

REVIEW OF
ARMENIAN STUDIES

A Biannual Journal of History, Politics and International Relations

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Facts and Comments

Ömer E. LÜTEM

Caucasus 2012 Drills: Russia's Efficacy Attempts
in the Caucasus as Part of Its Security Strategies

Ali ASKER

Armenian Relocation and International Law

Yılmaz ERACAR

Categorizing Historiography:
Turkish-Armenian Relations Throughout History

Armand SAĞ

Self-Determination vs. Territorial Integrity:
Ottoman-Armenian Conflict of 1915
From Two Perspectives of Statehood

Bülent TEMEL

Interview With Prof. Dr. Hüseyin Bağcı

BOOK REVIEWS



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In **Facts and Comments**, the first article of the current number of our journal, addresses the developments occurring in the six months within the second half of 2012 concerning the Armenian Questions and Turkey-Armenia relations. Within this period, full stagnation has dominated Turkey-Armenia relations. Furthermore, it has been observed that the contacts made between civil society and professional organizations, which are particularly encouraged by the US, have not created any results.

The issues coming to the fore from among quite a number of the issues addressed in this rather long article are summarized as follows: The importance the US attaches to the normalization of Turkey-Armenia relations is continuing. Since Barack Obama has been elected once again, it could be understood that this policy of the US will continue for the next four years. Although the desire to establish better relations between the two countries has become more apparent following the election of François Hollande as President, this time the inclusion of some information in French textbooks, which only takes the Armenian views into consideration in regards to the Armenian genocide allegations, has created a new problem. It appears that the incumbent president will be elected again in the presidential election to be held in Armenia in February 2013. When considering that the Armenian Republican Party, the great partner of the Government, has won the parliamentary election, it could be deduced that in the next couple of years there will be stability in Armenia in terms of its domestic policy. On the other hand, it is believed that to what extent Armenia will join a movement to form a bloc such as the Eurasian Union and customs union led by the Russian Federation and to what extent it will develop its relations with the European Union, NATO and the US and also what kind of a policy it will follow regarding the resolution of the Karabakh conflict and the normalization of its relations with Turkey will carry priority for Armenia among its foreign policy issues in the upcoming years.

Concerning the other articles, in his article entitled **Caucasus 2012 Drills: Russia's Efficacy Attempts in the Caucasus as Part of Its Security Strategies**, Ali Asker focuses on the hidden political purposes of the military exercises being

performed this year in September in Southern Russia, Abkhazia, Southern Ossetia and Armenia.

In his article entitled **Armenian Relocation and International Law**, Yılmaz Eracar develops an interesting view that the research of the 1915 events should be conducted through a historical aspect rather than a legal aspect and indicates that since the 1948 Convention cannot be applied retroactively, it cannot be applied to the 1915 events either and furthermore, that the 1915 events can also not be considered as a crime against humanity due to the decision of relocation being taken for reasons of statute of limitations and war.

Armand Sağ, in his article entitled **Categorizing History: Turkish-Armenian Relations Throughout History**, has divided scholars researching the Armenian Question and the Armenian genocide allegations into four categories according to their tendencies. While in the first category are those who recognize these allegations without any hesitations, the other categories entail, although to different extents, scholars who question the genocide allegations. Furthermore, it is indicated in the article that two great discussions exist on the Armenian question; the first is proving that the Ottoman Empire acted with the purpose to annihilate the Armenians while the second is the uncertainty of the number of Armenians who died.

In the article entitled **Self-Determination vs. Territorial Integrity: Ottoman-Armenian Conflict of 1915 From Two Perspectives of Statehood** written by Bülent Temel, the relocation of Armenians is addressed in light of these two countries of international law and it is emphasized that self-determination is used to support secessionist claims.

An **interview on this issue with Prof. Dr. Hüseyin Bağcı** who had recently visited Armenia and in which interesting observations have been made could also be found in our Journal. The humanitarian approach and the optimism of Professor Bağcı is welcome. However, sentimentality bordering naivety and wishful thinking do not necessarily lead to realistic and feasible policy initiatives. As regards to his evaluation of Azerbaijan, AVİM reserves the Azerbaijani point of view's right of reply to this interview.

Furthermore, two book reviews are found in our Journal. The first is Dr. Arnold Reisman's book **Armenians: Perpetrators and Victims** which is to be published soon. The second is Chris Bohjalian's **The Sandcastle Girls**, published last July in the US, which entered the best seller list for a short time and which addresses the Armenian genocide allegations.

Sincerely,

The Editor

FACTS AND COMMENTS

(OLAYLAR VE YORUMLAR)

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Abstract: *This article studies the developments occurring in the last six months (June to December 2012) in Turkey-Armenia relations, United States policies concerning these relations, US elections and the Armenians, France and the Armenian Question, Armenian genocide allegations in French textbooks, Armenia's relations with the Russian Federation, Armenian genocide allegations in Israel and the upcoming Armenian Presidential elections.*

Keywords: *Turkey, Armenia, United States, France, Russia, Israel, Azerbaijan, Armenian genocide allegations, textbooks in France, Russian natural gas prices, Abdullah Gül, R.T. Erdoğan, Ahmet Davutoğlu, Serge Sarkisian, Edward Nalbandian, Gagik Tsarukian, Levon Ter-Petrosian, Vladimir Putin, Barack Obama, Mitt Romney, François Hollande, Laurent Fabius, Zehava Gal-On.*

Öz: *Bu yazıda 2012 yılının son altı ayında gerçekleşen şu olaylar hakkında bilgi verilmektedir: Türkiye-Ermenistan ilişkileri, bu ilişkilere ilişkin ABD politikaları, ABD seçimleri ve Ermeniler, Fransa ve Ermeni Sorunu, Fransız okul kitaplarında Ermeni soykırım iddiaları, Ermenistan'ın Rusya Federasyonu ile ilişkileri, İsrail'de Ermeni soykırım iddiaları ve Ermenistan'da yapılacak olan başkanlık seçimleri.*

Anahtar Kelimeler: *Türkiye, Ermenistan, A.B.D, Fransa, Rusya, İsrail, Azerbaycan, Ermeni soykırımı iddiaları, Fransa'da okul kitapları, Rus doğal gazı fiyatları, Abdullah Gül, R.T. Erdoğan, Ahmet Davutoğlu, Serj Sarkisyan, Edward Nalbantyan, Gagik Tsarukyan, Levon Ter Petrosyan, Vladimir Putin, Barack Obama, Mitt Romney, François Hollande, Laurent Fabius, Zehava Gal-On.*

I – TURKEY-ARMENIA RELATIONS

1. Some Recent Developments

During the period under observation, the stagnation or rather the lack of any positive development seen in Turkey-Armenia relations has continued. It has been observed that compared to Turkey's approach of continuing relations although with small steps, Armenia has preferred to have as few contacts as possible with Turkey. It is believed that the main reason for this is due to being frequently criticized for the Turkey-Armenia protocols and in order to gain votes, Sarkisian adopts a harsh policy against Turkey before the Presidential election to be held in February 2013 or at least tries not to lose votes because of Turkey.

This negative stance of Armenia against Turkey has been displayed several times. The most important of these is President Sarkisian, despite being invited, not attending the Summit of the Black Sea Economic Cooperation Organization (BSEC) held in Istanbul for its 20th anniversary, not sending Foreign Minister Nalbandian or any other minister there and Armenia being represented in the meeting by Deputy Foreign Minister Aşot Hovakimyan. According to an Armenian source, President Abdullah Gül who chaired the meeting, in response to the journalists' questions, has indicated that Armenia's membership to the organization of the Black Sea Economic Cooperation is a result of Turkey's positive disposition in the past, that many problems of the region must be settled in the same spirit and that he attaches great importance to Armenia's participation in this summit, as it is necessary to also hear their opinion¹.

It could be seen that in spite of Armenia's approach of keeping away from Turkey, projects of cooperation in the Southern Caucasus have developed. On 8 June 2012, the Foreign Ministers of Turkey, Azerbaijan and Georgia have met in Trabzon and signed a "Regional Cooperation Declaration" (in short, the Trabzon Declaration). In his speech delivered for this occasion, Foreign Minister Davutoğlu has said that the cooperation of the three countries will establish a great bridge between the Black Sea, Caspian Sea and the Mediterranean and that just as with the Baku-Tblisi-Ceyhan pipeline, this time there will be the opportunity to further develop the steps taken in the areas of transportation, energy and economy with more concrete foundations through these trilateral mechanisms².

1 "This Time Turkey's and Azerbaijan's Expectations Connected with Armenia Didn't Come True", *Yerkirmedia.am*, 27 June 2012

2 "Trabzon Deklarasyonu!" (Trabzon Declaration!), *Medya Trabzon*, 8 June 2012.

On the other hand, the “Trans-Anatolian Natural Gas Pipeline” Agreement which foresees Azeri natural gas being transported to Europe through Turkey has been signed between Azerbaijan and Turkey on 26 June 2012³. This project, which is called TANAP in short, will allow Azeri gas to pass through Georgia and sold and transported through Turkey. The first stage of the four stages foreseen for this project will be completed by 2018 with the first transfer of gas and it is expected that the annual capacity, which will approximately reach 16 billion cubic meters in 2020, to increase up to 23 billion in 2023 and to 31 billion by 2026.

Despite it being necessary for Armenia to cooperate with its neighbors within the economic field due to its serious problems with Turkey and Azerbaijan and for having occupied 20% of Azeri territories, Armenia has remained outside the trilateral cooperation being adopted in Trabzon. For the same reason, the Trans-Anatolian Natural Gas Pipeline passing through Armenia, although it would be a much shorter route, has been strictly out of the question. Thus, Armenia has been left devoid of transit fees which will be an important source of income in the future. In short, Armenia’s policies pursued against Turkey and Azerbaijan have also harmed the country in the economic field.

It could be seen that this situation, despite being important, has almost never been discussed in Armenia and within the Diaspora. On the other hand, Armenian Prime Minister Tigran Sarkisyan, without referring to the Trabzon Declaration and TANAP at all, has said that there are a few countries in the world which are in such a difficult situation as Armenia is, that Armenia has no access to sea and no diplomatic relations with its two neighbors Turkey and Azerbaijan, but that the country should use all its features to provide maximum integration with Georgia, Azerbaijan, Turkey and Iran and taking into consideration the fact that the settlement of the relations with Turkey and Azerbaijan is quite a difficult problem, Armenia should therefore focus on the country’s internal resources and on the better organization of the “Armenian World” (Diaspora) potential⁴.

It is clear that Armenia, which lacks valuable natural resources like natural gas and petroleum, which does not expect high increases in the aid provided by the Diaspora and which has a significant number of persons who migrate abroad each year for economic reasons⁵, will not achieve a rapid development

3 “Trans Anadolu Boru Hattı’nda imzalar tamam!” (Signatures are Complete for the Trans-Anatolian Pipeline), *Star*, 28 June 2012.

4 “The Armenian Development Potential is the Armenian Nation Spread All over the World”, *Armenpress*, 31 July 2012.

5 It is understood that in the first six months of 2012, 56.000 people have migrated from Armenia (“More People Emigrate from Armenia in First 6 Months Of 2012”, *News.am*, 17 July 2012).

through the method expressed by the Prime Minister. For Armenia, its development is linked to establishing peace with its neighbors and closely cooperating with them. However, it is understood that Armenia is not yet ready for this.

It could also be understood that there has been no change in Armenia's stance in their relations with Turkey from Prime Minister Tigran Sarkisyan's words

It is clear that Armenia, which lacks valuable natural resources like natural gas and petroleum, which does not expect high increases in the aid provided by the Diaspora and which has a significant number of persons who migrate abroad each year for economic reasons, will not achieve a rapid development through the method expressed by the Prime Minister.

that they have offered Turkey to establish diplomatic relations and to open borders without delay⁶. This approach bears unreal qualification that relations will normalize without the existing problems being resolved. On the other hand, in response to a journalist's question posed during the Turkey-Azerbaijan Strategic Partnership Council meeting held on 11-12 September 2012 in Baku, Prime Minister Erdoğan has said that it is out of the question for Turkey to open its border unless solutions are found to the Nagorno-Karabakh conflict and also that the Armenian forces must withdraw from the regions under occupation. On another occasion, Erdoğan has stated that "Armenia, the Armenians and anyone supporting them, whether inside or outside, should know that

there will be no change in Turkey's stance unless the rights of their Azeri brothers are fulfilled"⁷.

As to the genocide allegations, Foreign Minister Davutoğlu has said that Turkey is ready for negotiations with Armenia regarding the 1915 events, that he is against the politicization of historical events and that Turkey proposed setting up joint commissions (Commission of Historians) since 2005, but Armenia did not respond favorably. Furthermore, he has expressed that if history is mixed with politics, no solution could be obtained from it⁸.

On the other hand, it could be seen that President Sarkisian has gradually started talking more about the "genocide" issue. In a speech delivered at the World Armenian Congress, an organization of the Armenians in Russia, which convened in Yerevan, Sarkisian has said that the 100th anniversary of

6 "Armenian PM Offers Turkey to Establish Diplomatic Relations and Open Borders", *News.am*, 7 September 2012.

7 "İsrail ve Ermenistan'a Rest Çekti" (Expressed Final Opinion in Scathing Terms to Israel and Armenia), *Radikal*, 1 October 2012.

8 "Davutoğlu Reacts Against Islamophobia", *Turkish Government News*, 24 September 2012.

the Armenian genocide is drawing nearer and the crime committed against the Armenian people is still to be assessed as it deserves⁹. On the other hand, in an interview given to the Italian *Quotidiano Nazionale* magazine, he has indicated that the Armenian genocide continues to be a forgotten calamity, that a thick curtain has been pulled over the extermination of the Armenians while everything is known about the Jewish Holocaust, and that this is a double standard. He has then asked how many people in the world truly recognize this reality¹⁰. In another one of his speeches, he has said that sooner or later Turkey will be compelled to accept the genocide truth and that this is probably the minimum of what's needed for having relations with Europe¹¹. It could be understood that the Armenian President believes Turkey's EU membership will play an active role in pushing Turkey to recognize the genocide allegations.

