated church properties. This resolution, which also contains a statement on the intentional destruction of much of the Christian populations in Turkey, had been submitted in order to constitute an alternative to the resolution on the recognition of the genocide allegations which has been tried to be adopted for the last twelve years but has failed each time. With the support of US public opinion which is highly sensitive towards religious freedoms, it was believed that it would be easier for this resolution to be adopted and therefore, that the Armenian genocide allegations would indirectly be recognized. Truly, the statement of “intentional destruction” in the resolution carried a meaning with equal worth to genocide. The resolution was adopted by the Foreign Affairs Committee on 20 July 2011.<sup>54</sup> However, when it was understood that it would be difficult to be accepted by the Full House due to the above-mentioned statements which evoke genocide, a consensus was reached among the concerning members of the House of Representatives for the adoption of only the final section (section on procedures). We had provided the text of the resolution adopted by the House of Representatives on 14 December 2011 in the previous edition of our Journal.<sup>55</sup> In summary, this resolution seeks to end all forms of religious discrimination, to return to their owners all Christian church properties, to allow them to be repaired and for Christian churches and other places of worship to organize and administer prayer services, religious education, clerical training, appointments and succession, religious community gatherings and social services.

Although the genocide allegations do not even indirectly exist in the resolution adopted, it could be seen that the final section criticizes and even offends Turkey. It urges Turkey to end all forms of religious discrimination as if religious discrimination exists in Turkey and to not prevent prayer services, religious education and clerical training in churches as if Turkey prevents these from taking place. Moreover, it urges Turkey to return to their owners all Christian churches and other places of worship, monasteries, schools, hospitals etc. as if all of these have been confiscated and also to allow for them to be preserved, reconstructed and repaired.

Although it is true that some Christian properties in Turkey have been confiscated, particularly for not being in accordance with the provisions of

54 Ömer Engin Lütem (2011) “Facts and Comments” *Review of Armenian Studies*, Number 23, p. 47

55 Ibid

the Law of Foundations, these are only an exception. Also, the reopening of the Greek Theological School at Heybeliada, where religious men are trained, is only possible if the Turkish education legislation is fully complied with and the problems of the Turks of Western Thrace are mutually resolved. On the other hand, following his meeting with Prime Minister Erdoğan in March at the Nuclear Security Summit in Seoul, Barack Obama has told the journalists “I congratulated the Prime Minister on the efforts that he’s made within Turkey to protect religious minorities. I am pleased to hear his decision to reopen the Halki Seminary”.<sup>56</sup> The US President’s statement makes us think that in principle, Turkey has taken the

decision to open the Heybeliada Greek Theological School. However, no step being taken by Greece towards the resolution of the problems of the Western Thrace Turks could delay the opening of the Theological School.

*Since this and similar resolutions of the House of Representatives concern issues that fall within Turkey’s area of sovereignty, they do not create legal results.*

*However, when they denigrate Turkey and its administration, it serves the propaganda against the country.*

On the other hand, concerning the Christian heritage in Turkey, the restoration of Armenian places of worship having artistic value, such as Akdamar Church in Van, have taken place in the recent years and has been opened for religious services at least once a year. Rituals have also been allowed at the

Greek Sumela Monastery in Trabzon and some metropolitan bishops abroad connected to the Ecumenical Patriarchate have been granted the right of Turkish citizenship. Furthermore, numerous religious immovable properties confiscated in the past due to legal conditions not being fulfilled has started being returned to their owners with a decree law adopted in August 2011. This implementation has been highly embraced by the non-Muslims in Turkey and has also been welcomed by foreign circles.

Meanwhile, it should be recalled that during the voting in the House of Representatives, only three people were present and two of them voted in favor while the other voted against the draft resolution which was eventually only adopted by two votes of the total number of 435 members of the House of Representatives.

Since this and similar resolutions of the House of Representatives concern issues that fall within Turkey’s area of sovereignty, they do not create legal results. However, when they denigrate Turkey and its administration, it

56 “Remarks by President Obama and Prime Minister Erdoğan of Turkey after Bilateral Meeting”, The White House, Office of the Press Secretary, 25 March 2012.

serves the propaganda against the country. But, it is highly difficult for this resolution, which is quite ridiculous for only gaining two votes, to serve any kind of propaganda.

### **5. Prime Minister Erdoğan's Meeting With President Obama**

By utilizing the occasion of the Nuclear Security Summit in Seoul, Prime Minister Erdoğan has met with President Obama in March. We had mentioned part of the meeting concerning the Heybeliada Theological School above. In their joint press conference, both Obama and Erdoğan have indicated that they addressed the Armenian question in their meeting. However, from a statement provided by Prime Minister Erdoğan later on to Turkish journalists, it has been understood that he has opened the subject of the Armenian question to the US President.<sup>57</sup> It could be understood from this that most likely by linking the ratification of the Turkey-Armenia Protocols to developments taking place in the Karabakh issue, the Prime Minister has said that the mediating role of the three groups of Minsk has continued for 20 years, but has failed to achieve any results so far and has suggested that in order to near a settlement, Turkey should make an effort over Azerbaijan and the Minsk Group members (US, Russia and France) should show effort over Armenia.

On the other hand, regarding these draft resolutions submitted to the US Congress, the press has shown that the Prime Minister told President Obama that congresses and parliaments, in short politicians, should not be put in place of historians, that if the Republicans or the Democrats come to power in the US, the situation will still be the same for these drafts and that the issue of Armenia should not be addressed every April, whereas Obama has expressed that he is displeased with the draft resolutions in the Congress.<sup>58</sup>

### **6. President Obama's 24 April Statement**

Since Bill Clinton, US Presidents issue a statement each year on 24 April regarding "Armenian Remembrance Day" and in order not to offend Turkey, do not characterize the 1915 events as genocide, but instead use some other words which carry a similar meaning. Barack Obama, while he ran as presidential candidate, had expressed both written and orally that if elected he would use the term "genocide". However, he found himself in a

<sup>57</sup> Newspapers *Milliyet*, *Hürriyet* and *Zaman* dated 26 March 2012.

<sup>58</sup> Ibid.

difficult position when it was explained to him how sensitive Turkey is towards the use of this term and he found the solution to this issue by using the words “*Meds Yeghern*” in his 24 April statements, which means “great tragedy” in Armenian and is also used with regard to the 1915 events.

This term has been used again this year in his 24 April statement. Moreover, by referring to the 1915 events as “one of the worse atrocities of the 20<sup>th</sup> century” and “unspeakable suffering” and by putting forth that 1.5 million Armenians were brutally massacred, the President has alluded to genocide without labeling it. This also gives him the opportunity to state that his view of that historical event has not changed (that his thoughts while he was presidential candidate has not changed) and therefore, tries to show that there is no difference between Obama as Presidential Candidate and Obama as President.

By expressing in his statement that a full, frank and just acknowledgment of the facts is in everyone’s interests and that moving forward with the future cannot be done without reckoning with the facts of the past, Obama has implied that Turkey should recognize the Armenian genocide allegations. He has also declared that some Turks who have already done this have been applauded.

At the end of his statement, by praising the US Armenians as he has done in the past years, President Obama has tried to gain their votes during elections.

Although President Obama’s statement this year, just as in the previous years, is delivered in a moderate language, in essence it reflects the views of Armenians. However, this has not pleased most of the Armenians and especially the Dashnaks at all, hooked so much on the term genocide, and US Chairman Ken Hachikian of the organization, using a harsh language, has accused President Obama for surrendering to Turkey and not keeping his promise to the Armenians.<sup>59</sup>

On the other hand, it has been observed within the Turkish press that President Obama’s choice of words, i.e. not using the term genocide, has been met with pleasure.

However, the press release of the Turkish Foreign Ministry on this statement carries a complete opposite characteristic. In this statement, it has been expressed that the President’s statement reflects only the Armenian views, distorts the historical facts and therefore it is regarded as problematic and is

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59 “ANCA Chairman: Obama Completed His Surrender to Turkey”, *PanArmenian.Net*, 24 April 2012.

deeply regretted. Furthermore, it has put forth that the President's statement is issued upon domestic political considerations, renders the normalization of relations between Turkey and Armenia difficult, damages Turkish-American relations and that the US should encourage the Armenian side to be more realistic and conciliatory. The full text of the statement is as follows:

*No:116, 24 April 2012, Press Release Regarding the Statement of US President Barack Obama on the Occasion of 24 April*

*In his statement issued on 24 April 2012, US President Obama demonstrated this year once again an unfounded approach which reflects the Armenian views regarding the dispute between Turks and Armenians on the painful part of their common history. We regard this statement, which distorts the historical facts, as very problematic in every aspect and deeply regret it.*

*Issued upon domestic political considerations and interpreting controversial historical events with a selective sense of justice, such one-sided statements are not only misguided, but also render the normalization of the relations between Turkey and Armenia difficult.*

*What should be done by the US, as an important ally of Turkey, is not to further deepen the problem with such an approach, which also damages Turkish-American relations, but to provide constructive contributions for its resolution and, in this regard, to encourage the Armenian side, which avoids joint historical research, to be more realistic and conciliatory.*

*It should also be known that the pain experienced during the World War I is a shared one and the memory of that period is as sensitive for the Turkish people as for the Armenians. Despite all the prejudiced attempts to interfere with the writing of history, we will maintain our efforts to reach a just memory.*

In conclusion, while the US President's 24 April statement this year, just as in the previous years, attempts to please both sides, it has failed in doing so and on the complete opposite, has caused quite strong reactions to develop.

## **7. US Supporting the Contacts of Non-Governmental Organizations of the Two Countries and Unofficial Proposals for the Normalization of Relations**

US Governments have supported all along contacts being made between non-governmental organizations, professional associations, journalists and

artists between Turkey and Armenia. In order to indicate that these kinds of contacts and dialogues are not part of official talks, they have been classified as “track two”. Apart from some diplomatic contacts which are generally carried out for the last twenty years in private and are not continuous, it could not be said that much contacts exist between Turkey and Armenia. This situation makes the approaches of the two sides, which are essentially opposite to each other, more uncompromising. However, it should not be expected for “track two” dialogues to especially resolve political issues. These kinds of talks could be beneficial for the development of cultural, scientific, sportive and even economic relations.

The most important “track two” dialogues between Turkey and Armenia was the meetings of the “Turkish-Armenian Reconciliation Commission”, which was active from 2001-2004 through the encouragement and even financial aid provided by the US Government and was comprised of Turkish and Armenian individuals. David L. Phillips has been the moderator of this commission. This commission had no official position; in other words, its members did not represent the governments of Turkey or Armenia. No consensus was able to be reached in this commission regarding the genocide allegations which form the basis of the Turkish-Armenian disagreement.

Following this incident, some Turkish and Armenian non-governmental organizations, professional associations, journalists and artist have organized meetings especially through the initiatives of the US. Apart from being confidential, not much other information exists. This situation most likely arises due to significant results not being obtained from the meetings.

It would have been expected for these contacts to have achieved some cooperation between the two countries in specific fields or at least to have promoted it. However, no such result has been observed. After the failure of official contacts between Turkey and Armenia, it is believed that the “Track Two” activities will have the same outcome. It should not be expected for Track Two dialogues to create serious benefits when there has been no development in the issue of the genocide allegations which constitutes the main dispute between Turkey and Armenia.

Despite this situation, the US Government continues to support these kinds of contacts. According to Phillips’s lengthy research published in the beginning of March this year and entitled “Diplomatic History: The Turkey-Armenia Protocols”,<sup>60</sup> 2.4 million dollars has been allocated in the US Aid

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60 *Diplomatic History: The 2009 Protocol on the Establishment of Diplomatic Relations between the Republic of Armenia and the Republic of Turkey and the 2009 Protocol on the Development of Bilateral Relations between the Republic of Turkey and the Republic of Armenia*. Columbia University, Institute for the Study of Human Rights in collaboration with the Future of Diplomacy Project published on the internet (<http://hrcolumbia.org>), Harvard Kennedy School, March 2012

Mission in Yerevan, while the US Embassy in Ankara has allocated 2.3 million dollars for Track Two dialogues. In a research published by TEPAV in January,<sup>61</sup> it has been indicated that 47.3% of the Track Two activities have been financed by the US, but that this number is greater when considering that the US also contributes to the funds supplied by other sources. Some institutions of Germany, Sweden and Switzerland could be considered among the other countries. Which institution or individuals will attend the meetings from Turkey and Armenia will be determined by those providing financial aid. Since a significant amount of money exists, it could be understood that the number of those wanting to participate in these activities is quite high.

It is difficult to think that these kinds of dialogues will harm Turkey-Armenia relations. However, what matters is what kinds of benefits these will bring to relations and so far, no such benefit has been observed.

## 8. The US Stance towards the Turkey-Armenia Protocols

It is known that Armenia's view on the normalization of Turkey-Armenia relations and that in this respect, the protocols should be ratified without any preconditions, is also supported by the US. This approach has been confirmed with US Foreign Minister Hillary Clinton's speech delivered on 4 June 2012 during her visit to Armenia. In Clinton's joint press conference with Nalbandyan,<sup>62</sup> she has said "we are committed to seeing Armenia and Turkey normalize relations, because we think this is a path forward to a better future for the citizens of both countries and we strongly support ratification of the Turkey-Armenia protocols without preconditions. We commend Armenia and President Sarkisian for the leadership they have shown on this issue". Moreover, in response to a question she has expressed "our greatest interest is to see Armenia and Turkey move together toward normalization. We strongly support the efforts that have been made. We have urged the ratification of the normalization protocols without preconditions". In relation to Karabakh, she has said "there is no linkage between the protocols process and the Nagorno-Karabakh negotiations. Those are separate".

Therefore, the US Foreign Minister has entirely embraced Armenia's view that the Protocols should be ratified and implemented without preconditions

61 Esra Cuhadar, Burcu Gültekin Punsman "Reflecting on the Two Decades of Bridging the Divide: Taking Stock on Turkish-Armenian Civil Society Activities." *TEPAV*, January 2012.

62 Press conference - Foreign Minister Edward Nalbandian's and US Secretary of State Hillary Clinton's statements and answers during joint press conference - 04.06.2012 - <http://www.mfa.am/en/press-conference/item/2012/06/04/clinton/>



and that they are not linked to the Karabakh issue. This support of the US is one of the main reasons why Armenia is reluctant to resolve problems with Turkey and Azerbaijan.

Also by addressing the countries in the region, Clinton has said “We believe that these are countries that should have open borders, should work together, should trade, should have people-to-people exchanges, because we think that it would be mutually beneficial to all concerned”. These are undoubtedly her kind wishes. However, it is unclear how the borders could be opened when a de facto war exists between Armenia and Azerbaijan and in a situation where there is no normalization of relations between Turkey and Armenia. Despite the closed borders, Turkey tries to conduct trade with Armenia and to increase contacts between the people.

### III – FRANCE AND THE ARMENIAN QUESTION

A law has been adopted in France on 23 January 2012, foreseeing the punishment of those denying the Armenian genocide allegations with a prison term of one year and a fine of 45.000 Euros, but on grounds that the law is contradictory to the constitution, 71 parliamentarians and 77 senators had appealed to the French Constitutional Council to repeal the law.

On 28 February 2012, the Constitutional Council announced its decision<sup>63</sup> and found the law to be contradictory to the Constitution.

In order to ease the great disappointment the decision of the Constitutional Council created among the Armenian community and in order to console them, President Sarkozy has visited the Armenian community in Marseille and repeated to them that this issue will be re-addressed after the elections. Moreover, by receiving the prominent figures of the Armenian community in the Presidential Palace in Paris, Sarkozy has also made promises to them on this issue.

The first round of Presidential elections has taken place on 22 April 2012 and as expected, although with a small difference in votes, President Sarkozy has been second to François Hollande.<sup>64</sup> Since public opinion polls have shown that François Hollande will also win the second round of

63 “Loi visant à réprimer la contestation de l’existence des génocides reconnus par la loi” Décision n° 2012-647 DC du 28 février 2012 <http://www.conseil-constitutionnel.fr/conseil-constitutionnel/francais/les-decisions/acces-par-date/decisions-depuis-1959/2012/2012-647-dc/decision-n-2012-647-dc-du-28-fevrier-2012.104949.html>

64 The proportion of votes the candidates received in the first round is as follows: François Hollande % 28,63; Nicolas Sarkozy % 27,18; Marine Le Pen (National Field) % 17,90; Jean-Luc Melenchon (Leftist Field) % 11,11; François Bayrou (Democratic Field) % 9,13. *Milliyet* 24 April 2012. “Sandıkta Kozlar Le Pen’in Elinde Le Pen Holds the Leverage in Elections”

elections, Sarkozy has started pursuing each and every vote he could gain. Within this framework, by doing what none of the other French Presidents had done, Sarkozy has attended on April 24 the commemoration ceremonies of the Armenian “genocide” in Paris accompanied by the “Republican Guards” dressed in fancy uniforms dating from the 19th century, has placed a wreath at the Memorial and has delivered a speech. Sarkozy who had indicated last year during his visit to the Genocide Memorial in Yerevan how touched he was, has said that those not showing the confidence to look back into their past cannot be a great country, that he wants Turkey to do what France did by facing its history, that this should not be considered a weakness, that accepting mistakes will pave the way to being forgiven and that he is sure there are individuals within the Turkish community who recognize the mistakes of their ancestors and desire the forgiveness of today’s people (the Armenians). Therefore, Sarkozy has indirectly called on Turkey to recognize the Armenian genocide allegations and to apologize to the Armenians. Furthermore, he has also repeated that if elected, a draft law foreseeing the criminalization of those denying the genocide allegations will be prepared again in June.<sup>65</sup>

François Hollande, who has been informed of the President’s visit to the Memorial beforehand, has been obliged in conducting the same visit and in his speech delivered there, has repeated that if elected, a new bill will be drafted which punishes those denying the genocide allegations, but that the issue must first be addressed in the best possible way so that the same will not happen as with the law that was repealed; in other words, to prevent the law being repealed a second time by the Constitutional Council. Furthermore, he has promised to attend the 24 April commemoration events each year if elected as President.<sup>66</sup>

The speeches of both Sarkozy and Hollande have created strong reactions in Ankara. In a press release by the Foreign Ministry whose text is provided below, it has been stated that controversial historical issues are abused for internal political calculations, what is expected from French politicians is not to foment hatred, but to act with the responsibility of statesmen to encourage the Turks and Armenians to reach together a just memory, that it is not possible to obtain results through artificial external impositions on issues between countries.<sup>67</sup>

65 “Discours De M. LePrésident De La République À L’occasion De La Cérémonie De Commémoration Du 97ème Anniversaire Du Génocide Arménien” <http://www.collectifvan.org/article.php?r=0&id=63401>, 24 April 2012,

66 “Historique Commémoration Du Génocide Des Arméniens”, *Armenews*, 24 April 2012.

67 “No: 117, 24 April 2012, Press Release Regarding the Statements Delivered by the President of France Sarkozy and Presidential Candidate Hollande in Paris” MFA Turkey [http://www.mfa.gov.tr/no\\_117\\_-24-april-2012\\_-press-release-regarding-the-statements-delivered-by-the-president-of-france-sarkozy-and-presidential-candidate-hollande-in-paris.en.mfa](http://www.mfa.gov.tr/no_117_-24-april-2012_-press-release-regarding-the-statements-delivered-by-the-president-of-france-sarkozy-and-presidential-candidate-hollande-in-paris.en.mfa)

*No: 117, 24 April 2012, Press Release Regarding the Statements Delivered by the President of France Sarkozy and Presidential Candidate Hollande in Paris*

*The statements delivered by the President of France Nicolas Sarkozy and by the Presidential candidate François Hollande on the occasion of the commemoration ceremony in Paris on 24 April and which apparently reflect electoral considerations in the country, provide the latest examples of the abuse of controversial historical issues for the purpose of internal political calculations.*

***There is no doubt that the President and the Presidential candidate visiting the Armenian Memorial on 24 April and offering their condolences there and indicating that the law on “punishing denial” will be redrafted has created great pleasure among the French Armenians and has caused them to be proud of the two leaders.***

*Politicization of history for different motivations is highly unfortunate. Prejudiced and discriminatory approaches can serve neither justice nor a correct understanding of history. What is expected from prominent French politicians is not to foment hatred, but to act on the basis of facts and in accordance with the responsibility of statesmen by giving messages to encourage Turks and Armenians to reach together a just memory.*

*It is not possible to obtain results through artificial external impositions on an issue which should be settled between the concerned countries. Such statements also impede efforts to establish peace and tranquility in the region.*

There is no doubt that the President and the Presidential candidate visiting the Armenian Memorial on 24 April and offering their condolences there and indicating that the law on “punishing denial” will be redrafted has created great pleasure among the French Armenians and has caused them to be proud of the two leaders. This event is a great success for the Armenians who constitute less than 1% of the entire population in France.

However, this event has also left the French Armenians in a dilemma. Since both Sarkozy and Hollande are almost competing for satisfying the requests of the French Armenians, who will they give their votes to? In this situation, it could be understood that the French Armenians will give their votes according to their political preferences; in other words, by putting aside the Armenian Question and the genocide allegations as its inseparable aspect, the more conservatives will vote for Sarkozy, while those with a more leftist tendency will vote for Hollande.

The second round of Presidential elections in France has been held on 6 May 2012 and François Hollande has been elected as president by winning 51.62% of the votes. In the elections, 37,016,982 people have cast their votes and the proportion of those voting in the elections has been 80.34%. As mentioned above, since the Armenians have voted in accordance with their political tendencies, the Armenian votes have not benefited either of the candidates.

On this point, assuming that it will also be useful for future parliamentary or local elections, we would like to provide some information concerning the Armenian votes in France.

There is a general conviction that the total number of Armenians in France is approximately 450,000. If it is assumed that children who have not yet reached the age to vote is 10%, the conclusion could be reached that the number of those who could cast votes is approximately 400,000 maximum. Since 20% have not voted in the last elections in France, the potential Armenian votes could be calculated as 320,000. When considering that 37,016,982 people voted in the last elections, the Armenian votes are around 8 per thousand of the total votes. This proportion is insignificant in the presidential elections where regional votes are not taken into consideration.

On the contrary, it is relatively significant in the parliamentary and local elections where regional votes are necessary. The Armenian votes could truly be effective during these elections in parts of Paris, Lyon and Marseille. In order to give an idea regarding the influence of the Armenian votes, we should note that no Armenian has been able to be elected as deputy or senator due to being Armenian. The election of Patrick Devedjian, who is Armenian in origin, has not been because he is Armenian, but because he is an important member of the UMP Party. Despite not being deputies or senators, Armenians are represented in local councils.

Since the Armenian votes have no significant role in the Presidential elections, then why do both candidates put so much importance on the Armenians?

First of all, as with all the other nations, the French also have the feeling of pity and helping or caring for the weak. The genocide allegations, intensively put forth for many years, have displayed the Armenians in France as some kind of an oppressed community. Helping such a community and trying to fulfill their requests are considered as actions that are highly appreciated within public opinion. In short, the candidates being

advocates of Armenians could allow them to gain some votes of non-Armenians. On the opposite, remaining indifferent to Armenian requests could cause them to lose some votes of non-Armenians.

Second of all, it concerns Turkey and the Turks. Millions of North African Muslims live in France. Most of them are not able to adjust to the French community for various reasons and this creates some problems. These problems, along with the reflections in the US of September 11, have created a fear of Islam (Islamophobia) which is increasingly generally spreading in Europe and particularly in France. A part of this phobia is fear against the Turks, originating from the possibility of Turkey becoming an EU member. Within this framework, criticizing Turkey or opposing Turkish initiatives on the Armenian or on another issue gains the appreciation of extreme rightist circles in particular. It should not be forgotten that the extreme rightist party of National Front has gained more than 17% of votes in the first round of the Presidential elections.

The hostility towards Turkey during the French Presidential Elections has caused President Gül to classify this situation as unbelievable and to repeat the proposal for a commission to be established to determine whether or not the 1915 events constitute genocide.<sup>68</sup> Earlier, Prime Minister Erdoğan had said during his Party's Assembly Group meeting the following: "we expressed that Sarkozy making the 1915 events an instrument of elections is a racist approach and a very dangerous and discriminatory initiative for France and the EU. Inciting xenophobia, particularly Islamophobia, to win elections is very irresponsible. We expect and remind European leaders and institutions to be aware of this dangerous increase and take precautions".<sup>69</sup>

Regarding what kind of policy the new French President will adopt on the Armenian question, the first indications have been understood from his response on May 2nd to a letter concerning the issue of "Laws of Memory" written to him by Chairman of the Anatolia Cultural Center in France Demir Önger a few days before being elected.<sup>70</sup>

The first issue that Hollande has emphasized is that if elected (which he has four days later), a bill in accordance with the French Constitution would be drafted which penalizes the denial of genocide. He has also indicated that this bill would be in conformity with France's international commitments and the European Union Charter. It could be understood that he believes that a text carrying these properties will not be rejected by the French Constitutional Council.

68 "Le Président Turc Pointe une "Incroyable" Hostilité française", *Armenews*, 3 May 2012.

69 "Sarkozy'ye sessiz Kalmayın" (Don't Remain Silent Towards Sarkozy), *Hürriyet*, 14 March 2012.

70 "La lettre de François Hollande au négationiste Demir Önger", *Armenews*, 9 May 2012.

The second important section of Hollande's letter to Önger entails his statements concerning Turkey. He has emphasized that together with the Socialists, he is committed to Turkish-French friendship and that he will strengthen relations with Turkey, which is a great country, if elected.

There are two points in François Hollande's letter which contradict each other. The first is drafting a bill on punishing denial which Turkey completely opposes and the second is establishing friendly relations with Turkey. It is unclear how friendly relations will be established if this law is adopted.

Despite this uncertainty, it has been observed in Turkey that after Hollande was elected as President, relations with France have tried to be restored and as Deputy Foreign Minister Naci Koru as expressed,<sup>71</sup> there has been hope for a new page being opened for relations between the two countries. By recalling that Turkey-France relations date back to history, Foreign Minister Ahmet Davutoğlu has also said that he believes France will take positive steps in its transformation process.<sup>72</sup> In President Gül's letter of congratulation sent to François Hollande, it has been stated that he hopes his election as President will contribute to the development of Turkish-French relations.<sup>73</sup> Prime Minister Erdoğan has also called Hollande and congratulated him and has expressed that he hopes his election as president will start a new era in Turkey-France relations.<sup>74</sup>

*Despite this uncertainty, it has been observed in Turkey that after Hollande was elected as President, relations with France have tried to be restored and as Deputy Foreign Minister Naci Koru as expressed, there has been hope for a new page being opened for relations between the two countries.*

On the other hand, from an earlier statement, it could be seen that Prime Minister Erdoğan was cautious in his approach towards France. During his visit to Slovenia, he had told the journalists that it is not possible to accept the stance that Turkey cannot become an EU member until the Armenian issue is resolved and that if this stance is true and a policy is to be pursued within this framework, then Turkey will also have to reconsider the situation.<sup>75</sup>

71 "Turkey Hopes to Restore Ties With France Under Hollande Presidency", *Armradio.am*, 10 May 2012.

72 Ibid

73 "Abdullah Gül "L'administration française doit être plus Prudente Sur les Questions Sensibles", *Armenews*, 11 May 2012.

74 "Erdoğan Apelle Hollande, Souhaite une "Nouvelle Ère", *AFP*, 11 May 2012.

75 "Prime Minister Erdoğan receives an award from Slovenia", *Sabah*, 8 May 2012.

It could also be seen that Turkish Ambassador to France, Tahsin Burcuoğlu has also approached François Hollande's term with caution. Regarding relations, he has said "insistence on the negation bill could take Turkish-French relations to a blockage. We warned France to abandon it before it's too late, but if the same road is taken despite everything, as a state, nation and the Turkish community in France, we will continue to resist by utilizing all the opportunities we possess". Furthermore, Burcuoğlu has also indicated that opposite to Sarkozy's statement regarding Turkey's EU membership that "Turkey has no place Europe", Hollande has no such statement and that Hollande supports the negotiation process with Turkey to continue objectively and that this will be a long-termed process.

Meanwhile, perhaps due to the resentment towards Nicolas Sarkozy, although it cannot be characterized as purely sympathy, it has been seen within within the Turkish press that some kind of tolerance exists towards Hollande. However, when looking at the past, it is difficult to say that France's new president is worthy of this.

When the past is truly observed, we could see that Hollande has almost always supported Armenian views. Let us provide some examples. While serving as General Secretary of the Socialist Party, Hollande, together with Chairman of the French Dashnak Party Mourad Papazian (who is still Hollande's special advisor), had signed a declaration on 3 June 2004 regarding the idea that Turkey must recognize the Armenian genocide allegations before the membership negotiations with the EU begins.<sup>76</sup> In the following years, he had always advocated Armenian views and within this framework, had shown great efforts for the bill on punishing those denying the Armenian genocide allegations to be submitted and adopted to the National Assembly and Senate. He had visited Yerevan in September 2007 upon the invitation of the Armenian Dashnak Party, had paid homage at the Genocide Memorial and in his speech delivered there, had put forth that recognition of the Armenian genocide allegations must be a precondition for Turkey's membership in the EU.<sup>77</sup> During the presidential elections campaign this year, he had continued his pro-Armenian stance without any reservations and had delivered a speech at the genocide memorial in Paris on April 24.

During this campaign, he had promised the Armenians that if elected, he would fulfill the following:<sup>78</sup>

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76 Ömer Engin Lütem (2007) "Facts and Comments" *Ermeni Araştırmaları*, No. 13-14, p. 22.

77 "French Socialist Leader Visits Armenia, Urges Genocide Recognition", *RFE/EL*, 6 September 2007.

78 "François Hollande Reçoit le CCAF" *Zaman*, 15 March 2012; "Türkiye'nin AB Üyelğine 'Soykırım' Vaadi ('Genocide' Promise for Turkey's EU Membership)" *Armenews*, 13 March 2012,

- During the first months of his presidency, he would work towards the re-drafting of the bill regarding the punishment of those denying the Armenian genocide allegations, which was previously annulled by the Constitutional Council,
- He would support the stipulation of the recognition of the Armenian genocide allegations as a criterion for Turkey to become a member of the European Union,
- For the commemoration of the 100th anniversary of the genocide allegations, he favors the establishment of a memorial-museum of the Armenian “genocide” in Paris, which would be funded by the State,
- He will show “special efforts” for the prevention of further conflicts in Karabakh (if we recall President Aliiev’s statement that Azeri territories could be liberated through force if all peaceful measures fail, it could be understood that Hollande would support Armenia in the Karabakh conflict).

With the exception of the re-drafting of a new bill, all the other points were not addressed by Nicolas Sarkozy. From this aspect, Hollande has gone way further than Sarkozy in his pledges made to the Armenians.

Will these promises be kept? Or will Hollande behave as President Obama has? As could be remembered, while President Obama was emphasizing before the presidential elections that he would recognize the Armenian genocide allegations, after being elected he conducted his first visit to Turkey and refrained from openly recognizing the genocide allegations despite all insistences.

It is not possible to say at the moment how much of his promises Hollande will keep. However, it seems almost certain that a new bill will be drafted and submitted to the National Assembly on the punishment of those denying the Armenian genocide allegations. However, this does not mean that the bill will be adopted. The composition of the Parliament after the elections in June will play a determining role in this issue. Under normal conditions, there is a high possibility for such a bill to be adopted by the National Assembly; however, as has taken place in the past, it could be much more difficult for it to be adopted by the Senate which is against “Laws of Memory”. If the Senate adopts it and the bill becomes a law, upon the appeal of 60 deputies or 60 senators, as the Constitutional Council has at the end of February, it could reject the bill again on grounds that it contradicts the Constitution. In short, adopting such a law does not seem as an easy task.



When evaluating Turkey-France relations purely from a political aspect, it could be seen that France has no benefit from continuing a policy of hostility towards Turkey. However, also due to problems of internal politics they have created, the French governments have somewhat put their relations with Turkey in pledge. As a matter of fact, although they harm French interests, France is not in the position of overcoming the obstacles created by Turkey's EU membership and the Armenian genocide allegations. In this situation, it is likely that it will not rush the resolution of the problems and leave them to time.

Another point which must be taken into consideration is that in principle, presidential and parliamentary elections will not be held during the next five years in France. In other words, during this period, there will be no need for the Armenians within the political field and this shows that in the upcoming period, the possibility of the Armenians putting pressure over President Hollande and the Socialist Party is limited.

After the excitement of the presidential elections fades and the parliamentary elections are held, Hollande and his government will try to determine a new policy against Turkey in order to repair as much as possible the damages done during the Sarkozy period. Right now, the most important issues are Turkey's EU membership process and the Armenian genocide allegations. Regarding the EU issue, the new French government could develop a formula through which France would accept the negotiation of some chapters and in return expect Turkey not to object to the fulfillment of the promises Hollande made to the Armenians. However, when taking into consideration the policy Turkey has followed until now concerning the Armenian question, it could be understood that there is no chance for such a formula being accepted.

A last development has been the meeting of President Gül with François Hollande during the NATO Summit held on 20-21 May 2012 in Chicago. During this meeting, Gül has said that there was no conflict of interests between France and Turkey and that they want to open a new chapter in relations and bring them back to their former level, whereas Hollande has said that Turkey will never be a matter of internal politics and that they should not waste time with past misunderstandings. Hollande has also indicated that it is also his desire to bring relations to their former level and that Turkish and French ministers should come together often.<sup>79</sup>

This meeting displays that the two sides desire to end the crises experienced during Sarkozy's period. However, no progress has been made in the main problems between the two countries regarding Turkey's EU membership and the Armenian genocide allegations. In this situation, it could be understood

79 "Gül, Hollande seek to reset strained ties at NATO summit", *Today's Zaman*, 21 May 2012.

that restoring Turkey-France relations to its former level will remain outside these two problems. It is possible to freeze the two problems for a certain time. However, when recalling that Hollande had promised the Armenians for a redrafting of a new law which would punish those denying genocide during his first months of presidency, it is likely that the positive atmosphere within Turkey-France relations will not last long if this promise is kept.

#### IV – PARLIAMENTARY ELECTIONS IN ARMENIA

The Parliamentary Elections in Armenia has been held on 6 May 2012. As the public opinion polls had shown before the elections, the Armenian Republican Party, which is the Government Coalition's main party, has been first, while the other coalition party of Prosperous Armenia has emerged as second. These parties have been followed respectively by the Armenian National Congress, Heritage Party, Dashnak Party and the Orinats Yerkir (Rule of Law Party).

##### 1. Results of the Elections

Compared to the elections of 2007, the percentage of votes and the number of seats gained in the current elections by the parties has been provided in the table below.

#### PARLIAMENTARY ELECTIONS IN ARMENIA IN 2007 AND 2012<sup>80</sup>

Party Name	2007 Elections		2012 Elections		Deputies +, -
	%	Deputies	%	Deputies	
Republican Party of Armenia	32,8	64	44,02	70	+5
Prosperous Armenian Party	14,7	24	30,12	37	+13
Armenian National Congress	-	-	7,8	7	-
Orinats Yerkir (Rule of Law) Party	6,8	9	5,51	6	-4
ARF Dashnaktsutyun Party	12,7	16	5,67	5	-10
Heritage Party	5,82	7	5,76	5	-1
Independent	-	11	-	1	-10
TOTAL	-	131	-	131	-
62,3% have voted in the elections. The number of electorates has been determined as 2.501.597. 1.573.053 people have cast their votes.					

<sup>80</sup> Sources for the 2007 elections see *Ermeni Araştırmaları* No. 25, pp. 34-36. For the 2012 elections see "Central Electoral Commission Issues Final Vote Results", *Massis Post*, 14 May 2012.

At first glance, these results create the conviction that the elections have not brought a change to the political situation in Armenia. As mentioned above, the main parties of the Government Coalition have been victorious in the elections. These two parties held together 88 seats in 2007 in the parliament holding a total of 131 seats. This number has currently increased to 106. In short, it is seen that these parties has enough majority to be able to govern Armenia for the next five years as long as they come to an agreement between themselves.

If they fail to come to an agreement, since the Republican Party has the absolute majority in the Assembly with 69 deputies, it will be able to form a government on its own. But, since it just exceeds the absolute majority with only four seats, this government will not feel insecure. In this situation, it will be possible to reach a majority with Orinats Yerkir and even the Heritage Party entering the government with 80 deputies.

This is also important since forming such a coalition is a precondition for Serge Sarkisian to win the presidential election to be held in February.

## **2. The Political Parties Entering the Parliament**

9 parties have participated in the 2012 parliamentary elections. Since the Armenian Democratic Party, the Armenian Communist Party and the United Armenians Party have not been able to exceed the threshold of 5%, they have not been able to enter the Parliament. Information is provided below on the six parties that have entered the Parliament.

### **a. The Armenian Republican Party**

This party, which was established in 1990, was the first party formed in independent Armenia. From that day onwards, it has been present in many of the governments and has become the first party of the government coalition after 2000 from which the prime minister has been elected. After Prime Minister Andranik Makaryan's death in 2007, Serge Sarkisian, who was then the Party's Chairman of Council and at the same time the Minister of Defense, had first been elected as Chairman of the Republican Party and then had been elected as Prime Minister. Approximately ten months later, he had been elected as President. Unlike in Turkey and many other countries, the Armenian presidents could also be members of political parties. Therefore, Serge Sarkisian has maintained his position as Chairman of the Republican Party and has actively participated in the election campaigns

this year. The Republicans, increasing their votes in the current elections from 32.8% to 44.02% and holding 69 deputies, won a great success in the elections. Therefore, as mentioned above, the Republicans are in the position to form a government on their own if necessary.

### **b. The Prosperous Armenia Party**

The Prosperous Armenia Party has been established shortly before the 2007 elections. According to a widespread belief, it has been established by wealthy businessman Tsarukyan upon the advice of President Robert Kocharian, who not being able to be elected as president a third time based on the Constitution, would be able to return to politics when necessary. Although existing conditions have prevented Robert Kocharian from having an active role in internal politics during the period of 2007-2012, this party, constituted mainly of wealthy businessmen, has gained praise through Tsarukyan's sympathetic behaviors and aid provided to the poor communities. In fact, the Prosperous Armenia Party, which had carried out a successful introduction campaign and had also increased their aid to the poor, has achieved a great success in the 2012 elections by increasing their votes from 14.7% to 30.12% and their number of deputies from 24 to 37.

*The Republicans, increasing their votes in the current elections from 32.8% to 44.02% and holding 69 deputies, won a great success in the elections. Therefore, as mentioned above, the Republicans are in the position to form a government on their own if necessary.*

However, it has started acting as more of an opposition party by not withdrawing from the government coalition following the elections. There have been some speculations to explain this approach. At the top of these speculations is that this party will leave Sarkisian in a difficult position by not joining the government coalition and this will therefore make it easier for Kocharian to be elected as president again in the 2013 elections. The second speculation is that as partner of coalition, apart from some ministries, the party also wants the Presidency of the National Assembly and Deputy Prime Ministry. On the other hand, Vartan Oskanyan, who served as Foreign Minister for approximately ten years during Kocharian's Presidency, becoming a deputy of this party, has also created the idea that this ministry is desired.

### c. The Armenian National Congress

Levon Ter-Petrossian is an important figure who had assumed the main role during Armenia's independence and who had become Armenia's first president from 1991-1998. In 1998, he had supported the significant proposals of the Minsk Group regarding the Karabakh issue, but had resigned from Presidency when Prime Minister Robert Kocharian, who was originally from Karabakh, followed by the Armenian Assembly, had opposed these proposals.

Ter-Petrossian, who was away from politics for almost ten years, had participated in the presidential election in 2008, but when Serge Sarkisian had received 52% of the votes when he only received 21.5%, he was not able to win the elections. 10 people had died as a result of the intervention of law enforcement officers during the demonstrations taking place right after the elections and this incident had occupied Armenia's agenda for months. By taking advantage of this situation, Ter-Petrossian had for a long time made sure that demonstrations were held against the Government and the President. Then, together with some small political institutions, he had founded the Armenian National Congress (Party). The Congress has become Armenia's main opposition party within the last four years. However, only receiving 7.8% of the votes and only gaining 7 deputies have created doubts on the political future of this party and Ter-Petrossian.

### d. The Heritage Party

The Heritage Party has been established by a US Armenian named Raffi Hovannisian before the 2008 elections. Hovannisian is Armenia's first Foreign Minister. He is known for his extremist nationalist stance and statements. Opposite to Ter-Petrossian, the first President who had paid attention to not create problems with Turkey, when Hovannisian had continued displaying an approach that could be said to be aggressive against Turkey, Petrossian had discharged him from office. From then on, Hovannisian has not been able to return to politics and in fact, has not even been able to gain Armenian citizenship. Years later, most probably upon the insistences of the Americans, he has gained Armenian citizenship and has right after formed the Heritage Party. By gaining 6% of the votes and 7 deputies in 2008, this party has relatively achieved success. Hovannisian, trying to gain the attention of public opinion by staging hunger strikes before the elections this year, has not created any benefits and the Heritage Party has entered the Parliament by gaining 5.7% of the votes and 5 deputies in the elections.

### **e. The Dashnak Party**

The Armenian Revolutionary Federation, known as Dashnak or Dashnaks, has been established in 1890 and is still Armenia's oldest party represented in the Parliament. It has maintained its secret and terrorist activities until recently. The first Armenian Republic existing in 1918-1920 was essentially ruled by Dashnaks and has eventually joined the Soviet Union without achieving any success in almost any fields. From then on, the Dashnaks have organized themselves within the Diaspora and have become the main political power there. Their domination of the Diaspora still continues. Meanwhile, the terrorist activities of the Dashnaks particularly draw attention. At the basis of most of all the Armenian revolts during the Ottoman Empire lies the provocation of the Dashnaks. The Dashnaks are also mostly responsible for the atrocities committed against the Muslims in Eastern Anatolia during and right after the First World War. During a conference held after the war, the Dashnaks have reached a decision on killing the prominent figures of the Unity and Development Party and have caused Talat, Sait, Halim and Cemal Pasha, together with some other people, to be murdered. More recently in 1973-1986, the Dashnaks together with ASALA, another terrorist organization, have caused the murders of 31 Turkish diplomats serving abroad and some members of their families. After Armenia gaining independence, they have become active again in the country only to be banned during Ter Petrossian's presidency due to their harmful activities. As they have helped Kocharian to be elected as president, they have joined the government coalition during Kocharian's presidency and have continued to do so during Sarkisian's presidency. However, by objecting to the signing of the Turkey-Armenia Protocols, they have withdrawn from the government.

While serving in the government, the Dashnaks had gained 11% of the votes and 11 deputies in the 2003 elections. In 2008, they had gained 16 deputies with 13% of the votes. In the current elections, they have experienced a great regression by only gaining 5.7% of the votes and 6 deputies. From what could be understood, taking part in the opposition has not been beneficial for the Dashnaks.

### **f. Orinats Yerkir (The Rule of Law) Party**

Since 1998, Artur Baghdasaryan has been the chairman of this party, whose Armenian name is Orinats Yerkir and is known as the Rule of Law Party, wanting to stress the idea of "superiority of law". He is known as an advocate of the European Union and particularly of France. Over time, quite

great changes have been observed in the party's percentage of votes and the number of deputies. According to this, it had gained 4 deputies in the 1999 elections, 18 in 2003, 9 in 2007 and 5 deputies in 2012. This party, which has shown regression in the recent years, must enter the parliament in order to exist within the government. There are some rumors that in order to gain votes in the last elections, the party had distributed mobile phones and then wanted them back when it failed to receive votes.<sup>81</sup>

### 3. Irregularities in the Elections, Statements of the Electoral Observers

The final point we would like to address in relation to the Armenian parliamentary elections is the irregularities and frauds. We must note that since its independence, electoral frauds and irregularities have taken place in all elections held in Armenia which have also been recorded in the reports of international observers. However, none of the elections have been cancelled. Based on Armenian press, this year casting votes in return for money has been experienced the most. The amount paid is generally 10.000 Drams (approximately 25 dollars). A newspaper has put forth that 2.5 million dollars might have been distributed in total.<sup>82</sup> Based on a public survey, 20% of the voters are ready to sell their votes in exchange for money.<sup>83</sup>

Secondly, there is the incidence of ballot boxes being filled with voting papers beforehand. However, there are some articles that argue that this fraud has been seen less this year compared to the previous years. Another and rather common irregularity is the parties carrying the voters by bus to the voting places and providing them with foods and beverages. There are also incidents in which some people have voted more than once.<sup>84</sup>

Some parties have objected to the irregularities and frauds, in fact, the Armenian National Congress has appealed to the Constitutional Court regarding the number of votes it has received in the elections.

Numerous observers have watched the Armenian elections. Despite some irregularities taking place during the elections, acts of violence not being observed much has pleased them. In a joint statement issued right after the elections, the European Parliament, the Council of Europe Parliamentary Assembly, OSCE Parliamentary Assembly and OSCE/ODIHR have

81 "Yerkir: Orinats Yerkir Wants Mobile Phones Back", *Panorama.am.*, 8 May 2012.

82 "Sociologist Claims UDD 2-2,5 Mln Spent as Electoral Bribes", *PanArmenian.net*, 8 May 2012.

83 "Sale of Votes Has Become a Tradition in Armenia", *Arminfo*, 14 April 2012.

84 "Widespread Irregularities Mar Armenian Election", *Asbarez*, 7 May 2012.

indicated that the drawbacks registered during parliamentary elections won't significantly affect the outcomes.<sup>85</sup> Catherine Ashton, High Representative of the EU for Foreign Affairs, along with Commissioner Stefan Fülle responsible for enlargement, have expressed their pleasure in the elections being held in a peaceful atmosphere and has thanked the Armenian authorities for holding these transparent and competitive elections.<sup>86</sup> Sharing these views, Spokesman of US Foreign Ministry has indicated that before the elections, there has been an incident of buying votes and applying improper pressure against the constituents.<sup>87</sup>

In conclusion, since no events resulting in deaths have taken place as in the 2008 presidential elections and since the current elections have been conducted in a rather calm atmosphere, the observers have agreed that the elections are valid despite some irregularities.

#### 4. Objections to the Elections

Despite the stances of the observers which accept the results of the elections, three of the parties participating in the elections have issued a joint statement in which they have indicated that the election results “do not reflect the real picture of support given to various political forces” and that many irregularities, especially vote-buying, have taken place. These parties are the partner of Government Coalition the Prosperous Armenia Party, the Dashnak Party and the main opposition party of the Armenian National Congress.<sup>88</sup>

The coming together of these three parties is much more surprising. Government partner the Prosperous Armenia Party has emerged as the most profitable party from the elections. It has increased its votes by approximately a fold (from 14.7% to 39.12%) and by gaining 13 more deputies compared to the previous election, has earned a total of 37 seats in the Assembly. In other words, the party which should be the least complaining is Prosperous Armenia. It is possible that the questioning of the election results arises from the idea of increasing bargaining power while the government is being formed.

The Armenian National Congress had not participated in the 2007 elections,

85 “EU Observers Report Progress During Election Campaign”, *AMT*, 7 May 2012.

86 “Elections Législatives – L’UE Félicite l’Arménie”, *Armenews*, 9 May 2012.

87 “US State Department Comments on Armenia’s Parliamentary Elections”, *News.am*, 8 May 2012.

88 “Elections 2012. Armenian Main Opposition Parties Unanimously Decry Outcome of Parliamentary Poll”, *Global Insight*, 14 May 2012.



but the chairman of this party and Armenia's first president Levon Ter-Petrossian had received 21.5% of the votes during the 2008 presidential elections. Only being able to receive 7.7% of the votes during the parliamentary elections indicates a serious regression for the Armenian National Congress. Moreover, as mentioned above, this party has also appealed to the Armenian Constitutional Court regarding the elections.<sup>89</sup>

The Dashnak Party has lost the most deputies during the elections. While there were 16 deputies in 2007, now they have only been able to gain 6 deputies. Therefore, it is quite normal for it to bring forth irregularities during the elections. But, the interesting point is that they have signed the same declaration together with the Armenian National Congress, because as mentioned above, the president of that time Levon Ter-Petrossian had closed the party in 1994 on grounds that it was preparing a coup. Time will show whether a serious cooperation will take place between the Dashnaks and the Armenian National Congress.

## V – COMMEMORATION OF 24 APRIL

The 27<sup>th</sup> anniversary of 24 April 1915, which is recognized as the remembrance day of the Armenian “genocide” that is actually the date where around 200 prominent Armenian figures have been arrested in Istanbul and sent to Ankara, Ayaş and Çankırı with no deaths taking place, has been commemorated worldwide where there is a sufficient number of Armenians by organizing many meetings and demonstrations mostly in Armenian churches. As always, these commemoration ceremonies have taken place the most extensively in the US. The ceremonies were essentially the same as those in the previous year.

The only difference this year was that French President Nicolas Sarkozy attended the ceremony in Paris and delivered a speech. Therefore, for the first time in the world, apart from Armenia, a president had attended the 24 April ceremony. This gesture of Sarkozy caused François Hollande, who was presidential candidate back then (and became president after the elections), to also attend the 24 April ceremony in order not to remain behind Sarkozy. Hollande had said that if elected, he would attend the ceremonies in the coming years. (We had addressed this issue separately above under the title “France and the Armenian Question”)

Apart from ceremonies, demonstrations that protest Turkey are also organized in foreign countries. These are mostly tried to be organized in

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89 “Armenian National Congress Appeals to Constitutional Court”, *News.am*, 18 May 2012.

front of Turkish Embassies and/or Consulates, but local security forces generally take precautions to prevent these diplomatic missions from being harmed.

Since there is not enough space to address the ceremonies conducted in different parts of the world and in order not to repeat the same points which will not be of any interest, we will only refer to the ceremonies organized in Armenia and in Turkey.

### 1. Commemoration Activities in Armenia

We must base the ceremonies in Armenia on Yerevan since it is the capital and the “genocide” memorial is established there.

These ceremonies start with a torchlight procession in Yerevan on the evening of 23rd April. Just as in the previous years, the peak point of the march, to which generally the youth attends and shouts slogans against Turkey, has been the burning of the Turkish flag. According to a newspaper, the posters of President Abdullah Gül, Prime Minister Tayyip Erdoğan and Foreign Minister Ahmet Davutoğlu have also been burned.<sup>90</sup> Another newspaper has written that slogans of “We want compensation, we want territory” have been shouted.<sup>91</sup> It is known that this march has been organized by the Dashnak Party. Therefore, there are doubts on to what degree it is “official”. However, since no one has prevented it and a significant number of people (a couple of thousand) have attended, it is not important whether or not it is official.

The actual ceremony takes place on April 24 at the Genocide Memorial in Yerevan. All high states officials including the President, the Supreme Patriarch in Etchmiadzin, Speaker of the Assembly and the Prime Minister attend the ceremony. The Memorial is then opened to visits. Although there is no doubt that the Memorial is visited by numerous people, there is always uncertainty concerning the number of visitors. Sometimes hundreds and as in this year, sometimes thousands of individuals are mentioned.<sup>92</sup> A Turkish newspaper<sup>93</sup> has broken the record of exaggeration by stating that one million people have marched to the Memorial.

In his statement issued for 24 April, President Sarkisian has emphasized that

90 “Erivan’da Türk Bayrağı Yakıldı” (The Turkish Flag Was Burned in Yerevan), *Vatan*, 25 April 2012.

91 “Acı, Öfke ve Temenni” (Pain, Rage and Wish), *Radikal*, 25 April 2012.

92 “Armenia Marks Genocide Anniversary”, *RFE/RL*, 24 April 2012.

93 “Neroğutyun” (Özür Diliyoruz) (We Apologize), *Taraf*, 25 April 2012.

what happened in 1915 should not be forgotten and has said that April 24<sup>th</sup> is not only the day of our nationwide grief but also the day of our stubborn passion for life and our moral character. He has also said that 2015 commemorates not only the 100th anniversary of the Armenian genocide; it will also commemorate the anniversary of our memory and our resolve to live many more millennia and a hundred years.<sup>94</sup> Sarkisian has not referred to Turkey in his statement. Prime Minister Tigran Sarkisyan has made up for this “deficiency” by stating that sooner or later Turkey will face the dark pages of its history.<sup>95</sup>

It is seen that some embassies have also issued statements this year for 24 April. While US Ambassador John Heffern has said that all Armenians should come to the Memorial so that the memory of the events would not vanish,<sup>96</sup> Ambassador Vyacheslav Kovalenko of the Russian Federation has stated that the whole world must recognize this phenomenon as a genocide, the people who deny genocide must not be accepted by the society.<sup>97</sup> On the other hand, German Ambassador Hans-Jochen Schmidt has expressed that if Turkey is longing to join the European Union family, the country must face with its history.<sup>98</sup>

## 2. Commemoration Activities in Turkey

The commemoration activities in Turkey have mostly taken place in Istanbul and have been similar to the activities of last year.<sup>99</sup>

As last year, the “Say No to Racism and Nationalism” initiative has also organized an activity this year at 7:25 P.M. at Taksim Square on 24 April to which a rather more crowded group attended compared to last year. Those who attended sat in silence around a poster with “some wounds won’t heal with time” and “this pain belongs to all of us”. In the statement issued, it was expressed that “it was not forgotten as it was kept silent, but it did not fade away as it was denied. On the opposite, the wound turned into an infection, the deadlock prevailed. Hand in hand, we have much to do for the future. Let us mourn this grief of the past together”.<sup>100</sup>

94 “President Serzh Sargsyan’s Address on the Occasion of the Armenian Genocide Commemoration Day”, *Armradio*, 24 April 2012.

95 “PM Confident Turkey Will Face Dark Pages of Its History”, *PanArmenian.Net*, 24 April 2012.

96 “April 24 Important Day for Armenians- Us Ambassador”, *News.am*, 24 April 2012.

97 “Russian Federation Ambassador to Stress the Important Role of International Community in Genocide Recognition Issue”, *Armenpress*, 24 April 2012.

98 “Hans-Jochen Schidt: Turkey Must Face With Its History”, *Panorama.am*, 24 April 2012.

99 *Ermeni Araştırmaları*, No. 39, pp. 51-55

100 “Acıya Yasla Karşı Çıkalm” (Let Us Mourn This Grief), *Taraf*, 25 April 2012.

The low number of Armenians who had attended these kinds of ceremonies in the last and previous years had drawn attention. This time, a group of Armenians called on individuals to attend the ceremony.<sup>101</sup> However, we can assume from the low number of those attending the demonstration at Taksim that the Armenians of Turkey have not esteemed much to this call. However, observing that some BDP deputies, with Sırrı Süreyya Önder being at the forefront, participating in the demonstration, has shown that individuals of Kurdish origin were also present among the attendees.

On the other hand, in a press conference in the Turkish Grand National Assembly, Sırrı Süreyya Önder has said that she prepared a bill to declare April 24 as the national day of sharing the grief, commemoration and pains of the Armenian community and also by indicating that facing the Armenian genocide allegations is important in creating a peaceful future, has called on the Assembly to address the issue.<sup>102</sup>

The second demonstration was organized by the Istanbul Bureau of the Human Rights Association. A group gathering in front of the Turkish Islamic Artifacts Museum, which was alleged to be a prison in the past, read out a statement. In the statement, by expressing that 24 April continues to be a taboo in Turkey and that the 1915 events was genocide against the Armenians and Syrians, the joint declaration accepted in 2010 by Armenian and Turkish organizations was repeated. Meanwhile, like Article 301 of the Turkish Criminal Law, it called on the obstacles of freedom of expression which restricts Turkey-Armenia dialogue to be eliminated and the protocols on the normalization of relations to be implemented by opening of the borders. Furthermore, in order to maintain permanent peace and to prevent all kinds of disagreements that could arise in the future, it also called on both states to ratify the Rome Statute of the International Criminal Court. On the other hand, the Government was invited to act in accordance with the text of this declaration and to start the process of facing the crimes against humanity, and in particular genocide, experienced in history.<sup>103</sup>

During this demonstration, Director of the Gomidas Institute in London, Ara Sarafian also delivered a statement in which he expressed his views regarding 1915 and said that they still face the pressures of the Turkish state

101 <http://www.agos.com.tr/24-nisan-anmalarina-turkiyeuermenilerinden-birgrup-dacagrıda-bulunuyor-1279.html>

102 "24 Nisan Yas Günü İlan Edilsin Teklifi" (Proposal to Declare 24 April as Mourning Day), *Radikal*, 26 April 2012.

103 "Ermeni Soykırımını Üzerine" IHD [www.ihd.org.tr/index.php?option=com\\_content&view=article&id=2531:ermenisoykirim-i-uzerine&ca...](http://www.ihd.org.tr/index.php?option=com_content&view=article&id=2531:ermenisoykirim-i-uzerine&ca...)

104 "Soykırım kurbanları için karanfiller bırakıldı" 24 April 2012 <http://www.demokrathaber.net/guncel/soykirim-kurbanlari-icin-karanfiller-birakildi-h8425.html>

and that the works they conduct is to reveal the truth and that Turkey is now also aware of this.<sup>104</sup>

This group has then gone to the Sirkeci Post Office and sent a letter each to the Etchmiadzin Supreme Patriarch (Catholicos) Karekin II and the Catholicos of Cilicia Aram I located in Antelias in Beirut. In the letter to Karekin II, it was said that the letter was written to bow in shame and in respect before the memory of the Ottoman Armenians who were massacred and dispossessed of all their riches and all their richness of every kind, and effectvely, even of the vestiges of their past. In the letter to Aram I, after reminding him that he had sent a letter to Prime Minister Erdoğan in 2011 declaring that the Armenians are the rightful owners of the religious and public properties confiscated by the Turkish state in 1915 and that he had called on Turkey to recognize the Armenian genocide allegations, they wrote that his demands are also their (Human Rights Association's) demands.<sup>105</sup>

Last of all, the grave of Sevağ Şahin Balıkçı, who had been killed last year in April 24 during his military service, was visited.<sup>106</sup>

These demonstrations, which we have tried to summarize above, have taken place calmly. Although a group of members of the People's Liberation Party has protested the demonstration at Taksim near by, security forces have prevented any incidents from taking place.<sup>107</sup>

On the other hand, other demonstrations have also been organized against 24 April outside of Istanbul. News in the press have shown that former CHP deputy Canan Arıtman, together with the Turkey-Azerbaijan Friendship Association of the Talat Pasha Committee and the Labor Party, has organized a march to the Monument for Martyred Diplomats in Izmir,<sup>108</sup> while in Ankara Lobisav has laid a black wreath at the embassies of those countries adopting resolutions in their parliaments which recognize the 1915 events as genocide along with a "civilian protest note" signed by 14 thousand.<sup>109</sup>

Although the Say No to Racism and Nationalism Initiative has declared that it will also hold demonstrations for 24 April outside of Istanbul in Ankara,

105 "Turkish Human Rights Group sends letters to Etchmiadzin, Antelias", *tert.am*, 25 April 2012.

106 "Acıya Yasla Karşı Çıkalım" (Let Us Mourn This Grief), *Taraf*, 25 April 2012.

107 Ibid.

108 "Talat Paşa Komitesi Şehit Diplomatlar'a Yürüdü" (Talat Pasha Committee Marched to the Martyred Diplomats), *Aydınlık*, 25 April 2012.

109 "Profesör de imzaladı çoban da, ev hanımı da muhtar da..." *Hürriyet*, 23 April 2012

Izmir and Bodrum,<sup>110</sup> no information has been received, at least from the greater press, concerning them.

Concerning this issue, we would like to address one final surprising event. Istanbul deputy of the Justice and Development Party İsmet Uçma has said in a statement that the 1915 events was “a tragic deportation of ancestors”. By expressing that the Committee of Union and Progress was responsible for it, Uçma has “personally” apologized to the Armenians and by saying that “their pain is also ours”, has indicated that the Armenians living in Armenia must be supported in reaching “comfort and peace”. Moreover, he has also put forth that Sabiha Gökçen was of Armenian origin.<sup>111</sup> Then, by making an explanation, Uçma has said “I separate the Armenians into three; the Armenians living in Turkey, the Armenians living in Armenia and the Diaspora. Those living in Turkey are our citizens. Those living in Armenia are not in a very good condition. I said that we must apologize to innocent, blameless people. Apologizing is self confidence, greatness. However, the Diaspora is no different than the PKK. It conducts several works by forming a lobby. I believe that the Diaspora was also responsible for Hrant Dink’s murder. I also condemn the Khojaly Massacre and Armenia’s pressures over Azerbaijan”.<sup>112</sup>

The demonstrations and other small activities that we have tried to summarize above have been small-scale and have not left a certain mark on public opinion or created any other significant reactions. However, it has been seen that similar to last year, some columnists have written about 24 April. An important part of them are distant from the views of the nationalist segment and the official discourse on the Armenian question and are more close to the Armenian views. The most stressed issue in these writings is that Turkey should face its history. Some of them also state that Turkey or the Turks should apologize to the Armenians. Writings which address Armenians claims of properties being returned, compensation being paid and territory being given to Armenia are few. As far as we see, none of them support territory being given to Armenia.

The important point here is that these kinds of writings were rarely seen within the Turkish press seven or eight years ago. But now, addressing the Armenian question is considered as some kind of a “progress” among those who support leftist ideas and liberalism, as being understood to be a more modern version of it, and religious values. This constitutes the main reason

110 “24 Nisan anma programı” <http://www.durde.org/2012/04/24-nisan-anma-programi#more-5374>

111 “AK Partili Milletvekili Ermenilerden Özür Diledi” (AKP Deputy Apologized to the Armenians), *Radikal*, 25 April 2012.

112 “AK Parti’li Uçma: Diasporadan Değil Masum Ermenilerden Özür Dilenmeli Dedim” *Sondakika* <http://www.sondakika.com/haber-ak-parti-li-ucma-diasporadan-degil-masum-3568101/>

for the number of these writings to increase. As mentioned above, the main theme in these writings is for Turkey to face its history and this, rather than being interested in the Armenian question, reflects the efforts to struggle with nationalist thoughts and actions, which are the majority in Turkey, by giving historical events as an excuse.

Concerning how this segment, which partially supports Armenian views, is considered in Armenia and within the Diaspora, reactions are rarely seen and sometimes they are praised with moderate statements. The reason for this is most likely that these writings are not considered as sufficient or effective. In regards to this, the words of a French author of Armenian origin are quite meaningful: “The number of Turks and Kurds who want to face their history is very low in Turkey. It is impossible to change public opinion in Turkey through only the efforts of leftist institutions”.<sup>113</sup>

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113 Jean Eckian, “Les Tendances Modernes de la Politique en Turquie”, Armenews.com, 20 May 2012.

## BIBLIOGRAPHY

### Articles

Diplomatic History: The 2009 Protocol on the Establishment of Diplomatic Relations between the Republic of Armenia and the Republic of Turkey and the 2009 Protocol on the Development of Bilateral Relations between the Republic of Turkey and the Republic of Armenia. Columbia University, Institute for the Study of Human Rights in collaboration with the Future of Diplomacy Project, Harvard Kennedy School, March 2012

Esra Çuhadar ve Burcu Gültekin Punsmann (2012) “Reflecting on the Two Decades of Bridging the Divide: Taking Stock on Turkish-Armenian Civil Society Activities.” TEPAV, Ocak 2012

Jean Eckian. “Les Tendances Modernes de la Politique en Turquie” Armenews.com, 20 Mayıs 2012.

### Newspapers, Agencies

Agos

AMT

Anadolu Ajansı

Armenews

Armenpress

Arminfo

Armradio

Asbarez

Aydınlık

Azatutyun

CnnTürk

Collectif Van

Demokrat Haber

Euroactiv.com

Haber7

Habertürk



Hristiyangazete

Hürriyet

IHA

İHA

Kanal A Haber

Largir

Le Monde

News.am

PanArmenian

Panorama.am

Radikal

RFE/RL

Sondakika.com

Stargazete

Taraf

The Armenian Weekly

The Azeri Times

Vatan

Zaman

### **Official Web Sites**

Republic of Turkey MFA

Republic of Turkey Presidency

Republic of Armenia Presidency

Republic of Armenia MFA

Republic of France Presidency

Republic of France Constitutional Council

# ISSUES MISSED IN THE 1915 ARMENIAN DEBATE

(1915 ERMENİ TARTIŞMASINDA  
GÖZDEN KAÇAN HUSUSLAR)

Prof. Dr. Hikmet ÖZDEMİR |

**Abstract:** *This article evaluates some of the major critical issues that are disregarded in the 1915 Armenian debate. Therefore the article attempts to analyze the one-sided and unscientific historical discourse pioneered by the Armenian propaganda.*

**Keywords:** *1915, Armenian, relocation, propaganda, archives*

**Öz:** *Bu makale 1915 Ermeni tartışmalarında göz ardı edilen bazı kritik konulara değinmektedir. Çalışmada Ermeni propogandası tarafından yönlendirilen tek-taraflı ve bilimsel olmayan tarih söylemi incelenmektedir.*

**Anahtar Kelimeler:** *1915, Ermeni, tehcir, propaganda, arşivler*

## CREATING PEACE OUT OF WAR

Kemal Atatürk, the founder and architect of modern Turkey, took his just and due place in history an experienced statesman and as a senior soldier who fought against the Italians in Tripoli, British, French, Australians and New Zealanders in the Çanakkale Strait, Russians in Eastern Anatolia, and against the Greek armies in Western Anatolia, and as an experienced statesman. Therefore, 69 years after his death, the Mausoleum, his eternal resting-place not far from Turkish General Staff, was visited by 4 million Turkish and foreign visitors in 2005 and 8 million in 2006.

The charismatic personality and philosophy of the Great Commander still remains alive in the minds of the Mausoleum visitors ranging from the ordinary citizens of his country to the distinguished representatives of the world nations.

It is well known how that particular soldier, the founder of a modern nation and a secular republic in the East-Mediterranean geography has defined the concept of “war”.

However, once again, I would like to quote this definition by which I am fascinated just like many of his admirers.

According to the eternal Commander-in-chief of the Armies of the Turkish Republic:

*War is a murder unless it is unavoidable.*

In other words, he asserts that “war” should be “unavoidable” in order not to be conceived as a murder.

I do not know if it is possible to make any other stronger and humane definition than this.

Besides, the person who made this definition was a military genius, and a hero who fought bravely in the battlefields.

He called on to his soldiers saying, “I am ordering you to die!” on Gelibolu, at the dawn of a very hot August night in 1915.

I have always wondered:

Why would a commander make such a definition of “war”?

What made him say, “War is a murder unless it is unavoidable”?

Kemal Atatürk was a soldier who conducted battles and wars against the armies of other nations.

He made this definition after having observed the world of other nations’ armies with whom his own sons fought in the Balkan War, the Great War, and in the Turkish War of Independence.

It is a definition based thoroughly on comparative and minute observations of battles.

I would like to point that:

The foundation of the Turkish Republic on the remaining soil of an empire

that expired its 600-year life in 1923 is the consequence of this particular definition.

This definition was made as a result of the unjust stipulations of the Mondros Armistice that brought the four-year bloody war to an end in 1918.

Thus, under the leadership of Kemal Atatürk, the Turkish nation founded a parliament and armed forces in Ankara, and fought the war because it was “unavoidable”.

The Commander, winning the military victory at a historical moment, pointed to a new and permanent aim for his army and nation.

*Peace at home, peace in the world!*

This aim is still pursued by the Turkish Republic as the fixed state policy...

I name this stage as the “creating peace out of war.”

At this new stage, the Commander Atatürk did not want to leave the Turkish nation alone with the unbearable tragedies of the Balkan wars, the World War I, and the Turkish War of Independence forever.

The Triumphant Commander defined it as an aim to be pursued by the every single individual of the nation, who survived through the period of disasters, in reaching and exceeding the contemporary level of civilization.

He wanted all the Turks, be it men or women, to contribute to the common heritage of the humanity, and serve to the peace in the region, and around the world.

This Brave Soldier and His Nation took the first concrete step in the realization of this aim at the Lausanne Peace Treaty.

He made peace with the people of a neighbor country against whom he had fought severely in Western Anatolia in the war of 1919-1922.

On March 18, 1934, he called on to the mournful mothers of the British, French, Australian, and New Zealander soldiers who lost their lives in their fight against the Turks in the Gelibolu Peninsula during the Great War.

This Great Man said the following for the soldiers of the Entente Powers who had disembarked on the Gelibolu Peninsula in order to seize Istanbul, the Turkish capital since 1453:

*Heroes who shed their blood and lost their lives on this land!*

*You are now lying in the soil of a friendly country. Therefore, rest in peace.*

*There is no difference between the Jonnies and the Mehmetts to us where they lie side by side in this country of ours.*

*You, the mothers who sent their sons from far away countries, don't cry for them anymore.*

*Your sons are now lying in our bosom and are in peace.*

*After having lost their lives on this land they have become our sons as well.*

***Still, I have been observing in deep grief that no nation, state, or a leader in our world had considered the post-Great War relations and peace, as Atatürk did.***

The republican generations of the new Türkiye have never nourished themselves on the old controversies with their neighbors, world nations, and armies.

The new generations have not been raised as individuals feeding on hatred, anger, revenge, or as individuals displaying an everlasting

aggressiveness.

Still, I have been observing in deep grief that no nation, state, or a leader in our world had considered the post-Great War relations and peace, as Atatürk did.

Today, the Turkish Nation is faced with the revengeful agitations and provocations of an unfortunate inhumane conception discriminating between the nationalities of military and civilian casualties of an incredible disaster, which destroyed humanity 90 years ago, the Great War.

This new type of aggression, which I define as the distortion of the realities by the *Inquisition* decisions in world history, has awakened the haunting mentality of the Dark Ages once again.