Regarding the Protocols, Sarkisian has told *Quotidiano Nazionale* that Armenia started the process of normalizing its relations with Turkey, but Ankara conditioned this process on unacceptable terms and that today, together with the EU, US, and Russia, Armenia expects Turkey to change its stance¹². Through this statement, Sarkisian has wanted to indicate that Armenia accepts the Protocols, but Turkey links their ratification to the Karabakh conflict and the concerning parties (the EU, US, Russia) supports Armenia and anticipates for Turkey to change this stance.

2. Ahmet Davutoğlu's Proposals

While travelling to the Syria Summit in Paris in the beginning of July, Foreign Minister Ahmet Davutoğlu has provided information and has expressed his views to some journalists on the airplane concerning significant issues of foreign policy. Within this framework, his statements on the Armenian Question are especially important. We are quoting these as they were published in a newspaper¹³:

We are doing three things. First of all we are trying to re-vitalize the Caucasus dimension. If only the protocols were implemented... We always wanted that. Rather than the factors in Turkey, the balances abroad and in the Caucasus prevented this from happening. If only Armenia had withdrawn from one of the 7 rayons it had occupied in

9 "The Armenian Genocide Should be Assessed As it Deserves, Armenian President Says", *Mediamax*, 15 October 2012.

10 "Armenia Awaits Turkey to Change its Stance – President Sargsyan", *News.am*, 25 October 2012.

11 "Serge Sargsyan: Sooner or Later Turkey Will be Compelled to Accept the Truth", *Armradio.am*, 16 November 2012.

12 "Armenia Awaits Turkey to Change its Stance – President Sargsyan", *News.am*, 25 October 2012.

13 Ali Bayramoğlu, "Karşılığında 1915'te Hiçbir Şey Olmamış Diyen Bir Dışişleri Bakanı Yok" (They Are Not Facing a Foreign Minister Who Says Nothing Happened in 1915), *Yeni Şafak*, 7 July 2012.

Karabakh the border would have opened. I had spoken to Aliyev and convinced him. The Azerbaijan border would have also opened. I am still at pain; we could have done this very easily. It did not take place due to psychological factors. Back then I had told Sarkisian ‘withdraw from this rayon, we will make Yerevan the region’s most beautiful city within two years. As a neighbor to Turkey, it is an advantage’. He was not able to (withdraw) because of internal balances. But this formula and issue is still on the table. Conditions for opening the border and implementing the protocols could still be realized. This is what we seek. We are not only doing this from a 2015 perspective, but we know that it will be important and alleviating the burden for 2015.

Second of all, we are establishing new and different relations with the Diaspora. I had told at the conference of (Turkish) ambassadors¹⁴ whose comrades were massacred by Armenians the following: ‘The concept of Diaspora has changed. Everyone emigrating from these territories are our Diaspora...’. Not only the Turks, but everyone emigrating from these lands are Diaspora including Armenians, Jews, Greeks, El Turcos, including also the Arabs and Muslims in Brazil, in Argentina. They are our people. They are people whose culture and language is similar to ours.

Rather than political decisions, psychology is the new instrument of communication. You will sit down and talk. Our goal is to melt the ice. We are seeking for a new means of communication. Now there is someone sitting across the Armenians and listening to them. I am not a foreign minister who confronts them and says nothing happened in 1915. But they should also not constrict the entire Turkish-Armenian relations to 1915... We do not deny their pain, we understand them. We should work together to do what is necessary. But it is not a one-sided declaration of guilt¹⁵.

Our third preparation is, towards 2015, about the messages we will convey regarding 1915. Within the context of a ‘Just Memory’, we must develop a new language. Concerning this issue I am also preparing to write a book about Ottoman history. I would not use the term genocide, but for those who do I would say it reflects their view. Just memory is partly this: We are not Germans. For us and in our history the idea of ethnic cleansing does not exist, ghetto does not exist. In fact, we are a nation who has also suffered greatly during the same period. In the

14 Forth Ambassadors Conference, 23-30 December 2011, Ankara-Edirne.

15 The last sentence has been taken from another source on the President’s statement. Aslı Aydıntaşbaş, “El Turco Açılımı” (The El Turco Opening), *Milliyet*, 7 July 2011.

Balkans and the Caucasus there are the fears and losses the Muslims have suffered. There have been events experienced which created the paranoia that the Muslims will also be expelled from Anatolia... In order to defend their own land, mistakes, massacres and illegal acts have taken place. But if you compare the (Turkish) soldiers' psychology to the Nazis, no way, if you present them as the killer race, no way. First one must refrain from the ideological reflex facing them which is considering your opponent as evil.

Based on the Foreign Minister's statements, it could be understood that concerning the Armenian Question, Turkish diplomacy is still working in three areas.

a. Turkey's Relations with Armenia and the Karabakh Conflict

The Minister has combined these issues under the "Caucasus" heading. From his statements, it is understood that the goal is to achieve a progress in the Karabakh conflict and for the Turkey-Armenia border to be opened based on this progress. This policy is not a new one. It has also tried to be pursued following the failure of the protocols. Concerning this issue, information which could be considered as a new one is the proposal that the Turkish border will be opened if the Armenians withdraw from only one of the seven "rayons" (districts) which surround the Karabakh region and which are occupied by the Armenians. Another point which is as important is that this proposal has also been embraced by Azerbaijan which has accepted to open its borders. While the goal was for Armenia to withdraw from all of the territories (Karabakh + 7 rayons), both countries accepting to open their borders on the condition of withdrawing from only one rayon, although as the first step, is an important concession made to the Armenians. As the withdrawal from one of the rayons is accepted, it does not seem possible henceforth to link the opening of the borders to the total Armenians even partially withdrawing from the territories they have occupied. This is also what the Armenians want who insist on the borders being opened without being linked to any conditions.

The Minister links this approach to "psychological factors" and "internal balances". What is meant by "psychological factors" is the public opinion of Armenia and especially the Diaspora opposing any settlement which is not to Armenia's full advantage or which is not considered as some kind of surrender to Turkey and Azerbaijan. However, on that matter, the country which is in a difficult position is not Turkey or Azerbaijan, but Armenia. However, an initiative to explain to public opinion the truth cannot be seen

in neither the Diaspora nor in Armenia. This means that an agreement to be reached in the future with Turkey and/or Azerbaijan will be very difficult to be embraced by the Armenian public opinion. In fact, as could be recalled, in September 2009 before the protocols were signed, President Sarkisian had conducted meetings in France, the US, Lebanon and Russia in order to convince the Diaspora and was not much welcomed.

Concerning “internal balances”, presumably the Turkish Foreign Minister is referring to the period of elections which Armenia is in. With unrealistic beliefs and expectations dominating Armenia’s public opinion, it is not possible for the Armenians to conclude an agreement with Turkey or Azerbaijan during the election period. Therefore, if some developments towards the settlement of issues the two countries have with Armenia are to take place, it is necessary to wait for the presidential elections to be held in February 2013. On this point, it is noteworthy to recall that presidential elections will also take place in Azerbaijan in the fall of 2013. In short, next year might also not entail the appropriate conditions necessary for the settlement of Azerbaijani problems with Armenia.

On the other hand, Turkey’s attempts to contribute to the resolution of the Karabakh conflict are continuing. During the Summit of Cooperation Council of Turkic Speaking States taking place at the end of August in Bishkek, Foreign Minister Davutoğlu has said that the Karabakh conflict is an obstacle standing in the way of stability in the South Caucasus, Karabakh and the other occupied territories of Azerbaijan must be liberated, that they are seriously concerned about unsuccessful negotiations on Karabakh, and that it will be difficult to achieve peace, stability and tranquility in the South Caucasus unless the Karabakh conflict is settled peacefully within the territorial integrity of Azerbaijan¹⁶, Shavars Kocharyan, the Deputy Foreign Minister of Armenia, has replied that Davutoğlu zeroed out his knowledge in the sphere of international law and has said that territorial integrity does not eliminate people’s right of self-determination¹⁷. This way, he has tried to push the fact that Azeri territories are under Armenian occupation to the background.

In face of the Minsk Group’s attempts continuing for years but never being able to create any results, Foreign Minister Davutoğlu has proposed for Azerbaijan and Armenia to meet in Istanbul and to seek a settlement for the Karabakh issue on a bilateral level¹⁸. Armenian Foreign Minister Nalbandian

16 “Ahmet Davutoğlu: Liberation of the Azerbaijani Territories Main Direction of Our Foreign Policy”, *APA*, 23 August 2012.

17 “La Réponse de la Diplomatie arménienne au Ministre Turc”, *Armenews*, 3 September 2012.

18 “Turkey, Nagorno-Karabakh and the South Caucasus”, *Today’s Zaman*, 28 August 2012.

has rejected Turkey's mediating efforts and has directed a pointless question of whether the meetings held over Karabakh in various countries including Russia failed just because they were not held in Istanbul. Moreover, he has propounded that Turkish attempts to mediate issues concerning its neighbors (most likely referring to Syria) have never produced positive results, but rather the opposite¹⁹. It could be seen that whether intentionally or unintentionally, the Armenian Foreign Minister has overlooked Turkey's proposal for Armenia and Azerbaijan to directly hold negotiations without the Minsk Group.

b. Diaspora

Second of all, Davutoğlu has put emphasis on establishing new and different relations with the Diaspora.

Within this framework, he has said that the concept of Diaspora has changed and that everyone emigrating from Ottoman/Turkish territories (Armenian, Greek, Jew, Arab etc.) are our (Turkey's) Diaspora. He has linked this idea to the culture of these nations being similar to that of Turkey and has expressed that in order to melt the ice, it is necessary to speak to them. It is true that in general, the Christians who have migrated either during the Ottoman or Turkish Republic periods, although to different extents, do not possess positive feelings towards Turkey and the Turks. Although at a very low level, the Turks, as a reaction, also have the same feelings against this group. However, as many years have passed since the events which caused these people to emigrate, it is undoubtedly beneficial to bring forth mutual values rather than issues which separate us and to continue the contacts on this basis.

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By indirectly referring to an issue which the Armenians are the most sensitive, about the view that not significant losses have taken place during the forced migration in 1915, the foreign minister has emphasized that he "is not a foreign minister who says that nothing happened in 1915", but that the Armenians should also not expect Turkey to issue a "one-sided declaration of guilt" regarding these events. Moreover, by saying "we do not deny your pain, we understand them. We should work together to do what is necessary", he has conveyed his desire to conduct research together on the 1915 events. This statement brings to mind Turkey's proposal of a "Commission of Historians" in 2005.

19 "Yerevan Rules out Ankara's Mediation of Karabakh Conflict", *Interfax*, 4 September 2012.

c. Actions to Be Taken Towards 2015

Concerning this issue, the Minister has spoken about the idea of a “just memory”. Just memory could be defined as not only considering the sufferings of only one side regarding a specific event, but also taking into consideration the pains endured by the other concerning parties. In general, it could be seen that concerning their own history and especially the 1915 events, the Armenians only take into account their own pains and either ignore or undervalue what the others have suffered. This “unjust memory” prevents the events from being addressed and researched in an impartial and scientific manner.

From the Minister’s statements it could be understood that he is in the process of writing a book on Ottoman history and that he will also mention those who support the genocide view; moreover, that the Ottomans are different than the Germans in regards to the genocide allegations and that he will touch upon for instance that ethnic cleansing and ghetto do not exist in Ottoman history. On the other hand, the Minister explains the 1915 Armenian relocation as a result of the concern of the Ottomans for the probability of also being expelled from the last remaining region, Anatolia, remembering the events which took place in the Caucasus and the Balkans before 1915 which caused great sufferings for the Ottomans and many losses. The Minister has said that the attempt to hold on to this last piece of land (Anatolia) has led to some mistakes, massacres and illegal acts to take place. In short, at the origin of the 1915 relocation lie self defense. This is completely different than the “racist hatred” which caused the deaths of six million Jews.

Davutoğlu’s statements are very important and although in few numbers, some negative reactions have been received from the Diaspora. Let us provide some examples: Turkey’s attempt to make contacts with the Armenian Diaspora is a dangerous dialogue, a strategy to divide the Armenians and reduce their national struggle. The Armenians’ national aims entail compensation being paid and amends for the victims of genocide (returning of properties, paying compensation)²⁰. Opening of the borders, the utilization of the Trabzon port, returning of Armenian religious monuments to the Istanbul Patriarchate, giving compensation to the victims of genocide and the returning of their ancestors’ properties are small gestures. The Armenians will not accept anything which does not recognize the Armenian genocide allegations. Turkey does not have a Willy Brandt who will kneel down on his knees and beg for forgiveness²¹. Davutoğlu’s statements will

20 Ara Khachatourian, “Davutoğlu’s Revisionism Targets the Diaspora”, *Asbarez*, 13 July 2012.

21 “An Open Letter to Aslı Aydıntaşbaş” *www.armenianlife.com*, 2 August 2012.

not make a positive impact in Armenia and within the Armenian Diaspora. It must not be expected from the Armenians to empathize with the Turks. The Armenians and Armenia are not responsible for the tragedies the Ottomans experienced in the Balkans, Çanakkale and the Middle East. The Armenians expect an apology or at least a deep empathy²².

No direct reaction has been received from Armenia towards Davutoğlu's statements. On the other hand, Foreign Minister Edward Nalbandian, in a press conference held together with OSCE Secretary General Lamberto Zannier, has responded to a question concerning this issue in the following way²³:

You know, unlike such kind of combinations proposed by Turkey, the international community is proposing another combination of three steps: ratification of the Armenian-Turkish protocols without any preconditions; implementation of the reached agreements, again without any preconditions; and refraining from the attempts to link the normalization of the Armenian-Turkish relations with the settlement of the Nagorno-Karabakh issue and not meddling in the settlement of the Nagorno-Karabakh issue...

Turkey failed to undertake serious efforts towards that direction over 97 years. Turkey was unable to face its own history. If Turkey intends to work in the same way in the next three years and proposes 'a combination of some steps' which lead to nowhere, the result is obvious.

Nalbandian has also displayed his negative stance towards Turkey on another occasion. In a statement made after the signing of the Trabzon Declaration which we mentioned above, by referring to the Karabakh conflict, Foreign Minister Davutoğlu had said that he is concerned about the recent tension arising on the occupied territories and that he has especially been deeply hurt for the martyring of five Azeri soldiers during the latest conflicts²⁴. In answer to a journalist's question on what he thinks about Davutoğlu's statement during a press conference held several days later by Nalbandian and OSCE Chairperson-in-Office Eamon Gilmore, Nalbandian has said that his statement sounds racist, that he never heard Davutoğlu being concerned about the killings of Armenian soldiers by the Azeri side and that these sorts of Turkish statements in fact encourage Azerbaijanis' new subversive acts²⁵. At

22 "Attempt of Turkey To Repackage Armenian Issue Likely To Fall Short", *Armenpress*, 21 July 2012.

23 "Press conference: The address and answers of the Armenian Minister of Foreign Affairs Edward Nalbandian during the joint press conference with Lamberto Zannier, the OSCE Secretary General" http://mfa.am/en/press-conference/item/2012/07/12/osce_sg_st/

24 *TRT Turkish News Center*, 8 June 2012

25 "Press conference: Foreign Minister Nalbandian's address and answers to questions during the press conference with Eamon Gilmore, OSCE Chairman-in-Office, Deputy Prime Minister and Foreign Minister of the Republic of Ireland" http://www.mfa.am/en/press-conference/item/2012/06/12/osce_cio_perss/

a conference in which Azerbaijani Foreign Minister Memmedyarov was also present, it is quite normal for Davutoğlu to express his sorrow for the Azerbaijani soldiers who were killed a short while back. However, it is without doubt that accusing Davutoğlu of racism for not mentioning the Armenian soldiers who were killed in the conflicts is not a normal behavior.

In conclusion, the stances of the journalists of both the Diaspora and Armenia and especially that of Armenian Foreign Minister Nalbandian towards Davutoğlu's views are very negative and this negativity prevents the normalization of Turkey-Armenia relations. On the other hand, the rejection of the proposals made openly indicate that the side striving to reach a settlement is Turkey, while the side refusing a settlement is Armenia. When considering that Armenia has great interests in resolving the problems with its neighbors and with Turkey in particular, it is difficult to understand these persistent rejections.

II – THE US AND TURKEY-ARMENIA RELATIONS

The US shows great effort both in the normalization of Turkey-Armenia relations and developing their own relations with Armenia. However, the reasons for such efforts are not quite clear.

The importance the US attaches to Turkey-Armenia relations could be explained as the desire to resolve the issues between the two countries in order to prevent a crisis from developing, since Turkey has now become the US's most important partner in the Middle East. Concerning this issue, the US Government is playing an important role, constantly warns the sides to settle the problems between them, makes some suggestions to this event or even encourages some persons to bring forth proposals²⁶.

Among the reasons for the US wanting to develop its bilateral relations with Armenia, the desire to have a say in this country which neighbors Iran and to create the opportunity for Armenia, which is more under the influence of Russia each day, to achieve a balance in its foreign relations could come to mind.

The importance attached to Armenia by the US has caused Foreign Minister Hillary Clinton to visit Armenia twice in the last two years²⁷. By most likely taking into consideration the reactions she received from Turkey for her visit

26 For information see: Facts and Comments, Efforts to Revive Turkey-Armenia Relations, *Review of Armenian Studies*, No. 25, pp.168-176.

27 Hillary Clinton's first visit to Armenia took place on 4 and 5 July 2010. See: Facts and Comments, *Review of Armenian Studies*, No. 22, pp. 40-42

in 2010²⁸, she has not visited the Genocide Memorial in Yerevan this year, but has tried to create some kind of a balance by giving awards to the Armenians who contributed to the development of human rights.

The part of this year's visit which concerns Turkey-Armenia relations could be summarized as follows.

In the press conference held by Armenian Foreign Minister Edward Nalbandian with Hillary Clinton, he has said the following in regards to Armenia's relations with Turkey:

More than once we have expressed our common approach on the normalization of the Armenian-Turkish relations. That position has been and remains the normalization of relations without preconditions. You have made an exclusive contribution to this process. Thank you very much. Unfortunately, the ball continues to remain in the Turkish court.

On the other hand, Hillary Clinton has responded in the following way:

We also discussed ways to improve Armenia's ties with its neighbors and increase stability and security throughout the region. To that end, 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 issue²⁹.

In response to a question on what the US is doing to develop the relations between the countries of the Caucasus, especially considering that Armenia does not trade with Turkey or Azerbaijan, Clinton has said that their greatest interest is to see Armenia and Turkey move together toward normalization, that they strongly support the efforts made in this direction, that they want the ratification of the protocols without preconditions and that as she had said two years ago, the ball still remains in Turkey's court. Furthermore, she has stated that she is encouraged with more public discussion taking place in Turkey and Armenia about these issues, because honest, open, constructive conversations are important for both sides to move forward³⁰.

28 Facts and Comments, *Review of Armenian Studies*, No.22, pp 97-98

29 "Remarks With Armenian Foreign Minister Eduard Nalbandian" by Hillary Rodham Clinton, Secretary of State, Presidential Palace, Yerevan, Armenia, June 4, 2012, <http://www.state.gov/secretary/rm/2012/06/191781.htm>

30 Ibid

Moreover, the US Foreign Minister has indicated that there is no linkage between the protocols process and the Karabakh negotiations and that these are separate issues. By saying that the US will be actively involved in the resolution of both these issues, she has expressed that these countries (Azerbaijan, Turkey, and Armenia) should have open borders, should work together, should trade, and have people-to-people exchanges, because it would be mutually beneficial to all concerned parties³¹.

During the same press conference, in response to the question of Dashnak prone newspaper Yerkir “here are claims on the highest level from Turkey that some negotiations are conducted on the Armenian-Turkish normalization. Are those claims corresponding to reality?”, Armenian Foreign Minister Edward Nalbandian has said that “negotiations are neither conducted, nor could they be conducted, as the negotiations are over and they resulted in the signing of the protocols, which Turkey refuses to respect and implement by putting forward preconditions” and that “Turkey has no right to put forward any preconditions. It is also the approach of the international community”³².

This press conference is particularly important for clarifying what the US and Armenia thinks about Turkey’s policy towards Armenia (its approach towards the protocols).

In order to make the protocols gain functionality, Turkey expects a significant development to take place regarding the Karabakh issue. On this issue and on the other aspects of Turkey-Armenia relations, Turkey is prepared to carry out negotiations with Armenia. However, since Armenia regards Turkey drawing a linkage between the protocols and Karabakh as a precondition, it is unwilling to conduct negotiations with Turkey on this issue and on other issues relating to relations between the two countries.

With the press conference mentioned above, the US Foreign Minister’s stance towards this issue known all along has been confirmed. In summary, Clinton has put forward:

- a. That they support the normalization of relations without preconditions and urge the ratification of the protocols without preconditions,
- b. That there is no linkage between the protocols process and the Karabakh negotiations and that they are separate issues,

31 Ibid

32 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/>

- c. That “the ball continues to remain in the Turkish court”, in other words, the steps from now on must be taken by Turkey.

This way, it is clear that Clinton has fully embraced Armenian views; in other words, does not accept Turkey’s approach towards this issue.

The view that the protocols should be ratified and implemented without being linked to the Karabakh issue not only belongs to the US, but also to the European Union. In fact, during an interview held on July 3rd just before his visit to Yerevan, President of the European Council (European Union President in short) Herman Van Rompuy has said that “the European Union encourages Armenia and Turkey to normalize their bilateral relations without preconditions”³³. By trying not to address this issue, it is known that Russia’s stance is also the same. In short, Armenia’s views on the protocols is accepted in general.

The view that the protocols should be ratified and implemented without being linked to the Karabakh issue not only belongs to the US, but also to the European Union.

Therefore, Armenia’s approach which rejects the protocols being linked to the Karabakh issue, wants the immediate ratification of these documents, refuses to re-negotiate with Turkey and criticizes Turkey in a very harsh language at every opportunity must be explained by the support it receives concerning the protocols.

Another point which must be addressed is despite there being no doubt that the US supports Armenia regarding the protocols, whether it truly attaches great importance to these documents being ratified by the Turkish Grand National Assembly. Three days after her visit to Yerevan, Hillary Clinton has visited Turkey on 7 July 2012 to attend a conference on combating terrorism and has also arrived a second time on 11 August to discuss the Syria issue. In the press news as regards to these visits, there have been no indications that the Turkey-Armenia relations have been addressed. In this context, it is noteworthy to point out that it was quite normal for Turkey-Armenia relations to remain in the background while issues such as Syria and the Middle East in general were on the agenda.

However, the US’s desire for the protocols to be finalized is also a reality. Although it has not distinctly pressured Turkey on this issue, it is apparent that the US is working in this direction. In fact, with the encouragement and even financial aid of the US, after the protocols reached a deadlock, rather

33 “The Exclusive Interview of Armenpress With President of the Council of Europe, Herman Van Rompuy”, *Armenpress*, 29 June 2012.

intensive contacts have been and continue to be made between the journalists, students and businessman of both countries. Detailed information on this subject has been provided in our previous Journal³⁴.

The most recent American initiative on this issue has been made by US Ambassador to Armenia John A. Heffern. In an interview delivered to a Turkish newspaper³⁵, Heffern has noted three ways for normalizing relations between Turkey and Armenia. These include the ratification and implementation of the protocols, opening the Kars-Gyumri railroad to service which is not used due to the border remaining closed and cross-border exchanges between the journalists, students and businessman of both countries.

Among these, the opening of the Kars-Gyumri railroad is a new proposal. However, since a railroad transports both passengers and goods, if this proposal is accepted then it will mean that the Turkey-Armenia border will have opened de facto. In other words, opening of the Turkish border which is Armenia's greatest request will be fulfilled before the implementation of the protocols. It is unclear how this "by-pass" operation will benefit Turkey. On the other hand, Turkey, Azerbaijan and Georgia are constructing a railroad from Kars to the city of Ahalkelek of Georgia which will be opened next year. Turkey will be using this railroad for its transport to the Caucasus and beyond. The importance of the railroad opening on time has also been indicated in the declaration concerning the cooperation between Turkey, Georgia and Azerbaijan whose Foreign Ministers have adopted on 8 June 2012 in Trabzon³⁶.

The US Ambassador in Yerevan have noted these proposals by putting emphasis on 2015, which is the 100th anniversary of the genocide allegations and the year in which Armenia and the Diaspora are planning on organizing large activities to push Turkey to recognize these allegations. By expressing that this year is a good opportunity to bring the two countries together, the Ambassador has said that a win-win situation should develop for both countries and not a situation where one country will lose and the other will win. These quite vague statements may mean that if Turkey-Armenia relations are normalized and the border is opened, then the activities planned on being carried out in 2015 against Turkey will be cancelled or will decrease. We believe that Armenia, which has officially undertaken some commitments for 2015 towards its public opinion and the Diaspora, will not

34 *Review of Armenian Studies*, No. 24, pp.41-44

35 "2015 Will Be Opportunity To Normalize Ties With Armenia", *Today's Zaman*, 8 June 2012.

36 "Trabzon Declaration Of The Ministers Of Foreign Affairs Of The Republic Of Azerbaijan, Georgia And The Republic Of Turkey, 08 June 2012, Trabzon" http://www.mfa.gov.tr/trabzon—declaration-of-the-ministers-of-foreign-affairs-of-the-republic-of-azerbaijan_-georgia-and-the-republic-of-turkey_-08-june-2012_-trabzon.en.mfa

be willing to abandon these activities and will also not be able to influence the Diaspora, who anyhow will commemorate 2015 in a dashing way.

Turkey normalizing its relations with Armenia and opening the border by ignoring the fact that an important portion of Azeri territories have been occupied by Armenia and approximately one million Azerbaijanis was obliged to abandon these territories, will only be to Armenia's advantage. Such a development will not only leave Azerbaijan on its own against Armenia, but will also lead to negative developments to take place between Turkey and Azerbaijan, creating the conviction among the Azerbaijanis and most of the Turkish public opinion that Turkey has favored the Armenians over the Azerbaijanis. However, the US fails to see these drawbacks or disregards them, but these points are very important for Turkey and only working towards normalizing Turkey-Armenia relations by putting aside Azerbaijan's problems under today's conditions is not to Turkey's benefit. Instead, also taking Azerbaijan into consideration and trying to resolve the issues of the three countries together or in parallel processes seems more likely especially following the Armenian presidential elections.

III – US ELECTIONS AND THE ARMENIANS

On 6 November 2012, US Presidential Elections, House of Representatives Elections and elections for 33 seats of the 100 seats in the Senate were held.

Elections in the US, where the world's oldest and most rooted democracy exists, extend to a broad area. Besides the US President, the Senate, members of the House, state governors, state senates and house of representatives of states or members of organizations equivalent to these, mayors in cities, members of municipal councils, sometimes judges and prosecutors, police commissioners, and even some school principals are appointed through elections.

In general, Armenians show interest in all elections and actively participates in election campaigns by taking office and/or giving donations. One of the other reasons causing the Armenians to act this way is its dependence on the assistance and support of other states since neither Armenia nor the Diaspora has the strength to achieve their claims from Turkey and Azerbaijan, which is why it is necessary to assist candidates who support Armenian views.

1. Possible Number of Armenian Voters

Diaspora Armenians argue that 1.5 million Armenians live in the US, but

they fail to prove this through documents. However, based on the 2010 population census, the number of Armenians is 474.509³⁷. Since censuses are made through declarations, this number represents those who still consider themselves Armenian and officially declare this. There are also those who are Armenian in origin but as a result of assimilation or integration consider themselves to be entirely American; their numbers is not exactly known but is assumed to be not that low.

In determining how many Armenians voted during the elections, it is normal for these votes to come from the 474.509 individuals who declared their selves to be Armenian. It is presumed that a significant number of them have voted by mainly taking into consideration Armenian claims such as the recognition of the genocide allegations, claiming territory and compensation from Turkey, and annexing Karabakh to Armenia or making it an independent state. Within this framework, it could be said that as a round sum, the number of militant Armenians in the US is 400.000. Taking into consideration the children and elderly, this number decreases further. However, since around 239 million electors exist in the US, the number of Armenian electors is not important. It is obvious that Armenians do not have nationwide influence and this influence is felt in places where the Armenian population is denser, especially in areas like Los Angeles.