As an academician deeply convinced of the values of the civilized world, I feel deep humane reaction against the claims and of acceptance of the term "genocide" for the "events of by the parliaments of some ally states, just as all the individuals of my nation do.

However, as a Turkish citizen, I have to curb my rightful humane reaction against those decisions taken.

I am here to make an evaluation of an ever continuing non-historical, irrational, unscientific, illegitimate, and aggressive Inquisition directed against the Turkish Nation and its eternal reliable friends.

### **WHAT HAPPENED IN 1915?**

In order to enlighten the events known as the “1915 Crisis” between the Turks and the Armenians who lived together in an environment of peace and trust over the centuries in the Ottoman Empire, we first need to answer the question “what happened in 1915?” frankly.

Yes, what happened between the Ottoman Government and the Ottoman Armenian Committees while the war waged on in 1915?

Did you know that the Committee of Union and Progress in power, and the Armenian Dashnak Committee voted for the same single list in the Ottoman Parliamentary elections almost a year before 1915?

Only 7 years before 1915, during the 1908 Young Turk movement, the prominent members of the Committee of Union and Progress, and the leaders of the Dashnak Committee shouted “Long live freedom!” in the squares of Istanbul together.

Well, why did then the same Turkish and Armenian leaders fought against each other on “enemy” sides when mobilization for the Great War was declared?

The world history is full of examples where the “real” is always disguised and distorted.

Let us examine our own case:

In the spring of 1915, the assaults of the Entente Powers against the Çanakkale Strait, and the ground operations of the Russian Army in the Eastern Anatolia were continuing simultaneously.

In those days, the coastal areas of the Empire were under the unceasing bombardment of the Entente battleships.

On April 24, 1915 (in other words, the date declared by the Armenian

Diaspora and the Armenian Republic as a kind of “chosen trauma”), the Government in Istanbul arrested the leaders of the Ottoman Armenian Committees on the grounds of “having conducted military activities in favor of enemy forces.”

## WHY ARCHIVES ARE IMPORTANT?

I would like to describe the picture in Istanbul and Anatolia on April 24, 1915.

At the time, the French Embassy in Istanbul was closed due to the World War. However, the intelligence reports, titled “daily events”, drawn by the French Embassy’s Chargé d’Affaires were being sent to France via the US Embassy in Istanbul.

The historical information documented in the intelligence reports prepared by the French Embassy in Istanbul between April 25 and May 1, 1915 is as follows:

(ONE) The Russian Navy is positioned at the Black Sea entrance of the Istanbul Strait.

(TWO) The British and French Navies have launched an attack on the entrance of the Çanakkale Strait.

(THREE) Armenians at the Caucasus Front are fighting against the Turkish Forces together with the Russian Army.

(FOUR) In Erzurum area, and especially in Van, the Armenian gangs are fighting against Turks.

(FIVE) The leaders of the Armenian Committees are arrested in the Ottoman capital.

(SIX) This pressure of the Ottoman Government is due to the outcome of the Armenian attitude displayed in Zeytun, and at the Caucasus Front. (The term “attitude” is not explained in the report.)

(SEVEN) According to the Chief of the Ottoman Court Martial, the Armenian Committees abroad are preparing a rebellion in the six provinces of Eastern Anatolia. (In fact, the Armenian Committees had already started the rebellion; the report claims they were at the stage of “preparation”).

## THE PROBLEM OF DEFINITION

The most vigorous discussion area of the Turkish-Armenian imbroglio has been darkened by the efficient propagandas made in and after 1915.

The Crises of 1915 does constitute a quite dramatic tragedy of war in various aspects.

Today this issue has been turned into an international conflict in relation to the recording of the history.

The positions of the parties involved in this acute controversy are as follows:

- (1) The Armenian Diaspora and the Republic of Armenia claim that the military activities undertaken by the Armenian Committees in favor of the enemy during the war were actions aiming at “rescuing themselves from the Ottoman sovereignty”.
- (2) Under the inevitable conditions of the First World War, making use of the Armenian Committees, and having them fight against the Turkish Forces in the rear echelons of the front was quite normal. Reminding of this particular fact by the Turkish historians is of course distressing. It is an obligation for the foreign parliaments and for the international organizations to pass pronouncements of “genocide” of political nature for they hold it as “wergeld” in debt to the Armenian committees. Thus, with the acceptance of such decisions taken, the “innocent lambs of would forget how they were exploited by the Entente Powers in the First World War.
- (3) Turkish people perceived the military activities and massacres committed by the Ottoman Armenian Committees as a threat to the existence of the Empire necessitating self-defense and government responsibility.

In order to be able to solve the controversy, the following questions ought to be answered:

What are the military activities directed against the Ottoman army and Ottoman citizens by the Armenian Dashnak, Hntchaq and Ramgavar Committees at the beginning of the First World War?

Can those activities be considered as “indirect war” or defined as a “civil war”?

Or do they require different conceptual interpretation?



## THE MEASURE FREQUENTLY TAKEN

What were the measures implemented for the 1915 Crisis that occurred in the Ottoman Empire with the beginning of the Great War?

These measures ought to be clarified prior to making of a legitimate historical evaluation of the issue.

I observe three major elements of deep controversy between the Ottoman Government and Armenian Committees in the creation of the 1915 Crisis:

- (1) Armenian Volunteer Units.
- (2) Organizations of Armenian Fedayees.
- (3) Naval Blockades and Bombardments.

The first two of these elements were thoroughly premeditated and put in to action on the battlefield by the Armenian Committees and their accomplice allies.

The third is due to the conditions of war; hence it is coincidental and indirect.

The two premeditated elements, jointly employed by the Armenian Committees and the Entente Powers, brought the only obligatory decision that could be taken to prevent the suddenly emerging crisis on the agenda of the Ottoman Government.

The coincidental third element was efficient in the widely acceptance of the relocation decision that was passed to prevent the crisis.

Now, I will try to explain my observations I made during my studies in the following order:

The two of the elements employed in creating the 1915 Crisis are: the armed “Armenian Volunteer Units (later Regiments)” at the Caucasus Front; and the “Armenian Fedayees” fulfilling the military duties assigned by the Dashnak and Hntchaq Committees in various provinces of Anatolia.

The Entente Powers were generally well informed of the military and semi-military activities conducted by these two elements. The activities were thoroughly intentional and premeditated.

Due to the conditions of war, the Russian, British and French naval

bombardments carried out along the shores of Black Sea, Marmara and the Mediterranean affected the Muslim and Christian communities living in these regions greatly.

The Ottoman Government had to take additional measures to prevent the clashes among civilian people and to neutralize the military activities initiated by the Armenians to help the Entente Powers.

In my studies, I came across documents proving the direct and indirect collaboration of the Armenian Committees and the Entente Powers.

I would like to keep my evaluations of those documents outside the scope of this work.

I believe an example will suffice:

90 days prior to the declaration of the Law of Relocations of May 27, 1915 by the Ottoman Government, Governor Varontsov-Dashkov of the Caucasus, in his telegram message – dated February 7, 1915 and numbered 1185 – wrote the following to the Russian Minister of Foreign Affairs:

*The relocation of civilian communities by the governments on grounds of security is the most frequently used method in wartime, and in the face of rebellions.*

*The representative of Zeytun Armenians has just come to the Caucasus Army Headquarters. The representative says that some 15.000 Armenians are ready to strike the Turkish transportation lines but that they do not have weapons and bullets. Therefore, it is extremely vital to send sufficient amount of weapons and bullets to Iskenderun due to particular importance of Zeytun located on the transportation lines of the Turkish army in Erzurum. (...) Since it is impossible for us to give the weapons directly, I believe that a contact should be established with the French and British administration concerning the sending of French or British made weapons and bullets found on the French and British (war) ships to Iskenderun.*

This message was appended to the telegraph dated February 9, 1915, numbered 708, and sent to Paris and London.

Here, I would like to clarify a point:

The relocation of civilian communities by the governments on grounds of security is the most frequently used method in wartime, and in the face of rebellions.

In the First World War, on grounds of security, the Russian Government relocated some civilian communities in West Russia, who were living near the operation area of German armies just at the commencement of the war.

A relocation measure similar to the measures taken by the Ottoman Government on grounds of security in the face of the bombardments along the Black Sea, Marmara, Mediterranean, and Syrian shores of Anatolia was implemented by the US President on the US citizens of Japanese origin during the Second World War.

*Without doubt, the security measures the Ottoman Empire had implemented induced unbearable pains and disasters likewise.*

Again in the Second World War, the USSR sent the communities of Turkish origin living in Crimea and Caucasus region to Central Asia through arduous voyages lasting for weeks.

And the Red Army in the Second World War took the Polish civilians away from their regions of settlement.

## THE MODEL ATTITUDE

There are absolutely plausible reasons for the governments' resorting to the relocation of civilians on grounds of security at different periods, and geographical areas.

Yet, the modern and contemporary history is full of examples of agonies and unforgettable tragedies caused by such security measures.

Without doubt, the security measures the Ottoman Empire had implemented induced unbearable pains and disasters likewise.

It has never been denied by the Ottoman documents that the civilian Armenian convoys were sometimes exposed to "gang" attacks or to the misdeeds of the "officious" authorities.

However, the humane effort and sensitivity displayed by the Ottoman civil and military authorities during the implementation of the relocations should not be ignored.

The attempts of Cemal Pasha, Commander of the Fourth Ottoman Army at the Syria Front, in embracing the relocated Armenians, in displaying extraordinary humanitarian aid projects, in his mobilization of all the sources available under his command for the welfare of the relocated, who were

overwhelmed by the heavy conditions of the Great War, without showing any signs of hesitation should be recorded as a historical reality.

The aid projects the Fourth Ottoman Army provided for the relocated Armenians at the Syria in the beginning of the 20th century, under the war conditions is the first immolate example of the “humanitarian aid” activities conducted by NATO and UN peace keeping forces today.

I would like to state briefly that:

Neither the Turkish people nor the Ottoman leaders have ever lost their humanitarian characteristics or their capability of distinguishing between the guilty and the innocent even at a time when they were fighting for their existence, and before the irresponsible behaviors of the Armenian Committees. The officials who were found to be guilty of misconduct towards the relocated Armenians were tried and sentenced regardless of their positions or ranks.

The policy the Ottoman Government implemented at the outset of the 20th century, under the heavy conditions of war, is an interesting historical experience, as it paved the way to series of unprecedented trials and punishments at the time of war.

At this point, I would like to add an important detail in order to dispel any confusion:

Those trials exclude the political trials realized in Istanbul under occupation after the Mondros Armistice of 1918.

I am showing as definite evidence the Court Martial investigations and trials carried out against the Ottoman officials who were accused of misuse of authority and maltreatment of the relocated Armenians in the Crisis of 1915.

The trials of 1915 and 1916 at the Ottoman Court Martial should be taken as exemplary models in the field of war criminology.

These trials carried out at the Court Martial in the same year by the same authority that had implemented the Law of Relocations in 1915 are deliberately ignored.

*Neither the Turkish people nor the Ottoman leaders have ever lost their humanitarian characteristics or their capability of distinguishing between the guilty and the innocent even at a time when they were fighting for their existence, and before the irresponsible behaviors of the Armenian Committees. The officials who were found to be guilty of misconduct towards the relocated Armenians were tried and sentenced regardless of their positions or ranks.*

In 1940, Russian Major General Nikolai Georgiyeviç Korsun wrote in his book that during the implementation of the relocations, the Turkish military authorities and the Turkish people had treated the relocated Armenians kindly; however, he says there were few instances where the Armenians were attacked in some regions.

According to Russian Major General, half of the relocated Armenians died of hunger and wide spread epidemics.

By the way, I would like to share my opinions on another subject.

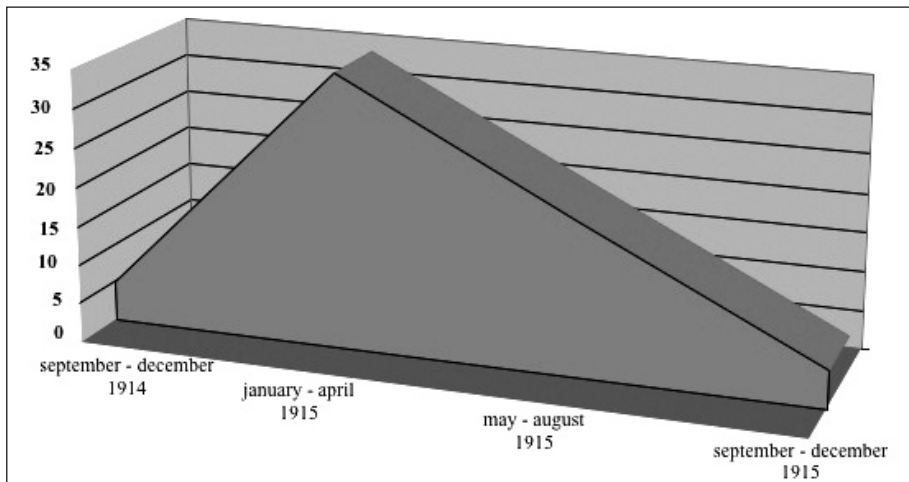
Due to the “power vacuum” created by the inevitable conditions of the First World War there was a civil unrest among the Turks (Muslims) and the Armenians (Christians) in some of the Anatolian provinces.

In some areas, the armed Armenian and Muslim inhabitants were trying to kill each other.

As a result of all these events, there were losses for the both sides.

The number of the Muslims massacred by the Armenian Fedayeens and the Armenian Volunteer Units between 1914 and 1918 was almost five times as much as the casualties that the Ottoman Army suffered during the four-year World War I.

The following diagram shows the clashes – according to periods - of the civilian Muslim people and the Ottoman Security Forces with the Armenian Fedayeens and the Armenian Volunteer Units affiliated to the Dashnak, Hntchaq and Ramgavar Committees in 1914–1915.



This diagram reached its peak when the committee leaders, posing threat to the security, in the capital of the Empire were arrested (April 24, 1915).

Different figures are mentioned in relation to the total losses of the Armenians during the same period.

As I have not completed my studies on the Armenian casualties yet, I am unable to give a definite number – for the time being.

### **DISTINCTION BETWEEN THE GUILTY AND THE INNOCENT**

The people who were detained on April 24, 1915 were either the active members or the leaders of the Armenian Committees that were plotting against the Ottoman Empire.

It is interesting to observe the people who were banished from the capital, Istanbul, upon a security decision taken by the Government, and the former and new Armenian members of the Ottoman Parliament among the direct collaborators of the Russian forces at the Caucasus Front.

Some of these members of the Ottoman Parliament, along with the volunteers accompanying them, joined the Russian forces at the Caucasus Front just at the outset of the Great War.

As those people were in direct collaboration with the Russian forces they could not have been arrested.

If they had been in Istanbul on April 24, 1915, they would most probably have been charged with treason due to their activities against the Ottoman Empire and punished in the most severe way possible.

This procedure is quite legal, and usual.

In all the states, the perpetrators of such acts have always been punished in stipulations of law.

The values at the beginning of the 20th century and those at the threshold of the 21st century may differ in certain aspects. Nevertheless, “the high treason in the war”, especially “fighting in the enemy lines” is deemed as an act requiring the heaviest punishment in all the states even today.

Armenian members of Parliament, who did not engage in the military activities organized by the Armenian Committees, continued their duties in there during the Great War.

The minutes of the Ottoman Parliament are the most obvious proofs of this practice.

The same policy was applied without any reservation in the Ottoman civilian, judicial, financial, and military bureaucracy – with some exceptions of course.

The orders that the Ottoman government sent to the governors and the district officials prove the sensitivity in making distinction between the guilty and the innocent.

At this point, I would like to commemorate the brave Armenian and Christian medical staff, doctors and pharmacists who served in the Ottoman Army, and lost their lives in the battles at various fronts, or who died of typhus and other epidemics together with the Muslim doctors.

Of the 163 Ottoman medical staffs died at the Caucasus Front during the Great War, 124 were Muslim, 19 Greek, 17 Armenian, and 3 were of Jewish origin.

Today, the names of all those personnel are inscribed on the left marble wall of the Gülhane Military Medical Faculty in Ankara.

The loyal Ottoman Christian citizens in the Ottoman Army fulfilled their military service which was a kind of self-immolation.

The Ottoman War Ministry awarded those heroes with medals and decorations.

The list of the Armenian (and Christian) officers who were holding highly critical and secret positions in the Ottoman Army Headquarters and at the fronts in 1917 is an undeniable evidence of the distinction between the guilty and the innocent.

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*Ottoman Army Headquarters*

*2nd Division*

*June 28, 1917*

*(Message)*

*To: Office of Personnel Affairs*

*I hereby request the list of the Ottoman-Armenian soldiers who are appointed as translators, for their language abilities, along with their positions.*

----- ✎ ----- ✉ -----

*Ministry of War*

*Office of Personnel Affairs*

*Foreign Affairs Branch*

*1743*

*To: General Headquarters 2nd Division*

*In reply to the note dated July 2, 1917, numbered 43155*

*Attached is the list of the Ottoman-Armenian soldiers who are appointed as translators, for their language abilities, along with their positions.*

*July 24, 1917*

*The issues pertaining the Armenians*

*ought to be restricted through strict instructions*

----- ✎ ----- ✉ -----



## IN THE ENEMY LINES

Now, I would like to bring some critical information on the military activities of some Ottoman citizens, with who were some of the members of parliament, in the Eastern Anatolian provinces against the Ottoman Empire, at the very beginning of the Great War, before the clashes between the Ottoman and Russian forces in the Caucasus, to your attention.

Their military activities against Türkiye along with the insurgences incited by the Fedayeens affiliated to the Armenian Committees in some Anatolian provinces are the only reasons for the relocations of the civilian Armenian people residing very close to the Russian front to a distant region (Syria and Mesopotamia).

As an honorable Turkish academician, I swear to God, and on the common holy values of the entire humanity that there is no other reason for the relocation of the Ottoman Armenians to other regions under the war conditions of 1915, despite all the impossibilities.

All the critical information I will present you is directly drawn from the Russian and Armenian sources.

Especially, the part concerning the military activities of the Armenian Committees at the Caucasus Front are taken directly from the Russian and Armenian sources.

The most reliable narrator of the military activities of the Armenian Dashnak and Hntchaq Committees in the Eastern Anatolia against the Ottoman Army and the civilian Muslim people living in the region during the World War I is a Russian Commander.

In 1927, Russian General Gavril Korganoff of Armenian origin explains, in his book *La participation des Armeniens a la guerre Mondiale sur le front du Caucase, 1914-1918* [*Participation of the Armenians in the World War on the Caucasus Front 1914-1918* (Paris, 1927)], how the Armenian Committees and the Russian General Staff organized the Armenian Volunteer Units, and how these units fought against the Ottoman Forces, along with 30 hand-drawn front plans.

The report, numbered 13378, dated December 24, 1915, that was prepared by the Russian Caucasus Army includes statistical data about the Armenian Volunteer Units. According to these report, 6 volunteer units were formed. Each unit was composed of 1.000 or less members, and there were 5.000 Armenian volunteers in total. In addition, the 7th Reserve Volunteer Unit was

formed in Yerevan. (These are the first statistics. The number increased to 10.000 later).

Armenian Volunteers from Bulgaria, Romania, Egypt, and the USA (among them, the Ottoman Armenians were in majority) also joined these units.

As emphasized in the Andranik biography published in Beirut, in 1986; the majority of the people who took part in the formation of the Armenian Volunteer Units at the Caucasus Front consisted of the Ottoman Armenians who took refuge in the Caucasus front, and of those who settled in other countries.

I would like to present some brief information on these volunteer units:

#### *THE FIRST ARMENIAN VOLUNTEER UNIT*

The commander of this unit, Andranik, indicated in his interview with Russian General Nazarbekov that most of the combatant soldiers in his unit were from Turkiye, and from the province of Muş.

They were holding the Iran-Başkale-Van line.

#### *THE SECOND ARMENIAN VOLUNTEER UNIT*

The commander of this unit was Dro.

Setting off from Iğdır, the unit followed the Iğdır-Beyazıt-Berkri-Van line.

#### *THE THIRD ARMENIAN VOLUNTEER UNIT*

It was formed in Kağızman.

This unit, under the command of Amazaspom, held the Kağızman-Eleşkirt-Malazgirt-Bitlis line.

#### *THE FOURTH ARMENIAN VOLUNTEER UNIT*

They were positioned on Sarıkamış-Gare-Orzan-Köprüküy-Erzurum line.

Only one type of military uniform was prepared for the Armenian Volunteer Units.

There were green epaulets bearing the initials “A.D.I” (Pervaya Armyanskaya Drujina: The First Armenian Volunteer Unit) on these uniforms.

## REBELLIONS

The centers of the most important rebellions carried out by the Armenian Committees in the Anatolian provinces were Zeytun, Bitlis, Van, Şebinkarahisar, and Urfa; Yozgat, Amasya, Tokat, Sivas, Kayseri, Elazığ, and Diyarbakır were of secondary importance.

Armenian Committees appointed inspectors, commanders, and gang leaders to those regions.

The places chosen for the inciting of rebellions and the military sabotages were the principal routes connecting the military posts and the military communication lines (in Turkish Menzil Stations).

During these rebellions, some troops were transferred to the regions in question from Ordu as it had been the case with Zeytun, Van, Şebinkarahisar, Mount Musa, and Urfa.

This fact weakened the battle capacity of army fighting at the fronts.

With the start of the war, the military maneuvers of the Armenian Committees spread from one region to another rapidly.

It has been ascertained that in 1915, almost 76.000 Armenians were in preparation of rebellion out of whom 30,000 were in Sivas, Erzurum, Van, Muş, Diyarbakır, Elazığ, and Bitlis.

The dates and the places of these military maneuvers that took place between 1914-1916 are shown in the map.

The Armenian Volunteer Units and the Armenian Fedayeens served as an important support elements providing the most crucial intelligence about the Ottoman Army.

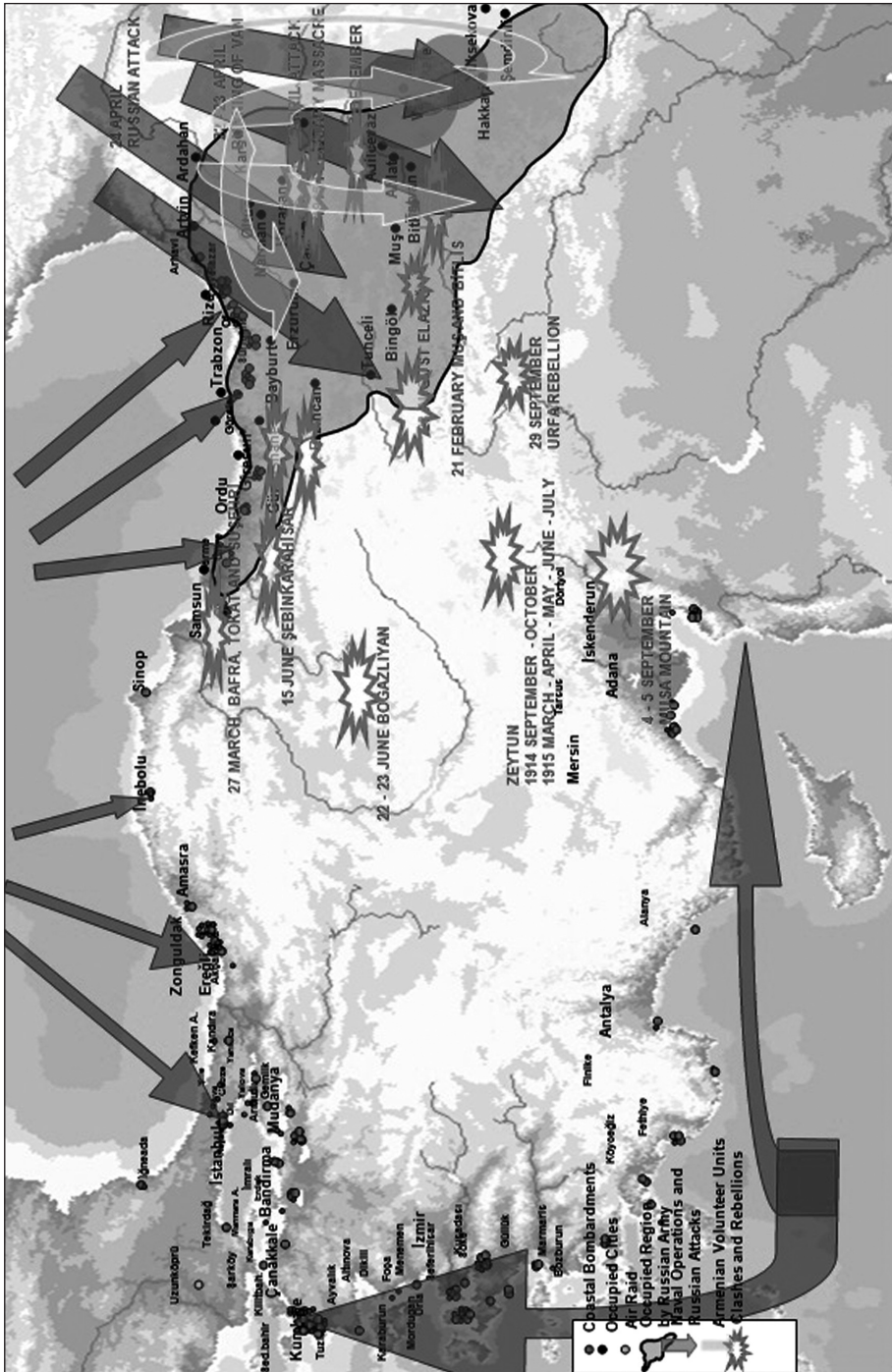
Russian Duma Deputy Papacanov expressed that the Russian military officials informed him about the contributions of the Armenian Volunteer Units to the Russian Army and told him that these units equipped with full intelligence about the region were irreplaceable.

After the occupation of Erzurum by the Russians in 1916, the following sentences were written in an article published in Echo de Paris, in France:

*In the violent clashes that took place in Erzurum, the strong fortress of Turks, the Armenian Volunteer Units also fought along with the brave Russian Kazakh Units. The Armenian Volunteer Units that knew the region very well, provided an invaluable service for the Russian army.*

Russian General Çernozubov wrote the following words for the First Armenian Volunteer Unit of Andranik:

*... Our successes in Ashnak, Vrush Horan, Hanik, Kotur, Saray, Molla Hasan, Belicik and Garateli are mostly the results of the activities of the First Armenian Volunteer Unit. They were of great help in the fights that took place in Kotur Strait, near Hoy and in Dilman on April 28–31, 1915.*



## THE ROLE OF NAVAL BOMBARDMENTS

In the end, I managed to come to the third point.

The naval blockades and bombardments of the Anatolian coasts.

As I have underlined at the beginning of my speech, the issue of naval bombardments was influential in the spreading of the relocation decision taken by the government with security concerns.

In addition to the naval bombardments there were two other developments affecting the status of the Christian people (Greeks and Armenians) in the Marmara and Black Sea regions in the time of the relocation.

One of them was France's landing troops in Salonika on September 18, 1915, and the other was declaration of mobilization by Greece just a few days later, on September 24, 1915.

As a battlefield, only the city of Istanbul was an exception in the Marmara region, because Istanbul was the capital and security could be established there although with difficulty.

*The relocation decision was not applied to the 120.000 Armenians residing in the city of Istanbul, except for the ones associated with the Armenian Committees.*

Therefore, the relocation decision was not applied to the 120.000 Armenians residing in the city of Istanbul, except for the ones associated with the Armenian Committees.

The relocation of only the Armenians and Greeks who were affiliated with the organizations collaborating with the enemy, as an exception, cannot be justified with any other reason than the extraordinary war conditions experienced in Istanbul and in the settlement areas in Thrace, even only this exception is sufficient for justifying It was an obligation of war.

Once on the summer of 1915 the battles were going on all the fronts and the situation was so critical that the Government thought to move the capital from Istanbul to Central Anatolia.

## WHERE ARE WE GOING?

As you all know closely, in recent years the parliaments of some allies of Türkiye have been calling the 1915 events as “genocide”.

Today, the individuals or the institutions (like assemblies or parliaments) lacking any information on the course of dramatic events that broke out during the disintegration period of the Ottoman Empire and the Great War are being forced to believe in a dogma based on an imaginary memory.

This is my definite opinion as an academician devoted to the freedom of scientific research.

Those who do not believe in this intangible system of belief, which has been promulgated by the Armenian Diaspora, the Republic of Armenia, and their supporters, are under the threat of detention, or are even sentenced in some countries.

This point of view is a new form of “clash of civilizations” today.

This is a dirty war where literature, history, music, cinema, and finally Internet are used instead of tanks, aircrafts and submarines...

In this dirty war, Turkish Nation shall never tolerate any injustice against her ancestors.

Moreover, it is a very natural and basic human right to demand the revelation of the historical details that were concealed purposefully by unjust war propaganda prevailed during the years of the Great War.

As I have mentioned at the very beginning of my speech, the prohibition of this human right in some countries with laws points to the haunting of the Dark Age mentality.

They want to forbid the use of this right forever by the Turkish people with the Inquisition resolutions.

In Europe of the 18th century, when the book of Rousseau was burned in Switzerland, the famous intellectual Voltaire said to his colleague whom he had called as “the furious dog of Diogenes”: “Je ne suis pas d’accord avec ce que vous dites; mais je défendrai jusqu’à la mort votre droit à le dire!” [I don’t agree with you in any of your opinions, but I will defend your freedom of expression till the end of my life!]

Voltaire presented a unique model for the freedom of expression with his approach to different points of view.

We, the Turkish people, shall never accept the model imposed for the solution of this chronic historical dissension that has been put before our generation today.

It should be borne in mind that although all the parliaments in the world take decisions against us, we shall continue our way for thousands of years with an unwavering self-confidence.

The events of 1915 did not occur as narrated by the Armenian Diaspora, the Republic of Armenia, and individuals or institutions believing in them.

We unyieldingly shall address to those decision-makers:

“You can continue to trust in this intangible system of belief; for understanding, narrating and writing history we have your documents and we shall use them”.

In such a case, you can ask:

“How and when will it be possible to eliminate this chronic conflict between Turks and Armenians?”

No unilateral step will be of use for the solution of this 90-year chronic conflict.

The best way for both parties is to take mutual steps for a solution.

As emphasized earlier, “the historians (...) are in pursuit of revealing not only the facts but also how and why these facts occurred, and what their meanings are; this is what the historians undertake as their duty”.

Therefore, while fulfilling this highly respected duty and in enjoying this international ethical right, the Turkish historians should not be restricted – as well as their colleagues from different countries.

In conclusion, I would like to indicate that the Prime Minister of Türkiye sent a letter to the officials of the Republic of Armenia for the settlement of the Turkish-Armenian conflict.

In this letter, Turkish Prime Minister offered forming of a joint commission consisting of the historians from two sides in order to investigate the events of 1915 and that the result to be reached is recognized by all parts of the conflict.

This is a very important step.

But unfortunately, Armenian part has not given any “positive” reply so far.



The parties should open all their archives pertaining to the years of war for each other's use.

The Armenian Dashnak Committee Archives are in the USA and is closed to the Turkish academicians.

The Armenian Patriarchate Archives are in Israel, and they are also closed for the Turkish academicians.

The archive records are of great importance and indispensable elements in the solution of such conflicts.

Türkiye keeps her resolute stance in the issue by publishing the facsimiles of the documents in her archives.

The State Archives have about 1 million documents on Armenian question.

The facsimiles of the original documents in the State Archives concerning the issue are being published continuously.

With the order of the Turkish General Staff, 1047 documents found in the archives of the Authority of Military History and Strategic Studies are prepared for publication in 8 volumes; already published.

In these volumes, the facsimiles and English translations of all the records on the secret correspondence of the Ottoman Armies, and the military activities of the Armenian Committees during World War I are presented to the use of the international public opinion, and to all Turkish and foreign readers.

Undoubtedly, this is not sufficient for solving the 1915 Turkish-Armenian conflict. However, it can be a first modest step for the troublesome process towards peace.

## BIBLIOGRAPHY

Allen, W.E.D. and the late Paul Muratoff, *Caucasian Battlefields, A History of the Wars on the Turco-Caucasian Border, 1828-1921*, (Cambridge, at the University of Press, 1953).

Anderson, M.S. *Eastern Question, 1774-1923*, (London, MacMillan Press, 1966).

*Armenian Claims and Historical Facts: Questions and Answers* Center for Strategic Research, (Ankara, 2005).

*Aspirations et Assignments Révolutionnaires des Comités Arméniens avant et après la proclamation de la Constitution Ottomane*, (Ankara, second edition, 2001).

Ataöv, Türkkaya (Ed.), *Armenians in the Late Ottoman Period*, (Ankara, TBMM Pub, 2001).

Ataöv, Türkkaya *British Blue Book: Vehicles of War Propaganda, 1914-18*, (New York, Okey Enterprises, 2006).

Bayur, Yusuf Hikmet *Armenians*, (edited by Kemal Çiçek and Pinar Eray), (Ankara, Turkish Historical Society Press, 2010).

Bobroff, Ronald P. *Late Imperial Russia and the Turkish Straits, Roads to Glory*, (London, New York, I. B. Tauris, 2006).

Caprielian, Ara *Armenian Revolutionary Federation: The Politics of a Party in Exile*, (A Dissertation for PhD Thesis in New York University, 1975).

Chalabian, Antranig *General Andranik and the Armenian Revolutionary Movement*, (Southfield, MI, 1988).

Conquest, Robert. *Soviet Deportation of Nationalities*, (London, Macmillan Co Ltd., 1960).

Çiçek, Kemal. *The Great War and The Forced Migration of Armenians*, (London, Athol Books, 2011).

Davison, Roderick. "The Armenian Crisis, 1912-1914", *The American Historical Review*, Vol. LIII, No. 3, (April 1948).

Dilan, Hasan. *Les evenements Arméniens dans les documents diplomatiques Français, 1914-1918*, (Ankara, TTK, 2005), Volume I-VI.

Doğan, Şahin. *Rus Kaynaklarına Göre Doğu Anadolu'daki Ermeni Faaliyetleri (1914-1918)*, (Kahramanmaraş Sütçü İmam Üniversitesi, Unpublished MA Thesis, 2007).

Gatrell, Peter. *A Whole Empire Walking*, (Bloomington and Indianapolis, Indiana University Press, 1999).

Ghazarian, Vatche (edited and translated), *Boghos Nubar's Papers and the Armenian Question, 1915-1918, Documents*, (Waltham, Mayreni Publishing, 1996).

Gürün, Kamuran. *The Armenian File: The Myth of Innocence Exposed*, (London-Nicosia-Istanbul, K. Rustem&Bro. And Weidenfeld&Nicolson Ltd., 1985).

Halaçoğlu, Yusuf. *Facts on the Relocation of Armenians 1914-1918*, (Ankara, Turkish Historical Society Press, 2002).

Hovannisian, Richard G. *Armenia on the Road to Independence 1918*, (Berkeley and Los Angeles, University of California Press, 1967).