The stance of the Armenians in US elections will be addressed under three separate sections of ethnic Armenian candidates, members of Congress which the Armenians support and the Armenians' attitude in the Presidential Elections.

2. Ethnic Armenian Candidates

Despite all attempts, no Armenian has been elected to the US Senate or the House of Representatives until now. However, it has been indicated in some sources that Ana Eshoo and Jackie Speier, who were elected from California to the federal House of Representatives, are Armenian in origin³⁸. Although these individuals have voted in favor of the Armenian views, they are not very active in the recognition of these views.

On the opposite, there are Armenians who have been elected to State Assemblies. During the elections on November 6, the number and names of the Armenians being elected to the State Assembly are provided below³⁹.

37 "2010 American Community Survey 1-Year Estimates: Total Ancestry Reported", *United States Census Bureau*.

38 "Elections Bring Broad Bipartisan Victories for ANCA Endorsed Candidates", *Asbarez*, 7 November 2012.

39 Garen Yegparian, "2012 Election: The Aftermath", *Asbarez*, 9 November 2012.

- 2 persons to the California State Assembly (Khacho Achadjian, Adrin Nazarian)
- 1 person to the Idaho State Senate (Al Shoushtarian)
- 1 person to the Iowa State Senate (Tim Kapucian)
- 1 person to the Kentucky State House of Representatives (Marie Lou Marzian)
- 2 persons to the Massachusetts State House of Representatives (James Miceli, John Fresolo)
- 1 person to the Minnesota State House of Representatives (King Banaian)
- 2 persons to the New Hampshire State House of Representatives (Charlene Takesian, Gary Azarian)
- 2 persons to the Rhode Island State House of Representatives (Jared Nunes, Katherine Kazarian)



Apart from these individuals, the Armenian press also attaches importance to the election of Armenians to some seats that are few in numbers. At the top of these is Scott Avedisian being re-elected as mayor of the city of Warwick, Rhode Island. In this context, the others being elected are as follows: Brad Avakian as the Oregon State Labor Commissioner, Peter Koutoujian as the Middlesex County sheriff in Massachusetts, and Linda Arzoumanian as the Superintendent to the Pima County School in Arizona⁴⁰.

Since the number of members in State Assemblies are reflected in thousands, the election of only 12 Armenians to these assemblies is not significant in number. On the other hand, some Armenians being elected to assemblies in states where the Armenians are few in numbers, such as Idaho, Iowa and Kentucky, give the impression that they have won not for being Armenian, but for their personal abilities. Lastly, it will be correct to view the non-election of Armenians to states like New York or New Jersey, in which it is known that quite a number of Armenians live, as a failure.

3. Senate and House of Representatives Elections and Armenians

Concerning Senate and House of Representative candidates who are not Armenian in origin but are supported by the Armenians, ANCA (Armenia National Committee of America), a Dashnak organization that is followed by a majority of the American Armenians, had made suggestions to the Armenians before the election on which candidates to vote for. For this, as it will be explained further below, it had sent a questionnaire to the candidates for them to answer and taking these responses and the past conduct of the candidates into consideration, each candidate was given a grade on supporting “Armenian cases”⁴¹ while a list of candidates to be voted for was announced⁴². When studying this list, it could be seen that Armenians were called to vote for a total of 145 candidates from 31 states, including 15 senators and 130 House members. However, there are 50 states in the US and the total of the 33 senators and the 435 House members who have to be voted is 468. According to this, ANCA has not made any suggestions for the remaining 19 states and has failed to indicate on who to vote for the remaining 2/3rd seats of the total 468. This situation is another indicator that the Armenian votes are low in the US.

At the end of the elections, it was declared that 12 of the 15 ANCA endorsed senators and while 118 of the 130 endorsed House members emerged

40 “Harut Sassounian: Armenian-Americans Score Major Gains in US Elections”, *Armenian Weekly*, 3 November 2012.

41 These grades of A, B, C, D range from good to bad and each of these letters are evaluated as a plus (+) or minus (-). Based on this, A+ is the highest grade.

42 “ANCA Announces 2012 Congressional Endorsements”, *Asbarez*, 23 October 2012.

victorious⁴³. Therefore, there has been a decrease of approximately 10% in the number of those in the Congress expected to support Armenian views. However, this decrease is not so important to diminish the influence of the Armenians within the Senate and the House of Representatives.

Meanwhile, as a result of joining some electoral districts in California, Howard Berman and Brad Sherman, who are both members of the Democrat Party and have shown great efforts to support Armenian claims, have become opponents after ending up in the same electoral district. Brad Sherman has won the election. Therefore, there is now one person less in the number of those being very active in the House of Representatives to support the Armenians. Berman was the Chairman of the House Committee on Foreign affairs until 2010. It had drawn attention by utilizing the privilege of his chair for the adoption of resolutions regarding the recognition of the Armenian genocide allegations. In this context, Berman acting out of the ordinary, had took position in favor of the adoption of a draft resolution in 2010 which foresaw the recognition of the genocide allegations, had granted an above-normal time limit for the voting and had even left his seat to search for members in the corridors who could vote in favor of the draft and at the end, causing the bill to be adopted⁴⁴.

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4. Presidential Election

As mentioned above, ANCA prepares a questionnaire before each election and sends them to all candidates, including presidential candidates, asking them to respond to some questions.

This year's Questionnaire entailed 28 questions. These questions are divided into the following sections: US Recognition of the Armenian Genocide, US Support for Armenia and Nagorno-Karabakh, Conditions on US Aid to Azerbaijan, the Turkish Blockade of Armenia, Self-Determination for Nagorno-Karabakh, Presidential Visitations, Armenian American Participation in Government and Darfur.

43 "Elections Bring Broad Bipartisan Victories for ANCA Endorsed Candidates", *Asharez*, 7 November 2012.

44 *Review of Armenian Studies*, No. 21, p. 35.

In order to give an idea about their content, we are providing the questions in the “US Recognition of the Armenian Genocide” section below:

- As President, will you officially and publicly recognize the Armenian Genocide as a genocide?
- What are your views on Congressional legislation affirming the Armenian Genocide?
- What steps will you take to help end Turkey’s denial of the Armenian Genocide?
- Will your ambassadorial nominees to Armenia and Turkey recognize the Armenian Genocide?
- Will you oppose “commission” called to determine if there was an Armenian Genocide?

If candidates respond positively to these questions, they will be giving their written commitments beforehand regarding these issues, in particular working towards the Armenian genocide allegations being recognized, supporting Armenia’s policy towards Karabakh and trying to obtain financial aid for Armenia and Karabakh. It is quite normal for those candidates, whose polling districts have a sizeable number of Armenians living there, to respond positively to these questions. On the other hand, rather than responding to the questions, some candidates, in order to avoid commitments, prefer sending a letter which entails more general statements.

While the Republicans’ candidate John McCain had refrained from making certain promises during the 2008 elections, Barack Obama had made an explicit promise to recognize and work towards the recognition of the Armenian genocide allegations and had repeated this stance verbally several times. However, after being elected, by taking into consideration Turkey’s importance for US foreign policy, he had abandoned his promises made to the Armenians and consequently was strongly criticized by them. Hillary Clinton had also responded positively to Armenian claims during the period in which she tried to be the presidential candidate from the Democrat Party, but again after becoming Foreign Minister, had characterized the genocide allegations as a historical debate and was also criticized by the Armenians. On the other hand, despite all their attempts, representatives of the Armenian community have not been able to meet with President Obama and Hillary Clinton within the last four years.

This year before the elections, ANCA, by a letter sent to President Obama⁴⁵, asked him to discuss with Armenian Americans' leaders the Administration's policies on Armenian issues and on this occasion, had indicated that since Obama became President, they have requested for such a meeting which has not yet taken place. Furthermore, it has put forth that the absence of a direct dialogue between the President and Armenian American constituents is unhealthy both for American democracy as well as for diplomacy.

By also sending a letter to the other presidential candidate Mitt Romney, ANCA had asked him to publicly outline the policies and priorities that he would pursue as President on issues of special concern to voters of Armenian heritage and also invited him to hold a meeting with the representative group of the Armenian community, clarifying his priorities and explore ways in which they can work together in the months and years to come⁴⁶. On the other hand, opposite to President Obama, they asked Romney to respond to the questionnaire mentioned above.

However, neither President Obama nor Mitt Romney have responded to these letters. This unexpected situation has created great surprise among the Armenians and has caused them to believe that they are not paid much attention and are even disdained.

No explanation has been provided on why the two presidential candidates have not replied to these letters. However, it is not difficult to guess what the reason could be. Although both were aware that it could lead to a loss of votes, neither of the candidates wanted to listen to exaggerated Armenian claims and let alone to make commitments beforehand. On the other hand, when examining the issue more closely, it could be seen that the two candidates do not need Armenian votes for different reasons.

Since it was foreseen that President Obama will win the election in California and in states on the east coast like New York, New Jersey and even Massachusetts in which the Armenians are great in numbers, he is not dependent on the votes of Armenians.

As for Republican candidate Mitt Romney, it could be understood that he might not have attached importance to Armenian votes since he expects to win votes from states in which there are few Armenians. Despite serving as governor of Massachusetts in which the Armenians are relatively great in numbers, Romney is known as not being much interested with Armenian issues.

45 "ANCA Again Calls on President Obama To Meet With Armenian American Leadership", *ANCA Press Release*, 16 August 2012.

46 "ANCA Invites Romney to Share Views on Armenian American Issues", *ANCA Press Release*, 17 August 2012.

On the other hand, it is also possible that the staff of the candidates agreed not to respond to the questions or to receive an Armenian delegation in order to prevent the bargains on who the Armenians will vote in favor of.

On 15 October 2012, 20 days to the elections, ANCA has indicated in a declaration that none of the presidential candidates have earned the formal support of the Armenian Community for presidential elections and therefore has no plan to issue an endorsement in the race for the White House⁴⁷.

ANCA's stance has almost left those Armenians on their own who had always voted until now for those candidates taking Armenian claims into notice. Therefore, it could be seen that the Armenians voted in the presidential election not as militants, but as ordinary American citizens, according to the candidates' policies regarding economic, social and foreign policy issues.

Following the election, ANCA and the great Armenian organization, the AAA (Armenian Assembly of America), have congratulated President Obama through statements they have published.

In its statement, the AAA has said with the 100th anniversary of the 'genocide' nearing, the Assembly expects that President Obama will be more explicit in acknowledging the genocide recognition, work to reconcile Turkey with its past and thereby help in the cause of genocide prevention around the world⁴⁸.

On the other hand, ANCA, in more general statements, has indicated that they look forward to getting to work right away with the Obama Administration and the incoming Congress to make progress on the Armenian American community's public policy priorities⁴⁹.

As was the situation before, it is again not expected that well known Armenian claims such as the recognition of the genocide allegations, Turkey giving compensation and making territorial concessions to Armenia, recognition of Karabakh as a separate state and providing aid to Armenia and Karabakh, will be welcomed in the White House since this will create serious problems for the US. On the opposite, it could be possible to receive support in the Congress to a certain degree for some of these claims. However, this again depends on the composition of the Congress and the balances of power in the Committee on Foreign Affairs of the House of Representatives and the Senate. Regarding this issue, it will be possible to obtain an idea following the elections for committees in the Congress.

47 "ANCA Withholds Support For Presidential Candidates", *Asbarez*, 15 October 2012.

48 "Armenian Assembly Congratulates President Obama on Re-Election", *Armenian Assembly of America*, 7 November 2012.

49 "ANCA Issues Statement on 2012 Elections", *Asbarez*, 7 November 2012.

IV – FRANCE AND THE ARMENIAN QUESTION

France is a country which has shown special effort to maintain friendly relations with the Republic of Turkey. Truly, no significant problem has existed between the two countries during the sixty year period from the 1920's until the 1980's, where even the Alexandretta Affair was easily resolved in 1939. But, a military coup taking place in Turkey in 1980 and the Socialists coming to power in France, who attach great importance to human rights, have caused tensions to arise between the two countries for some time. Moreover, Armenian terror, which targeted Turkish diplomats, being most active in France during that period and the particular unwillingness among the French to combat Armenian terrorism had further effected relations negatively. Since free elections took place in Turkey at the end of 1983 and Armenian terror targeted other nations besides the Turks including the French in the same year, the main areas of dispute were eliminated and some improvement was observed in the relations between the two countries.

1. The Punishment of Those “Denying” the Armenian Genocide Allegations

Fifteen years later in 2001, the adoption of a law in France which recognized the Armenian genocide allegations had caused tension in the relations between the two countries for some time. However, the essential issue has arisen after France started objecting since 2005 to Turkey's membership to the European Union. In order not to have two important disputes with Turkey, the French Governments have found it appropriate to push one of them to the background and in order that the Armenian Question would not upset Turkey, they have prevented the adoption of a law in the French Parliament which foresaw the punishment of those denying the Armenian genocide allegations.

President Nicolas Sarkozy has also adopted this policy and implemented it for some time. However, when public opinion polls in 2011 have shown that it will not be easy for him to be re-elected as President and that his opponent François Hollande has a real chance, he has started taking some initiatives and introducing new policies. One of them has been to ensure the adoption of the draft law penalizing those denying the Armenian genocide allegations which was prevented until then. Sarkozy has also attempted to establish close relations with Armenia.

With the President exerting his authority, the draft law delayed for about six

years, has been adopted on 23 January 2012. However, numerous parliamentarians within both assemblies of France are against “memory laws”, this law has been submitted to the Constitutional Council and on 28 February 2012, the Council has found the law to be contradictory to the French Constitution and has repealed it. While on the one hand President Sarkozy has expressed that he will draft and submit a new bill to the Assembly, on the other hand he has continued his efforts to gain Armenian votes through some uncommon gestures like receiving the Armenian representatives at the Elysée Palace, delivering a speech at the genocide memorial in Paris on April 24 and visiting the Armenians in Marseille.

Unlike Sarkozy, France’s new President aspires for the Armenian issue to be addressed in tranquility and through negotiations and for relations with Turkey to be strengthened.

However, none of these have produced any results and he has lost the elections. Apart from the Armenian votes not being that many which could influence the results of the elections, François Hollande, although not making as imposing gestures as Sarkozy, but embracing Armenian views as much as Sarkozy has, also plays a role in this outcome⁵⁰.

Unlike Sarkozy, France’s new President aspires for the Armenian issue to be addressed in tranquility and through negotiations and for relations with Turkey to be strengthened. A short while after being elected, during the NATO Summit in which he has met with President Gül, Hollande has said that they should not waste time with past misunderstandings, that it is also his desire to bring relations to their former level and that Turkish and French ministers should come together often⁵¹.

Prime Minister Erdoğan has met with President François Hollande at the United Nations Rio G20 Summit on 21 June 2012. In this meeting, they have agreed to open a new page in bilateral relations, to contribute to Turkey’s EU membership bid and to especially boost economic relations. Erdoğan has also invited Hollande to Turkey, while the President has indicated that this will be privilege for him⁵².

The most important result of the Hollande-Erdoğan meeting has been the elimination of some measures which Turkey took against France. Upon the adoption of the bill in the French National Assembly which punishes those denying the Armenian genocide allegations, Prime Minister Erdoğan, without

50 For the developments before and after the law adopted on 23 January 2012 regarding the punishment of those denying the genocide allegations see: *Review of Armenian Studies* No. 24, pp.7-62 and No. 25, pp.192-201.

51 *Review of Armenian Studies* No. 25, p.200.

52 “Turkish PM Meets French President”, *AA*, 21 June 2012.

waiting for the bill to be adopted in the Senate and become a law, had declared on 22 December 2012 that some measures would be taken against France⁵³. Turkey continued to enforce these measures even after the French Constitutional Court found this law to be contradictory to the Constitution, because the Constitutional Court's decision did not bring any change to the approach of the French Government and it was indicated that the bill would be submitted to the National Assembly once again. Removing the taken measures following the Hollande-Erdoğan meeting could be explained by Prime Minister Erdoğan's conviction that the new French Government has changed its stance towards Turkey.

By visiting France on 5 July 2012, Foreign Minister Ahmet Davutoğlu has met with French Foreign Minister Laurent Fabius. In the press conference organized after the talks, in response to a question on whether or not a new bill would be prepared for the punishment of those denying the Armenian genocide allegations, Fabius has said that this is a sensitive issue for French politicians, that the law adopted earlier was repealed by the French Constitutional Council and that if the same path is followed (if the same law is adopted) then it is evident that the Constitutional Council will also repeal it, therefore it is not possible to follow the same path, because the result will be the same. Furthermore, he has indicated that they hope for reconciliation to take place between Turkey and Armenia, they will support efforts in this direction and wants discussions to take place in Turkey or France to reduce the tensions. On the other hand, by pointing out that Turkey proposed in 2005 for this matter to be addressed by historians, Davutoğlu has said "we are ready for all forms of cooperation without politicizing history" and "we are against all forms of exploitation of the people's pains with a one sided approach by politicians"⁵⁴.

It is crucial to emphasize Laurent Fabius's statements made in this press conference.

We believe that the most important statements of the French Minister are the following:

- a. That they hope reconciliation will develop between Turkey and Armenia that they will support all efforts made in this direction. This statement is suitable to Turkey's stance which argues that some kind of an agreement should be reached with Armenia. But, it contradicts the position of Armenia which is not willing to negotiate unless the protocols are ratified without being linked to any preconditions.

53 *Review of Armenian Studies*, No.24, pp.35-36

54 "“Ermeni kartını” geri çektiler” (They Withdrew the Armenian Card) <http://www.gercekgundem.com/?p=472302>, 5 July 2012 and <http://www.diplomatie.gouv.fr/fr/diplomatie-tv/> published on the same date

- b. The French Minister has said that whether in Turkey or France, they want discussions to take place in order to reduce the tensions. This statement is close to Turkey's proposal for the 1915 events to be discussed by historians and other specialists. In fact, Davutoğlu has reminded in the same press conference that he had proposed for this issue to be addressed by historians. However, as known, Armenians are against the genocide, which they believe is true, to be discussed in any way.
- c. Laurent Fabius's statements regarding the law which foresee the punishment of those denying the genocide allegations has drawn great attention in Turkey and particularly in France. The French Minister has said that since this bill had been repealed by the Constitutional Council, then "following the same path"; in other words, attempting to reintroduce the bill which was rejected once again would create the same result, being rejected again by the Constitutional Council. While this statement has caused some concerns for the Armenians that France had given up on punishing those who deny the genocide allegations, it has led to the emerging of some hopes in Turkey. The point to pay attention to here is that the French Minister has not addressed the essence of the issue, but has referred to its form. The essence is the punishment of those denying the genocide allegations. The Minister has not said that they have abandoned the essence, but has only said that trying to turn this bill into law to reach this aim will not yield any results.

As could be presumed, Laurent Fabius's statements have quite been received adversely by the French Armenians. Apart from some articles which criticize Fabius, the Co-ordination Council of Armenian Organizations of France have issued a declaration on the same day the Turkish and French ministers met and in summary, have stated⁵⁵ the following: that they greatly disapprove Fabius's statements, the French citizens of Armenian origin feel they have been betrayed, that François Hollande had guaranteed while he was presidential candidate to submit a new text to the Parliament regarding the punishment of those denying the Armenian genocide allegations, but that recently the Foreign Minister adopted an opposite approach to the President, and that the Armenians of French origin want an explanation. Moreover, questions like whether France has easily submitted to Turkey's "commands", whether François Hollande has betrayed the Armenians who had supported him and whether the President decided to sacrifice the French of Armenian origin due to the pressures and threats of Turkish authorities. The declaration

55 Communiqué du CCAF, "Pas de Nouvelle Loi Sur le Genocide armenien d'Après Laurent Fabius", *Armenews*, 6 July 2012.

asked at the same time for President Hollande to receive the Co-ordination Council of Armenian Organizations of France without delay.

Articles have also been published in the Armenian press in France which describe the Fabius-Davutoğlu meeting as a betrayal⁵⁶, allege that the Armenians have been deceived⁵⁷, argue that Ankara interferes in the internal affairs of France⁵⁸, and indicate that France has not kept its promise and has abandoned the Armenians⁵⁹.

This outcry has created the desired results. By phoning Franck Papazian, the Co-Chair of the Co-ordination Council of Armenian Organizations of France, President Hollande has said that he is devoted to his promise, a bill on punishing the genocide allegations will be put to vote and that he will receive Committee members in July to discuss the preparation of this text⁶⁰. Immediately issuing a statement, Papazian has expressed that he never had doubts about President Hollande's sincerity and that he will meet next week with the President of the Socialist Group in the National Assembly Bruno Le Roux to discuss the phases of the adoption of the denial law⁶¹. Following these developments, Papazian has indicated that a new bill would be submitted to the Assembly by the French Government in autumn⁶². On the other hand, President of the Council of Armenian Associations of Europe Alexis Govdjian has said that the new bill would be presented to the French Parliament in November at the latest, but this has not taken place⁶³ and at the end of the year, Hollande has not received any Armenian delegation to discuss that matter.

First of all, although it is expected that the new bill will be easily adopted in the National Assembly, it is not possible to say the same for the Senate. The bill could be prevented there.

Secondly, in order for the bill to be reviewed by the Constitutional Council, it must be submitted to the Council by 60 deputies or 60 senators. If these numbers are not reached and the bill fails to be submitted to the Council, it will be considered as approved even if its text is exactly the same as the bill which was repealed on 23 January 2012. However, since the number of

56 "Fabius-Davutoğlu: La Dernière Trahison", *Armenews*, 6 July 2012.

57 "Hollande-Fabius Mème Combat? Bienvenus au Royaume de la Tromperie", *Armenews*, 6 July 2012.

58 "Ankara Décidera de la Politique Intérieure da la France", *Collectif VAN*, 6 July 2012.

59 "La France Abandonne Ses Promesses et Lâche les Arméniens", *Armenews*, 7 July 2012.

60 "Loi Anti-Négationniste", *Communiqué du CCAF*, 7 July 2012.

61 *Armenews*, 8 July 2012.

62 "Lé Génocide Arménien: Projet de Loi à l'Automne Selon CCAF", *Armenews*, 10 July 2012.

63 "Ermenilerin İddiası: İnkâr Yasası Kasım'da Hazır" (The Armenians' Allegation: Law of Denial is Ready in November), *Hürriyet*, 6 August 2012.

deputies and senators who oppose “memory laws” are quite high, we believe that it is possible to reach the required number of 60 deputies or especially 60 senators objecting to it.

In this situation, a text has to be prepared which the Constitutional Council will not be able to oppose. It is difficult to predict how this will be done. Based on the point that the Constitutional Council has not rejected the Armenian genocide thesis and attaches importance to freedom of expression, it could be presumed that a bill will be prepared which does not harm freedom of expression or a bill which is a repetition of the European Union Framework Decision being submitted to the Assembly could come to mind. However, since Armenians put emphasis on punishment and freedom of expression will highly limit the scope of penalties, it is very doubtful that these formulas will please the French Armenians.

François Hollande, wanting to keep distant, for the time being, from the bill on punishing those denying the genocide allegations, has also become apparent during President Sarkisian’s visit to France on 12 November 2012.

The chapters of the textbooks which address this issue entirely embrace Armenian views. It could be seen that only Armenian or Armenian advocating sources have been used, while no references have been made to any Turkish/Ottoman source or document and furthermore, there has been no mention that there are many historians, including French ones, who put forth that the 1915 events are not genocide. It is understood that these textbooks will be taught in 3rd grade in France (8th grade according to the Turkish education system).

Moreover, photographs have also been included in the chapters. Some of them depict images of cadavers, hangings of Armenians, and Armenian children being killed. It is understood that most of the pictures belong to a German officer named Armin T. Wegner who served in the Ottoman Army. It has been known all along that this person was against the Ottomans and it has never been proven that the depictions in the pictures actually belong to the Armenians.

Meanwhile, there is no consensus on the number of Armenians who have been murdered. Although the number of 1.5 million has been used, numbers such as 650.000, 800.000 and 1.200.000 have also been expressed in the textbooks.

Similarly, it could be seen that an objective style has also not been used in the texts and sometimes the most extreme statements or entirely fabricated sources have been used. Let us provide two examples:

Title of the Book: Histoire-Géographie 3e

Author: Martin Ivernet & Benjamin Villemagne

The telegraph dated 15 September 1915 which Talat Pasha sent to the Aleppo Governorate: "As was informed before, the Government has decided to exterminate all Armenians living in Turkey... Regardless of them being women, children, disabled... it is necessary to put an end to their existence".

A testimony of an Armenian named Nvart Mahokian: ...the ground was full of heads that were cut and human body parts... The Euphrates was dragging corpses... We were not allowed to drink water, those who wanted to drink was shot down by the gendarme".

Title of the Book: Histoire- Géographie 3e

Author: Christine Dalbet and Danielle Le Prado-Madaule

In the beginning of 1915, a secret meeting of the Committee of Union and Progress was held to organize the genocide to which Talat Pasha also attended and instructions were sent to governors on this issue. The 5th article of this instruction is as follows: the killing of all men under age fifty, all priests and teachers, allowing young girls and children to adopt the religion of Islam.

In this current format, these chapters in French textbooks only reflect Armenian propaganda and aims to convince French students to embrace this propaganda. From this aspect, these chapters of the books are not in any way scholarly, but political.

Describing the Armenian genocide allegations in French textbooks in this manner and style will create some consequences.

First of all, these statements and tragic pictures will create trauma in some of the youngsters.

Secondly, some of these chapters induce hatred against the Turks. This in effect will increase traditional Turkish hostility among the youth which originates from discrimination and also xenophobia and Islamophobia which is viewed to have started spreading recently. Another consequence of this situation is that it will further increase the tendency within French public opinion where the majority is against Turkey becoming a member of the European Union.

It could be seen that those who will be affected the most are the students of Turkish origin in French schools. They will necessarily be swept by feelings of guilt and most of them will have difficulty in adapting to the French community. It is also possible that some of them will object and/or rebel and will also be encouraged by their parents in this direction. As a matter of fact, instances of this already exist. While a lesson was being given on the Armenian genocide, a Turkish student in Lyon had left the classroom despite the teacher's threats that he would be punished severely and could even be expelled from school. The school administration was not able to punish the student, instead complaining to his father who approved his son's behavior which created surprise⁶⁴. This is a single incident. But, increase in these kinds of Turkish reactions could constitute a serious problem for the French.

It is possible for the Turks, who have acquired French citizenship, to resort to jurisdiction on the grounds that these sections of the books offend them as a community.

In terms of what could be done towards these books, official demarches could be made for the removal or amendment of these sections and most likely they have already taken place. However, it is difficult to obtain any results from these actions, because France

has officially recognized the Armenian genocide allegations with the law in 2001.

On the other hand, it is possible for the Turks, who have acquired French citizenship, to resort to jurisdiction on the grounds that these sections of the books offend them as a community. It is still remembered that nearly twenty years ago, the Armenian associations in France had filed a lawsuit against well-known American historian Bernard Lewis following his statements which casted doubt on the existence of such a genocide, on the grounds that that these statements offended the Armenian community and in the end had won the case.

3. The Telegrams Attributed to Talat Pasha

In some of the French textbooks, it is indicated that the instruction to annihilate the Armenians was given by Talat Pasha, the Minister of the Interior of that period. These telegrams, which do not actually exist, were for many years provided as evidence for the Armenian genocide and were accepted in that way. Then, when it was proved that they were fake, the references made to the telegrams had disappeared, but started to emerge again

64 "Hani Okuldan Atılırdı?" (Wasn't He Going to Be Expelled from School?), *DHA*, 5 November 2012.

recently as seen in the French textbooks mentioned above. Therefore, it is noteworthy to separately address these fake telegrams.