Katchaznouni, Hovhannes *Armenian Revolutionary Federation (Dashnagtzoutiun) has nothing to do any more*, (The Manifesto of Hovhannes Katchaznouni, First Prime Minister of the Independent Armenian Republic, Translated from original by Matthew A. Calendar, Edited by John Roy Carlson (Arthur A. Derounian), Published by the Armenian Information Service, 1955, (A Reprint by the United Turkish America/UTA), and June 1984.

Kazemzadeh, Firuz. *Struggle for Transcaucasia*, (New York, Philosophical Library, 1951).

Keller, Barbara Jean. *United States and Armenia, 1914 to 1920: Armenia*, (A Thesis Presented to the Faculty of California College at Fullerton, June 1969).

Laçiner, Sedat *the Armenian Issue and the Jews*, (Ankara, ASAM Pub., 2003).

Lewy, Guenter. *Armenian Massacres in Ottoman Turkey, A Disputed Genocide*, (Salt Lake City, University of Utah Press, 2005).

Mandelstam, Andre N. *La Societe des nations et les Puissances devant le probleme Armenian*, (Paris, libraire de la cour d'appel et l'ordre des avocats, 1925).

McCarthy, Justin *Death and Exile, the Ethnic Cleansing of Ottoman Muslims, 1821-1922*, (Princeton, New Jersey, The Darwin Press, 1996).

McCarthy, Justin et al. *Armenian Rebellion at Van*, (Salt Lake City, The University of Utah Press, 2006).

McCarthy, Justin *Ottoman Peoples and the End of Empire*, (London, Arnold, 2001).

Öke, Mim Kemal *Armenian Question*, (Ankara, TTK, 2001).

Özdemir, Hikmet and Yusuf Sarıınay (Eds.), *Turkish-Armenian Conflict/Documents*, (Ankara, TBMM Pub., 2007).

Özdemir, Hikmet. *Ottoman Army 1914-1918, Disease&Death on the Battlefield*, (Salt Lake City, University of Utah Press, 2007).

Prusin, Alexander V. "The Russian Military and the Jews in Galicia, 1914-15", in Eric Lohl and Marshall Poe (Eds.) *Military and Society in Russia, 1450-1917*, (Brill, Leiden, 2002).

Reynolds, Michael A. *The Ottoman-Russian Struggle for Eastern Anatolia and the Caucasus, 1908-1918, Identity, Ideology and the Geopolitics of World Order*, (A dissertation for Princeton University, November 2003).

Rüstem, Ahmed Bey. *World War and the Turco-Armenian Question*, (Berne, Imprimerie St. Empfli, 1918).

Sertçelik, Seyit. *Rus Arşiv Belgeleri Işığında Ermeni Soykırımı İddialarına Dair*, (Ankara, TÜBİTAK Sosyal ve Beşeri Bilimler Ortak Komitesi, 2004-347).

Somakian, Manoug Joseph. *Empires in Conflict: Armenia and the Great Powers, 1895-1920*, (London, New York, I. B. Tauris, 1995).

Sonyel, Salâhi R. *Displacement of the Armenians Documents/Le Deplacement des Populations Arméniennes Documents/Ermeni Tehciri ve Belgeler*, (Ankara, Baylan, 1978).

Sonyel, Salâhi R. *Great War and the Tragedy of Anatolia, Turks and Armenians in the Maestrom of Major Powers*, (Ankara, TTK, 2000).

Sonyel, Salâhi R. *Turco-Armenian Imbroglio*, (London, Cyprus-Turkish Association, 2005).

Süslü, Azmi. *Armenians and the 1915 Event of Displacement*, (Ankara, Kök Series, 1999).

Tverdohlebov, I *Witnessed and Lived Through, Erzurum 1917-1918*, (Ankara, Genelkurmay Y., 2007).

Uras, Esat. *Armenians in History and the Armenian Question*, (Istanbul, Documentary Publications, 1988).

Weems, Samuel A. *Secrets of a "Christian" Terrorist State*, (Dallas, St. John Press, 2002).

Yıldırım, Hüsametdin. *Armenian Claims and Realities*, (Ankara, Sistem, 2001).

# A DIFFERENT DIMENSION OF TURCOPHOBIA: "ARMENIAN GENOCIDE" MEMORIALS IN THE WORLD

(TÜRK DÜŞMANLIĞI'NIN BİR BAŞKA YÜZÜ:  
DÜNYA ÜZERİNDEKİ "SOYKIRIM" ANITLARI)

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**Abstract:** *This article suggests that cultural assets in the form of monuments and inscriptions keep alive historical memory. These assets and the places where they are situated take an important place in the memories and agendas of people and nations due to the fact that they address the crowd psychology. Thus we argue that one of the neglected aspects of Turkish-Armenian relations up to the present is the question of monuments and inscriptions. Those kinds of objects played an important role in the formation of some images such as "Cruel Turk" and "Oppressed Armenian". In this article we'll try to show the fact that increasing number of monuments commemorating an "Armenian Genocide" enhances a negative perception towards Turkey and the Turkish people by increasing hostilities.*

**Keywords:** *Armenian, monuments, inscriptions, historical memory*

**Öz:** *Bu makale anıtlar ve yazıtlar şeklindeki kültürel varlıkların tarihsel hafızayı canlı tuttuklarını öne sürmektedir. Bu varlıklar ve mekânlar, toplumsal psikolojiye hitap etmeleri hasebiyle buldukları yerlerde insanların ve halkların anıları ve gündemlerinde önemli bir yer kazanmaktadır. Nitekim bu makalede anıt ve yazıtlar sorununun Türk-Ermeni ilişkiler açısından günümüze kadar göz ardı edilen önemli bir konu olduğu öne sürülmektedir. Bu objeler "Acımasız Türk" ve "Mağdur Ermeni" gibi algıların oluşmasında önemli rol oynamışlardır. Artan sayıda "Ermeni Soykırımı" anıtının Türkiye ve Türk insanına karşı önyargıların oluşmasında olumsuz bir rol oynadığı iddia edilmektedir.*

**Anahtar Kelimeler:** *Ermeni, anıt, yazıt, tarihsel hafıza*

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The year 1915 when the Union and Progress government took the decision to relocate Armenians was the date that Turkish-Armenian relations which tensed especially after Berlin Treaty turned into a severe crisis. Therefore that year was a milestone for the Armenians. They approach their history particularly in view of the events in that year and classify it as before and after 1915. In that year, two dates were important regarding the Armenians, April 24<sup>th</sup> and May 27<sup>th</sup> when *Sevk ve İskan Kanunu* was introduced. Among these dates especially the former one became prominent. As it is well-known on April 24<sup>th</sup> 1915, an operation was conducted against the Armenian committees throughout the country and especially in Istanbul by the Ottoman

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government and some arrestments were made as a result of those operations. Those arrestments prevented the Armenian committees to terrorize. However, the Armenians who could not reach their aims described 24<sup>th</sup> April executions as “genocide” against the Ottoman state and launched “slander campaigns” with the support of some great powers.

Those campaigns became struggle for “existence” for the Armenians and followed by them constantly. For the Armenians who live throughout the world especially in the Republic of Armenia, April 24<sup>th</sup>, by the impact of campaigns carried out in especially 1965 which was fiftieth anniversary of 1915 events and onwards, became a date of commemoration of Armenian Genocide that was conducted by the Turks. In other words, it was the date of the so-called “genocide” of the Armenians in their own belief system. Yet, the attempt of the Ottoman state aimed at restraining “its Armenian subjects” from their hazardous activities. However, even those attempts were considered as beginning of “the planned genocide” conducted by the Turkish state against themselves and the belief based on that assumption survived until today increasingly. In this respect, April 24<sup>th</sup> is considered as “a second religion” among the Armenians and it seems impossible to talk about and discuss it among themselves or in other spheres.

The “Turcophobia” fact that is tried to be survived on every April 24<sup>th</sup> is the origin of nationalism for Armenians. Therefore, the Armenians didn’t want to pass that date just with commemorations in vain and desired to monumentalize their hatred and hostility against the Turks with a view to intensifying the meaning and influence of “hostility and hate literature” and passing “a purposeful heritage” on next generation. Moreover, until the last

half-century, while the European nations, the history of which was full of “war and blood”, intended even to write “a mutual history textbook” and form “a common future”, what the aim of a handful of Armenians is by continuing this “imaginary hostility” is still in question. However, as a result of these negative thoughts full of hatred, the propaganda and political activities which they carried out in their country, they put signature to some decisions against Turkey and Turks and also get other countries sign those decisions. Besides these activities they erected numerous monuments that represent the events of 1915 as genocide and tried to add a monumental meaning to the symbolic date of April 24<sup>th</sup>. Eventually, they materialized their thoughts regarding “Turcophobia” and the thesis of “Armenian nation belonging to a community which was exposed to genocide”. This situation contributes to the sense of nationalism to develop among Armenians, supports the propaganda based on dramatizing themselves and is considered as a factor preventing their assimilation. However, the main and inconvenient side of this propaganda-for Turks- is undoubtedly its being based on the idea of “Turcophobia”. Furthermore, such an approach occurs between two societies that lived together for ages as if they did not have another kind of relationship. Dealing with the history of Armenians by separating it as before and after 1915 is a consequence of this approach. On the other hand, as below mentioned, the abundance in the number of memorials reveals the extent of the “Turcophobia” and propagandas among the Armenians.

### **“Armenian Genocide” Memorials in the World**

It can be stated that the practice of erecting inscriptions and memorials in order to materialize and memorialize the “Turcophobia” among the Armenians has been encountered since other words since the 50<sup>th</sup> anniversary of 1915 events and continues by having been traditionalized. This practice is generally known as “war memorial” or “genocide memorial”. In the world, there are recorded 126 memorials, monumental structures, inscriptions and museums outside of Armenia. France is the only country having more structures than even Armenia. While France has 36 structures, the number is the Republic of Armenia. In this respect, the known total number is 154. While giving information about the memorials which are the reflections of Armenians’ Turcophobia, firstly those in the Republic of Armenia will be dealt and then the countries having Armenian memorials will be given in alphabetical order. It is possible to list the countries where inscriptions/memorials/monuments regarding Armenians and the number of these structures as below: Germany (3), The United States of America (28), Argentina (4), Australia (2), Austria (2), Belgium (1), Brazil (2), Bulgaria (2), Ethiopia (1), France (36), Georgia (1), India (1), Netherlands



(1), England (2), Iran (7), Israel (1), Switzerland (1), Italy (2), Canada (3), Southern Cyprus (2), Lebanon (5), Egypt (2), Poland (1), Syria (6), Chile (2), Ukraine (3), Uruguay (2), Venezuela (1), and Greece (2).

### **1. Genocide Memorials in the Republic of Armenia**

As in the United States of America, there exist 28 “genocide memorials” within the homeland of Armenians, the Republic of Armenia. The greatest of them is Monument, Museum and Research Complex at Dsidsernakaberd in Yerevan and it is accepted as central. It is in the position of main base of Armenians’ Turcophobia and hatred. 28 memorials in Armenia can be listed as:

1. Monument, Museum and Research Complex at Dsidsernakaberd in Yerevan.
2. Self-Defense Battle Memorial of Artsiv Vaspurakan in Agarak Village.
3. Fountain-Memorial, Aintab.
4. Self-Defense Battle of Aintab Memorial.
5. War Memorial in Aparan.
6. Memorial in Balahovid Village.
7. Memorial in Chachour Village.
8. Memorial Khachkar (Cross-Stone) in Edjmiadsin.
9. Memorial in Geghartavank.
10. Memorial in Kapan.
11. Memorial in Martuni Village.
12. Self-Defense Battle Monument in Musaler (Musa Dagh) Village.
13. St. Virgin Mary Memorial Chapel in Nor (New) Edessa.
14. Memorial Fountain in Nor (New) Arabgir Neighborhood of Yerevan.
15. Memorial in Nor (New) Arabgir Neighborthood of Yerevan.
16. Memorial in Nor (New) Erzinka Village.

17. Self-Defense Battle Memorial in Nor (New) Hajen.
18. Memorial in Nor (New) Kharpert Village.
19. Memorial in Hin (Old) and Nor (New) Malatia Neighborhood of Yerevan.
20. Memorial in Nor (New) Sebastia Neighborhood of Yerevan.
21. Memorial in Nubarashen.
22. Commemorative Monument for the Fallen in Ohanavan Village.
23. Memorial in Shgharshik Village.
24. Memorial Complex in Stepanakert, Nagorno Karabagh.
25. Memorial in Takhmak Neighborhood of Yerevan.
26. Memorial in Tsithankov Village.
27. Memorial in Veti.
28. Memorial in Zovashen Village.

## **2. “Armenian Genocide” Memorials in Diaspora**

### **i. Germany**

There are three Armenian memorials in three different cities of that country:

1. Memorial in Braunschweig.
2. Memorial in Bremen.
3. Memorial in Stuttgart.

### **ii. The United States of America**

Since the majority of Armenian population outside of Armenia lives in the United States of America, Armenian memorials in that country are quite high in number. The Armenians in that country put the genocide allegations on the center of their memories and bring this matter into question in every

phase of their lives. Especially to influence the Americans, they organized deliberate and persistive campaigns and for this purpose utilized arguments such as art works and sports competitions. They try to make all states of the country recognize Armenian allegations and especially in capital cities, projects to erect Armenian memorials were carried out. The number of Armenian memorials in America is 28 as from 2010 and these memorials are situated in below mentioned cities and states:

1. Living Tree With Plaque in Albuquerque, New Mexico.
2. Shrine to the Victims of the Armenian Genocide, Bayside, New York.
3. Memorial Khachkar (Cross-Stone) in Belmont, Massachusetts.
4. Boise Armenian Genocide Memorial Plaque, Boise.
5. Memorial Khachkar (Cross-Stone) in Cambridge, Massachusetts.
6. Memorial Khachkar (Cross-Stone) in Deaborn, Michigan.
7. Memorial Plaque in Denver, Colorado.
8. Statue of Gomidas Vartabed, Detroit, Michigan.
9. Memorial in Emerson, New Jersey.
10. Memorial Khachkar (Cross-Stone) in Glendale, California.
11. Memorial Monument in Glenview, Illinois.
12. Armenian Genocide Memorial at the Bergen County Courthouse.
13. Memorial in Jamaica Plain, Massachusetts.
14. Memorial Khachkar (Cross-Stone) in Milford.
15. Monument at Bicknell Park in Montebello, California.
16. Armenian Genocide Display in Ellis Island, New York.
17. Memorial in New York, New York.

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18. Memorial in Philadelphia, Pennsylvania.
19. Bayside Armenian Marker.
20. Armenian Martyrs' Memorial Monument in Providence, Rhode Island.
21. The Armenian Heritage Park in Providence, Rhode Island.
22. Mt. Davidson Cross in San Francisco, California.
23. Monument in Santa Ana, California.
24. Memorial Khachkar (Cross-Stone) in Southfield, Michigan.
25. Armenian Genocide Museum of America, Washington D.C.
26. Memorial Khachkar (Cross-Stone) at St. Stephen's Armenian Church in Watertown, Massachusetts.
27. Memorial Khachkar (Cross-Stone) in Watertown, Massachusetts.
28. Memorial Khachkar (Cross-Stone) in Worcester, Massachusetts.

### **iii. Argentine**

In this country there are four memorials, three of which are situated in capital Buenos Aires and the last in Codova.

1. Memorial Fountain in Buenos Aires.
2. Memorial in Buenos Aires.
3. Monument in Buenos Aires.
4. Memorial in Codova.

### **iv. Australia**

Two Armenian memorials in this country are located in the city of Sdney.

1. Memorial in Sydney.
2. The Armenian Martyrs of the 1915 Holocaust.

#### **v. Austria**

In this country, there are two Armenian memorials, both of which are in capital Vienne.

1. Memorial Khachkar (Cross-Stone) in Vienna.
2. Monument in Vienna, Austria.

#### **vi. Belgium**

The only Armenian memorial in this country is situated in Brussels.

Memorial Khachkar (Cross-Stone) in Brussels.

#### **vii. Brazil**

There exist two Armenian memorials in Brazil.

1. Memorial in Rio De Janeiro.
2. Monument in Sao Paulo.

#### **viii. Bulgaria**

Two Armenian memorials were built in Bulgaria:

1. Memorial in Sofia.
2. Memorial in Plovdiv.

#### **ix. Ethiopia**

The only Armenian memorial in this country is located in Addis Ababa:

Armenian Genocide Memorial in Addis Ababa.

#### **x. France**

France is the richest (!) country in terms of Armenian memorials in the world. This number is so exaggerative that in France there exist more memorials

than in the Republic of Armenia which has 28 memorials and the United States of America. The memorials in France can be listed as:

1. Monument in Aix en Provence.
2. Memorial Khachkar (Cross-Stone) in Alfortville.
3. Memorial in Arnoville.
4. Memorial Plaque in Avignon.
5. Avenue of April Bouc Bel Air.
6. Armenia Place in Cannes.
7. Memorial Plaque in Gardanne.
8. Memorial Khachkar (Cross-Stone) in Charenton le Pont.
9. Memorial Stele in Charvieu.
10. Memorial Stele & Avenue of Armenian Genocide in Chasse sur Rhône.
11. Memorial Khachkar (Cross-Stone) in Clamart.
12. Monument & Avenue of 24 April Decines.
13. Avenue of Armenia & Memorial Stele in Draguignan.
14. Memorial Khachkar (Cross-Stone) in Grenoble.
15. Monument in Issy-les-Moulineaux.
16. Memorial Khachkar (Cross-Stone) in Lile.
17. Memorial Tree in Livry-Gargan.
18. Memorial in Lyon.
19. Memorial Lyonnais du genocide des Armeniens.
20. Avenue of April 24, Marseilles.
21. Memorial Khachkar (Cross-Stone) in Marseilles.

22. Monument in Marseilles.
23. Monument in Marseilles.
24. Monument & Avenue of April 24, Meyzieu.
25. Monument in Montpellier.
26. Komitas Monument and Armenian Genocide Memorial in Paris.
27. Memorial Khachkar (Cross-Stone) in Square of 24 Avril Saint Chamond.
28. Monument & Armenia Place in Saint Etienne.
29. Double Plaques in Place of 24 Avril Saint Martin-d'Hères.
30. Square of 24 Avril Septèmes les Vallons.
31. Memorial Khachkar (Cross-Stone) Sevrans.
32. Memorial Plaque in Toulon.
33. Monument in Valence.
34. Monument on Avenue 24 April Vienne.
35. Monument to Komitas in Villejuif.
36. Esplanade of 24 April Vitrolles.

#### **xi. Georgia**

In this country, there is only one Armenian memorial:

Armenian Genocide Memorial, Akhalkalak.

#### **xii. India**

In India, there exists one Armenian memorial:

Memorial in Calcutta.

**xiii. Netherlands**

In Netherlands, there is one Armenian memorial:

Memorial Khatchkar (Cross-Stone) in Assen.

**xiv. England**

In this country, there are two Armenian memorials, one in Cardiff and the other one in London:

1. The Armenian Genocide Monument, Cardiff.

2. Memorial in London.

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**xv. Iran**

In Iran, there exist seven Armenian memorials which are located inside Armenian churches or in the garden of churches. In other words, none of them is situated in public sphere. Armenian memorials in Iran can be listed as:

1. Memorial in Abadan.
2. Memorial in Ahvaz.
3. Memorial in Arak.
4. Memorial in Isfahan.
5. Armenian Genocide Memorial in Tehran.
6. Memorial in Tehran.
7. Memorial Khachkar (Cross-Stone) in Urumieh.

**xvi. Israel**

The only Armenian memorial within the boundaries of Israel is in Jerusalem:

Memorial in Jerusalem.



### **xvii. Switzerland**

The only Armenian memorial in Switzerland is located in Geneva.

Memorial Khachkar (Cross-Stone) in Geneva.

### **xviii. Italy**

In Italy, there are two Armenian memorials, one in Milan and the other one in Venice.

1. Memorial in Milan.
2. Memorial on Saint Lazarus Island, Venice.

### **xix. Canada**

In Canada, Armenian memorials are situated in three cities: Cambridge, Montreal and Toronto.

1. Musa Dagh Memorial in Cambridge.
2. Monument in Montreal.
3. Monument in Toronto.

### **xx. Southern Cyprus**

There are two Armenian memorials in Southern Cyprus:

1. The Armenian Genocide Memorial, Larnaca.
2. Monument in Nicosia.

### **xxi. Lebanon**

In Lebanon, there are five Armenian memorials:

1. Musa Dagh Memorial in Anjar.
2. Memorial Chapel in Antelias.

3. Memorial Column in Beirut.
4. Monument in Bikfaya.
5. Memorial in Zmmar Village.

#### **xxii. Egypt**

In Egypt there are two Armenian memorials in Alexandria and Cairo:

1. Memorial in Alexandria.
2. Memorial Khachkar (Cross-Stone) in Cairo.

#### **xxiii. Poland**

The only Armenian memorial in Poland is in the city of Krakow.

Memorial Khatchkar (Stone-Cross) in Krakow.

#### **xxiv. Syria**

In Syria, there are six Armenian memorials in total, three of which are located in Aleppo. The others are respectively in Damascus, Der Zor and Margadeh

1. Memorial at Forty Martyrs Armenian Apostolic Church in Aleppo.
2. Monument at Armenian Evangelic Church of Betel in Aleppo.
3. Monument at St. Trinity Armenian Catholic Church in Aleppo, Syria.
4. Memorial at St. Sarkis Armenian Church in Damascus.
5. Monument and Memorial Complex at Der Zor.
6. Memorial at The Armenian Apostolic Church in Margadeh.

### **xxv. Chile**

There are two Armenian memorials in Chile. These memorials, with the same name are in Santiago.

1. Memorial in Santiago.
2. Memorial in Santiago.

### **xxvi. Ukraine**

In Ukraine, there exist three Armenian memorial, respectively in Kiev, Lvov and Odessa.

1. Memorial in Kiev.
2. Memorial in Lvov.
3. Memorial Khachkar (Cross-Stone) in Odessa.

### **xxvii. Uruguay**

There are two Armenian memorials in Uruguay, both of which are in capital Montevideo:

1. Memorial at Armenian Church of Montevideo.
2. Memorial in Montevideo.

### **xxviii. Venezuela**

The only Armenian memorial in Venezuela is located in capital Caracas:

Armenian Genocide Memorial in Caracas.

### **xxix. Greece**

The Armenian memorials in Greece are situated in Athens and Thessaloniki:

1. Memorial and Bell in Athens.
2. Memorial in Thessaloniki.

## CONCLUSION

Cultural assets in the form of monuments and inscriptions keep historical memory alive. These assets and the places where they are situated take an important place in the memories and agendas of people and nations due to the fact that they address the group psychology. Anywhere, those kinds of places are important in terms of attracting public’s attention. If these objects are predicated on the principal of abuse of human feelings, the situation becomes more complicated. One of the neglected aspects of Turkish-Armenian relations up to the present is the question of monuments and inscriptions. Those kinds of objects played an important role in the formation of some images such as “Cruel Turk” and “Oppressed Armenian”. Likewise, it is well known that commemorations, which take place in these historical memorials, become a show of force and appeal to Anti-Turkish feelings especially in April 24<sup>th</sup> both in Armenia and Diaspora. The only motive that is promoted in these ceremonies is “hostility and opposition to the Turks”. New generations are unconsciously impressed with motives of hostility and new Armenian generations that even do not know who the Turks are, are being transformed into an instrument of this hostility. The sole notion mentioned and

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revived in these monuments is about “the Armenians who were oppressed, killed, massacred and destroyed in. For instance, on one of the monument inscription it is written that: “We Armenians dedicate this monument to the immortal memory of the 1.500.000 Armenian martyrs massacred by the Turkish government during the 1915 genocide”. Similarly, it is clearly expressed on many of these monuments that the aim of erecting the memorials was “to keep the memories of the Armenians who had been massacred by the Turks in 1915 alive”. Considering the fact that this approach and similar ones do not or will not have an effect upon Armenian generations and public opinion of various countries, these attempts could only be explained with “optimism” and “innocence”.

However, Turkey and Armenia are geographically close, two neighboring countries. This neighborliness will not change even the time and conditions change. In turn, it is obvious that making these two neighbouring countries’ people hostile to each other and raising generations with hostility is senseless. These policies which are followed unconsciously always lead to the

solutionlessness of the problem and these two neighboring countries are diverging from each other constantly. Both countries are negatively affected by this situation but it could be seen that the damage of Armenia is bigger than Turkey.

There are some peculiarities about the Armenian monuments. A considerable part of the countries where monuments are found, apart from Armenia, attract attention in terms of being countries accepting the genocide laws. However, every country that accepted these laws did not erect a monument such as Russia. At least, any recorded monument is beside the point. On the other hand, there are countries that exaggerate the act of erecting monuments. Although it makes sense in some extent that the number of this kind of monuments is Armenia, it is impossible to understand its rise to France. In other words, the record in the number of monuments is at France. This number is not directly proportionate to the total number of Armenians living in this country. As is known, countries such as the United States of America and Russian Federation are at the forefront in respect of population. However, France surpassed both of them. In addition, it is another issue of conflict that to what extent the existence of such kind of objects which are artificial and which recreates and reminds hostilities is humanistic and necessary.

In Armenia and also in some other countries, the erection of such kind of Armenian “genocide” memorials is a strategic aim like issuing decisions of genocide in parliaments. Through these monuments, it is being tried to win world’s public opinion subconsciousness and the approaching process to the target is being materialized. As decisions which recognize the so-called genocide are admitted in world’s parliaments, Armenian lobbies’ activities of putting the projects of statues and memorial symbols into practice are naturally affecting these countries’ public opinion. As could be observed in the content of this article, many different monuments carrying the same purpose were erected in different countries by Armenians. However, most of them was missed out or neglected by Turkey. Among these monuments most of which are statues, Turkey especially attribute importance to those situated in great countries. However, this interest could not go beyond of public statements in vain and unfulfilled strong reactions. It is known that Turkey’s tenderness to preserve its relations with European Union has an important role in this unresponsiveness.

The number of Armenian monuments in the world that are recorded and ascertained is total by 2010. If it is taken into consideration that this project of erecting monuments constitutes an intensity especially in 1965 which was the 50<sup>th</sup> anniversary of 1915 events, it is probable and expected that there will be a revival in this field in 2015, the 100<sup>th</sup> anniversary of the events.

Hence, according to a study related with this subject, there were only 16 monuments in the world in 1973 that coincided with the period after the 50<sup>th</sup> anniversary of 1915 events. 4 of them were situated in Armenia (then namely Soviet Armenia), Lebanon, the United States of America, and the rest in Syria, Egypt, Brazil, Bulgaria and Italy. These numbers show that Armenian propaganda and its effect was on the rise in certain anniversaries. Therefore, it seems more probable that there would be important developments in this field in the 100<sup>th</sup> anniversary of the “question”.

Although the highness of the number of monuments known as 154 as of 2010 seems at an alarming degree, it should not be forgotten that these are symbolic figures. Monuments and commemoration places are considered as meeting sites especially in April 24<sup>th</sup>. If it is viewed from a different standpoint, almost 90 percent of these so-called monuments consist of very small objects. Many of them are not in form of structures; instead they are made of stone or marble. There are many examples in the form of inscription put aside in an ordinary garden. There also exists in the form of memorial tree. Among these monuments the biggest and the most important one for the Armenians is the Monument, Museum and Research Complex at Dsidsernakaberd in Yerevan. No similar example of this complex could be found in Armenia or in other countries. This centre in Armenia is in the position of “kaaba” of “Turkish hostility” which is already kept alive. It is the main base of Armenian propaganda. Almost each visitor, who formally or informally visits the capital of the Armenian Republic, definitely is taken to this complex in order to get displayed Turkish “atrocities” over the Armenians through an emotional and visual show and people take a walk at the peaks of “Turkish hostility”. Armenians make this almost a religious and national ritual. In this way, the genocide conception becomes a part of daily life in Armenia. In Armenia or in other countries, although it is minor, the existence of these monuments and the exhibition of these objects in places visited every day led to some important admittance in time. This situation is immensely convenient with the aim of erecting monuments. Especially in Armenia and in other countries where Armenian population is dense, engraining this fact in even the children who are unable to pronounce correctly and teaching “Turcophobia” to Armenian children and youth with their mother tongue are very significant factors that abolish the expectations of solving the question of Turkish-Armenian relations in the near future. Therefore, in terms of dynamizing these sentiments and expectations and so on or of their attempts, these monuments have importance with regards to providing visual dimension of Armenian propaganda and Turkish hostility.

Yet, Turks and Armenians lived together for many centuries and interacted with each other. This period having lasted ten centuries, during which both

parties lived together merrily, is neglected as if it were not undergone and it is inexplicable that relations would end in “1915 deadlock”. Linger on this subject is dragging the problem into a deadlock. Moreover, that year the Ottoman State had serious and reasonable grounds to enforce “*sevk ve iskan kanunu*” known as *tehcir*. This law was not suddenly put into effect. The “Ottoman Armenians” mobilized against the state from the very beginning of the War and they cooperated with the Russians. This situation was even sufficient alone for issuing the decision of “*sevk ve iskan kanunu*”. However, these activities of the Armenians are perceived as if it never existed. They are acting as “the whole offence belongs to the Ottoman government and they did not play part in this matter”. Moreover, developments related with this subject are not limited with this: “traces of the activities of Ottoman Armenians”, especially between 1890-1915, also stuck in memories. In this respect, the cooperation of Armenians and “the enemy” coming from the East during the War is like the final straw. It was the main factor that triggered the decision.

It should be emphasized that to see Tehcir Law and practices of it as “genocide” or to state that the Armenians are behaved in a revengeful way is nothing but a waste of time. This law should be perceived as a requirement for Ottoman Empire to fight in the World War under favorable conditions. It has other examples in the world history. The Armenians have behaved with revenge feelings since that date and this situation is a reflection of Armenian nationalism which is Tashnak-based. However, how a nation devotes the bases of its nationalism to the destruction of another nation’s future, how it intends to influence next generation with such ideas. It is certainly impossible to figure out this mentality. Moreover, it can be easily observed that the Armenians have also suffered from this situation for a century. These misleading nationalist policies deepen the hostility between these neighboring countries. Therefore, these two neighboring countries are regarded as two different countries as if even they did not exist in the same world. By all means, neither Turkey nor Armenia can benefit from the persistence of this hostility. If only there existed thousands of “friendship memorials” were erected instead of “genocide memorials.”

## KAYNAKÇA

Deliorman, Altan. *Türklere Karşı Ermeni Komitecileri*, Boğaziçi Yayınları, İstanbul, 1973.

Laçiner, Sedat. *Ermeni Sorunu, Diaspora ve Türk Dış Politikası*, Uluslararası Stratejik Araştırmalar Kurumu, Ankara, 2008.

Lütem, Ömer Engin. "Olaylar ve Yorumlar", *Ermeni Araştırmaları*, III/9 (Bahar 2003), s. 7-29.

Temelkuran, Ece. *Ağrı'nın Derinliği*, Everest Yayınları, İstanbul, 2009.

Tuğlacı, Pars. *Ermeni Edebiyatından Seçkiler*, İstanbul, 1992.

[www.armenian-genocide.org](http://www.armenian-genocide.org), 16 Kasım – 27 Aralık 2010.





# NOTES FROM THE BATTLEFIELD KNOWN AS 'HISTORY'

(‘TARİH’ OLARAK BİLİNEN  
SAVAŞ ALANINDAN NOTLAR)

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**Abstract:** *That history is a battlefield of ideas, facts and interpretation is a truth every historian worthy of the description knows. In this article I raise some issues related to my own academic involvement in the history of the ‘Armenian question’. It would be incorrect to say that there is a ‘debate’ over this issue. Debate implies genuine engagement in the search for truth but in Europe, the US, Australia and numerous other countries around the world the truth is apparently known to people who have little or no knowledge of late Ottoman history. History is thus brought to a dead stop: when the truth is known, debate becomes pointless and even offensive – why would anyone want to challenge the truth when it is so manifestly the truth? The point here is that the mainstream narrative is not the truth, the whole truth and nothing but the truth. It is more a mixture of truths, half truths, lies, exaggerations and omissions that would significantly shape perceptions were they are ever allowed into the mainstream. This short article examines, from a personal perspective, some of the issues that have taken the author’s attention.*

**Keywords:** *History, Turkish-Armenian relations*

**Öz:** *Tarihin bir fikirler, gerçekler ve yorumlar savaşı olduğu, bu tanıma layık tüm tarihçiler için bir hakikattir. Bu makalede ‘Ermeni sorunu’nu tarihine ilişkin kendi akademik ilgim ile alakalı bazı konuları tartışmaktayım. Bu konu üzerinde bir ‘tartışma’ olduğunu söylemek hatalı olacaktır. Tartışma gerçek için hakiki bir araştırmaya girişmek anlamına gelmektedir ancak Avrupa, ABD, Avustralya ve dünya üzerindeki birçok farklı ülkede gerçek öyle görünüyor ki geç Osmanlı tarihi ile ilgili çok az veya neredeyse hiç bilgisi olmayan insanlarca bilinmektedir. Nitekim tarih tam olarak çıkmaz bir sokağa girmiştir: gerçek bilindiğinde tartışma anlamını kaybetmekte hatta saldırgan bir hal alabilmektedir – kim gerçek aşikarsa o gerçeği sorgulamak ister? Burada önemli olan nokta şudur; ana akım söylem hakikat, yalnızca*

*hakikat ve açıkça hakikat değildir. Bu daha ziyade, ana akım içerisinde girmesine izin verildiği takdirde alguları gözle görülür biçimde şekillendiren, gerçeklerin, yarı gerçeklerin, yalanların, abartıların ve ihmallerin bir karışımıdır. Bu kısa makale, kişisel bir perspektiften, yazarın dikkatini çeken konuların bazılarını incelemektedir.*

**Anahtar Kelimeler:** Tarih, Türk-Ermeni İlişkileri

In the mid to late 1970s I was hunting around for a PhD topic at the University of Melbourne. My first choice was the Hijaz Railway, built to carry Muslim pilgrims safely to the holy cities, ending the centuries in which they had suffered and died from exhaustion or disease as they made their way to their destination across land and sea. But the Hijaz Railway research project came to naught when my request for access to the Ottoman archives was rejected on the basis that the Hijaz Railway was still a security matter.

Looking for another topic I rooted around in the university's microfilm collection and came across records from the US Legation in Constantinople dealing with the unfolding of the 'Armenian question'. This was research material in abundance and I knew that here I had the makings of a thesis. Eventually it boiled down to a study of the role of foreign governments and missionaries in the affairs of Ottoman Christians and especially the Armenians during the late 19th century. I was very much on my own because no one in my department knew much about my topic but I soldiered on and four years later the thesis was sent off to the examiners. It was passed and with some modifications eventually published as a book, *Imperialism, Evangelism and the Ottoman Armenians 1878-1896* (Frank Cass, London, 1993). The first date marks the Congress of Berlin, where the 'Armenian Question' was created as a subset of the 'Eastern Question': the second date marks the high point of turmoil in the eastern Anatolian provinces as two decades of pressure over 'reforms' for the Armenians ended in chaos and social breakdown.