In 1920, an Istanbul Armenian named Aram Andonian has published a book entitled “The Memoirs of Naim Bey: The Turkish Official Documents Relating to the Deportation and Massacres of Armenians”⁶⁵. The French version of this book was also published in the same year⁶⁶.

The author of the book Aram Andonian asserts that Naim Bey, who he said was a civil servant working in the Resettlement Office in Aleppo, had given him some telegrams in exchange for money which were presumed to be signed by Talat Pasha who demanded that Armenians be killed. Andonian published the texts of these telegrams in his book.

Years later, two Turkish scholars Şinasi Orel and Süreyya Yüce conducted research in the Ottoman Archives on these telegrams and they published a book entitled “Ermenilerce Talat Paşa’ya Atfedilen Telgrafların Gerçek Yüzü” (The Real Story to the Telegrams Attributed to Talat Pasha by the Armenians)⁶⁷. Shortly after, the English and French versions of this book were also published⁶⁸.

Şinasi Orel and Süreyya Yüce have proved the falsity of the documents based on the following points:

1. Official documents usually entail a date and a registration number. In the research conducted in registers of the Ministry of Interior, it has been discovered that the dates do not match the registration numbers in the document and the correspondence of that date do not belong to the Armenian question.
2. It has been found that these telegrams also do not exist in the Archives of the Ministry of Interior.
3. It has been seen that the signature of the Governor of Aleppo Mustafa Abdülhâlik Bey, who had responded to some of the telegrams, is fake and that the Governor of Aleppo during that date was Bekir Sami Bey.
4. Except for two of them, the documents have not been written on paper

65 Aram Andonian, comp., *The Memoirs of Naim Bey: The Turkish Official Documents Relating to the Deportation and Massacres of Armenians*, Hodder & Stroughton, 1920.

66 *Documents officiels concernant les massacres arméniens*. Imprimerie H. Tourabian, Paris, 1920.

67 Şinasi Orel; Süreyya Yuca *Ermenilerce Talat Paşa 'ya Atfedilen Telgrafların Gerçek Yüzü*, Atatürk Kültür, Dil ve Tarih Yüksek Kurumu, 1983

68 *The Talat Pasha Telegrams. Historical Fact or Armenian Fiction*, K. Rustem & Brother Publishers, Nicosia, 1986; *Affaires Arméniennes, Les “Télégrams” de Talat Pacha, Fait historique ou Fiction*, Triangle, Paris, 1986.

with official letterhead, but on plain paper whereas government correspondences must be made on paper with letterhead.

5. The language and expressions used in the documents do not resemble official Ottoman correspondences.
6. There are inaccuracies in the Gregorian and Rumi calendars used in the documents and the basmala (name of Allah) has been written incorrectly. These and the points indicated in the 5th point create the belief that these documents were written by a non-Muslim.
7. According to Andonian, Naim Bey was a civil servant working in the Resettlement Office. However, in the Ottoman “salname” (official yearbook about the administration) and other Ottoman sources (recordings of official decrees, the *Ruzname-i Ceride-i Havadis* daily newspaper and “düstur” [collection of laws and decrees]) there was no mention of a civil servant in Aleppo named Naim Bey. If Naim Bey was a low ranking official, he might not be mentioned but it is not possible for such important and confidential documents to be received by such a minor official.

Since the publication of this book conveys the falsity of the Talat Pasha telegrams, which formed the basis of the genocide allegations, and thus shows that the genocide allegations are groundless, it has drawn the reactions of the Armenians and attempts to verify the authenticity of the telegrams have started⁶⁹. The points brought forth by Şinasi Orel and Süreyya Yüce (the dates and numbers not matching, forged signature, confusion of calendars, letterhead etc.) are concrete faults which are not possible to refute. Therefore, it has started being asserted that the “content” of the Andonian documents are correct. However, this way of thinking is irrational. The events mentioned in the Andonian documents also existing in other documents does not render the Andonian documents authentic; they will remain fake.

This book has most likely been written to influence the peace negotiations in Paris to be to the Armenians advantage. Andonian was working with

69 Two authors draw attention on this point:

The first is Vahakn N. Dadrian who has written a long article in the *International Journal of Middle East Studies* (No.18, 1986, p. 311-360) entitled “The Naim – Andonian Documents on the World War I Destruction of Ottoman Armenians: The Anatomy of a Genocide”.

The second is Yves Ternon who has dedicated a long section (pp. 25-73) of his book entitled “*Enquête sur la Négation d'un Génocide*” (Editions Paranthese, Marseille, 1989) to this subject. This author also supports the idea that the content of the Andonian documents are correct, but about ten years later he has said in another one of his articles that it would be appropriate to abandon bringing forth the Andonian documents as evidence to the Committee of Union and Progress’s intention to commit a crime (*L’Actualité du Génocide des Arméniens*, Edipol, Créteil, 1999). The title of Ternon’s article in his book is “La Qualité de la Preuve. A Propos des Documents Andonian et de la Petite Phrase d’Hitler”, p. 138.

Boghos Nubar Pasha, the Armenian delegate to this conference. Concerning the allegation that the points mentioned in this book are also written in other documents, it could be possible to think that if there are genocide rumors somewhere, the Andonian documents have been fabricated to create the belief that these rumors also exist in official documents.

Despite arguments that the Andonian documents are authentic or at least are based on real events, it has been observed in time that Armenian authors and their advocates no longer refer to the “Talat Pasha Telegrams”. As the reason for this, it has been put forth that it would not be correct for them to use the Andonian documents since they do not have the originals and that for instance, these documents will not be accepted by courts for this reason. This argument is directed towards creating the conviction that the Andonian documents truly exist, but the Turks are not revealing them. However, the reasons mentioned above have already presented the falsity of the Andonian documents. There are no originals to fraudulent documents.

Another important point on this issue is that Andonian himself has indirectly accepted that the documents are fraudulent. In a letter sent in 1937 to a person who had made several criticisms to his book, Andonian had written that the book is not a historical study, is for propaganda purposes and that obviously these kinds of publications entail inadequacies⁷⁰.

It has been observed that recently the Andonian documents, which were not mentioned for a long time, have started being referred to again. The French textbooks are the most recent example to this. The reasons of this situation could be explained as follows:

- Turkish historians and authors have not referred to the Andonian documents much, perhaps for finding them to be total nonsense, and have also not replied to the Armenian allegations that these documents are authentic. Therefore, the belief that the documents are fake has started being forgotten over time.
- On the other hand, despite the Turkish, English and French versions of Şinasi Orel and Süreyya Yüce’s book being already sold out, these books have not been printed once again.

In conclusion, these documents, whose falsity has nearly not been mentioned at all recently, have been reawakened and started being used again.

70 *Justicier du genocide des Arméniens, Le Procés Tehlirian, Paris 1981, p. 232.*

V – RELATIONS BETWEEN ARMENIA AND RUSSIA

As the Soviet Union entered a phase of disintegration, Armenia has attempted to annex the autonomous region of Karabakh in Azerbaijan and when this was not possible, has shown effort to make Karabakh an independent state. Azerbaijanis have been forced to evacuate Karabakh and the surrounding regions as a result of the Armenian occupation of their land. These Azerbaijani-Armenian combats could be considered as an Armenian-Azerbaijani war.

Despite Russia trying to convey the image that it was neutral during the Karabakh conflicts, it has aided Armenia by providing armaments, giving military education and also preventing decisions to be taken against Armenia in international organizations.

Turkey has been on Azerbaijan's side during these events. Moreover, Armenia's "open" claims on Turkey to recognize the genocide allegations and its "implicit" claims for Turkey to give territory have prevented diplomatic relations from developing between the two countries.

On the other hand, the attempts of the Armenians in the Ahalkalak region of Georgia to be attached to Armenia and the close relations between Armenia and Russia have resulted in Georgia not to trust Armenia.

Although rapprochement had taken place between Armenia and its fourth neighboring country Iran, due to Iran being against Azerbaijan, close cooperation with this country could not go beyond statements of good will.

In conclusion, since during the years following its independence Armenia was in conflict with one of its neighbors, failed to establish diplomatic relations with its other neighbor whose border remained shut, and also was unable to establish close relations with its other two neighbors Georgia and Iran, Armenia was merely isolated in the region and this situation had caused a great concern for security to emerge.

1. Russia's Dominance in Armenia

This concern is the main reason for the close relations existing between Armenia and Russia. Despite Russia trying to convey the image that it was neutral during the Karabakh conflicts, it has aided Armenia by providing armaments, giving military education and also preventing decisions to be taken against Armenia in international organizations. Furthermore, in return for the services it provided, Russia has gained a military base in Armenia in

1995 following the signing of a cease-fire in 1994. This military base established near the city of Gyumri which is very close to Turkey, is Russia's only military asset in the Southern Caucasus.

The main reason for Armenia to allow the establishment of this military base is the belief that it will protect the country especially against Turkey in time of war or that Turkey will abstain from militarily intervening in Armenia since this base exists. Meanwhile, we should note that apart from this military base, Armenia's borders during the period of the Soviet Union; in other words, its borders with Turkey and Iran are also protected by Russian Forces. In conclusion, this "Russian Shield" has given Armenia the opportunity to operate freely against Azerbaijan and Turkey and even to carry out policies which could be characterized as aggressive.

These close relations between Armenia and Russia are not only confined to the military field. Armenia, which has failed to establish any cooperation in the economic area with its two neighbors and does not have much contact with the other two, has also come to be dependent on Russia economically. Since the national economy of the country was in a quite poor situation in the nineties, more than one million Armenians had gone to Russia to seek jobs and the money sent to their families constituted a great source of income for Armenia. On the other hand, Armenia has also become fully dependent on Russia in the area of energy. The preferred prices which Russia applied to natural gas and petroleum have also stimulated this dependence. Apart from international organizations like the World Bank, Russia has also become one of the main countries which Armenia has applied to for credit.

On the other hand, Russia is in a dominant position within Armenian economy due to the investments it has made. Currently, 80% of Armenia's energy lines, 70% of its airways and its entire railroads are in the hands of Russian public corporations. Russia also controls the majority of mining operations and the telecommunications sector in Armenia⁷¹.

Russia being in the position of not only controlling Armenia's security, but also its economy, makes us question to what extent Armenia is independent de facto. As stated in a report prepared by a well known research institute, "Russian influence in Armenia is so great that lack of sovereignty should be Armenia's number one concern"⁷². However, apart from the Dashnaks, there is practically no such concern in Armenia.

71 "The long Goodbye: Waning Russian Influence in the South an Central Asia", *Chatham House, Briefing Paper*. July 2012

72 Ibid

In this context, we should note that Armenian public opinion is also in favor of Russia. A public opinion poll organized by Gallup in 2011 has shown that approximately 75% of the Armenians support the policies pursued by Russian administrators (back then President Medvedev and Prime Minister Putin)⁷³. Although a Dashnak source⁷⁴ confirms this, but puts forth that the support has decreased because it was 90% before, the attachment Armenia feels towards Russia is one of the important elements of the country's dominance over Armenia.

2. Armenia's Integration Initiatives with Western Countries

While Armenia have become dependent on Russia for both security and economic reasons, it has tried to improve its cooperation in all areas, particularly in the area of economy especially with Western countries, by taking into consideration that Turkey and Azerbaijan have more close contact and cooperation with these countries and by taking account of its historical ties and the economic power of these Western countries. The majority of the Armenian Diaspora living in Western countries has also played a role in that matter.

On the other hand, while seeking to develop bilateral relations with the main Western countries, it has also shown attention to establishing cooperation with the EU and NATO. Within this framework, a Cooperation Agreement has been signed with the EU in 1999. Currently negotiations for a Partnership Agreement which could replace the existing agreement are still continuing. Following its independence, Armenia has participated in various programmes of NATO and in 2009 and 2011 it has signed an "Action Plan" with this organization.

Besides maintaining close relations with Russia, cooperating with Western countries and also the European Union and NATO is named "Complementary Policy" in Armenia. As an Armenian newspaper has expressed, while Armenia is trying to get security from Russia, it attempts to economically integrate with Europe⁷⁵. The implementation of such a policy firstly depends on Russia's consent before anything else. It is quite doubtful that Vladimir Putin, who was re-elected in May as the President of the Russian Federation, will accept this policy. In principle, the Eurasian Union project which Putin had actually brought forth while he was Prime Minister in October of last year, does not allow for this kind of policy to be conducted.

73 "Global Pool Finds Strong Pro-Russian Sentiment in Armenia", 8 August 2011.

74 "The Sunset of Russophilia", *Largir.am*, 16 August 2011.

75 Naira Hayrumyan. "Complementary Maneuver: Armenia Trying To Get Security From Russia, While Economically Integrating With Europe", *ArmeniaNow*, 23 May 2012.

3. Eurasian Union Project

Putin's Eurasian Union Project was inspired from the European Union and foresees an advanced economic integration of the countries which formed the Soviet Union. The Eurasian Union will materialize once certain phases like a free trade zone and customs union are passed. However, it could be understood that since these stages do not take a very long time, Russia foresees the Union to be established some time in 2015 if possible. Already a Eurasian Commission has been established by taking inspiration from the European Union. Kazakhstan and Belarus have declared that they will be members of this union. It is expected that Kirgizstan and Tajikistan will also follow them.

The greatest difference of the Eurasian Union from the European Union in the political field is that this union, if established, will be under the dominance of Russia due to this country's capacity and power; in other words, some kind of a Soviet Union will be established through the Eurasian Union. Another important point is that the widespread integration foreseen by the Eurasian Union will prevent members of this Union to become full or associate members of the European Union and this is not suitable with the "Complementary Policy" mentioned above which Armenia is trying to implement. Therefore, it is possible that in the near future, Armenia will have to make a choice between the Eurasian and European Unions. However, when considering Russia's influence and even dominance over Armenia, it is obvious that Armenia will not really have a choice.