Much of my work then and later focused on the involvement of US missionaries in the affairs of Armenians and other Christians. I found it hard to feel much sympathy for them. Many lived in the Ottoman Empire for decades but remained as hostile to Islam, the Ottoman government and the sultan and as indifferent to the concerns of Muslims as the day they arrived. They caused a lot of problems through their inability to see any truth other than their own. This attitude extended beyond Islam to the eastern churches, whose 'corrupted' doctrines they regarded as a bad Christian example for

the Muslims they hoped one day to convert. Over decades they antagonized the patriarchs of the eastern churches, the sultan and his ministers and even their own diplomatic representatives. The government regarded them with suspicion even while being obliged to grant them permission to open their schools and bookstores. Their understanding of religious freedom was very different from that of the sultan and his ministers. Open proselytism was inflammatory and they had to deal with the consequences: they could not allow freedom of religion when it seemed to amount to the freedom to annoy other people in the profession of their faith. One could not approach Muslims with the message that Christianity was a more perfect religion than Islam without causing trouble.

So locked up were they in their world of one truth that missionaries did not seem to realize this. While depending on the Ottoman government they prayed for its downfall. They were hardly disinterested observers yet it was their letters home and the articles they wrote for newspapers that shaped understanding of the 'Armenian question'. Christians had lived safely and securely under Ottoman rule from the conquest of Constantinople onwards. If there was an explanation for the chaos of the 1890s surely it lay in conditions and circumstances of the time but for the missionaries – not all but for many if not most – and their supporters back home in Britain or the US the core explanation lay in Islam and what the missionaries and their supporters agreed were the evils of 'Muhammadan government'.

*Christians had lived safely and securely under Ottoman rule from the conquest of Constantinople onwards.*

All my research was done in Australia but by the time the book came out I had visited Turkey for the first time. I landed on a winter's evening and took a taxi into Sultanahmet. It was a horrible evening. Thick smog hung over the entire city (this was in the days when the main source of heating was cheap coal). I took a room in a cheap hotel, long since disappeared off the map and not before time. The walls were painted green. The bed was narrow and the hand basin cracked. Was this really the romantic city of everyone's dreams?

The next day a friend of a friend in Australia took me to Boğaziçi University, Robert College of old. The missionaries had chosen well. The campus remains a lush enclave where the students gather on the grass in spring and watch the ships coming and going along the Bosphorus below. The white judas trees turn pink and the nightingales sing in the gardens. The rector very kindly asked me if I would like to stay for the duration of my stay in Istanbul and before I left I was asked whether I would be interested

in returning to teach the following year. I did return and thus began a long connection with Turkey.

Although my teaching and research interest remained the modern history of the Arab I had now developed an interest in the Armenian issue. I retained a strong interest in the Sultan Abdulhamit, a ruler whose place in history still waits proper analysis free of the bias and clichés that still surround him up to the present day. In my readings I discovered a man of great complexity, frugal, hard-working and fully committed to the well-being of the empire and his people. Somehow he had to find a way of maintaining

*I retained a strong interest in the Sultan Abdulhamit, a ruler whose place in history still waits proper analysis free of the bias and clichés that still surround him up to the present day.*

the state as a functioning enterprise at a time of financial collapse, large-scale internal disorder and continuing external pressure. The strain almost broke him: in his early 30s when he inherited the empire, photographs taken two decades later show a bent and prematurely aged man.

I did not realize the viciousness of the debate over the Armenians until I had unwittingly joined it. When my book appeared it was attacked by Christopher Walker, a shrill advocate for the Armenian nationalist cause and a man who was not deterred by never having met me from seeking to impugn my character in his ‘review’ – no more, really, than an opportunity for him to cut down the enemy. In 2008 the University of California Press published a second book, *The Unmaking of the Middle East. A History of Western Disorder in Arab Lands*. Up till this time I had not dealt with the fate of the Armenians during the First World War but in this book I did raise some aspects of the war critical to context and balance. The war was a catastrophe for Muslims and Christians alike as well as anyone else who lived in the Ottoman Empire or was caught up in the war as it spread into the Caucasus and northwest Persia. The *tehcir* (relocation) of the Armenians was a specific event, but Muslims died from the same mixture of causes throughout the war as the Armenians - massacre, malnutrition disease and exposure. Yet to this day they are present in the western narrative only as the perpetrators of violence against Armenians. Armenians were the perpetrators of large-scale violence yet are present in the same narrative only as victims.

The notion of a centrally organized attack on the Armenians with the intention of wiping them out – the core of the argument made by such writers as Vakahn Dadrian and Taner Akçam - raises the question of who had power in eastern Anatolia. Was it just the government in Istanbul or was

power and authority distributed more widely? As there was no change in structures of society and administration from the late 19th century until the outbreak of the war, understanding what happened in this region during the war also involves understanding where power lay when it broke out. One assumption which has to be scotched immediately is the notion of a central government that decided everything and controlled everything. Centralized authority was not imposed over eastern Anatolia until well into the 20th century, but this is only one of the many assumptions that have to be questioned.

Abdulhamit is routinely described as an 'absolutist', which no doubt he was for the intellectuals and the politically engaged in the cities of the west, but in the east his authority was far from absolute. In the 1820s Sultan Mehmet II set out to centralize his authority. He broke the power of the tribes in the eastern provinces but was beset by other pressing problems and died in any case before he could complete what he had started. The old ways soon reasserted themselves. Abdulhamit was no less interested in a strong central authority but his problem was that he did not have the means to create such an authority across the empire. It had suffered a fresh series of terrible blows by the time he came into his inheritance: the Crimean War, war with Russia again in 1877-78 and financial collapse. Huge swathes of territory – much of it very fertile land – along with population and a valuable part of the taxation base. Even by the time the sultan inherited, the empire was effectively bankrupt, a state of affairs which was ratified in the Decree of Muharrem on 1881. The Hungarian orientalist Arminius Vambery writes of visiting Yildiz Palace and seeing the tradesmen and artisans gathered there in the forlorn hope of finally being paid for work done. There was little money to run the government let alone to introduce reforms and the infrastructural projects needed to pull the eastern Anatolian provinces into the modern world.

Outside the governor's konak in the town real authority in the eastern provinces lay with tribal chiefs and sheikhs. Military garrisons were few and far between. There were insufficient soldiers to maintain order and no made roads for them to march along to get where they wanted. There were no railways (partly because of Russian objections) and almost nothing in the way of communications except the telegraph linking the capital to government offices in the towns and a postal service dependent on the vagaries of the weather. In winter, mountains were impenetrable and remote valleys and villages cut off by snow. To maintain his own authority Abdulhamit had no option but to put in place what was effectively a social contract with Kurdish and other tribal leaders. The basic understanding was that if they acknowledged his sovereign authority, he would acknowledge

their traditional authority. Cooperation and cooption and not confrontation were what he sought. On this basis the tribal leaders enjoyed a broad remit of power, but the balance was always a fine one and when the powers (with Britain in the lead) interfered by trying to impose ‘reforms’ on the eastern provinces it was disrupted.

These ‘reforms’ were not at all the reforms the sultan had in mind, which were aimed at strengthening the empire across the board. British-led ‘reforms’ (a word the sultan refused to use, referring only to ‘changes’) were initially aimed at establishing some kind of ‘protectorate’ over the

*Had all the ‘reforms’ been successfully implemented the groundwork would have been laid for Armenian autonomy in provinces which were more than 80 per cent Muslim.*

Armenians, who had by this stage had become a touchstone of relations between Britain and Russia. Fearing that the Russians would use the Anatolian Christians as they were understood to have used the Balkans Christians – as the pretext for war in 1877 – the British sought to strengthen their strategic interests behind the screen of ‘reforms’ for the Armenians. The original idea was to send British inspectors to the east but this fell apart very quickly once it

was realized that there were not nearly enough competent people with the necessary language skills and knowledge of local conditions to take on this responsibility. Still, the pressure for ‘reforms’ was maintained across two decades.

From the moment Armenian concerns were turned into a ‘question’, the revolutionary committees took their cue and began fomenting turmoil with the intention of maintaining the involvement of the powers. Had all the ‘reforms’ been successfully implemented the groundwork would have been laid for Armenian autonomy in provinces which were more than 80 per cent Muslim. This region was known by the sultan and the Kurdish tribal leaders as ‘Kurdistan’ and not ‘Turkish Armenia’, the name bestowed upon it by missionaries, ‘humanitarians’, the press and government ministers on both sides of the Atlantic. The sultan, his ministers and the Kurds were immediately alerted. The pressure applied by the British government over these ‘reforms’ was deeply destabilizing. It had no means of compelling the sultan to accept its ‘reforms’, yet at the same time it had no fallback plan. The threats it made were empty. Russia had no intention of going any further than persuasion and Britain could not act alone. All that happened was a steady aggravation of the situation and a worsening of relationships between Muslims and the Christian protégés of the powers and the missionaries.

Even if he did rely on 'djurnalcis' (spies), the sultan has to be given credit for understanding his people and his empire better than European governments and missionaries. He knew where their interference was leading but when their meddling, their 'reforms' and their indulgence of the Armenian revolutionary committees ended in the chaos of the 1890s, it was the sultan who was blamed. He was accused of orchestrating the whole affair and of planning the extermination of Christians. The lack of evidence has been no deterrent to generations of 'historians' determined to maintain the accusation. Thus was born the myth of the Red Sultan – Gladstone's Abdul the Damned - the spider spinning his web in the depths of Yildiz Palace. Even after more than a century this twisted, distorted, self-serving caricature of history prevails. The powers and the revolutionary committees are all conveniently let off the hook. The sultan himself remains totally demonized, wrenched out of history and turned into a permanent Punch caricature.

Temporarily the 'Armenian question' died down. It flared up again in 1904 (fresh rebellion at Sasun) and in 1909 (upheaval and massacres in Adana) before the First World War ushered in the collapse of three empires, Ottoman, Austro-Hungarian and Russian. The war was followed by the haggling over the spoils. It was a time of betrayal and promises unfulfilled. Of the commitments made by the British during the war, the Arabs never got the independent state they thought they had been promised. Greece rather than Italy was allowed to take possession of Izmir. France had to be satisfied with a share of the oil of Mosul: the province itself was placed inside the mandate for Iraq, which meant placing it in British hands. With the exception of the Zionists, the smaller players got nothing: both Assyrian and Armenian Christians felt cheated and deceived.

While much has been written in the western narrative about the partition of Arab lands, far less is generally known about the fate of Anatolia as decided at the Paris 'peace' conference in 1919. What the British had in mind was an enlarged Greek state in the west (under their tutelage) and an Armenian state in the east (perhaps under French tutelage but preferably not). Eventually these plans broke on the rock of Turkish resistance. The national struggle against the French and the Armenians in the southeast is virtually a blank spot in the mainstream western narrative. Largely missing also is what Arnold Toynbee called the 'war of extermination' launched by a Greek army after it was landed at Izmir from allied warships. Having slashed, burned and slaughtered their way inland, the Greeks were pushed back to the sea. Toynbee lists their crimes – again virtually absent in the western narrative - and paid for it by having the Greek endowment of his professorship in London withdrawn. All that western histories seem to



know of this history is the burning of Izmir, which invariably is blamed on ‘the Turks’ although there is no clear proof of who lit it, if in fact it did not start accidentally.

Threading its way through this saga from 1914 until the 1920s is the fate of the Armenians. The general consequences of the *tehcir* (the ‘relocation’) are well known although the detail remains controversial. Armenians suffered terribly yet what has yet to be brought into the picture is that Armenians were the perpetrators as well as the victims of large-scale violence. It cannot be emphasized too strongly that this was a war of annihilation, a war of armies and a secondary war involving massacre and counter-massacre by civilians.

The end result was massive depopulation of Muslims and Christians in the eastern Anatolian provinces as well as every patch of territory where the war had been fought. The suffering of civilians was terrible. The war ended with starvation across the Ottoman lands and all the neighboring lands where it had been fought. The precise death toll is not known but probably stands at between two and three million (probably closer to the latter). Of this number about 2.5 million were Muslims. They have no place

in the narrative at all except as the perpetrators of violence against Christians. Although the fate of the Armenians has been polarized between Armenians and ‘the Turks’, Kurds were also deeply involved as perpetrators and victims. A large number of them were amongst the Muslims who died during the Russian/Armenian occupation in the east. When the Russians and then the Armenians finally withdrew, they left behind a charnel house. Cities and towns were ruined and strewn with bodies.

Some years ago a group of Turkish academics and journalists put their signatures to a document expressing their sorrow at the crimes committed by their forefathers against the Armenians. This was a commendable act but it needed to be complemented by a request that the Armenians express the same kind of remorse for the crimes committed by their forefathers. By drawing attention to one set of crimes and ignoring another, those who signed the petition were reinforcing what is a false narrative but outside Turkey they were seen as ‘good’ Turks prepared to challenge what is supposed to be the official line. The paramount examples of the ‘good’ Turk are the novelist Orhan Pamuk and the erstwhile ‘historian’ Taner Akçam. Pamuk had not previously shown any particular interest in the Armenian

*The war ended with starvation across the Ottoman lands and all the neighboring lands where it had been fought. The precise death toll is not known but probably stands at between two and three million (probably closer to the latter). Of this number about 2.5 million were Muslims.*

issue until he spoke out in 2005 but Akçam has been inside it for decades. His books basically amount to a prosecutor's brief. They lack context and balance and are characterized by serious errors of fact and interpretation as well as omissions or the downplaying of important material that would stand in the way of the line he strives to develop. In a brief review, a young historian, Erman Şahin, has already picked up many of his transgressions. The sources Akçam uses are often questionable if not downright fraudulent (i.e. the forgeries known as the Andonian 'papers' and the equally discredited 'ten commandments' supposedly issued by the Committee of Union and Progress government early in 1915). Critical material played down includes the large-scale massacre of Muslims by Armenians in and around the city of Van in April-May, 1915: of the killings that occurred across the east during the Russian/Armenian occupation, he has very little to say. He dwells on the postwar kangaroo court tribunals set up during the British occupation of Istanbul but does not touch on the far more important courts-martial set up in 1915/16 to prosecute the perpetrators of crimes against the Armenians. These would surely give readers pause for thought.

Furthermore, Akçam says that Atatürk 'condemned the genocide' when he cannot have done so, seeing that he died in 1938 and the word was not coined until the early 1940s. He also claims that members of the CUP met early in 1915 and decided to annihilate the Armenians but he does not provide any evidence that they took any such decision. His arguments are based on supposition. His claim that members of the CUP government took a decision to wipe out the Armenians is based on it being 'very likely' that they did. This then slides into 'the' decision for 'the' genocide. No one picks him up for the slippery use of language. To make such an accusation stick the historian would normally be obliged to come up with something tangible - a date, a place, a name and some account of the proceedings. Akçam provides none of this, and yet is lavishly praised for writing 'definitive' histories of the wartime fate of the Armenians. The emperor has no clothes but publishers and reviewers don't seem to notice.

Every age has its cultural taboos and in this age questioning of the standard Armenian narrative is not allowed. A parallel would be the history of the conflict between Israel and the Palestinians as it stood about four decades ago. Anyone who then argued that the Palestinians had a case was accused of being anti-semitic. The same class of pseudo-liberals and faux leftists who would not touch the Palestine question until it was safe to do so now go along with the standard Armenian narrative. No matter how strong the arguments placed before them they will not publish anything that can be categorized as 'denial' – a word which should have no place in scholarship and whose use is indicative of propaganda being passed off as history.

These liberals may believe in the truth of the standard account - they may not - but they certainly know that to challenge it and even to be associated with someone who challenges it is to risk the career death sentence of 'denialist'. They block the counter-narrative from the journals and newspapers they edit and read while swinging the doors wide open for the repetition of the old fictions and clichés. Almost no one is going to challenge them because not enough people know enough about Ottoman history to know any better.

This game no doubt will be played out for some time yet, but serious historians who do what they are supposed to do and follow the trail where it leads irrespective of the personal consequences are going to run up against facts that get in the way of the standard Armenian narrative. There is no way this narrative can be maintained except by stifling inconvenient facts or by dressing up supposition and conjecture as fact or by repeating the lies born of forged documents.

*The genocide resolution passed by the US House of Representatives Foreign Affairs Committee in 2010 was a disgrace to that assembly. It bore the imprint not of knowledge or truths honestly held but of political correctness and the influence of the Armenian lobby.*

The incorporation of the standard account into parliamentary resolutions is risible. The genocide resolution passed by the US House of Representatives Foreign Affairs Committee

in 2010 was a disgrace to that assembly. It bore the imprint not of knowledge or truths honestly held but of political correctness and the influence of the Armenian lobby. The passage of similar resolutions by parliaments as far away as South Australia surely raises the basic question in any mind capable of thinking clearly on this subject: what can South Australian lawyers and fruit farmers possibly know of late Ottoman history beyond what they have been told or what they have read in books written by 'historians' of the caliber of Vakahn Dadrian and his Turkish protégé Taner Akçam?

The central issue here is not the version of history written by Dadrian or Akçam. Let the latter enjoy his moment of fame as the only good Turk. History will catch up with him sooner or later. The real issue is the state of mainstream western culture and the endless repetition of exaggerations and lies in books and academic journals. They are beyond challenge or refutation because with a few exceptions neither is ever allowed. Not only is the gate firmly bolted against the insertion of a counter-narrative (with some exceptions that prove no rule) but publishers, editors and peer reviewers do not seem to notice the errors, the omissions and the lack of balance and context they are letting through the slips.

Yes, history is a battleground but it seems to me that only when all those involved in this issue emotionally, historically and politically (often too deeply to be capable of any objectivity) acknowledge the crimes committed by their forefathers will there be any hope of it being resolved to anyone's satisfaction. It is not just the Turks but Armenians, Kurds and others who have to own up. To the extent that it has been turned into a political football, the Armenian issue has been demeaned. The fighting over numbers and who did what to whom is tawdry and undignified, inviting an endless round of accusation and counter accusation that will never be settled historically whatever the advances made politically. On this basis the issue can go nowhere. The dead, separated from each other in their Christian and Muslim graves but joined in the terrible suffering they experienced, have no voice but one has to wonder what they would make of the way they are being made to die all over again on the battlefield of history.



# TURKEY AND ARMENIA: THE NEED FOR COMPASSION WITH COMMON SENSE

(TÜRKİYE VE ERMENİSTAN:  
MERHAMETLİ BİR ORTAK AKLA İHTİYAÇ)

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**Abstract:** *For many years, advocates of the Armenian cause have worked hard and fairly successfully to get world opinion to put pressure on Turkey. Yet, if one leaves aside the word ‘genocide’—which is a legal term with potential legal consequences to it— the gap between Armenian perceptions of late Ottoman history and Turkish ones is closing. Turks do recognize and admit that the Armenian people suffered an enormous tragedy and that they continue to feel great pain at the loss of life and the uprooting of their families. That is why Turkey is ready to open its archives on this subject – and actually has been so for quite some years now. But if denial and concealment are not an option for Turks, equally it cannot be one for anyone else. I hope the dialogue on our common past will get under way.*

**Keywords:** *Armenia, Turkey, archives, dialogue*

**Öz:** *Yıllarca, Ermeni davasının savunucuları dünya kamuoyunun Türkiye’ye baskı kurmasına çalışmışlar ve gayet başarılı olmuşlardır. Ancak ‘soykırım’ sözcüğü – ki muhtemel hukuki sonuçlar doğuran hukuki bir terimdir – bir kenara bırakıldığında Ermenilerin geç Osmanlı tarihi algısı ile Türklerin algısı birbirine yakınlaşmaktadır. Türkler Ermenilerin çok büyük bir trajedi yaşadığını ve bugün de geçmişte yaşadıkları kayıplar ve ailelerinin yurtlarından ayrılmak zorunda kalmaları sebebiyle büyük bir acı yaşadıklarını bilmekte ve kabul etmektedir. Bu sebeple Türkiye bu konuda arşivlerini açmaya hazırdır – ve aslında bu uzun senelerdir de böyledir. Ancak eğer inkâr ve gizlilik Türkler için bir seçenek değilse, aynı şekilde kimse için de değildir. Umarım ortak geçmişimiz ile ilgili diyalog yakın zamanda tekrar başlayacaktır.*

**Anahtar Kelimeler:** *Ermenistan, Türkiye, arşivler, diyalog*

For many years, advocates of the Armenian cause have worked hard and fairly successfully to get world opinion to put pressure on Turkey. They have scored some striking successes. Several European countries, led by Switzerland, have introduced legislation which makes it a punishable offence to deny the Armenian claim that their people suffered genocide at the hands of Turkey.

The first victim of this legislation was one of the world's greatest historians, Professor Bernard Lewis of Princeton, who was successfully prosecuted and fined by a French court in the early 1990s for challenging the genocide claim. This was an extreme case but the Armenian movement has succeeded in many countries in effectively barring any historical discussion which disputes their version. Professor Justin McCarthy, the most distinguished specialist on late Ottoman demography, has produced valuable work in this area—but it is virtually ignored. Other scholars such as Prof. Jeremy Salt of Bilkent

*Today denialism is not an option. For countries and cultures to coexist successfully, they have to be able to face their common past.*

University have repeatedly found that revisionist articles on Ottoman Armenian history simply do not get published by mainstream Western publications.

Yet, if one leaves aside the word ‘genocide’—which is a legal term with potential legal consequences to it— the gap between Armenian perceptions of late Ottoman history and Turkish ones is closing. Turks do recognize and admit that the Armenian people suffered an enormous tragedy and that they continue to feel great pain at the loss of live and the uprooting of their families.

Today denialism is not an option. For countries and cultures to coexist successfully, they have to be able to face their common past. If we can do so, our region, the Eastern Mediterranean, will be able to overcome its conflicts and divisions. If we cannot face our past, then we shall spend much of our future in futile arguments and conflicts.

That is why Turkey is ready to open its archives on this subject – and actually has been so for quite some years now. But if denial and concealment are not an option for Turks, equally it cannot be one for anyone else. I hope the dialogue on our common past will get under way. But it must not be based simply on a narrow and perhaps selective view of the past. It needs to take in the whole picture.

So let us look at the background against which the Armenian tragedy—and others—took place. The first discovery we make when we do that is that the Armenians were not the only victims of history. The Ottoman Empire perished fighting a cruel war which claimed a horrific death toll in which famine and disease killed even more people than direct hostilities. Over 3 million people died during that war in the lands that are now Turkey. Over two million – probably about 2.3 million of them—were Muslim. Ottoman Muslims had begun the 19th century as the undisputed ruling elite of a world empire. But by 1914, they were a people fighting for their survival. Two years earlier, for example, the empire had lost most of its Balkan territories in the Balkan Wars. Just over half of the people in those lands were Muslims. The war brought death, disease, and expulsion for several million people—their descendants, immigrants from the Balkan Wars, are one of the biggest groups in Turkey today.

The casualty figures for the break up of the Ottoman Empire also look terrible when viewed from another angle. Between 1821 – the beginning of the Greek War of Independence and 1923, the end of the Turkish War of independence around 5.5 million people died. They were Ottoman Muslims who were the casualties of the successful expansion of the new nationalisms in the Balkans, Anatolia, and the Caucasus. The rest of the world has taken very little interest in these people. And for the most part there are no memorials to them.

I naturally feel strong sympathy for them—though without vindictiveness. The different people of the Ottoman Empire, Turks, Greeks, Armenians, and others should find ways of burying their differences and looking to the future. We could all have grievances. My family comes originally from a town in the Balkans which is now Greece and we were forced to leave and seek refuge in Turkey. Close members of my family who passed away only a few years ago could actually speak Greek. So I feel something in common with everyone in the Late Ottoman Empire, regardless of their language or religion, who was uprooted and forced to leave the homes. But I have noticed that when I speak of this to some of my friends in public life outside Turkey, I get little or no attention from them. They are solely concerned with the adversaries of the Ottoman Empire and their plight.

And I notice that when prominent figures and senior officials call on Turkey and the Turks to come to terms with their past and open up on the Armenian issue, they invariably show not the least awareness of the side of the story in which millions of Ottoman were victims and that this story gets its place in the history books of the Western world.



The reason for this indifference is not just lack of historical knowledge – though that is part of the story. It is also of course that the migrations of displaced Ottoman Muslims from the Balkans, Russia, and the Caucasus, into Turkey is not a political issue today. The descendants of those unfortunate people built a new life for themselves in Turkey and though they often remember that they came from this or that Balkan state or Russia. The only people in Turkey with a strong interest in their pre-Anatolian past are from the north of the Black Sea—Circassians, Crimean Tartars, and Chechens.

The experience of the former Christian nationalities of the Ottoman Empire is very different. Though many of them prospered materially in exile – one

*The Muslim subjects of Ottoman Empire who came to Turkey, no matter how great the disasters and persecution that they were fleeing, had a new life in a secure country reborn out of the ashes of war. They could afford to forget.*

thinks of Aristotle Onassis and of Nubar Gulbenkian—they fostered a constant interest in their homeland, writing books, engaging with Western public opinion, and creating powerful narratives. It is notable that the second and third generations were different from Turkey. In the main they were much more hostile to Turkey and the Turks than their parents had been.

The Muslim subjects of Ottoman Empire who came to Turkey, no matter how great the disasters and persecution that they were fleeing, had a new life in a secure country reborn out of the ashes of war. They could afford to forget. Armenians in exile had only their memories of suffering and upheaval to accompany them. It is natural that they clung to those memories as their only inheritance.

It was in the 1970s – more or less exactly half a century after the end of World War One and the Turkish War of Independence—that fringe Armenian groups began a terrorist campaign of assassination against Turkish diplomats and other officials which claimed about 45 innocent victims in cities as far apart as Sydney, Boston, Paris, and Geneva. The confrontation over Cyprus from 1974 onwards is part of the story.

Another part of it, I suspect, is irredentism. Armenians and Greeks never forgot that they planned to follow the precedent of the Balkans and establish Christian states in Anatolia. The Armenian nationalists of course had been trapped by their nationalism in a particularly tragic situation. They aspired from the 1840s or 1850s to set up an independent state in six remote vilayets of eastern Anatolia, but in this wild and very poor territory, they were below

half the population. Moreover many Armenians were unwilling to join this movement. Those who stayed outside politics and engage in trade became very wealthy in the late 19th and early 20th centuries. These moderates were themselves often the targets of Armenian terrorism.

Today—nearly a century on—the irredentist dream is more unreal than ever in Turkey, though in Azerbaijan and Armenia, there are serious unresolved problems. Nearly a million people—Muslim Azeri farmers—were driven off their lands in Nagorno Karabagh in 1990-92. The world paid no attention to their plight as refugees, indeed for a while there was actually an Armenian-inspired law in the USA (now repealed) preventing these unfortunate people from getting any American aid. Is it not curious that the politicians of France, Switzerland, and the USA pay more attention to upheavals many decades ago than to those happening in their own time?

The greater openness on the dark times in Ottoman history and also on the contribution made to the Empire by its Greek and Armenian peoples is something to be welcome. There is some force in the claims of some Armenian writers that Turkey has forgotten the Armenian strand in its past—though I am not sure that we have forgotten that more than Greece, Armenia, and the Balkan countries have downplayed the Turkish and Ottoman elements in their own past.

The decade we are now entering is a decade of centenaries: the Balkan War, World War One, its upheavals and the sufferings of all its people including the Armenian forced march and exile, then of the foreign invasion of Anatolia, and finally of the Turkish War of Independence and the establishment of the Turkish Republic. A centenary is a time to live through old memories but also to overcome them. In Western Europe, war anniversaries are now shared occasions in which representatives of all sides take part.

How good it would be if we could do the same for those in our past as Turks and Armenians and Greeks. But for that we must resume dialogue. Dialogue is not one side saying only ‘You were guilty’ and the other saying ‘Yes I was.’ It must be more than that, a heart-searching conducted on a fair and equal footing. Those who call on Turkey to alter its attitude towards its past seem to forget that it was not the Turkish side which broke off the dialogue, both with the diaspora and between Ankara and Yerevan. Let us hope true dialogue can be resumed. How good it would be if, in the years ahead, both peoples were able to stand side by side and lay wreaths together in memory of all who fell. That would be both the best way to honour the memory of their suffering and also the way to ensure that their descendants inherit the better world they dreamed of.



# THE FIRST AMERICAN ACADEMIC BOOK CRITICAL OF THE ARMENIAN GENOCIDE THESIS

(ERMENİ SOYKIRIMI TEZLERİNİ ELEŞTİREN  
İLK AMERİKAN AKADEMİK KİTABI)

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***The Armenian massacres in Ottoman Turkey: a disputed genocide***  
**By Guenter Lewy, University of Utah Press: Salt Lake City, 2005**

**Abstract:** *Guenter Lewy's book entitled The Armenian massacres in Ottoman Turkey: a disputed genocide is the first book critical of the Armenian genocide thesis, produced by a western publisher. This book critically analyzes both the Armenian and the Turkish theses, and attempts to reconstruct the discourse on Turkish-Armenian problem. In this article, we'll try to analyze Lewy's book by critically evaluating the evidences and the literature used. Thus, the article briefly suggests that even though the author tries to be critical and objective, he is still under the powerful influence of "Armenian genocide literature" which includes thousands of publications in Western languages. His inability to study Turkish archives and literature is a weak point. But still, the book is the first one published by a western publisher to criticize the Armenian theses.*

**Keywords:** *Guenter Lewy, objectivity, "Armenian Genocide" Thesis*

**Öz:** *Guenter Lewy'nin "Osmanlı Türkiye'sinde Ermeni katliamları: tartışmalı bir soykırım" başlıklı kitabı, Ermeni soykırımı tezini eleştiren ve Batılı bir basımevi tarafından yayınlanan ilk kitaptır. Bu kitap hem Ermeni hem de Türk tezlerini eleştirel bir şekilde değerlendirmekte ve Türk-Ermeni sorunu konusundaki söylemi yeniden inşa etmeye çalışmaktadır. Bu makalede Lewy'nin kitabı kullanılan kanıt ve literatürler değerlendirilerek incelenektir. Nitekim makaleye göre yazar her ne kadar eleştirel ve objektif olmaya çalışırsa çalışsın, hala Batı dilinde yayınlanmış binlerce basılı kitap içeren "Ermeni soykırımı literatürünün" güçlü etkisi altında kaldığını öne sürmektedir. Türk arşivleri ve literatürünü çalışmıyor olması büyük bir zaafiyettir. Ancak buna rağmen kitabı Ermeni tezlerinin eleştirebilen ilk Batılı basımeviden çıkan kitaptır.*

**Anahtar Kelimeler:** *Guenter Lewy, objektiflik, "Ermeni Soykırımı" Tezi*

In the 19th century, almost all of the Balkan Christian nations separated themselves from the Ottoman Empire by organizing revolutionary committees, rebellions, and by getting support from Russia and other great European states. Armenians, who wanted to achieve the same result, followed the same path, during the last quarter of the 19th century. They organized several rebellions in the Ottoman Empire, even in the imperial capital, Istanbul. When the Ottoman government decided to enter the First World War on the side of Germany, the leaders of the separatist Armenian revolutionary organizations considered this the right moment to gain their independence. Their voluntary forces cooperated with the Russian, French and British

*Guenter Lewy, has critically analyzed both the Armenian and the Turkish theses, and attempted to reconstruct the case by publishing his most recent book.*

armies. They revolted against the Ottoman administration in Van, and announced an independent Armenian state. As a consequence, the Ottoman government decided to relocate the Armenians living in “critical places” to the safe areas of the Empire where there was no war. During the relocation, many Armenians lost their lives due to attacks by Eastern Anatolian tribes, the geographical difficulties of the region, the

climate—deadly hot in summer and extremely cold weather in winter—starvation, diseases, and so forth. Since those events took place, some Armenian authors and their supporters, have claimed that the process of relocation was only a mask for a genocidal decision of the Ottoman government to exterminate all Armenians. By this argument, the Ottoman government and the Turks are the alleged perpetrators of the first genocide of the 20th century. Guenter Lewy, professor emeritus of political science at the University of Massachusetts, has critically analyzed both the Armenian and the Turkish theses, and attempted to reconstruct the case by publishing his most recent book.\*

In this study, Levy aims to evaluate what has been produced on behalf of the Armenian and Turkish positions: “This book subjects the rich historical evidence available to the test of consistency and (as much as the state of knowledge allows) attempts to sort out the validity of the rival arguments. [...] My purpose is not to put forth yet another one-sided account of the relocations and mass-killings; still less am I in a position to propose a conclusive resolution of the controversies that have raged for so long. [...] I attempt a historical reconstruction of the events in question—to show what can be known as established fact, what must be considered unknown as of today, and what will probably have to remain unknowable. My hope is that such an

1 Guenter Lewy, *The Armenian massacres in Ottoman Turkey: a disputed genocide*, (Salt Lake City: University of Utah Press, 2005).

undertaking will clarify and advance our understanding of these fateful occurrences and perhaps also help build bridges between the two rival camps”.(p. 8)

In the first of four chapters, *The Historical Setting*, Levy discusses how the professional Armenian revolutionaries successfully provoked the Turks and Muslims into attacking the Armenians. Lewy explains that the harsh reaction of the Turks and Muslims to Armenian attempts at revolt arose from the process of reforms and democratization in the Ottoman Empire during the late 19th century, which made the Muslims afraid of losing their advanced status. The stories of more than one million Muslim refugees, who came from the lands that had been lost as a result of the Ottoman-Russian War of 1877-78, also supported that attitude.

In the second chapter, *Two Rival Historiographies*, the Armenian and the Turkish narratives of the most critical period in Turkish-Armenian relations is introduced. The Armenians claimed that Unionists had already decided upon the Armenian Genocide at the Congress of Thessaloniki in 1910, at which Talat allegedly mentioned it in his speech which was reported to London by Arthur B. Geary, the British vice-consul at Monastir (Bitola), and by other diplomats to their capitals. They spoke of these as proved facts, but indeed that was not the case. None of the sources mentioned shows a planned destruction of the Armenians. For instance, in Geary’s report to his government, dated August 28th, he speaks about the “task of Ottomanizing the Empire”, but not about destroying the Armenians. Another “proof” of Talat’s secret speech is Galip Bey, who was the former director of post and telegraph in Erzurum, and who participated to the Congress. He supposedly confided to Dikran Surabian, the official interpreter at the French Consulate at Erzurum, who then reported it to Jean Naslian, the bishop of Trabzon. However, even some pro-Armenian authors are not satisfied with this explanation at all. Ternon, for instance, claims that “This assumption is not based on any solid proof”.