Concerning the development of events, as Prime Minister Tigran Sarkisyan has said that this project has brought a new perspective, Armenia's first reaction to the Eurasian Union project has been positive⁷⁶. On the other hand, the Armenian Prime Minister has supported a free trade zone wanted to be established between members of the Commonwealth of Independent States⁷⁷ and in the end Armenia has signed the treaty regarding this issue. However, approximately two months later, Tigran Sarkisyan has stated that Armenia will not participate in the customs union between Russia, Kazakhstan and Belarus which is considered as the Eurasian Union's most important step and as a justification for it, has said that Armenia has no common border with Russia⁷⁸. It could be understood that entering the free trade zone will not contradict EU membership, whereas Armenia joining the Customs Union will not be in accordance with its partnership relations with the EU. German Ambassador in Yerevan Hans-Joegen Schmidt has expressed in an interview

76 "Yerevan Mulls Pro and Cons of Putin's Eurasian Union Vision", *EurasiaNet.org.NY*, 31 October 2011.

77 "Treaty Establishing A Free Trade Zone in CIS Creates a "Unique Opportunity", *Medimax*, 20 October 2011.

78 "L'Arménie Prend Distance Avec la Russie", *Armennews*, 9 December 2011.

that Armenia's integration into Europe will not coincide with its membership to the Eurasian Union⁷⁹.

4. Emerging Problems in Armenia-Russia Relations

Vladimir Putin has been elected as President of the Federation of Russia on 7 May 2012 and the Collective Security Treaty Organization Summit has been held on 15 May in Moscow. President Sarkisian has also gone to Moscow since Armenia is a member country. Putin has refrained from making contacts with Sarkisian while holding bilateral talks with other statesmen outside of the meetings⁸⁰, but Sarkisian has been able to meet with Prime Minister Medvedev.

The reasons for Putin's approach which is almost humiliating for President Sarkisian could be explained as follows:

- a. As mentioned above, it is quite clear that Armenia does not want to join the Eurasian Union and the Customs Union which is one of its stages. However, Putin wants all members of the Commonwealth of Independent States to become members of the Eurasian Union.
- b. Armenia has signed the Partnership Action plan with NATO during Sarkisian's period and has sent soldiers to Afghanistan.
- c. During Sarkisian's term, Armenia has started the Associate membership process with the European Union.
- d. Sarkisian's relations with the US are quite friendly, compared to his predecessor Kocharyan. In fact, US Foreign Minister Hillary Clinton has visited Armenia twice.

The common ground to the reasons mentioned above is that Armenia has adopted an opposite approach to some of the policies pursued by Russia. While Russia expects Armenia to closely follow in its steps just as the former Soviet Republics have, Armenia has started drifting towards the West regarding some issues except for its own security. This in effect has angered Putin.

79 "The U.S. Demonstrates Total Support of President Serzh Sargsyan's Policy Line", *The Noyan Tapan Highlights*, No. 22, 11 June 2012.

80 "Armenian President Seen As Getting Cold Shoulder From Putin", *Eurasia Daily Monitor*, Volume 9, Issue 100, 25 May 2012.

5. Russia's Instruments for Pressure against Armenia

Russia owns some instruments of pressure in order to compel Armenia to accept the policies it pursues.

- a. One of the most important of these is natural gas prices. We will address the issue of natural gas as a separate topic. But we should note in advance that if the price of Russian natural gas sold to Armenia reaches free market level as Russia wishes, it will negatively affect Armenia's economy and in particular the expenses of middle and low income Armenians. In effect, this could jeopardize Sarkisian being re-elected in February.
- b. Armenia needs credit to trigger its economy which is currently stagnant. European sources are unwilling to provide this credit; they at least expect the upcoming presidential elections to be held without frauds and infraction of rules. Russia has no such concern. However, it is difficult for it to provide this credit (one billion dollars is mentioned) at a time when Armenia tends to diverge from the path drawn by Russia.
- c. It is stated that Robert Kocharyan, who was president from 1998 to 2008 and had established special relations with Putin during his term, wants to be re-elected as president. If Russia supports Kocharyan in the elections, although not impossible, it will be difficult for Sarkisian to win the elections (During the parliamentary elections, the Armenian Republican Party of which Sarkisian is the chairman has gained the majority although with a small difference. The Prosperous Armenia Party, which was in the coalition government for approximately four years and is said to be under the influence of Robert Kocharyan, although has highly increased its votes, has only gained half the votes of the Republicans⁸¹. In this situation, if an unexpected development such as a large increase in natural gas prices do not take place until February 2013, it is not quite likely for Kocharyan to be elected).
- d. Surely the greatest pressure could be exerted in the area of defense. It is impossible for Armenia to tolerate some restrictions put by Russia on providing Armenia with arms and military equipment. But since this kind of restriction will also mean that Azerbaijan will be supported, it could lead to an atmosphere against Russia being formed within Armenian public opinion. Therefore, it is not expected for Russia to apply important pressure concerning military issues.

81 For the results of the Armenian Parliamentary Elections see: *Review of Armenian Studies* No. 25, pp 201-208.

6. Putin-Sarkisian Meeting

While away on summer holiday, Serge Sarkisian has been invited to Moscow for a business visit. During this visit which took place on 8 August 2012, the presidents of the two countries have delivered statements before the press. When examining these closely, it could be seen that the parties have not address significant issues and there have been some issues which one of the presidents have emphasized, but the other has not referred to at all. This creates the idea that various differences of opinion and even some disagreements exist between the two sides.

It has been observed that none of them have referred to the main subject of dispute which is the Eurasian Union and the Customs Union which is regarded as the first concrete step to be taken by this Union. This signifies that the parties have not been able to come to an agreement on this issue and at the same time could mean that the talks will continue. Although no statement has been made which shows that the talks will continue, a Russian newspaper⁸² has written that the presidents agreed on establishing a special commission which will consider the opportunities of Armenia's participation in the Customs Union.

Concerning the statements made by both Presidents, Putin's statement has been shorter than Sarkisian's and he has mainly referred to the following issues⁸³:

- a. The intergovernmental Commission will start work very soon (in autumn) and Russian Transport Minister Maxim Sokolov will be the new co-chairman of this commission and the commission will draft a roadmap for developing economic relations between the two countries. However, Sarkisian has not referred to this commission in his statement.
- b. Economic relations between the two countries have generally developed well, trade turnover has reached 1 billion dollars and an increase of 32% was seen in the first half of this year. However, Sarkisian has mentioned in his statement that Russia is Armenia's greatest economic partner and more than 50% of all foreign investment in Armenia belongs to Russia.
- c. The amount of approximately 1 billion dollars which the Armenians

82 "Results of Moscow Meeting Displease Armenia", *Vestnik Kavkaza*, 14 August 2012.

83 "Vladimir Putin held talks with President of Armenia Serzh Sargsyan, who is in Russia on a working visit." <http://eng.kremlin.ru/news/4273>

working in Russia send home is a considerable support for Armenia and accounts for a sizeable part of the country's national income. However, Sarkisian has not referred to this point in his statement.

To sum it up, Putin has only referred to economic issues in his statement. The money the Armenians in Russia send home is also an economic matter, but it is likely that Putin has addressed this issue in order to emphasize the extent of Armenia's dependence on Russia.

On the other hand, Sarkisian's statement is much more detailed⁸⁴ and apart from economic issues, the Armenian President has addressed some points which President Putin has not referred to at all. These could be summarized as follows:

- a. A strategic partnership exists between Armenia and Russia,
- b. A complete mutual understanding has been reached regarding issues of foreign and internal policies,
- c. It is necessary to have more frequent exchanges and consultations, including at the highest level, to take place (with this statement Sarkisian has implied that few contacts have been made with Russia on the highest level).
- d. Russia is playing a leading role in the South Caucasus concerning security matters,
- e. Russia has taken constructive steps towards the resolution of the Karabakh problem and therefore, Armenia is thankful to Putin,
- f. Armenia supports further strengthening of the CSTO⁸⁵ and this organization will hold military exercises in September in Armenia,
- g. Cooperation in the military and military-technical areas is developing successfully, the term of the Russian military base in Armenia has been

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84 "Introductory Remarks by President Serzh Sarkisian at the Joint Press Conference With the President of the Russian Federation Vladimir Putin" <http://www.president.am/en/interviews-and-press-conferences/item/2012/08/08/President-Serzh-Sargsyan-RF-Vladimir-Putin-Press/>

85 CSTO, Collective Security Treaty Organization is an organization established on 15 May 1992 in Tashkent with the purpose of cooperating in the area of defense and entails some republics which formed the USSR. Currently its members are Armenia, Belarus, Kazakhstan, Kyrgyzstan, Russia and Tajikistan. Countries which were once a member but then left the organization are these: Azerbaijan (1999), Georgia (1999) and Uzbekistan (2012)

extended in 2010, the presence of this base emanates from Armenia's security interests, and that the protocol on the extension has also expanded the scope of involvement of the base in case Armenia's security is threatened⁸⁶,

- h. Russia's economic presence in Armenia reflects the strategic interests of Armenia as well as Russia, Russia is still Armenia's leading trade partner, and Russia accounts for over 50% of all foreign investments in Armenia,
- i. Establishment of long-term economic ties is reflected in the joint implementation of major programs such as the construction of the new units of the Metsamore nuclear power station,
- j. Sarkisian has said that they have also spoken about the price for natural gas imported to Armenia and that they have reached an understanding regarding the price formation principle. Based on this, the following points will be addressed. The real market price for natural gas, Armenia's expediency to preserve the efficiency of its economy and the necessity to provide natural gas to Armenia at the price which is comparable to the tariffs existing in the region. The issue of natural gas will be addressed separately in another section of our article.
- k. Sarkisian has invited Putin to conduct a state visit to Armenia.

As mentioned above, although the statements delivered by Putin and Sarkisian before the press at first sight does not create such an impression, when examining them closely it shows that differences of opinion and disagreements exist between the two sides. How these will develop will be understood better in the upcoming months.

7. Russian Natural Gas and Armenia

Armenia imports as much as 75% of its energy it uses and 80% of this import

86 This military base near the city of Gyumri which is very close to the Turkish border was established in 1995. With a protocol signed between the two countries in 2010, the term of the military base was extended from 2020 to 2044. News published in the Armenian press in that period said that with this protocol, the military base would also provide security to Armenia together with Armenian armed forces. This point was expressed by President Sarkisian during a press conference delivered together with the Russian Federation's President of that period Medvedev that the protocol would at the same time "extended the scope of the geographical and strategic responsibilities of the military base". However, Russian officials have carefully refrained from making any statement that would mean that this military base would protect Armenia when necessary. Whether the military base has such a function or if it does, what kind of attribute this function carries has not been understood since the text of the protocol has never been made public. For detailed information on this issue see: *Review of Armenian Studies*, No. 22, pp. 105-114.

is from Russia⁸⁷. This proportion shows that Armenia is fully dependent on Russia within the energy sector. Although Armenia has been connected to Iran through a natural gas pipeline in 2007, the role of Iranian gas within Armenian consumption is not significant.

There are some economic and political consequences of Armenia being dependent on Russian gas.

Economically, it is necessary for Armenia to accept the natural gas prices of Russia, because there is no other source of energy which it could substitute for Russian gas. Armenia's energy production through its own resources is only 25%. This production is made from water resources and a nuclear power plant (the Metsamor Power Plant) on the Turkish border very close to İğdir. Significantly increasing this amount of 25% does not seem possible in the short or medium term. In fact, if the Metsamor Power Plant, which works with an old technology, seems to have lived out its economic lifespan and is closed each year for maintenance and in case of this plant being deactivated or the closing time extended for restoration or security, it could be expected for the amount of 25% to further decrease and this could cause an increase in the importation of natural gas from Russia.

Dependence on Russian gas to such an extent and no alternative to this source of energy existing at the moment or at a presumable time in the future actually reinforces Russia's current influence and even dominance over Armenia (hereby, it comes to mind that Armenia's neighbor Azerbaijan is a very prosperous country due to natural gas and petroleum, but because of the expansionist policy Armenia pursues it is unable to benefit from Azeri energy resources and these resources, although would be cheaper if exported through Armenia, "by-pass" this country and are exported through Turkey).

Just as the price of Russian natural gas constitutes a problem for Armenia, it also constitutes a problem for the former Soviet republics importing this gas. During the Soviet Union, natural gas was provided to Soviet republics and the Warsaw Pact countries with very cheap prices due to political reasons and the Soviets were making losses from this. Attempts to increase natural gas prices had started all the way back during Gorbachev's period and this policy has continued during the period of the Russian Federation. Although the goal was to attain world prices for natural gas, there was such a great difference between world prices and the Russian sales prices to these countries that in order not to create an economic crisis within the former Soviet republics or Warsaw Pact countries who import from Russia, price increase

87 *Poverty and Distribution Impact of Gas Price Hike in Armenia*, The World Bank Policy Research Paper, (WPS6150) July 2012

had risen gradually. However, even this method was not able to prevent problems from arising between countries importing natural gas and Russia.

For Armenia, the great increase in Russian natural gas took place in 2006. In this year, the price of Russian natural gas increased by 100% where it increased from 55 dollars to 110 dollars per 1000 m³⁸⁸. This incident created tension between Russia and Armenia. Apart from the burden this price would bring to Armenian economy, Russia applying, due to political purposes, different prices of natural gas according to countries (for instance, 46 dollars was wanted from White Russia and 230 dollars from Ukraine for 1000 m³ of gas) has also caused objections among the Armenians. Chairman of the National Assembly of that period Artur Bagdasaryan has said that against this price increase, Armenia should also ask for rent for the Russian military base in Gyumri. On the other hand, Foreign Minister of that time Vardan Oskanyan has said that the price increase will create negative consequences for Russia and Armenia in the region and that the development of Armenia's economy could seriously be prevented. As for the Minister of National Defense of that period and the current President Serge Sarkisian, he has indicated that the matter is not only economic and a problem of trust also exists, but that the price increase cannot be a reason for the contract of the Russian military base in Armenia to be reviewed. Despite the President of that period Robert Kocharyan's quite friendly relations with Russian President Vladimir Putin, Russia had not taken a step back and the price of Russian natural gas had increased as much again⁸⁹.

Meanwhile, the interesting point is that due to the great admiration towards Russia, 76% of those responding to a public opinion poll concerning the increase in the price of Russian natural gas have indicated that they do not believe Russia will further increase the prices. By reflecting this price increase on "small consumers" (consuming less than 10000 m³ per month) by 53%⁹⁰, the Armenian Government has attempted to restrain the displeasure. As one research clearly displays, the increase in the prices of natural gas has caused poverty in Armenia to increase further⁹¹.