One of the most important “proofs” of the Armenian claims is the so-called telegrams of Talat Pasha. Those documents, it is claimed, “establish without the shadow of a doubt the intent and involvement of the highest Ottoman authorities” in the massacres. According to this explanation, Aram Andonyan bought the memoirs of someone named Naim Bey who was the chief secretary of the relocation committee of Aleppo. In those memoirs, there were supposedly several official documents, telegrams, and decrees. Those documents were translated into English, French and Armenian and printed in 1920 and 1921. For a long time they were presented as solid proof of Armenian genocide. However, recent researches have proved that those

documents were not authentic. There was no Naim Bey, as it was claimed, and the original documents do not exist. The Ottoman and European dates in the purported documents do not accurately correspond to each other. If they had been original, these mistakes could not have been made on an original official document. Moreover, the numbers on those documents do not correspond with the numbers in the files of the Ottoman Ministry of the Interior. The signatures and the documents were simply fabricated. One of the other important “evidences” used in support of the Armenian claims is “The Turkish Courts-Martial of 1919-22”, but the author emphasizes that those courts were established only to please the victorious Allied Powers.

There are many more examples, but it can be concluded that the claims of the Armenian authors are not well proved. In order to prove their claims of genocide, they added sentences to the documents, or omitted some passages from the documents, in order to exaggerate or distort the import of the documents. Lewy describes Dadrian, the champion of such claims, as like a lawyer who defends his client by any means, rather than an objective historian.

After gathering the “evidences” of the Armenians, Levy evaluates and compares with the other sources, and then he concludes that the Armenian claims of genocide are baseless. In my opinion, this is the strongest side of the book. He concludes the second chapter with this sentence: “As I see it, so far they have not been able to put forth evidence that could convince either a legal tribunal or a disinterested student of the history of these tragic events”. (p.128)

In the book’s third chapter, “Historical Reconstruction: What We Know and What We Do Not Know”, the author introduces and evaluates the sources of available information on this disputed subject. Turkish archives, German Ministry of Foreign Affairs archives, German eyewitnesses’ reports, the Blue Book, American archives, missionary archives, and the reports of Armenian eyewitnesses are each introduced and evaluated for their weak and strong sides. Lewy claims that the Turkish documents were destroyed or disappeared at the end of WWI, yet there are enough available sources for the events of 1915-16. But while most of the documents are about Armenian rebellious activities, very few deal with the relocation of Armenians, and the confiscation of their properties.

The documents which Johannes Lepsius used in his famous book *Deutschland und Armenien 1914-1918: Sammlung Diplomatischer Aktenstücke* (1919), were, Lewy argues, modified in favour of the Armenians. German consular reports describe the suffering and deaths of

Armenians but do not demonstrate the responsibility of the Turkish government for this. During WWI, the Russian armies committed barbarities against the Jews which were then discovered and exploited by Germany. The German government used this information against the Allies. England, worried that this news might create an anti-Alliance feeling among the politically influential Jewish community of the United States, decided to use the Armenian issue as propaganda against Germany. The much publicized “Blue Book” was the product of those conditions. It “is important, but hardly an ‘exemplary academic exercise’”, writes Lewy. In fact, “All well-informed Americans in the country” treated American consular reports suspiciously because of their close relations with the Armenians. In addition, “The strong commitment of the missionaries to the Armenian cause made many of their writings less than objective and often led them to include half-truths.”

Even though Lewy does not mention it, the other sources which should have been introduced and evaluated in this chapter, include the relevant archives in Armenia, the other important Armenian archives outside Armenia such as the Istanbul Armenian Patriarchate, the Armenian Patriarchate of Jerusalem, and the Tashnak archives in Boston. As well, Russian and Persian archives might also contain a lot of valuable materials. Lewy also finds baseless the claim that the Germans played an important role on taking the decision of the relocation.

In the first half of the book, Lewy explains how some writers changed and published some documents in order to prove the claims of Armenian genocide. However, paradoxically, in his chapters on the relocation and resettlement of Armenians, he uses those same documents without much hesitation, and claims that the relocation was carried out very badly, and that those Armenians were sent to die or to be killed.

Lewy points out that during the WWI, many Turkish people were also lost, but emphasizes that the situation of Armenians will remain as a very special tragedy. In several passages of his book, the author emphasizes that before and during the period of relocation many Armenians died or were killed, however it was not a result of a preplanned decision of genocide on the part of the Unionists but of bad management and the inexperience of the Unionist leaders. Nobody can, of course, claim that the inexperienced Ottoman government which was not able to keep alive 70,000 of her own soldiers in the cold of the Eastern front at the beginning of the WWI, did manage to relocate the Armenians successfully. The Ottoman government could not even care for her injured soldiers, immigrants and war prisoners. Certainly, some of the most fanatical Unionists might have been glad to see Armenian losses. However, all these things do not mean that there was a plan for Armenian



genocide. The sorrows of the Armenians must not be neglected, but it is imperative that historical events be treated in the contexts of their own conditions. The Ottoman government is indirectly, rather than directly, responsible for these deaths because which resulted from starvation, disease, and attacks by groups of Kurds and fanatical Muslims.

In the concluding chapter, *The State of the Controversy*, the author shares the viewpoint of Gwynne Dyer, who “maintains it is impossible to prove conclusively that the Young Turk regime did not initiate a program of deliberate genocide in the spring of 1915, ‘but it seems to me most improbable that this was the case. Such a program requires a degree of calculation and foresight which was almost entirely absent in all the other actions of the C.U.P. government in the war.’” Therefore, “while the Ottoman government bears responsibility for the relocations that got badly out of hand, the blame for the massacres that took place must be put primarily on those who did the actual killing.”

*The sorrows of the Armenians must not be neglected, but it is imperative that historical events be treated in the contexts of their own conditions. The Ottoman government is indirectly, rather than directly, responsible for these deaths because which resulted from starvation, disease, and attacks by groups of Kurds and fanatical Muslims.*

Even though the author tries to be critical and objective, he is still under the powerful influence of “Armenian genocide literature” which includes thousands of publications in Western languages. His sources are mostly published American, British and German

archival documents and related literature in English, French and German. He is, unfortunately, incapable of studying the Turkish archives and of using the literature produced in Turkish. When attempting to write “what happened, and how happened”, he returns to use materials which he has previously criticized as unreliable. This is the weakest point of the book; however, it reflects a situation for which Lewy cannot be solely blamed. Turkish historians have not produced enough scholarship in Western languages to be available to this debate.

In spite of these weaknesses, Lewy’s work is the first book critical of the Armenian genocide thesis, produced by a western publisher. Lewy and the University of Utah Press deserve congratulations for their objectivity and courage.

# FRANCE'S ENTANGLEMENT IN THE ARMENIAN GENOCIDE ISSUE

(FRANSA'NIN "ERMENİ SOYKIRIMI"  
TARTIŞMASINDA KAYBOLUŞU)

**Yaşar YAKIŞ**

Former Foreign Minister of Turkey

**Abstract:** *The subject of this article is a law passed in the French Parliament. The draft law was passed in the French Parliament by proposition of Mrs. Valerie Boyer, a member of the ruling party in France, and which is entitled "The Law to punish the Denial of the Existence of Genocides Recognized as such by the Law." The article will try to present the processes behind the proposal and passing of the law, as well as the political intentions behind it. Article will also analyze on what grounds Constitutional Council overruled the law.*

**Keywords:** *France, Boyer Law, Genocide Convention, EU Framework Decision, Constitution of France, Constitutional Council of France, European Court of Human Rights*

**Öz:** *Bu makalenin konusu Fransız Parlamentosu'nda geçen bir kanundur. Kanun taslağı Fransız Parlamentosu'ndan Fransa'daki iktidar partisi milletvekillerinden Bayan Valeri Boyer'in önerisi ile geçmiştir ve başlığı "Kanun ile Tanınmış Soykırımların Varlığının İnkârının Cezalandırılması Kanunu". Makale söz konusu kanunun önerilmesi ve geçmesi süreçlerini ve arkasındaki siyasi niyetleri inceleyecektir. Ayrıca makalede Anayasa Konseyi'nin kanunu hangi gerekçeler ile iptal ettiği de değerlendirilecektir.*

**Anahtar Kelimeler:** *Fransa, Boyer Yasası, Soykırım Sözleşmesi, AB Çerçeve Sözleşmesi, Fransa Anayasası, Fransa Anayasa Konseyi, Avrupa İnsan Hakları Mahkemesi*

## Introduction

The subject of this Article is a law passed in the French Parliament. The draft law was proposed by Mrs Valerie Boyer, a member of the ruling party in France, Union for a Popular Movement (Union pour un

Mouvement Populaire), representing Marseilles. The official title of the law is “*The Law to punish the Denial of the Existence of Genocides Recognized as such by the Law (Loi visant à réprimer la contestation de l’existence des génocides reconnus par la loi)*”. Despite the efforts by the President Sarkozy and Mrs Boyer to the effect that it does not target at Turkey, the press and media insistently referred to the law as *The Law Punishing the Denial of the Armenian Genocide (Loi pénalisant la contestation du génocide arménien)*. This was also confirmed by the government spokesman when he was addressing the parliament during the debates on this law. It is further confirmed in the written observations submitted by the government to the Constitutional Council to defend the law. The text of these observations could be found in the Part V of this article. The law will be referred to as the Boyer Law in this article.

The Boyer Law was adopted on 7 December the lower house of the parliament (Assemblée Nationale) in a session attended by 56 members of parliament (MPs) and 45 of them voted in favour of the adoption of the law, that is to say by 7.7 % of the MPs in a parliament with 770 seats. 12 amendments were proposed in the lower house, some of them were withdrawn before the session while some were withdrawn during the session. One of the amendments (amendment 4) was proposing the inclusion of the Chaldean and Assyrian genocides (?) of the draft as well (implying that they took place in the Ottoman Turkey). This proposal was withdrawn before the session. Another amendment was submitted by Mr. Jacques Remiller, MP for Isère, (amendment 12) proposing that the massacres inflicted by the Republicans on the Royalists in the Vendée province of France in 1793-94 be also recognised as genocide. Mr. Remiller points out, in the justification of the proposed amendment, that the Royalists that were killed by the Republicans were skinned and tanneries were established in the town of Ponts-de-Cé at the outskirts of Vendée in order to manufacture leather jackets for the Republican army officers with these human skins. This proposal was also withdrawn before the session.

The Boyer Draft Law, after being adopted in the lower house, was submitted to the Senate that constitutes the upper house in the French parliament. The Committee of Laws (Commission des Lois) of the Senate debated the draft law and was led to the conclusion that it was in contradiction with the constitutional principle of the freedom of expression. It drafted its report reflecting this conclusion and submitted it to the plenary session of the Senate. However the plenary of the Senate did not agree with the opinion of the Committee of Laws and adopted the Boyer Law on 23 January 2012 with 127 votes in favour and 86 votes against.

Senator Jacques Mézard of the electoral district of Cantal (Auvergne) and MP Michel Diefenbacher of Lot-et-Garonne took an initiative to carry the law to the Constitutional Council to find out whether the law is in line with the constitutional principles. 65 MPs and 77 Senators signed the petition that required a minimum of 60 signatures from both chambers and the petition was submitted to the Constitutional Council on 31 January 2012.

The Constitutional Council, which is the competent authority to verify the constitutionality of the laws, declared on 28 February 2012 that it was led to the conclusion that the Boyer Law is in contradiction with the French Constitution.

The French President, most probably with a view to circumventing the objections raised by the Constitutional Council to justify its decision and to avoiding a new cancellation, instructed the government no later than the Constitutional Council's decision was made public to examine the decision and to draft another law for the same purpose.

*The Constitutional Council, which is the competent authority to verify the constitutionality of the laws, declared on 28 February 2012 that it was led to the conclusion that the Boyer Law is in contradiction with the French Constitution.*

I will examine in this article 1) the Boyer Law; 2) the contradictions that it contains; 3) the submission of the French MPs to the Constitutional Council; 4) the submission of the Senators; 5) the observations of the government on the arguments raised by the MPs and Senators; 6) the counter-observations of the MPs; 7) the verdict of the Constitutional Council; and 8) the conclusion that could be drawn from the entire exercise.

## I. THE BOYER LAW

The Boyer Law reads as follows:

### *Article 1*

*The first paragraph of the Article 24 (bis) of the Law of 29 July 1881 on the Freedom of Press is replaced by the five paragraphs drafted as follows:*

*Those who condone, deny or grossly trivialize publicly the crimes of genocide, the crimes against humanity and the war crimes as defined in a non exclusive manner:*

- 1) *by the Articles 6, 7, and 8 of the Charter of the International Criminal Court established in Rome on 17 July 1998;*
- 2) *by the Articles 211-1 and 212-1 of the Penal Code;*
- 3) *by the Article 6 of the Charter of the International Military Tribunal appended to the London Agreement of 8 April 1945;*

*and that are recognized as such by law, an international convention signed and ratified or adhered to by France, by a decision adopted by a European Community or international institution, or qualified as such by a French jurisdiction made executable in France*

*shall be punished as provided for in the sixth paragraph of the Article 24.*

#### *Article 2*

*Article 48-2 of the Law of 29 July 1881 on the Press Freedom is amended as follows:*

- 1) *Insert the words: “or any other victim of the crime of genocide, war crimes, crimes against humanity or crimes or offences of cooperation with the enemy” after the word “deported”.*
- 2) *Insert the words : “of genocides” after the word : “condoning”*

### **1. The Article 1 of the Boyer Law**

The text of the law amended by the Boyer Law is shown below together with the shape that it took after the amendment (The previous form of the Article 24 (bis) of the Law of 1881 on the Press Freedom is crossed while the text that substituted it is printed in bold letters)

#### *Article 24 (bis)*

~~*Those who deny, through the means indicated in the Article 23, the existence of one or several crimes against humanity as defined by the Article 6 of the Charter of the International Military Tribunal appended to the London Agreement of 8 April 1945 and that are committed either by the members of an organization declared criminal according to the Article 9 of the said Charter or by a person found guilty of such crimes by a French or international court, shall be punished according to the provisions of the paragraph 6 of the Article 24.*~~

*Those who condone, deny or grossly trivialize publicly the crimes of genocide, the crimes against humanity and the war crimes as defined in a non exclusive manner:*

*4) by the Articles 6, 7, and 8 of the Charter of the International Criminal Court established in Rome on 17 July 1998;*

*5) by the Articles 211-1 and 212-1 of the Penal Code;*

*6) by the Article 6 of the Charter of the International Military Tribunal appended to the London Agreement of 8 April 1945;*

*and that are recognized as such by law, an international convention signed and ratified or adhered to by France, by a decision adopted by a European Community or international institution, or qualified as such by a French jurisdiction made executable in France*

*shall be punished as provided for in the sixth paragraph of the Article 24.*

**a) What did Article 24 punish before it was amended?**

One can see that the amendment made on Article 24 (bis) of the Law of 1881 on Press Freedom introduces a fundamental change in the Article and almost re-writes the Article. The crossed text above indicates that the Article 24 (bis) was punishing, before the amendment, the crimes defined by the Article 6 of the Charter of the International Military Tribunal (Nürnberg Court) appended to the London Agreement of 8 April 1945. The crimes defined in the Article 6 of the Charter are the following:

*Article 6 (of the Charter of the Nürnberg Tribunal)*

*(a) Crimes against peace: namely, planning, preparation, initiation or waging of a war of aggression, or a war in violation of international treaties, agreements or assurances, or participation in a common plan or conspiracy for the accomplishment of any of the foregoing;*

*(b) War crimes: namely, violations of the laws or customs of war. Such violations shall include, but not be limited to, murder, ill-treatment or deportation to slave labour or for any other purpose of civilian population of or in occupied territory, murder or ill-treatment of prisoners of war or persons on the seas, killing of hostages, plunder of public or private property, wanton destruction of cities, towns or villages, or devastation not justified by military necessity;*

*(c) Crimes against humanity: namely, murder, extermination, enslavement, deportation, and other inhumane acts committed against any civilian population, before or during the war; or persecutions on political, racial or religious grounds in execution of or in connection with any crime within the jurisdiction of the Tribunal, whether or not in violation of the domestic law of the country where perpetrated.*

*Leaders, organizers, instigators and accomplices participating in the formulation or execution of a common plan or conspiracy to commit any of the foregoing crimes are responsible for all acts performed by any persons in execution of such plan.*

*For a French court to criminalize a person according to the Article 24 (bis) before the amendment, the act committed by that person had to be characterized as a crime by an international court.*

Those who committed the crimes contained in the Article 6 above of the Charter of the Nürnberg Court were punished according to the Article 24 (bis) that was in force before the adoption of the Boyer Law, in case they were found guilty by the French courts.

In order to better understand the change introduced by the Boyer Law it may be appropriate to examine separately a) the crime that is being punished; and b) who is going to be punished when he commits that crime?

### **b) What is the crime that is being punished**

The crime that is being punished is the denial of any crime that the Nürnberg Court has characterized as genocide. For a French court to criminalize a person according to the Article 24 (bis) before the amendment, the act committed by that person had to be characterized as a crime by an international court (Nürnberg Court according to this Article). This detail is important for Turkey because it indicates that the verdict of an international court (Nürnberg Court) was required in order to criminalize a person for the denial of a crime. Mr. Jean-Jacques Hyst, Chairman of the Senate Committee of Laws, pointed out that the scope of the law did not go beyond this. In fact when a law of similar content was being debated on 4 May the Committee of Laws of the Senate, the Committee opposed by unanimous vote the incorporation of the debate of that law in the agenda of the Senate, because it was led to the conclusion that the law was in contradiction with the constitutional principle of the freedom of expression. Mr Hyst, the Chairman of the Committee, when he was submitting the Committee's

report to the plenary of the Senate, pointed out that: “*as I underlined in my report, criminal action can be taken, according to the Article 24 (bis), only in case of a denial of the holocaust*”.

Therefore the denial of an act that is not established as genocide by an international court was not punished in France before the Boyer Law.

**c) Who is going to be punished when he commits that crime?**

For a French court to punish a person for having denied genocide, in addition to the precondition that it has to be a crime covered by the Charter of the Nürnberg Court, it has to be committed, according to the Article 24 (bis):

- a) either by a member of a group characterized as a criminal organization according to the Article 9 of the above-mentioned Charter;
- b) or by persons found guilty by the French or international courts.

**d) What is new in the Article 1 of the Boyer Law?**

After having explained what the present situation on this particular subject in France is, we may now examine what is the new element introduced by the Boyer Law. Before the amendment, the Article 24 (bis) used to punish only those who denied the holocaust. The Boyer Law added to the scope of the previous legislation the punishment of the denial of the genocide characterized as such by the international Criminal Courts of Rwanda and Yugoslavia. This is not specified as clearly as that in the text, but the Article 1 a) of the Boyer Law provides that the crimes of genocide as defined by the Article 6 of the Charter of the International Criminal Court of Rome will also be covered. Since there are verdicts of international criminal courts that characterize the Rwanda and Srebrenica massacres as genocide, there is nothing wrong in punishing those who deny these two genocides (in addition to holocaust).

But the Boyer Law did not stop there. After incorporating the Rwanda and Srebrenica cases into the scope of the punishment, it went one step further and provided for the punishment of the denial of another event, namely the events that took place in the Ottoman Turkey, despite the fact that there is no decision by any competent international court that characterizes these events as genocide.



From another perspective, the Boyer Law brings about an ironical situation: It has been established that the crime of genocide was committed in Rwanda. There are strong evidences, on the other hand, that the French soldiers were implicated in this genocide. Now, if a French soldier admits that he was involved in the Rwandan operation, he will have to be punished for having committed genocide, because an international court decided that genocide was committed in Rwanda; if, on the other hand, he denies the Rwandan genocide, then, he will have to be punished for the denial of genocide under the Boyer Law.

**e) Which means shall be used to commit the offence of denial?**

Another detail worth mentioning in the Boyer Law is the means that will be used to commit the offence of denial. The first paragraph of the Article 24 (bis), which is now repelled, provided that “*those who deny, through the means indicated in the Article 23, the existence of one or several crimes against humanity*” shall be punished. The said Article 23 read as follows:

*Article 23 (of the Law of 1881 on the Freedom of Press)*

*Shall be punished as accomplices of an act characterized as crime or offense those who,*

- *either by lectures, shouting or threats hurled in the public places or meetings, or by writings, printed materials, drawings, paintings, emblems, pictures or all other support of written material, speech or picture sold or distributed, marketed or displayed in the public places and meetings;*
- *or advertisements or posters displayed to the large public;*
- *or by any means of communication to the public through the electronic means, provoke the perpetrator or perpetrators to commit the said act, in case the provocation bears effects.*

*This provision shall also be applicable even if the provocation is followed only by an attempt to crime provided for in the Article 2 of the Penal Code.*

There is no reference to this Article the Boyer Law. Therefore, the reference to the means mentioned in this Article falls down as well. However similar provisions with slightly different scope exist also in the EU Framework Decision. Article 1 (1) (b) of the said Decision reads as follows:

*Article 1 (1) (b) (of the EU Framework Decision)*

1. *Each Member State shall take the measures necessary to ensure that the following intentional conduct is punishable:*

*(b) the commission of an act referred to in point (a) by public dissemination or distribution of tracts, pictures or other material;*

The EU Framework Decision does not draw up an inventory of the means as detailed as in the Article 23, however it introduces a detailed practice in this field. It may be appropriate to take a closer look at this practice as it may interest Turkey in the future. Article 5 of the Framework Decision provides for the liability of the legal persons that become instrumental in the commission of the offense of the denial of genocide.

*Article 5 (of the EU Framework Decision)*

*Liability of legal persons*

1. *Each Member State shall take the necessary measures to ensure that a legal person can be held liable for the conduct referred to in Articles 1 and 2, committed for its benefit by any person, acting either individually or as part of an organ of the legal person, who has a leading position within the legal person, based on:*

*(a) a power of representation of the legal person;*

*(b) an authority to take decisions on behalf of the legal person;*

*or*

*(c) an authority to exercise control within the legal person.*

2. *Apart from the cases provided for in paragraph 1 of this Article, each Member State shall take the necessary measures to ensure that a legal person can be held liable where the lack of supervision or control by a person referred to in paragraph 1 of this Article has made possible the commission of the conduct referred to in Articles 1 and 2 for the benefit of that legal person by a person under its authority.*

3. *Liability of a legal person under paragraphs 1 and 2 of this Article shall not exclude criminal proceedings against natural persons who are perpetrators or accessories in the conduct referred to in Articles 1 and 2.*

4. 'Legal person' means any entity having such status under the applicable national law, with the exception of States or other public bodies in the exercise of State authority and public international organisations.

## 2. Article 2 of the Boyer Law

Article 2 of the Boyer Law amends the Article 48-2 of the Law of 1881 on the Press Freedom. This Article was added to the Law in 1990, that is to say 110 years after it was first adopted. The purpose of the addition was to allow the associations established by the victims of the deportation to the concentration camps and the participants in the Resistance against occupying German forces during the Second World War, to become civil party in the court proceedings initiated in order "to protect the moral interest and the honour of these victims and heroes". The consolidated text of the Article 48-2 after the incorporation of the amendments brought by the Boyer Law is as follows (Additions are printed in bold letter and underlined)

*Article 48-2 (of the Law of 1881 on the Press Freedom)*

*Every association duly registered since at least 5 years at the time when the act was committed whose charter allows to defend the moral interests of those who took part in the Resistance and those of the deportees to the concentration camps **or any other victim of the crime of genocide, war crimes, crimes against the humanity or the crimes of cooperation with enemy** may exercise the rights to be enjoyed by the civil party regarding the condoning **of genocides**, of the war crimes, crimes against the humanity or crimes or offences of cooperation with the enemy and in connection with the violation provided for in the Article 24 (bis).<sup>1</sup>*

### a) Paragraph 1 of the Article 2 of the Boyer Law

Article 48-2 of the Law of 1881 is composed of one sentence with two parts. The First part of the sentence determines whose moral interests and honour is going to be protected. They are, as mentioned above, those who took part

<sup>1</sup> Toute association régulièrement déclarée depuis au moins cinq ans à la date des faits, qui se propose, par ses statuts, de défendre les intérêts moraux et l'honneur de ou des déportés **ou de toute autre victime de crimes de génocide, crimes de guerre, crimes contre l'humanité ou des crimes ou délits de collaboration avec l'ennemi** peut exercer les droits reconnus à la partie civile en ce qui concerne l'apologie **des génocides**, des crimes de guerre, des crimes contre l'humanité ou des crimes ou délits de collaboration avec l'ennemi et en ce qui concerne l'infraction prévue par l'Article 24 bis.

in the Resistance and those who were deported to the concentration camps during the Second World War. The paragraph 1 of the Article 2 of the Boyer Law adds to them “the victims of the crime of genocide, war crimes, crimes against the humanity”. A law that was passed in order to settle an internal account in France has thus become a law that encompasses the victims of all types of genocide. The terminology used in the law is “*the victims of all types of genocide*”; however it is obvious that the targeted “*victims*” are the Armenians, because the victims of the Nazi practices have already been covered by the Article 48-2 before it was amended. As to the Rwandan genocide, the French soldiers in Rwanda were not the victims but a part of those who perpetrated genocide. Therefore it is not likely that the French Parliament adopted a law to punish its own soldiers. As to the Srebrenica victims, there were no French citizens killed there. Therefore nobody apart from the Armenians could be targeted by this Article.

*As to the Rwandan genocide, the French soldiers in Rwanda were not the victims but a part of those who perpetrated genocide. Therefore it is not likely that the French Parliament adopted a law to punish its own soldiers.*

#### **b) Paragraph 2 of the Article 2 of the Boyer Law**

The Paragraph 2 of the Article 2 of the Boyer Law amends the second part of the single sentence that constitutes the Article 48-2 of the Law of 1881 on Press Freedom. This part of the sentence was identifying the persons that would be punished for having condoned a crime. They were those who would condone “*war crimes, crimes against the humanity and cooperation with the enemy*”. The second part of the single sentence, which constituted the Article 48-2 of the Law of 1881, used to read as follows:

*.....may exercise the rights to be enjoyed by the civil party regarding the condoning of the war crimes, crimes against the humanity or crimes or offences of cooperation with the enemy and in connection with the violation provided for in the Article 24 (bis).*

The Boyer Law adds to them now the offence of “*denying the crime of genocide*” and it will read as follows after the amendment:

*.....may exercise the rights to be enjoyed by the civil party regarding the condoning of genocides, of the war crimes, crimes against the humanity or crimes or offences of cooperation with the enemy and in connection with the violation provided for in the Article 24 (bis).*

The aim of this addition can hardly be dissimulated. It aims at providing to the Armenian associations operating in France an opportunity to become a party in the legal proceedings initiated against those who deny the Armenian genocide.

There is no contradiction to any constitutional principle in taking such an initiative. However the initiative looks very much like grafting a tomato plant on a fig tree.

## II. THE CONTRADICTIONS OF THE BOYER LAW

After having summarized what the Boyer Law brings as a new element, I now turn to the examination of the Law in light of the French legislation and the international law. It is not easy to determine where to start to discuss the logic of this law. The authors of this law should perhaps be congratulated for having managed to put so many contradictions in such a short text. Let us have a look at these contradictions:

### 1. The EU Framework Decision on which the Boyer Law is based contradicts the international conventions.

Before discussing whether the Boyer Law contradicts the French legislation or international law, it may be appropriate to examine the EU Framework Decision that constitutes the basis of this Law. When Mrs Boyer was presenting the draft law to the plenary of the French National Assembly in her capacity as the Rapporteur of the Committee of Laws, she pointed out that, by passing this law, France was fulfilling its commitment to the European Union that was stemming from an EU Framework Decision. In other words the EU Framework Decision constitutes the basis of the Boyer Law. But this Framework Decision is in contradiction with the provisions of an international convention, which is the main text in this field, namely the **United Nations Convention of 1948 on Prevention and Punishment of the Crime of Genocide** (hereafter ‘Genocide Convention’).

This Convention is binding for all EU Member States as all of them are party to it. The Genocide Convention enumerates clearly the authorities that will be entitled to determine whether an act of genocide is in fact committed. The Articles 6 and 9 of the Convention, which pertain to this subject, read as follows:

*Article 6 (of the Genocide Convention)*

*Persons charged with genocide or any of the other acts enumerated in Article 3 shall be tried by a competent tribunal of the State in the territory of which the act was committed, or by such international penal tribunal as may have jurisdiction with respect to those Contracting Parties which shall have accepted its jurisdiction.*

*Article 9*

*Disputes between the Contracting Parties relating to the interpretation, application or fulfilment of the present Convention, including those relating to the responsibility of a State for genocide or any of the other acts enumerated in Article 3, shall be submitted to the International Court of Justice at the request of any of the parties to the dispute.*

According to these Articles the following 3 types of tribunals are authorised to determine whether an act of genocide has been committed:

- a) Authorised tribunals of the country where genocide is claimed to have taken place.
- b) An international tribunal that is set up specifically for the purpose of looking into such claims
- c) International Court of Justice of The Hague in case one of the parties to the dispute files a claim.

In fact the past practice in this field has been very much in line with these provisions: German Nazis who committed the crime of genocide were tried in a tribunal set up in the German city of Nürnberg in line with the criteria of the paragraph (a) above. Belgian Nazis were tried in a tribunal set up in the Belgian city of Mechelen (Malines). The perpetrators of the Rwandan genocide were tried in a tribunal set up according the criteria of the paragraph (b) above and that worked sometimes in Rwanda sometimes in The Hague. Similarly the perpetrators of the Srebrenica genocide were tried in an international tribunal set up for the Yugoslav war criminals.

While these provisions of the UN Genocide Convention were binding for the Member States of the European Union, they violated this commitment and introduced a new rule with the Article 1 (4) of the Framework Decision, which reads as follows:

*Article 1 (4) of the EU Framework Decision*

*Any Member State may, at the time of the adoption of this Framework Decision by the Council, make a statement that it will make punishable denying or grossly trivializing the crimes referred to in paragraph 1 (c) and/ or (d), only if the crimes referred to in these paragraphs have been established by a final decision of a national court of this Member State and /or an international court or by a final decision of an international court only.*

According to the underlined part of these provisions, any EU Member State is authorised to punish the denial of a crime even if the denied act was established as genocide, not by an authorised international court but by its own national tribunals. The EU Member States have thus deviated from the commitment that they have undertaken according to the provisions of the Genocide Convention and added a new institution to the list of authorised tribunals that were enumerated in the Convention.

*The EU Member States have thus deviated from the commitment that they have undertaken according to the provisions of the Genocide Convention and added a new institution to the list of authorised tribunals that were enumerated in the Convention.*

This is nothing less than a clear-cut violation of the commitment undertaken by the EU Member Countries by becoming party to the

Genocide Convention. A group of countries, such as EU Member States, cannot put aside their obligations stemming from an international convention and agree on different criteria that contradict their earlier commitment. This is a violation of international law. If they will be allowed to ignore their commitment there is no logic in signing such international agreements.

Therefore the EU Framework Decision on which the Boyer Law is based contradicts the Genocide Convention that is binding for the EU Member States<sup>2</sup>.

## **2. The Boyer Law contradicts the Provisions of the EU Framework Decision**

Let us leave aside, for a moment, the fact that the EU Framework Decision contradicts the international obligations of the EU Member States. There

<sup>2</sup> For more detailed information: Yaşar Yakış, *A European Union Framework Decision on the Offence of Denying a Crime*, *Review of Armenian Studies*, no.23, July 2011, pp. 63-92

are several other contradictions in the Boyer Law. One of them is the contradiction between the provisions of the Boyer Law and the provisions of the Framework Decision. Furthermore there is a double violation here. Here is the reason why:

Article 1 of the Boyer Law provides that *“those who...deny...the crime of genocide...that are recognized as such by (the French) law”* shall be punished. There is a law in France that recognizes the 1915 incidents as genocide. It is a law passed on 29 January 2001 and composed of one sentence that reads as follows:

*“France recognizes the Armenian genocide of 1915”*

This text does not fit any format in the modern law making and does not contain any sanction. It simply makes a political statement. In the social sciences such a text is considered more as a *“Declaration”* rather than a *“Law”*. The Boyer Law considers this law of 2001 as a court decision in the sense of the Genocide Convention, supposes that the 1915 incidents have thus been established as genocide and as a consequence of this provides for the punishment of the denial of these incidents.

While the right to establish a fact as genocide was entrusted by the Article 1 (4) of the Framework Decision to one of the three judicial authorities, the Boyer Law takes this right away from the judicial authorities and entrusts it to the members of parliament. The Boyer Law thus contradicts both the provisions of the EU Framework Decision and the principle of the separation of powers, which is one of the basic principles of the rule of law. This is the reason why I qualified it as a double violation.

Mr. Badinter, the former Chairman of the French Constitutional Council, believes that the law of 2001 is also in contradiction with the constitutional principle of separation of powers. He says that if that law was submitted to the Constitutional Council, it would have been declared unconstitutional. He underlines that in the past the governments avoided on purpose the submission of such laws to the examination of the Constitutional Council. However, after 2008, individuals who are party to a judicial proceeding are also entitled to carry their file to the Constitutional Council; and that, in case a person is brought to justice for having denied the crime of genocide, he will be entitled to carry the proceeding to the Constitutional Council and claim the unconstitutionality of the law because of its contradiction to the constitutional right of expression. Badinter points out on the other hand that, according to a new practice that has evolved in the Constitutional



Council, if a law punishes a person according to a previous law that was not submitted on time to the scrutiny of the Constitutional Council, the parties may ask the cancellation of this previous law. Badinter believes therefore that if a person is punished under the Boyer Law, the Constitutional Court may start by cancelling the 2001 law<sup>3</sup>.

Badinter voiced his concern that a law that is initiated by Mrs Boyer for the sake of supporting the Armenian cause may end up by causing a serious damage to that cause. The distorted logic of the Boyer Law hit ultimately the wall of judiciary.

### **3. The Boyer Law contradicts the obligations of France towards the EU**

Mrs Boyer was pointing out that this law was being passed in order to abide by the obligations of France towards the EU, but this law is doing exactly the opposite by stepping back from a commitment undertaken by France towards the EU. The obligation mentioned by Mrs Boyer stems from the Article 1 (4) of the Framework Decision. This Article offers the EU Member States the possibility of choosing one of the following two alternatives:

- The Member State may either punish the denier of genocide in case the denied event is established as genocide by its national tribunals;
- or, the Member State may punish such denier only when the event is established as genocide by an authorised international court.

France opted for the second alternative and informed the EU authorities in due form that it will seek the verdict of an authorized international court before punishing a denier.

France was the first country to make such a choice. For this reason Turkey was encouraging the other EU Member States to be inspired from this logical decision of France, because this decision was in conformity with the obligations of the EU Member States stemming from the Genocide Convention. It appears now that France is stepping back from this commitment, because France will not seek any longer the verdict of an authorized international court and will find it sufficient if the French laws (not even French courts) consider an act as genocide.

There is a double violation here again: If France was to require the verdict

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3 Badinter, *Le Parlement n'est pas un tribunal*, Le Monde, 15.1.2012

of its national court instead of the verdict of an international court, this would mean that France still remains within the limit authorized by the Framework Decision, but it would step back from its earlier commitment of seeking the verdict of an international court. However the Boyer Law did not stop there. It both stepped back from its commitment and included in the scope of the punishment the denial of facts that are not established as genocide not even by a French court. It is a pity that such a big discrepancy escaped the attention of the French law makers.

#### **4. The Boyer Law Contradicts the Constitutional Principles of France**

The Boyer Law violates the constitutional principle of the freedom of expression. A draft law of similar content was submitted to the French parliament. After it was adopted by the National Assembly it was passed to the Senate. The Committee of Laws of the Senate opposed the adoption of that law and conveyed its position to the plenary in a report adopted by unanimity. The plenary adopted the report and as a consequence of this, it refused to incorporate that draft law in its agenda.

*The question of the contradiction of the Boyer Law to the constitutional principle of the freedom of expression is voiced extensively by the French Senators and MPs in their submission to the Constitutional Council.*

Among the reasons mentioned in the report for the opposition to the draft law, the most important one was the contradiction of the draft law to the constitutional principle of the freedom of expression. In the plenary 196 Senators voted in favour of the Committee report and 74 Senators voted against it. The contradiction between the freedom of expression and a draft law of similar content was therefore reconfirmed as recently as 4 May 2011. This zigzag in the attitude of the French Senate requires a reasonable explanation.

The question of the contradiction of the Boyer Law to the constitutional principle of the freedom of expression is voiced extensively by the French Senators and MPs in their submission to the Constitutional Council which is examined below under chapters III, IV and VI of this article.

#### **5. The Boyer Law contradicts a Report drafted by the Speaker of the French National Assembly**

Mr. Bernard Accoyer, the Speaker of the French National Assembly, drafted in 2008 a comprehensive report on a subject called in France “Lois

*mémorielles* (Laws about memory or history)”. It is a voluminous report of 480 pages. Almost all stakeholders were consulted during the debates that led to the drafting of the report.<sup>4</sup> One of the important observations is contained in the page 181 of the report, which reads as follows: “....(*The mission*) considers that the role of the parliament is not to adopt laws that qualify or assess the historical facts, a fortiori when such laws contain penal sanctions”.<sup>5</sup> The Boyer Law did exactly the opposite of what is said in this report of the Speaker Accoyer. Because of this background, Mr. Accoyer was among the high profile French politicians who voiced loudly his opposition to the Boyer Law.

## **6. The Boyer Law contradicts the Article 10 of the European Convention of Human Rights**

France is a party to the European Convention on Human Rights. Therefore the provisions of this Convention are binding for France. Article 10 (1) of the Convention that pertains to the freedom of expression reads as follows:

### *Article 10 (1) of the ECHR*

- 1. Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.*

If anyone is punished in France for having denied an act that is not established as genocide by an authorized international court, the case will most probably be taken by the defendant to the European Court of Human Rights after having exhausted national legal recourses. We will see, in view of these clear provisions, how France will defend herself in that Court.

## **The Background of the work pertaining to the punishment of the denial of genocide within the EU**

There are revealing details in the background of the preparatory works of the EU Framework Decision that may shed further light on this debate.

4 Rapport d'Information, en application de l'Article 145 du Règlement, au nom de d'Information sur les questions mémorielles, par M. Bernard Accoyer, Président de l'Assemblée Nationale.

5 (La Mission) Considère que le rôle du Parlement n'est pas d'adopter des lois qualifiant ou portant une appréciation sur des faits historiques, a fortiori lorsque celles-ci s'accompagnent de sanctions pénales

When the preparations started within the European Union to draft a Framework Decision on this subject the word “*genocide*” was not mentioned in the texts. According to the information that reached the Turkish authorities, the word “*genocide*” was incorporated in the text upon the initiative of France in early 2000s. This attitude of France is an indication that she was preparing the ground for such a law already in early 2000s. Therefore a closer look at this process may be appropriate.

The initiation of the work on this subject in the European Union goes back to mid-1990s when xenophobia started to rise in the EU countries. In a document of 1996, titled *Council Joint Action*, the need was emphasized for the Member States to act jointly and to approximate their legislation in order to combat racism and xenophobia. The word “*genocide*” had not yet appeared the texts. The condoning of the crimes against the humanity was punished and this included in an indirect way the condoning of genocide, because genocide is considered among the crimes against the humanity. However neither the word “*genocide*” nor “*denial*” was mentioned as such in the texts. The offence that the Member States were planning to punish at that stage was the condoning of the crimes against the humanity. In fact, this idea was reflected in the Title I of a *Council Joint Action* document of 1996 that reads as follows:

*Title I (of the EU Council Joint Action)*

- A. *In the interest of combating racism and xenophobia, each Member State shall undertake...to ensure effective judicial cooperation in respect of offences based on the following types of behaviour:*
- (b) *public condoning, **for a racist or xenophobic purpose**, of crimes against humanity and human rights violations;*

This text tells us that condoning of the crimes against the humanity is not punished as such. It is punished only when it is committed “**for a racist or xenophobic purpose**”.

The subsequent stage of the developments on this subject is the EU Commission stage. The Council instructed the Commission to prepare a Draft Framework Decision on this subject. The Commission prepared the Draft and submitted it to the Council in addition to the crimes against humanity, the word “*genocide*” is also added to the text of Article 4 (c) of the Draft. In other words, an implicit reference to genocide within the context of the crimes against humanity was not found sufficient. It was felt necessary to mention it specifically. However what is punished here is still

not the condoning of crimes against the humanity, but committing this offence “for a racist or xenophobic purpose”.

While Mrs. Boyer was pointing out that the purpose of the Law that she was proposing was to carry this concept to the French legislation, the Boyer Law goes definitely beyond the scope of the Framework Decision, because it punishes the denier whether or not this denial was made “for a racist or xenophobic purpose”. In other words the Boyer Law carries this concept to the French legislation by making the punishment much harder.

An initiative that was started in mid 1990s for the sake of combating racism and xenophobia has thus become a law that incites racism and xenophobia instead of combating it.

### **Why the Boyer Law was pushed forward at this particular juncture**

Many comments appeared both in the Turkish and French press to the effect that President Sarkozy pushed this question forward at this particular juncture for the sake of gaining the support of Armenian community in France for his candidacy to the presidential elections. This may, in fact, be one of the reasons. However a closer look may be appropriate in order to find out to what extent the support of Armenian votes could tilt the balance in favour of Sarkozy:

The estimates regarding the size of the Armenian community in France varies between 300 000 and 400 000 depending upon how you identify an Armenian. Taking the maximum figure, one may say that this corresponds to roughly around 250 000 voters, The average turnout in the French general elections is around 60 %, which means that around 150 000 Armenians may go to the ballot boxes, but these voters are spread over the entire spectrum of political parties. Since the support of the UMP is not likely to go higher than 30-40 %, the number of Armenians who are likely to vote in favour of Sarkozy will remain around 60 000. This corresponds to 0.1 % of the total voters. Sarkozy can hardly attract voters from the electorate of the Socialist Party, because the Socialist leader François Hollande supports the Armenian cause as strongly as Sarkozy does. For this reason we may assume that the effect of the Armenian vote will be negligible.

Therefore there may be other reasons. One such reason may be Sarkozy’s desire to attract votes from the electorate of right extremist Le Pen’s party. Anti-Turkish propaganda is one of the cheapest materials that are used in many European countries for electioneering purposes. The second reason

may therefore be that Sarkozy might have wished to join those who do so.

The third reason may be independent from the electoral purposes and be connected to deep rooted anti-Turkish feelings that Sarkozy is known to nourish. Sarkozy is a leader who blocked Turkey's accession process to the EU for reasons difficult to explain. A leader who acts under the guidance of such emotional motives will also harm the national interests of his own country, but we have to admit that even the Heads of States may become hostage of their emotions rather than giving prominence to the national interests of the country that they govern.

The fourth reason may be the new outreaches of Turkey's foreign policy and the more active role that Turkey tries to assume in its immediate neighbourhood. Some of these neighbourhoods overlap with regions that France was considering historically as its own zone of influence such as the Middle-East. Sarkozy demonstrated on more than one occasion that he felt disturbed by the outreaches of Turkey's foreign policy.

Therefore this may be another reason behind this initiative.

*Mr. Alain Juppé, the Minister of Foreign Affairs under Sarkozy and former Prime Minister, dissociated himself from this initiative and is on the record to state that "this was an untimely initiative".*

### III. THE SUBMISSION OF THE FRENCH PARLIAMENTARIANS TO THE CONSTITUTIONAL COUNCIL

A Group of French Senators and Members of Parliament submitted the law to the scrutiny of the French Constitutional Council. They did so despite the strong opposition of the President of the Republic. It needs a lot of courage to oppose the leader of a political party even in a country like France that is considered as one of the cradles of the freedom of thought. Therefore they deserve genuine congratulations for this initiative.

Mr. Alain Juppé, the Minister of Foreign Affairs under Sarkozy and former Prime Minister, dissociated himself from this initiative and is on the record to state that "*this was an untimely initiative*". This attitude of the Minister of Foreign Affairs is all the more meaningful in a country where, constitutionally, the foreign affairs come under the purview of the President of the Republic.

Many of the points that I underlined above are also underlined by the French parliamentarians in their submission. However the submissions drafted both by the Senators and Members of Parliament (MPs) contain

additional elements demonstrating the inconsistency of the Boyer Law. These submissions, the observations made by the government on the points raised in the submissions and the counter-observations of the MPs provide important clues on the reasoning of each party. The entire exercise is full of lessons that indicate to what extent the Boyer Law was an ill-advised initiative.

I will summarize these texts with a view to contributing to the better understanding of the entire subject.

There are overlapping arguments used by the Senators and the MPs in their submission to the Constitutional Council. However many of them are different.

There are also frequent references to the *Declaration of Human Rights and Rights of the Citizens* that was issued in 1789 after the French Revolution (henceforth '*Declaration of*'). These principles are underlined on several occasions both in the submissions of the parliamentarians and in the verdict of the Constitutional Council.

The Submission drafted by a group of MPs has a short cover letter signed by two MPs namely Jacques Myard, MP for Yvelines and Michel Diefenbacher, MP for Lot-et-Garonne and Chairman of the Turkish Caucus in the French National Assembly, in which they summarize in the subsequent paragraphs the Memorandum attached to it.

Here is the cover letter of the Submission of the MPs:

*We (the MPs) have the honour to submit to your scrutiny, in line with the second paragraph of the article 61 of the Constitution, the draft law to punish the denial of the existence of genocides recognized as such by the law.*

*This law seems to us to be two times unconstitutional.*

*On the one hand, it does not come within the purview of the legislative field. The Constitution does not authorize the legislator to equip himself with the right to formulate a historical truth and to sanction its denial by a prison sentence and a fine.*

*What is more, our Parliament cannot disregard its responsibility towards the European Council that aims, in its Framework Decision of 2008, only at penalizing the crimes of our times and not those of the past.*

*On the other hand, this law constitutes an open violation of the freedom of opinion and expression since there is no invitation or incitement to the racial hatred. The law introduces a new offence of “minimizing” of every crime that is characterized as genocide by our parliament.*

*The mission of information conducted by the then Speaker of the National Assembly Mr. Bernard Accoyer had actually denounced by unanimity those “Memory Laws” (Lois mémorielles) where the legislator assumes the role of historian and bans the critics of history from doing their job.*

*Please find attached herewith the signatures of 66 MPs who submit this law to the scrutiny of the Constitutional Council.*

*Please accept, Mr. Chairman and distinguished members of the Council the expression of my very high consideration.*

After this cover letter comes a memorandum of 9 pages that details the arguments of the MPs. I will pick up only the salient features of their arguments.

The MPs asked the Constitutional Council to declare unconstitutional only the article 1 of the law and the last paragraph of the article 2 that is inseparable from it (but the Council decided to cancel not only the article 1 and the last paragraph of the article 2, but also all remaining paragraphs of the article 2 as well).

The detailed argumentation of the MPs continues as follows:

*The petitioners have the honour to submit to your scrutiny the Article 1 of the Boyer Law as well as the last paragraph of the Article 2 which is inseparable from it.*

*They would like to underline at the outset that the submission does not at all support or tolerate any denial: All genocides are to be blamed absolutely, irremediably and unquestionably at the individual as well as at the collective level. This is not what is at stake.*

*What is at stake is the will of the legislator to exempt such facts from the collective reflection and from the public debate by using penal means. In fact it is worth underlining that the referred text introduces in our legislation, in an unprecedented manner, an offence linked to a legal recognition. Unlike the law no. 90-615 of 13 July 1990, this*



*law does not aim at a precise past event that is recognized by the international law, neither does it aim at punishing racist and xenophobic acts, but it invents an offence that will be applicable as a result of a totally unclear legislative recognition.*

*In fact the history is not a judiciary matter; therefore it cannot be a legislative matter.*

*One does not need to read (George) Orwell to learn that the totalitarian States may act as a “police” of history, regulate how to use it and ban any debate on it. ...The referred case does not pertain to making punishable genocide that already exists in the French and international law. It pertains to the denial of certain genocides: those that are already recognized as such by the French legislation and those that will be recognized in the future.*

*One wonders how genocide could be established on the legislative grounds alone: not to judge it but to create an obstacle to the freedom of expression. Will the Armenian genocide, which is already recognized by the law no. 2001-70 of 29 January 2001, be more questionable or less questionable in view of the provisions of the referred law, than what has been committed in Cambodia, in ex-Yugoslavia or in Rwanda? Would the events such as religious wars in France and the “Vendée genocide” in the past or more recent events that have taken place in the Ivory Coast and Libya come within the purview of the offence that is being created? If yes, when and according which criteria?*

*The competence of sanctioning a crime against humanity is a task that belongs to a judge who will apply national and international criteria. This task cannot stem from a legislative recognition. If the criterion of this recognition is historical, the legislator has no right to penalize the denial of genocide at a given moment of history. Why this genocide is more scandalous today than it was yesterday? If it takes into consideration the concerted action, in the sense of the article 211-1 of the (French) Penal Code, to what extent the implication of a population is required? If on the other hand the criteria are based on the number of the victims, is there any degree in the horror?*

*This submission will make questionable the Memory Laws that it refers to. It attempts to make a legislative judgment of the historical facts and their denial will have to become punishable.*

*The law that is submitted to the Council and that is constructed particularly in a wrong manner from the legal standpoint is an expression of this will to penalize the denial of a historical fact. The law should not make the history; neither should it try to protect it. By giving itself such a target, the legislator aims at a “mission impossible”, namely to affirm the untouchable, unquestionable, undisputable character of the past events. But doing so, it is not the events that will be penalised but a debate on such events.*

*The legislator cannot do everything. ....By penalizing certain genocides the legislator aims at an end that the law cannot attain, namely the end of sanctifying certain historical facts considered as unquestionable. By becoming attached to the history of peoples, no matter how tragic they may be, the legislator comes close to the irrational, to the national sentiments, to the collective belonging and to the analysis of the facts...By touching the subjective assessment, the legislator goes beyond the constitutional domain.*

*The signatories of this submission do not question the existence of genocides; neither do they question the possibility of incriminating their perpetrators or inciters. They simply question the possibility of creating a new offence subordinate to the legislative body and vague recognition of the historical facts. In legal terms, the right to render a judgment belongs to the judges and not to the legislators. The judgment, in its heuristic sense, can only belong to the public debate of history and the referred law attempts exactly to prevent it. The judgment, in its ethical sense, could only belong to the individual or collective human conscience. By creating an offence of denying a historical fact with an uncertain content, because it is determined by a law, the referred law mixes up these different categories. Despite the fact that the referred law becomes part of the law of 29 July 1881 on the press freedom, it contains a repressive provision: it aims at punishing the denial of the existence of a crime of genocide with one year jail sentence and a fine of 45 000 Euros.*

*It may not be the task of the Constitutional Council to scrutinize the law from this standpoint, but it may be appropriate to underline that the legislative recognition may be in contradiction with the provisions of the Charter of the International Penal Court because this may impede the statement of the witness and the freedom of expression of the defendants in the Court.*

*The law contradicts the Constitution in several points:*

1. *The legislator has overestimated its competence*

*The law refers to two cumulative criteria to implement a sanction: definition of the crime of genocide according to the article 211-1 of the Penal Code and recognition as such by the French law.*

*The law cannot “recognize” genocide because this provision is devoid of all operative forces. The law does not “recognize”, it prepares the ground, it instructs, it bans, determines and should have an imperative value. This is what comes out clearly of the decision no. 2005-512 DC of 21 April 2005:*

*“... the principle of the clarity and the objective of the constitutional value of intelligibility impose on the legislator the obligation of adopting sufficiently clear and non equivocal formulas with a view to equipping the subjects of law against an interpretation that is against the Constitution or against the risk of arbitrary acts. The task of working out the rules that the Constitution accorded only to the laws should not be referred to the administrative authorities.”*

*Imperative requirement of the law is all the more clear since the Article 34-1 of the Constitution offers a more adequate framework for “recognitions” after the revision of 23 July 2008.*

*The Council had already a chance to give a verdict on the “recognition” of the historical facts by the law. The following sentence that was incorporated in the school curriculum was submitted to the scrutiny of the Constitutional Council: “The school curriculum appreciates the particularly positive role of the French presence overseas, especially in the North Africa, and accords to the history and to the sacrifices of the combatants of the French army who came from these territories the eminent place that they deserve”. The Constitutional Council pointed out in its decision no. 2006- of 31 January 2006 that the subject that is covered by this sentence was not an area that comes within the purview of the law.*

*The situation is further aggravated here since the legislative recognition, which is inoperative by itself, will entail penal prosecutions.*

*Therefore, it is not possible to depend, for the implementation of the*

law, on a distinct legislative condition that is not subjected to any criteria: One genocide will come within the purview of application of article 24 (ter) of the law of 29 July 1881 if the legislator decides so, while another genocide will not because there will not be a specific recognition by the law. In addition to the violation of the principle of equality, this law is vague because of this “recognition” that does not fit any framework.

If a law that recognizes genocide gains a definitive value, the legislator will most probably not use its power to abrogate such a law or change its field of application. In case such a law does not gain definitive value, the field of application of the Article 1 of the Boyer Law will change when there is a declassification or abrogation. This will make the application of an offence particularly unclear since it will depend in the first case (that is to say the declassification) on the regulatory power; in the second case on a simple abrogation. One can hardly figure out that the legal “recognition” of a historical fact with ensured penal consequences could escape the check of Constitutionality. It does not meet the constitutional criteria of clarity, generality and imperative character of the law. It does not fit any of the categories of the Article 34 of the Constitution. How is it possible to incriminate a person on such an unconstitutional legal basis? An inoperative law by itself cannot serve a basis for the determination of an offence.

**Therefore, the principle of the imperative character, clarity and intelligibility of law are disregarded.**

**The Boyer Law determines an offence by the legislative recognition of a particular fact and it does so by reference to another law, which has no field of application.**

Therefore, the principle of the imperative character, clarity and intelligibility of law are disregarded.

The Boyer Law determines an offence by the legislative recognition of a particular fact and it does so by reference to another law, which has no field of application. It aims at one single target and restricts the field of application of the law only to that case. Such a law is definitely in contradiction with the Constitution.

2. Article 2 of the Declaration of human rights has been disregarded.

The article 1 of the law disregards the rule of the separation of

*powers by basing the implementation of the same offence not only on the decision of a penal judge but also on the recognition by the legislator of a particular genocide. The legislator cannot establish concrete cases of application of the penal law. It can only draw a general framework where it will apply.*

- 3. The clarity and the intelligibility of the penal law have been disregarded.*

*The constitutional case law forbids legislative imprecision especially in criminal matters. In a decision adopted on 16 September 2011, the word “family” was found unclear by the Constitutional Council, not to punish but only to characterize an act as incest. The decision reads as follows: “The legislator should not abstain from designating precisely the persons who should be regarded, in this particular case, as members of a family; otherwise the principle of the legality of offences and punishments will be disregarded.”*

*The notion of “grossly trivializing” the existence of a fact “recognized” as genocide does not meet the criteria of precision required in the criminal law. The scientific debate of a fact has to find its place in the history and it may trivialize one fact or the other. The place where the incident took place, duration, number of victims, the methods of massive extermination etc. should be specified. What is the “grossly trivialization”? It may only lead to a purely subjective assessment. Does the word “grossly” refer to the questioning the number of the victims, to the denial of the duration of the crime against humanity, to the debate of the venue or to the real perpetrator of an act? Or does it refer to the handling of the resistance in the group of criminals?*

*Such a phrase is in contradiction with the Article VIII of the Declaration of 1789 because of its lack of clarity.*

*This phrase cannot pass the test of constitutionality.*

- 4. Article VIII of the Declaration of Human Rights and Rights of Citizens has been disregarded*

*There is absolutely no need to prohibit the denial of genocide. A very high number of authors, which are not of lesser importance, believe on the contrary that it is indispensable to hold a debate on historical facts. If it is banned, this will lead to a legal historical truth,*

*protected by the State because it is officially recognized, it cannot be publicly questioned and therefore the public will be suspicious about it. The signatories believe that since there is a historical fact, there cannot be a legal historical truth.*

*You don't fight a statement, no matter how false it may be, by banning its expression. On the contrary you fight it by demonstrating publicly that it is erroneous. Neither the prohibition nor the punishment that is attached to it is necessary for the fight against genocide.*

5. *The law is in contradiction with the freedom of communication that is guaranteed by the article XI of the Declaration of 1789.*

*The first article of the Boyer Law violates the freedom of communication by providing for a real censorship.*

*The petitioners are of course aware that the Court of Cassation refused, by its decision no. 12008 of 7 May 2010, to see a "serious" question of constitutionality in the so-called "Gaysot Law" no. 90-615. The Court did so basing its reasoning on the fact that "the incrimination was referring to the texts incorporated in due form in the domestic law". If there is a reference to all present and future laws that recognize the genocides, this does not make constitutional all laws that are referred to. Furthermore such laws cannot be regarded as having been introduced in due form in the domestic legislation because of such a simple reference. Such reasoning looks also tautological: The question of constitutionality does not become less serious in case the legislator has defined incrimination. In fact the Court of Cassation has confused its role as a filtering authority and a judge of tribunal and deprived the Constitutional Court of the competence that is accorded to it by the Article 61-1 of the Constitution. The constitutionality question raised by the Memory Laws is very serious in the sense of the law 2009-1523 of 10 December 2009. Could the punishment of an infringement of the past be regarded as in conformity with the freedom of communication?*

*The jurisprudence of the European Convention for the Protection of the Human Rights, in the case Marais vs. France, no. 31159/96 of 24 June 1996, admits that the freedom of expression, as it is conceived by the Convention, is not disregarded in that particular case. The verdict reads as follows:*

*"The commission believes that the writings of the defendant are in*

contradiction with the fundamental values of the Convention, as it is explained in its preamble, namely the justice and peace. It considers that the defendant attempts to divert the Article 10 from its main goal by using his right to the freedom of speech in a manner contrary to the text and the spirit of the Convention. If his claims were to be admitted this would contribute to the loss of the rights and freedoms guaranteed by the Convention”

*Even if one may be surprised that in other cases the human dignity was not appreciated by the case law of the Court (C.E.D.H. K.A vs. Belgium, 17 February 2005), one can understand that the finality of the Convention is put forward in order to justify that the protection of the free communication should not be used for the sake of the Convention itself. This decision points out that the verdict of the Nurnberg Court could be opposed to the defendant. It also gives a ruling on a provision that aims at giving effect to an international convention, namely the Statute establishing the Nurnberg Court. Therefore it is not transposable to a text that infringes any freedom of communication in view of the national criteria alone. In all circumstances, the incrimination under discussion should not be assessed in light of its conformity with the Convention, but according to its conformity with the Constitution. Yet the jurisprudence of the Constitutional Court is clear on this subject. It would not admit an impossibility of expression that would be sanctioned by penal law. The decision no. 2009-580 of 8 June 2008 points out in the clearest words the following: “the freedom of expression and communication is so precious that its exercise is a pre-condition for democracy and one of the guarantees of the respect for other rights and freedoms. The infringements of the exercise of this right should be based on a necessity, adapted and proportioned with the objective to be attained”. Even if we admit that the objective to be attained were the recognition of genocide only, the prohibition of challenging it is not definitely proportioned with this objective.*

*Since all means of public expressions contained in the Article 23 of the law of 29 July 1881, namely speeches, printed material, pictures, lectures, posters, electronic communications etc., the offence under consideration deprives not only the historians and the citizens, but also those who are accused for having committed genocide from defending themselves with whatever means they deem appropriate.*

*Therefore the article X of the Declaration of 1789 has been disregarded.*

6. *Freedom of Research has been disregarded*

*Freedom of research is clearly confirmed in the decision 83-165 adopted by the Constitutional Council on 20 January 1984. The decision reads as follows: "Because of their nature, the tasks of teaching and carrying out researches not only allow but also demand that, for the sake of the service itself, the free expression and independence of the personnel should be guaranteed by the provisions that are applicable to their case". By banning the denial of a historical fact, the law violates the freedom of research and the independence of the researchers.*

*More precisely the decision no. 2010-20 QPC reaffirms that "the guarantee of the independence of teachers-researchers results from a fundamental principle recognized by the laws of the Republic".*

*By obstructing the negation of a historical fact, the Boyer Law undermines the constitutionally guaranteed freedom of research and the independence of teachers-researchers that it entails.*

7. *The law makes a distinction between the genocides "recognized by the French law" and all the other crimes against humanity and disregards the principle of equality without an appropriate justification.*

*The Boyer Law creates an offence of denial of genocide that is recognized by the French law only, according to the exclusively national criteria.*

*Therefore a genocide characterized as such by an international criminal court (this point will be further developed below) or by the French criminal judge –or by both- may still be denied domestically while another genocide defined in the Article 211-1 of the Penal Code and recognized by the French law could not be denied any longer.*

*By making a distinction between genocides based only on the notional legislative criteria, Article 1 of the Boyer Law brings in a difference in treatment that is not justified in light of the objectives of combating the denial.*

*A similar inequality stems from the fact that the Boyer Law aims only at the genocide and omits the other crimes against humanity contained in the Article 212-1 of the Penal Code or in the Article 7 of the Statue of the Nurnberg Court. If the Constitutional Council admits the difference between the war crimes and the crimes against*



*humanity, the crimes against humanity are all punished by the Penal Code by the same penalties. Is denying genocide more dangerous for the democracy and human dignity than denying the deportation or the practice of systematic torture?*

*By limiting the field of application of incrimination to genocide only, the legislator creates an inequality in view of other crimes against humanity. Therefore, the principle of equality will be violated without any justification in case the Council admits that clear infringements caused by the Boyer Law to the principles of the penal law, to the freedom of communication and to the freedom of research were justified in light of the pursued objective.*

8. *The activities of the political parties have been limited without proper justification*

*The only limitation imposed on the political parties by the Constitution is in the field of the respect for the principle of national sovereignty, of democracy, respect for the principle of legality in their functioning or in their financial rules. The political debates cannot be limited for reasons other than the ones in the article political party may deem appropriate to start a debate on the impact of the past genocides on the present international relations. The activities of such political parties will be limited by the provisions of this law. For instance the question of Turkey's accession to the European Union is linked at this point to the recognition of the Armenian genocide. Therefore any debate may turn into incrimination since the assessment of the facts has consequences on today's events. Yet the political parties will not be able any longer to deny or even debate this subject. Therefore the law is in contradiction with the Article 4 of the Constitution.*

These are the justifications for which the petitioners request the Constitutional Council to declare that the Article 1 of the Boyer Law and the third paragraph of the Article 2 that is inseparable from it are in contradiction with the Constitution.

#### **IV. THE SUBMISSION OF THE SENATORS**

Unlike the MPs, the Senators made an effort not to antagonize the Armenian voters in France and started to draft their submission by pointing out, “*with a view to avoiding any ambiguity*”, that their initiative was motivated solely

by the considerations of principle and by their attachment to the constitutional strictness while, like the majority of their parliamentary colleagues, they believed that it was shameful to question the reality of the facts, that it was painful for the descendants of the victims to forget the past and that they remained in solidarity with them.

In other words opposing this law does not mean to protect the denial; it only reminds the respect for the French Constitution. They believe that the constitutional principles are disregarded to a great extent especially in the field of freedom of communication and expression on the one hand and in the field of legality of offences and punishments on the other.

Here is an abridged version of the Senators' arguments:

### *The Submission of the Senators*

#### *A. On the freedoms of communication and expression*

- 1. They (the Senators) emphasise that the free communication of thought and opinions is, as contained in the article 11 of the Declaration of 1789, one of the most precious rights of the human beings. To speak, write and print in full freedom are essential rights that could be limited only when they are used in an abused manner. As the Constitutional Council pointed out in various decisions, using this right is one of the essential guarantees of the respect for other rights and freedoms and more precisely a prerequisite for democracy.*
- 2. This freedom makes sense only when it protects the expressions that shock, that hurt and that disturb because the other expressions do not need to be protected. As a consequence of this, even if a statement is hard or unbearable for some of those who hear it, rather than regarding it as a reason for banning, it should be considered as a way of using this fundamental right. In other words, the freedom should be the main rule with all what it may imply and the limitations should be an exception. As the Constitutional Council pointed out, the exceptions to this freedom should be necessary, adapted to the conditions and proportioned to the aims that are targeted.*
- 3. The immediate question that arises is that of the criteria of this necessity. The Constitutional Council gave an early answer to this question in 1982 when it pointed out that the freedom should be*

*reconciled* “with the objectives of the constitutional values that are the protection of the public order, the respect for the freedoms of others and the preservation of the pluralistic character of the socio-cultural trends of expression that may be infringed by these modes of communication”. *This means that it is not up to the legislator to impose limitations to the exercise of this right according to what it feels desirable or opportune; it has to fulfil one of the objectives of the constitutional value that is the only justification to legitimize a restriction on the freedom.*

*In fact it goes without saying that the freedom will not exist anymore if the infra-constitutional motivations were to suffice to challenge it.*

4. *It is in light of these cursory reminders that the Boyer Law has to be scrutinized. Firstly the freedom of communication and expression will be disregarded in case the law is not overruled; secondly they are neither necessary, nor adapted to the conditions nor proportioned.*
5. *Denying a genocide may be in certain cases absurd or horrible or both. However it is after all a thought or an opinion that may be properly supported by facts, sometimes by more or less scientific evidences.*

*Yet the author of such a thought will now be penalized even heavily by this law. An infringement of the freedom is not of course measured according to whether you like the expressed opinion. There should not be any doubt in the infringement of freedom.*

6. *Actually the law penalizes those who deny or trivialize “the existence of one or several crimes of genocide defined in the article 211-1 of the Penal Code and recognized as such by the French law”. However it aims only at the Armenian genocide of 1915. Two observations may be relevant to this fact:*
  - *This historical tragedy is recognized neither by an international convention nor by a court decision.*
  - *If this law is not overruled, the Parliament will acquire a new competence that is mentioned neither in the article 34 nor elsewhere in the Constitution.*
7. *In fact the parliament may seize in the future the right of determining some sort of official truth through the law and expand the field of*

*limitations provided in this law. On the one side a battle of memories may start and the winners of this battle will be those who gain a legislative recognition. On the other side, political circumstances may lead the parliament to characterize a tragedy as genocide. In such a case not only the historians but also the journalists will not be able to accomplish their task properly without risking to be penalized.*

8. *Therefore the Boyer Law is two times in contradiction with the freedom of communication and expression. First, because of the Armenian genocide; second because of the other events that that the parliament may establish as genocide in the future. The Constitutional Council will not be able to stop this trend in case it allows this law to be passed.*

***The Boyer Law is two times in contradiction with the freedom of communication and expression. First, because of the Armenian genocide; second because of the other events that that the parliament may establish as genocide in the future.***

9. *In addition to this violation of the freedom of expression and violation of the article 34 of the Constitution, there is a new element that arises: If the law recognised a fact as genocide, no other label could be given to it without risking penal sanctions while the Constitutional Council, commenting on the article 11 of the Declaration of 1789, pointed out that “this freedom implies the right for everyone to chose any terminology that he wishes to ‘express’ his opinion”.*

10. *Then comes the freedom of teachers and researchers. The Constitutional Council did in fact remind that “because of their nature, the job of the teachers and researchers require, for the interest of the service, that their freedom should be guaranteed”.*

*There is no need to insist upon this, but it had to be reminded all the more so because this question does not interest the historians alone, but also the journalists, and beyond these professionals, it also interests the citizens in general.*

11. *After having established these infringements of the constitutional principles, we may now turn to the question of whether they are “necessary, adapted to the conditions and proportioned”. Are there sufficiently strong reasons to justify the violation of the freedom of communication, freedom of expression, freedom of expressing one’s*

*thoughts with the words that one chooses, and the freedom of teachers and researchers? In light of earlier decisions of the Constitutional Council there are no sufficiently strong reasons to justify such a restriction.*

12. *Talking about the public order, this is what was aimed at by the “EU Framework Decision of 28 November . The Boyer Law was proposed in order to abide by the requirements of this Framework Decision. The article 1 (c) of the Framework Decision provides that an intentional conduct should be made punishable in case it is “directed against a group of persons or a member of such a group defined by reference to race, colour, religion, descent or national or ethnic origin when the conduct is carried out in a manner likely to incite to violence or hatred against such a group or a member of such a group”. This element is not valid for France since there is not such an intentional conduct to incite hatred regarding the only genocide that is recognized today by the French law and everybody should be proud of it. Our citizens of the Armenian origin are not the target of any incitement to hatred or violence. On the contrary they enjoy the solidarity in compassion and there is no meaningful or large number of people to deny or even trivialize the genocide that their ancestors were victim of.*

*In these conditions the objective of the protection of the public order is simply absent.*

*To those who may be offended because of this observation, we may tell that this is exactly the price of the freedom. The freedom cannot be limited for the sake of facing the dangers that are only virtual.*

13. *What about, is in this case, the other objective that used to justify a ban, namely the respect for the freedom of the others? It is equally absent in the present case.*

*In fact if you protect everyone for ever from being shocked or hurt, sometimes even in a painful manner, you cannot call this a freedom. The freedom of others that we are trying to protect is an objective freedom, a freedom for all. This freedom may be infringed for instance by the racist and xenophobic conducts and the victims of it will not be only those who are directly targeted. Those who cannot stand racism and xenophobia may also be the victim.*

*On the contrary, the freedom of others that we are trying to protect*

*cannot become a subjective freedom that depends on the personal or family history and sensitivity of everyone. If this freedom is to be limited by such constraints there will not be any limit to the infringements to the freedom of expression. Even bad taste, mistakes, stupidity or aberration cannot be subjected to bans.*

*Consequently, we should ask ourselves the following question: Which freedom of the others will be threatened under the legislation in force and could not be protected if the Boyer Law did not exist?*

14. *The Constitutional Council has rightly declared that the infringements of the freedom are necessary only for the objectives of the constitutional value. Keeping this in mind, such an objective does not exist in the present case. Therefore, what remains is the infringement of the freedom.*

*We may even add that the measures that the Boyer Law wants to introduce are not adapted to the case and are not proportionate.*

*To be convinced that it is so, it will be enough to remind that the Constitutional Council gave a verdict on a disproportionate ban that resembles very much the present case.*

*It was again about the law of 29 July 1881. The contention was about a ban directed to persons prosecuted for the offence of defamation. They were asked to bring evidences to prove that the defamatory facts were true since these facts had taken place more than 10 years ago. The Constitutional Council admitted the idea that some restrictions may be justified for the sake of the public order and decided as follows: "Since they refer to the facts that had taken place more than 10 years ago, this ban aims at all speeches or writings stemming from historical or scientific works. ...Because of its general and absolute character, this ban constitutes an infringement of the freedom of expression that is not proportionate with the pursued objective. Therefore it disregards the Article 11 of the Declaration of 1789."*

*Certainly it was about a right to forget while, in the present case, we are talking of something that is exactly the opposite of it, namely of the duty to remember. However, legally, there is no reason why the Constitutional Council should show less vigilance in this case than in the other case.*

15. *Five conclusions could be drawn from the foregoing: 1) the law violates seriously the freedoms of communication and expression; 2) this violation is made all the more grave by not allowing a person to express his opinion with the words that he chooses; 3) the violation becomes more grave by preventing the teachers and researchers from enjoying their constitutional rights; 4) these grave violations are not justified by any legitimate necessity; 5) the measures are disproportionate. With all of these violations, the parliament attributes to itself a new competence that ignores the provisions of the article 34 of the Constitution.*

#### **A. On the legality of the offences and crimes**

16. *It is not conceivable to presume that the parliament has the right to envisage new violations by determining the penalties that are applicable to such violations. The parliament has no right to ignore the requirements of the articles 8 and 9 of the Declaration of 1789. The Boyer Law contradicts these essential principles both in the framework and in the content.*

17. *Regarding the framework, it pertains to the “existence of one or several crimes of genocides defined in the article 211-1 of the French Penal Code and recognized as such by the French law”. Even if it is recognized by the French law, it is not formally recognized by any international convention or by a national or international court decision in the presence of two parties and is not sealed with a verdict. Therefore this is a first difficulty since the constitutive elements of genocide were not precisely identified and certified. Furthermore there is another essential question: Is the French law necessarily a law whose purpose is the recognition of genocide in the sense of the new article 24 (bis) that will be introduced in the law of 29 July 1881 or is this a law that produced the effect of recognizing genocide? In the first hypothesis only the Armenian genocide will be covered by the Boyer Law. This was what the authors of the text pointed out during the preparatory works of the Law while the text of the new article 24(bis) does not say that it is limited to the Armenian genocide.*

18. *In the French legislation we have cases where we had to recognize genocide despite the fact that the main purpose of the law was different, such as the laws passed to adapt the French legislation to the UN Security Council resolution for the establishment of the*

*international tribunal to judge the perpetrators of war crimes in ex-Yugoslavia and in Rwanda.*

19. *What should be the attitude of the French judge in these two cases if he was asked to give a verdict? However we may assume that such a case will not arise because there are not over-zealous associations that will go to the court to complain about a denial of genocide for the cases of Rwanda and ex-Yugoslavia. Did the French law recognize, implicitly or explicitly, the existence of genocide in ex-Yugoslavia and in Rwanda? The genocides will be regarded as recognized only if court decisions are made on the basis of these laws. In this case, will the application of the article 24 (bis) depend on the court decisions possibly to be made by the courts of foreign countries for offences committed in France?*

*We know that the intention of the authors of the Boyer Law was to cover only the Armenian genocide. It was considered regrettable in the Committee of Laws of the National Assembly that the Rwandan genocide was not recognized, but a promise was made to fill this gap soon.*

*The parliamentarians looked as if they were not aware of the existence of the laws on the ex-Yugoslavia and Rwandan genocides but the judges are aware of their existence. They will have serious doubt on whether to stick to the text of the Boyer Law or to the biased intention of its authors. It is only natural that one judge may decide one way while another judge in the opposite way. As a consequence of this, the citizens will be treated differently in view of the penal law until the Court of Cassation eliminates the divergence. But it is exactly this doubt that was prohibited by the article 8 of the Declaration of 1789, by the article 34 of the Constitution and by the Constitutional Court in its interpretation of these two articles.*

20. *Regarding the content, the denial or trivialization will be penalized only if it is about the existence of the crimes of genocide. Intriguingly, this precision leads to a freedom of imputing a crime to a person. It may not be possible to deny the facts, but the responsibility for it could be attributed to any person without a juridical risk. This may not be unconstitutional but it is strange. It goes the same way for the concept of "grossly trivializing". There is equivalent concept in the penal law in which field precision is a constitutional precondition. Where does the trivialization begin and where does it end? At which point it becomes "grossly trivializing"?*



*The judges will be faced with such new questions and the answers to it will unavoidably vary from one court to the other and also from one moment to the other.*

21. *Easily understandable terminology in the daily life may not fit exactly the same way in the field of Penal Code where strictness is necessary. The vague notion of “grossly trivializing” will leave to the judges a considerable margin for assessment.*
22. *The Boyer Law includes very important uncertainties both in the framework and in its content that are difficult to accommodate in the penal law. Before they confuse the judges, these uncertainties will confuse whoever would like to express his opinion on a complicated subject.*
23. *The denial or grossly trivialization will discriminate those groups that could not catch the attention of the parliaments despite the fact that their suffering was more than the one covered by the Boyer Law.*
24. *Each of the point that is made in this submission is sufficient for the cancellation.*

This concludes the views of the MPs and Senators regarding the incongruity of the Boyer Law.

## **VI. OBSERVATIONS BY THE GOVERNMENT**

The government provided its own views as an answer to the arguments voiced by the Senators and MPs.

Here is an abridged version of the government’s response:

### ***Observations by the Government***

#### ***I. On the disregard of the legislator of its own competence and infringement of the separation of powers***

- A. *According to the petitioners the legislator could penalize the denial or grossly trivialization of the existence of the crimes of genocide “recognized as such by the French laws” without disregarding its competence, because according to them, a law such as the law no. 2001-70 dated 29 January 2001 on the recognition of the Armenian*

*genocide of 1915, is devoid of imperative character and does not stem from the legislative competences enumerated in the Article 34 of the Constitution.*

*They claim on the other hand that, by linking the offence of the denial of a crime to its recognition by the legislator, it encroaches upon the field of competence of the judiciary, thus disregards the separation of powers.*

- A. These grievances of the parliamentarians rely on an inexact assessment of the scope of the contested provisions and are not justified.*
- 1. As the petitioners point out, the Article 1 of the Boyer Law is a provision with penal character that aims at punishing by a prison sentence of one year and a fine of 45 000 Euros the denial of the existence of certain crimes of genocide or grossly trivialization of such crimes that is to say what we call "denial" in the current language.*

*The crimes in question are those that correspond to the definition of genocide contained in the Article 211-1 of the Penal Code and that were recognized as such by the French legislation. In view of the specificity of each crime of genocide the legislator wanted to punish the conduct of the denier only after making sure, on a case by case basis, that such a punishment was necessary. From the legalistic standpoint, only the Armenian genocide of 1915 is recognized by the above-mentioned law of 29 January 2001.*

*This law and the future laws with similar content contribute to limiting the field of application of the contested legislation. Therefore, independently from their political and symbolic scope, these laws cannot be regarded as laws devoid of normative character.*

*On the contrary they constitute the exercise of the competence of determining the crimes and the offences as well as the punishments that are applicable to them. This competence belongs exclusively to the legislator according to the provisions of the Article 34 of the Constitution.*

- 2. The legislator should not be blamed of having ratified an encroachment on the field of judiciary by ignoring the separation of powers.*

*In fact on the one hand by recognizing the existence of genocide the legislator does not compete with the judiciary that is competent to judge the perpetrators of the crime of genocide. This is evident in the case of the Armenian genocide of 1915 whose perpetrators passed away and cannot be prosecuted for this reason. However the crime has in fact been committed. Some of the perpetrators have been punished in 1919 according to the Ottoman laws by the Military Court of Istanbul. It is not clear why the legislator should abstain from drawing conclusions from this reality.*

*On the other hand, as several parliamentarians pointed out during the debates, the reference to the genocides referred to in the Article 1 of the Boyer Law cannot be interpreted as limiting the competence of the members of the judiciary that will be called to look into the matter.*

*In fact it follows from the text of the same article that these members of the judiciary have to make sure that these facts correspond to the definition of the crime of genocide contained in the Article 211-1 of the Penal Code. Recognizing that these facts are parts of genocide is a pre-condition for their incrimination and it does not release the judge from the obligation to qualify the facts according to the provisions of the Article 211-1.*

*For all these reasons, it goes without saying that the judges will not ignore that the facts had to be recognized by the legislator in view of the scientific consensus that has to prevail in the recognition. It has to be mentioned in this regard that the Swiss courts have admitted “the existence of a large consensus stemming from the political statements that rely in their turn on a large scientific consensus on qualifying the facts of 1915 as genocide” (Tribunal fédéral, 12 December, 6B\_3982007, point 4.2).*

*Article 1 of the Boyer Law that does not encroach on the field of judiciary does not undermine its independence.*

*Therefore it is not at all in contradiction with the principle of the separation of powers.*

## **II. On the violation of the Principle of Legality of Offences**

*A. The petitioners criticize the Article 1 of the Boyer Law for having disregarded the principle of the legality of offences that stems from*

*the Article 8 of the Declaration of 1789, as it punishes the denial and the grossly trivialization of the Armenian genocide of 1915 while the constitutive elements of this genocide were not precisely identified in an international convention or in a court verdict.*

*They believe, at the same time, that it is not clear in the Boyer Law whether the laws mentioned in it are the ones that pertain to the recognition of genocide (of 1915) only or do they also include the laws that pertain to Yugoslav and Rwandan genocides.*

*Finally they claim that the notion of grossly trivialization mentioned in the Article 1 of the Boyer Law is not clear enough to meet the requirement of the principle of the legality of offences.*

*B. The government does not share this view.*

- 1. Firstly, as it was mentioned above, the Article 1 of the Boyer Law determines the facts whose denial or grossly trivialization could be punished according to the definition contained in the Article 211-1 of the Penal Code. Therefore it cannot be claimed that it does not meet the requirement of the principle of the legality of crimes and offences as contained in the Article 8 of the Declaration of 1789.*

*Regarding the facts qualified as genocide, the intervention of a law that recognizes them as constitutive elements of a crime of genocide, reinforces the predictability of the provisions of the Article 1 of the Boyer Law rather than ignoring these requirements. By doing so, nobody will be able to ignore which incidents these provisions will be applied to. Therefore the petitioners cannot draw the conclusion that the principle of legality of crimes is disregarded, since such a recognition does not aim at substituting the punishment of the perpetrators of the crime or imposing the judge an "official truth".*

- 2. It results from the parliamentary debates that when the legislator was referring to the genocides "recognized as such by the French law" it had in mind only the laws that pertained to such recognition. In other words, it did not have in mind the laws that may have such an effect. Therefore, the provisions of the Article 1 of the Boyer Law will be applicable only to the Armenian genocide of 1915.*

*In fact, even if it was not mentioned during the preparatory works, the principle of a strict interpretation of the penal law would require a careful reading of the contested provisions.*

3. Finally, by punishing not only the act of denial of the existence of the crime of genocide but also the grossly trivialization of it, the Article 1 of the Boyer Law does not disregard the principle of the legality of offences.

*This precision, which aims at out-manoeuvring the strategies of denial, is in fact directly borrowed from the case laws pertaining to the application of the Article 24 (bis) of the law of 29 July 1881 on the freedom of press, the so-called “Gaysot Law”.*

*The notion of grossly trivialization referred to in the Article 1 of the Boyer Law has to be understood as trivializing in the proportions that exceed the needs of the public debate or the scientific discussion.*

### **III. On the violation of the freedom of expression and communication, freedom of research, free exercise of political activities and of the principle of the necessity of punishments**

- A. The petitioners claim that the Article 1 of the Boyer Law undermines disproportionately the freedom of expression and communication that is guaranteed by the Article 11 of the Declaration of 1789 as well as the freedom of research and the free exercise of political activities.

*They also claim that the contested provisions disregard as well the principle of necessity of punishments in the absence of serious reasons of public order.*

- B. These grievances should not be taken into consideration by the Constitutional Council.

1. As the petitioners remind that the Constitutional Council has established a constant jurisprudence which says that the freedom of expression and communication guaranteed by the Article 11 of the Declaration of 1789 is so precious that its exercise is a precondition for democracy and one of the guarantees of the respect for other rights and liberties.

*However it does not mean that all types of infringement of this freedom should be banned. It has to be reconciled with other requirements of constitutional value as long as this infringement is necessary, adapted and proportionate to the pursued goal.*

*In the present case the punishment of the denial of certain genocides is justified by such goals and does not exceed what is necessary to reach them.*

*On the one hand the crime of genocide, as defined in the Article 211-1 of the Penal Code, is a unique case as far as the seriousness of the acts in question. These acts have to be committed “as the implementation of a concerted plan aiming at the total or partial destruction of a national, ethnic, racial or religious group or of a given group determined by any other arbitrary criteria”. Denying genocide when its existence is an established fact would mean that those who claim it are the authors of a collective lie.*

*The denial is, in general, in the form of an incitement to discrimination that should not be tolerated more than an open provocation to such behaviour that is punished by the paragraph 8 of the Article 24 of the law of 29 July 1881 (on the freedom of press).*

*The European Court of Human Rights, in its decision on the admissibility of the Garaudy vs France case, pointed out that “the denial of the crime against humanity is one of the most acute forms of racial defamation and incitement against the Jews. The denial or revision of such historical facts will call into question the values that constitute the foundations of combating racism and anti-Semitism and are likely to disturb the public order”.*

*On the other hand the denial is, like the abuse or defamation, a disregard of the memory and dignity of the descendents of the victims and should be punished in certain circumstances for the sake of the preservation of the public order especially for the preservation of the human dignity against all types of slavery and degradation, which is a constitutional value.*

*The government believes that a consensus exists already at the European Union level as could be noticed in the adoption of the Framework Decision of 28 November 2008 on Combating Certain Forms of and Expressions of Racism and Xenophobia by Means of Criminal Law. The Article 1 of the said Framework Decision makes it compulsory for the Member States to punish, under certain reservations and conditions, the apology, denial and public trivialization of the crimes of genocide.*

*Of course, the Article 1 of the Boyer Law does not specify like the Framework Decision that the denial of the crime of genocide is punishable only when “the conduct is carried out in a manner likely to incite violence or hatred against such a group or a member of such a group”. The reason for it is that a clearer formulation of a*

*reservation in this sense was not necessary because, for reasons explained above, such a risk may be regarded as part and parcel of the crime of genocide.*

*In these circumstances, the Article 1 of the Boyer Law cannot be regarded as an excessive infringement of the freedom of expression and communication of individuals and political parties for whom the Constitution does not provide any special treatment. For the same reasons this article does not disregard the principle of the necessity of punishments contained in the Article 8 of the Declaration of 1789.*

2. *The Article 1 of the Boyer Law does not limit in an arbitrary manner the freedom of expression of teachers and researchers more than it is required by the Constitution and in general terms does not disregard the freedom of historical research.*

*On the one hand, like the conduct punished by the Article 24 bis of the law of 28 July 1881, the denial or grossly trivialization of the crime of genocide will be subjected to sanctions provided by the Article 1 of the Boyer Law only in case this conduct is carried out in bad faith. The author of a work carried out according to the requirements of objectivity and seriousness of the historical research will not be prosecuted under these provisions no matter how iconoclastic could be its conclusions.*

*Therefore the Boyer Law cannot be regarded as impeding the development of the historical research on the crimes that come within the purview of its field of application.*

#### **IV. On the disregard of the principle of equality**

- A. *The petitioners claim that the Article 1 of the Boyer treats the individuals differently on two occasions: on the one hand, regarding the crime of genocide and the crimes against humanity and on the other hand, between the genocides recognized by the French laws and those that are not recognized so by them while they may have been recognized by court decisions.*

*They draw the conclusion that the contested provisions are in contradiction with the principle of the constitutional equality.*

- B. *This grievance is not more justified than the previous ones.*

*On the one hand, the crime of genocide has in fact, as it has been explained previously, a special place among the crimes against*

*humanity because of a specific intentional element and this gives a particular scope to the denial of such a crime. In view of this different situation, the Article 1 of the Boyer Law was able, without disregarding the principle of equality, to cover only the crimes of genocide thus excluding the other crimes against humanity and war crimes.*

*On the other hand regarding the crimes of genocide and independently from those whose denial has already been punished by the Article 24 (bis) of the law of 29 July 1881, the legislator was able to figure out that it was particularly necessary to punish the denial of the Armenian genocide of view of the size of the phenomenon. A big number of the descendents of the victims of this crime live on the French soil and in view of the place that this genocide occupies in the collective republican mind as it is demonstrated by the consensus that prevailed before the adoption of the law of 29 January 2001.*

*Therefore, the Article 1 of the Boyer Law is not at all in contradiction with the constitutional principle of equality.*

*For these reasons the government believes that the grievance contained in the petition does not call for the cancellation of the Boyer Law.*

*Therefore it believes that the request of the petitioners should be rejected.*

Despite these counter-arguments by the French government, the Constitutional Council overruled the law on 31 January 2012.

## VI. COUNTER-OBSERVATIONS OF THE MPs

In line with the French practice the MPs were allowed to submit to the Constitutional Council the “*counter-observations*” that reflect the comments of the parliamentarians on the subjects where the government expressed its views.

Here is an abridged version of the counter-observations of the MPs:

### *Counter-observations of the MPs*

*The observations of the Government, dated 15 February 2012, call for the following responses:*



*The Boyer Law is neither aimed at the prosecution of the perpetrators of genocide nor at the necessary fight against their apology; is it simply aimed at the impossibility of calling publicly into question genocide when it is or will be recognized by a distinct penal law. According to the observations made by the government, contrary to what its name suggests, the Boyer Law aims only at the Armenian genocide. The objectives mentioned to justify this absolute prohibition are the “protection of the public order and the rights of the others” and the respect owed to the memory of the victims and to the dignity of their descendants.*

*The petitioners who submitted the law to the scrutiny of the Constitutional Council believe that such arguments cannot avoid several grievances of unconstitutionality that the text contains and refer to the contradiction of its Article 1 to the Article VI of the Declaration of 1789.*

### **1. On the competence of the legislator on the penal matters**

*Article 1 of the Boyer Law provides that in order to impose a sanction it will be required not only the recognition of genocide by a judge but also the recognition of the same genocide by a law. The petitioners maintain that the applicability of the penal law cannot be based on a past or future legislative recognition. If the law of 29 January of 2001 was abrogated or amended, the denial would become possible again. However no objective criterion is attached to this recognition since the facts enter the field of application of the article 211-1 of the Penal Code (see observation 7 hereinafter).*

*In fact the observations have to recognize that “this law (the law that recognizes the genocide) contributes to limit the field of application of the contested law”. A penal incrimination defined by law cannot depend on adopting a distinct law without ignoring the provisions of the Article VII of the Declaration of 1789 and those of the Article 34 of the Constitution that the law uses to determine the offence. This determination cannot be made conditional on an express legislative recognition. This recognition will establish a unique concrete case for the application of the penal law.*

*Therefore the Boyer Law does not determine at all an offence and its sanction, but makes subordinate the existence of this same offence that it created to a special legislative recognition.*

## 2. *On the legislative competence to recognize genocide*

*A law cannot “recognize” a historical fact: Such a law disregards by definition the provisions of the Article 34 of the Constitution and the requirement of prescriptive rules, strongly emphasized by the decision of the Constitutional Council. Such recognition does not come within the purview of the law. It may rather be the subject of a resolution. Here again, the government would like to point out that in addition to their symbolic “effect”, which is in contradiction with the Article 34, these laws cannot be considered as being devoid of normative feature. In other words what will give the law its normative feature will be the incrimination. To adopt such reasoning means that an unconstitutional law would lose its unconstitutionality as soon as it triggers a sanction.*

*It is a law which is not operative by itself but which will trigger a sanction. It is exactly this type of reasoning that the (Constitutional) Council avoided by emphasizing that a simple definition of the word “incest” could not refer to a definition as vague as “family”. The mechanism is therefore against the intelligibility and clarity of the penal law and to the requirement of predictability that it entails.*

***A law cannot “recognize” a historical fact: Such a law disregards by definition the provisions of the Article 34 of the Constitution and the requirement of prescriptive rules, strongly emphasized by the decision of the Constitutional Council.***

## 3. *On the Separation of Powers*

*It has never been suggested in the submission, as the government's observations imply, that the legislator will be competing with “those who are entitled to judge the perpetrators of the crime of genocide”. Confusion is created here between two different subjects: one of them is judging the crime of genocide. It comes within the purview of the competent judge according to the Article 211-1 of the penal law or to international treaties and this competence is not challenged in the Boyer Law. The second is judging the denial of genocide and the prosecution is tied here to a specific recognition which will stem from a source other than the judge.*

## 4. *The notion of the “grossly trivialization” cannot be taken as a definition for a legal incrimination*

*The notion of the “grossly trivialization” is clear enough to be de-*

*linked from the generality of the penal law. It has become clear enough but not because the Court of Cassation used this notion to qualify the facts and made a distinction between the bad faith and good faith of the incriminated person. In fact, by trying to specify the “proportions that clearly exceed the need of the public debate or scientific discussion”, the government demonstrates that this is not one of the criteria. Could we debate the number of victims? To what extent? Could we challenge the dates when a concentration camp was functioning? Until which moment? When a “latent form of apology” is referred to, this demonstrates only totally imprecise and unpredictable character of the communications that could be sanctioned.*

- 5. The question on the necessity of penal law is not answered. It may be convenient to underline once more that what is at stake here is not the prosecution of the perpetrators of genocide, but the freedom of expression and research. The prohibition of the denial of a historical fact is not necessary for the manifestation of the truth.*

#### **6. On the freedom of communication**

*Once more it will be convenient to make a distinction between the necessary incrimination of the perpetrators or apologists of genocide that is covered by the Penal Code and the necessary freedom of debate that cannot substitute it.*

*The government wrongly refers to the decision no. 2011-131 QPC of 20 March 2011, because this decision establishes the unconstitutionality of the lapse of time for the cases of defamation that go back to more than 10 years since it aims without distinction at “all speeches and written texts that are the result of historical or scientific works as well as the imputations referring to the events whose mention or comment are part of a public debate of general interest”. Once more, one has to admit that according to this decision the legislator cannot govern the history in a democratic society, all the more so in the case of a legislator in penal matters.*

*The legislator should prosecute the perpetrators of crimes or those who praise them. The European Court of Human Rights reminds it: “The freedom of expression is valid not only for the information or compiled ideas that are considered as inoffensive or indifferent but also for those that hit, shock and disturb. This is what the pluralism, tolerance, open mindedness require. Without them it is not democracy” (23 September 1998, Lehideux and Isorni vs France, no.*

55/1997/839/1045, point 55). The distinction is therefore established by the Court between the moral punishment for concealing the crime against humanity and freedom of expression (point 54). The jurisprudence of the European Court of Justice is therefore quoted in a wrong manner: "The Court believes that it does not need to express an opinion on the constitutive elements of the offence of the denial of the crimes against humanity" (Garaudy, 24 June 2003). As it is exposed in our petition, it is within the framework of the promotion of the rights and liberties guaranteed by the Article 17 of the European Convention of Human Rights that the Court thought the freedom of expression should not be turned to the advantage of the deniers which may lead to the rehabilitation of the Nazi regime (In addition to the decisions quoted above, see *Jersild CI Denmark*, 23 September 1994). Furthermore it is pointed out that such a demonstration may be based on the Nurnberg trials and that the conventionality of the Article 24 of the law of 29 July 1881 is not as important as the constitutionality of the Boyer Law.

Putting forward the protection of the public order is not appropriate. There cannot be a historical "public order". Supposing even that the recognition of genocide through law was aimed at social appeasement, one may say that on the contrary it may incite the group in question as the perpetrator of the crime and its descendents may be incited to a violent denial. Furthermore, since the law aims only at certain genocides, for the moment it is only one, one cannot understand what the difference between the Armenian genocide and the other genocides that are not covered by the Boyer Law is.

#### **7. On the freedom of historical research**

The observations of the government maintain that the Boyer Law will follow the "consensus of historians" even if they attribute this role to the judiciary by omitting the legislative recognition provided for by the Article 1 of the Boyer Law. But we are talking here about a postulate of principle: Even if genocide has already been recognized previously by the scientific community, it is not guaranteed that it will also be recognized by the French law or French or international judiciary court. It is not guaranteed either that the legislator "will force" the consensus by preventing exactly the launching of a challenge when the consensus does not exist.

8. Even if we were to admit that the public order could justify an absolute restriction of the right of expression on genocide recognized today by

*law, one has to admit then that nothing justifies, in light of these elements, that the legislator could make a distinction between one genocide and the other. On which ground the Cambodian, Chechen of 1944, Shoa –which is not covered by the Boyer Law- will be considered less worthy of attention than the Armenian genocide. On which ground such tragedies, such crimes will be less worthy of attention for the memories of the victims or for the human dignity than the Armenian genocide. Is there any hierarchy in the horror? Which criteria, objective and rational, authorize the legislator to make a distinction between the genocides that cannot be denied and those that could be denied? Actually there is no such a criteria.*

*In light of the arguments contained in the petition, the Boyer Law contains a flagrant absence of equality between genocides.*

9. *By stating in the paragraph IV-B that the genocide has a special place among the crimes against humanity, the government observations disregard the provisions of the Article 212-1 of the Penal Code that are also aimed at the “implementation of a concerted plan against a group” by such acts as the deportation or enslaving. The criteria mentioned here cannot be taken into consideration neither could be taken into consideration the size of the phenomena of denial. Certainly it is not the size of the phenomena that could explain why the freedom of expression is prohibited. The denial will thus be accepted for certain genocides and not for the others without an appropriate justification.*

*To try to make a historical truth a sacred matter exceeds the competence of a legislator. He cannot dictate or officialise the history.*

*In a particularly well-sustained book under the title of “Auschwitz: Investigations on a Nazi plot” Mr. Florent Brayard points out the following: “The historical practice consists at the same time of issuing decrees and of proceeding to arbitrations. One has to be arrogant or ingenious to claim that these choices and arbitrations are operated in a sterile universe where objectivity should be the master. But when a historian is in the mood of writing history, he is surrounded much more by the present day environment than what his impersonal style may imply. When he decides, he has his reasons and some of these reasons have to do more with himself, his beliefs and his preconceived ideas than with the raw facts. The history is an earthly practice. As such it ignores perfection. To keep this in mind is the best that we could do. Obviously it is not what ‘happens’ to the legislator who is worried to officialise the historical truth”.*

*For these reasons, several grievances of unconstitutionality of the Article 1 of the Boyer Law should be taken as a justification to overrule the law.*

This concludes the counter-observations of the MPs drafted as an answer to the observations made by the government on their arguments.

## VII. THE VERDICT OF THE CONSTITUTIONAL COUNCIL

After having studied the arguments and the counter-arguments the Constitutional Council decided to declare that the Boyer Law was in contradiction with the Constitution. However the frequent references to the Declaration of 1789 indicate that, for the Constitutional Council, the contradiction of the Boyer Law with the Declaration was as important as its contradiction with the Constitution, if not more.

Here is the text of the verdict of the Constitutional Council:

*The Constitutional Council,*

*Having listened to the Rapporteur,*

- 1. Considering that the MPs and the Senators submitted to the Constitutional Council the **Law to Punish the Denial of the Existence of Genocides recognized as such by the Law (the Boyer Law)**;*
- 2. Considering that Article 1 of this law, inserts in the law of 29 July 1881 on the press freedom a new Article 24 (ter); that this article punishes by a sentence of one year of prison and 45 000 Euros those who deny or grossly trivialize the existence of one or several crimes of genocides defined in the Article 211-1 of the Penal Code and recognized as such by the French law; that Article 2 of the law amends the Article 48-2 of the same law of 29 July 1881; that the French legislation recognizes the right of certain associations to become party to the court cases in order to draw consequences from the creation of this new incrimination;*
- 3. Considering that, according to the petitioners, the Boyer Law disregards the freedom of expression and communication contained in the Article 11 of the Declaration of 1789 and the principle of legality contained in the Article 8 of the same Declaration; that the Boyer Law will disregard the principle of equality by punishing only*

- the denial of the genocides recognized by the French law and by excluding the other crimes against humanity; that the petitioners believe that the legislator has disregarded its own competence and the principle of the separation of powers contained in the Article 16 of the Declaration of 1789; that the principle of the necessity of punishment contained in the Article 8 of the Declaration of 1789 and the freedom of research as well as the freedom of the activities of the political parties that stems from the Article 4 of the Constitution;*
4. *Considering that, according to the Article 6 of the Declaration of 1789, “the law is the expression of the common will”; that, as a result of this, the law should aim at introducing rules and giving them a normative impact;*
  5. *Considering that according to the Article 11 of the Declaration of 1789 “the free communication of thought and opinions is one of the most precious rights of human beings: therefore every citizen should be able to speak, write, and print freely except in cases of abuse of this freedom”; that the Article 34 of the Constitution provides that “The law determines the rules regarding...the civic rights and the fundamental guarantees granted to the citizens for the exercise of the public freedoms”; that, on this basis, the legislator has the right to introduce the rules concerning the exercise of free communication and the freedom of speech, writing and printing; that it may pass laws punishing the misuse of these freedoms in a manner to disturb the public order and infringing the rights of the other; that, however, the freedom of expression and communication is so valuable that its existence is a precondition for democracy and one of the guarantees of the respect of the other rights and freedoms; that disregard of this freedom should be necessary, adapted to the conditions and proportionate to the pursued objectives;*
  6. *Considering that a legislative provision aiming at the “recognition” of a crime of genocide should not be given a normative impact attached to a law; that, however, Article 1 of the Boyer Law punishes the denial and trivialization of the existence of one or several genocides “recognized as such by the French law”; that the legislator disregarded in an unconstitutional manner, the exercise of the freedom of expression and communication by punishing the denial of the existence and the juridical qualification of the crimes that it recognized and characterized as such; that, as a result of this and without needing to examine the other grievances, it should be declared that the Article 1 of the Boyer Law and the Article 2, which is not separable from it, is in contradiction with the Constitution.*

*DECIDED:*

*Article 1. The Law to Punish the Denial of the Existence of Genocides recognized as such by the Law is in contradiction with the Constitution.*

*Article 2. The present decision will be published in the Official Gazette of the Republic of France”.*

### VIII. CONCLUSION

The Constitutional Council overruled the law. Therefore the law will not enter into force. However no sooner had the Constitutional Council issued its verdict than Mr. Sarkozy, the then President of the Republic, was quoted in the media as having instructed his advisors that by the month of June new draft law should be submitted to the parliament to circumvent the reasons that led the Constitutional Council to overrule the Boyer Law. We will see whether Mr. Sarkozy's political party UMP will carry out this instruction now that he is not any longer the President of the Republic.

Mr. Badinter, the former Chairman of the Constitutional Council, had pointed out that the Constitutional Council may also declare unconstitutional the law of 29 January 2001 that recognizes as genocide the 1915 incidents in the Ottoman Turkey. It did not do so. This may be due to the fact that the parliamentarians did not refer to this question in their submission and the Constitutional Court did not look into a subject that was not brought to its attention by the parliamentarians. This may also be a “*quid pro quo*” extended to the Armenian community in France in exchange for the damage caused to the Armenian cause by this clumsy initiative.

The analyses made in the present article and the points made by the French parliamentarians in their submission to the Constitutional Council as well as the verdict of the Constitutional Council contain sufficient elements to persuade the potential initiators of similar laws in the future that such initiatives lead nowhere. The future will tell us whether proper lessons are drawn from this initiative and whether the sagacity will prevail over the short-sighted electioneering motivations.

*The verdict of the Constitutional Court stopped the Turkish-French relations from falling down the precipice, however they are still on the brink and the risks of falling are not avoided entirely.*



The verdict of the Constitutional Court stopped the Turkish-French relations from falling down the precipice, however they are still on the brink and the risks of falling are not avoided entirely. Turkey and France have huge potentials for cooperation to be mobilized if this unpleasant problem put on the shoulder of France by a community that constitutes less than 1 % of its population were not to overshadow them.

When Galileo Galilei said in 1633 that the sun was not revolving round the planet earth, he was taken to the Inquisition and punished by it, because Galileo was denying a dogma that was accepted by the church. The Boyer Law wanted to punish the denial of a fact that a group of French Parliamentarians assumed as genocide. A reasonable person in France will have to explain now to the world public opinion the difference between the Boyer Law and the verdict of the Inquisition that punished Galileo.

## **BIBLIOGRAPHY**

Yaşar Yakış, “A European Union Framework Decision on the Offence of Denying a Crime”, *Review of Armenian Studies*, no.23, July 2011, pp, 63-92

Badinter, Robert “Le Parlement n’est pas un tribunal” *Le Monde*, 15.1.2012

Rapport d’Information, en application de l’Article 145 du Règlement, au nom de la Mission d’Information sur les questions mémorielles, par M. Bernard Accoyer, Président de l’Assemblée Nationale.

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**FOREIGN POLICY ANALYSIS**


**Turkish Foreign Minister Davutoğlu's Visit to Lebanon and Turkey's Relations with Lebanon**



When we look at Turkey's relations with Lebanon from the past to the present, we see that these relations have developed on the basis of cooperation and, at times, conflict. However, since 2005, we have seen Turkey's relations with Lebanon develop rapidly in the fields of economy, politics and security.

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**Northern Iraq Notes II: Sulaymaniyah Observations**



All the PUK authorities we interviewed said that the elections were a big gain for democracy. Probably, the reason for these statements isn't only the development of democracy. We got the impression that the Change List, formed by the PUK's veteran leaders, may reunite with the PUK.

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- Christer Asp**, The Kingdom of Sweden's Ambassador to Ankara, assessed Turkey-EU relations and Turkey's changing role within the international system.
- Mohammed bin Nasser Hamad Al-Wohabi**, Ambassador of the Sultanate of Oman, stated that Turkey is a stabilizing and balancing element in the Middle East.
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Slovakya parlamentosu Avro Bölgesi'ndeki borç krizi için hayati önemde görülen Avrupa Mali İstikrar Fonu'nun genişletilmesi planlarını reddetti.

Devamı için ...

**TİMOŞENKOYA 7 YIL HAPİS**



Ukrayna'nın eski başbakanı, yolsuzluk yaptığı gerekçesiyle suçlu bulundu. Mahkeme Timoşenko'yu 7 yıl hapis cezasına çarptırdı.

Devamı için ...

**MAKEDONYA'DA NUFUS SAYIMI**