Since Russia's aim is to sell natural gas from world prices, increases have also taken place in the following years. The price which was 110 dollars in 2006 had reached 154 dollars in 2009 with a 40% increase and 180 dollars

88 Ibid

89 For the increase in 2006 prices of Russian natural gas and the reactions it has drawn see: *Ermeni Arařtırmaları* No.19, pp. 32-37

90 *Poverty and Distribution Impact of Gas Price Hike in Armenia*, The World Bank Policy Research Paper, (WPS6150) July 2012, s.3

91 Ibid

in 2010 with a 17% increase⁹². However, since the Armenian government had almost never criticized these increases opposite to 2006, reactions among public opinion have also been few.

Before Sarkisian's meeting with President Putin on 8 August 2012, there was news in the press that Russian natural gas prices would increase⁹³. According to this, Russian natural gas where 1000 m³ still cost 180 dollars would increase to 220 dollars in April 2013. This means an increase of 22%. On the other hand, some other sources⁹⁴ have drawn a much darker portrayal of the price increases with reference to Russian gas company Gazprom and have mentioned that Russian gas will increase to 280 dollars on 1 October 2012 and to 320 dollars on 1 January 2013. Compared to 180 dollars, this again shows large increases of 55% and 78% respectively.

In the press conference held together with President Putin which we mentioned above, Sarkisian has said that they have also spoken of the price of natural gas that Armenia imports and that they have reached an understanding regarding the price formation principle. This will be based on the following: the real market price for gas, Armenia's expediency to preserve the efficiency of its economy and providing natural gas to Armenia at the price which is comparable to the tariffs existing in the region⁹⁵. On the opposite, President Putin has not referred to natural gas prices at all. Therefore, the understanding reached on the price formation principle as Sarkisian has indicated should be accepted more as Armenia's view. Concerning what the understanding of this principle means, it is possible to recognize it as a price cut on the market price of natural gas in a way which will not endanger Armenia's economy and will take into consideration the sales prices of natural gas in the region. It is unclear whether Russia will accept to make a price cut that is desired by Armenia. On the path drawn by Russia, if Armenia chooses to enter an integration process with Russia instead of with Europe in the economic area, it could obtain significant price cuts in natural gas prices.

VI – ISRAEL AND THE ARMENIAN GENOCIDE ALLEGATIONS

For apparent reasons, the issue of genocide concerns Israel and the Jews very closely.

92 Ibid

93 "Expert: Natural Gas Price in Armenia May Leap to 220 dollars Per One Cubic Metter by April 2013", *ARKA*, Yerevan, 7 August 2012.

94 "Sarkisian, Putin Discuss Gas, 'Eurasian Union', *Vestnik Kavkaza*, 9 August 2012. "Money to Choose", *Asbarez*, 8 August 2012.

95 "Introductory Remarks by President Serzh Sarkisyan at the Joint Press Conference With the President of the Russian Federation Vladimir Putin" <http://www.president.am/en/interviews-and-press-conferences/item/2012/08/08/President-Serzh-Sargsyan-RF-Vladimir-Putin-Press/>

Although the idea that only the Jewish Genocide existed during the years following the Second World War was dominant among the Jews, this thought was abandoned over time and the existence of other genocides started being recognized. However, the Jewish Genocide was still tried to be distinguished from other genocides by putting forth that it had unique properties and this has been conveyed in the names given to it. “Jewish Genocide” has no longer been used in Israel and among other Jewish circles and this incident has been called “Holocaust” for some time and is currently called “Shoah”. These names indicate great massacres or tragedies. However, these terms are not valid in terms of international law and only the term genocide is used.

After it was accepted within Israel public opinion that other incidents could also be called genocide, some writers under the influence of Armenians in the country have started using this term for the 1915 events and then have strived for a resolution to be adopted in the Israel Parliament (Knesset) regarding this issue. With the support of the majority in the Knesset, the Israel governments, which attach great importance to relations with Turkey, have not found it difficult to prevent the adoption of these kinds of resolutions. However, Turkey starting to strongly support the rights of the Philistines more and more and as a result, some events that have been experienced between the two countries (such as the dispute in Davos between Prime Minister Erdoğan and President Perez, attempts of Deputy Foreign Minister to humiliate the Turkish Ambassador to Israel, and the Mavi Marmara event) have highly changed Knesset’s approach towards the Armenian genocide allegations and the same change has been observed in the approaches of the Jewish Community and organizations in the US towards Turkey.

The most important of the events that have been mentioned is without doubt the one concerning the Mavi Marmara ship. The seizing of a Turkish ship named Mavi Marmara with the use of force outside the territorial waters of Israel on 31 May 2010 and nine people losing their lives and approximately fifty people getting injured in this event have created a serious crisis in Turkey-Israel relations. Turkey had made some requests such as apologizing for this event and punishing those responsible, had also reduced diplomatic relations with Israel to a second secretary level and had suspended military agreements. In response, Israeli Foreign Minister Avigdor Lieberman had prepared a “Plan to Punish Turkey”, but as a result of Prime Minister Netanyahu opposing it, such a plan failed to be implemented although actions against Turkey in Israel continued to take place. Among these, Knesset discussing the recognition of the Armenian genocide allegations on 17 May 2011 through the initiative of the Maretz Party, referring this proposal to the Committee of Education and Culture, referring another proposal for the Armenian genocide allegations to be included within the curriculum of Israeli

schools to the same Committee and also political negotiations taking place for the first time in Yerevan on 25 July 2011 between the foreign ministers of Israel and Armenia could be mentioned⁹⁶.

The Israeli Government has tried to prevent the official recognition of the Armenian genocide allegations, but by taking into consideration the negative atmosphere towards Turkey within public opinion created by the events experienced with this country, the Israeli Government has not opposed this issue being discussed within Knesset or various organizations and in fact has not opposed some Ministers or pro-government deputies from accepting the Armenian genocide allegations on their own behalf. As a matter of fact, Minister of Religion Yakov Marki, who had attended the Knesset's session on 17 May 2011, has said that he personally recognizes the Armenian "genocide". Minister of Infrastructure Uzi Landau, who had attended the talks regarding the inclusion of the Armenian genocide allegations in the curriculum of Israeli schools, has said that as a Government they find the resolution of the genocide issue to be the task of Armenia and Turkey and that they are not against this issue being submitted to the Committee of Education and Culture. While these issues were addressed by the Committee of Education and Culture in December 2011, Speaker of the Knesset Reuven Rivlin, by attending the meetings of the Committee in an unusual manner, has said that Israel has a moral and historic obligation to recognize the Armenian genocide allegations, that it is his duty as a Jew and Israeli to recognize the tragedies of other peoples and that diplomatic considerations, important as they may be, should not deter them from recognizing a tragedy experienced by other people.

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During these discussions, Coalition government representative Zen Elkin also spoke in favor of adopting a bill on the genocide issue. On the opposite, a representative of the Foreign Ministry Irit Lillian has said that recognition of this kind can have very grave strategic implications and that Turkey-Israel relations today are so fragile and so delicate that there is no place to take

96 See: "Olaylar ve Yorumlar" (Facts and Comments), *Ermeni Araştırmaları*, No. 39, pp. 57–60

them over the red line⁹⁷. On the other hand, the Committee of Education and Culture has closed the hearing without taking any action in regards to this issue⁹⁸.

Despite not making a statement this time, it is known that President Simon Perez and Prime Minister Netanyahu are against the Israeli Parliament adopting a bill which recognizes the Armenian “genocide” and that Foreign Minister Avigdor Lieberman also thinks this way. By clearly expressing his views on this issue following the aforementioned Committee meeting, Lieberman has said that since its establishment, Israel has opposed the application of the term Holocaust to another war or tragedy, that the tragedy of the Jewish people during World War II is beyond comparison with any other tragedy and that today historical incidents have turned into political disputes, therefore he does not consider it right for Israel to face this problem⁹⁹.

Through the efforts of Zeheva Gal-On, Chairman of the Maretz Party which has given the impression that it has assumed the defending of Armenian views in Israel and the support of Speaker of the Knesset Reuven Rivlin, the issue of the recognition of the Armenian genocide allegations has been re-addressed in the Knesset on 12 June 2012. It could be understood that State Comptroller Lindenstrass to explain his report regarding the Mavi Marmara incident the following day has played a role in this date being chosen; in other words, it has been reckoned that this report, assumed to be to the Government’s disadvantage, will weaken the Government’s resistance to the adoption of a bill in the Knesset regarding the Armenian genocide allegations.

During the talks being held on this issue, after indicating that they have an obligation to spiritually (ethically) remember the murder of more than a million Armenians, but that this issue should not be turned into a political dispute and the accusations are not towards the government of Turkey of today, Speaker Reuven Rivlin has said that “We cannot forgive nations who ignore our disaster and we cannot ignore the disasters of others”. On the other hand, Chairman of the Maretz Party Zehava Gal-On has spoken of the same issue saying that the Jewish people who have experienced the worst Holocaust have an obligation to show sensitivity to the disasters of others and has called on the Israeli Government to recognize the Armenian genocide and to restore relations with Turkey by agreeing to apologize for the deaths of nine Turks during the raid of the Mavi Marmara vessel. Arieh Eldad from the National Union Party has called on Turkey to recognize its responsibility

97 “Israel’s Foreign Minister Opposes Genocide Recognition”, *Asbarez*, 7 February 2012.

98 “Genocide in Armenia is Not For Israel to Decide”, *New Jersey Jewish News*, 11 January 2012.

99 “Israel’s Foreign Minister Opposes Genocide Recognition”, *Asbarez*, 7 February 2012.

for its “historical crime” and has alleged that this crime included children being put into cellars and gassed. (Such an allegation is heard for the first time) The only person speaking against the recognition of the Armenian genocide allegations by Israel has been Robert Tibayev from the Kadiam Party. He has said that Israel should not interfere in the issue, but rather let historians, or an international body decide if there was an Armenian genocide¹⁰⁰.

Israeli Minister of Environmental Affairs Gilad Erdan, who was also present during the talks, after saying “I think it is definitely fitting that the Israeli government formally recognize the Holocaust perpetrated against the Armenian people”, has indicated that the Israeli Government had not formally changed its policy on the past tragedy of the Armenians and that Israel should definitely support an open and thorough discussion analyzing the data and facts¹⁰¹. Although the Minister’s statements, particularly the one on the Israeli Government formally recognizing the Armenian Holocaust to be fitting, has been considered by some people as the Israeli Government recognizing the Armenian genocide¹⁰², when taking into consideration that the Minister had first spoken on his own behalf and then had said that the Israel Government’s policy had not changed, it could be seen that there is no recognition being made.

It could be understood that at the end of these discussions, the issue has been submitted to the Knesset’s Committee on Education and Culture once again.

Turkey has not shown any official reaction to the talks held in the Israeli Assembly. According to one newspaper, a Turkish diplomatic source had said that parliaments dealing with this issue do not bring any benefit, does not contribute to the process (to the process of normalizing Turkey-Armenia relations) and undermines the work of historians of both countries¹⁰³.

Another point worth mentioning is the efforts of the Israeli Government to improve its relations with Armenia after a serious disagreement had arisen with Turkey. As mentioned above, political consultations had taken place for the first time between the diplomats of both countries last year. Also this year in April, Israeli Minister of Agriculture Orit Noked had visited Armenia to “discuss ways of promoting cooperation between the agricultural sectors of the two countries” and had stood in silence at the Genocide Memorial¹⁰⁴.

100 Gil Hoffman “Knesset Discusses Genocide Recognition”, *Jerusalem Post*, 12 June 2012.

101 “Knesset’s Political Debate on 1915 Event Does Not Alter Facts, Turkey Says”, *Today’s Zaman*, 13 June 2012.

102 Israel W. Charny, “Israel Government Officially Calls on Knesset to Recognize the Armenian Genocide”, *GNP (Genocide Prevention Now)*, Issue 10, spring 2012.

103 “Knesset’s Political Debate on 1915 Event Does Not Alter Facts, Turkey Says”, *Today’s Zaman*, 13 June 2012.

104 “Israel Minister Visits Armenia”, *Asharez*, 16 April 2012.

Minister of Public Diplomacy and Diaspora Affairs Yuli Edelstein had also visited Yerevan on 24 August 2012 and had gone to the Genocide Memorial. Edelstein, who had written in the notebook there that there are many similarities between the histories and destinies of both nations and that no one in Israel denies the existence of the Armenian genocide¹⁰⁵, had also issued a statement expressing that the 1915 mass killings and deportations of Armenians in Ottoman Turkey are widely recognized as genocide in Israel¹⁰⁶.

It could be understood from readers' comments to news item regarding this issue that these initiatives of the Israelis to develop close relations with Armenia¹⁰⁷ have especially not been found to be sincere among the Diaspora. For instance, in the comments made following Yuli Edelstein's visit, it is mentioned that the widespread recognition of the 1915 events as genocide is not sufficient, that the Knesset must adopt a resolution in regards to this issue and the rest is just nonsense and hypocrisy and with these comments, it is tried to be conveyed that the Armenians are wasting their time. Another comment has indicated that apart from a resolution being adopted in the Knesset, a memorial should also be erected in Jerusalem and Tel Aviv for the Armenian "Genocide". In short, it is not possible to say that these attempts have left a positive impression within Armenian public opinion. However, concerning Turkish public opinion, the stance against Israel is continuing and no one has been concerned with the visits of the Israeli Ministers to Armenia.

On the other hand, when taking into consideration Israel's close relations with Azerbaijan and especially Israel's selling of weapons to Azerbaijan, it is not expected for Israel-Armenia relations to significantly develop.

In conclusion, to understand the reason for the discussions held in the Knesset for the recognition of the Armenian genocide allegations in which some statements against Turkey were made, the tense relations presently existing between the two countries must be kept in mind. Speaking against Turkey and accusing Turkey with genocide only pleases Israeli public opinion which is not able to accept the Palestinians. Different views conveyed on the Armenian "genocide" issue is the result of the Israeli government being composed of many political parties which did not agree at all on the subject. However, on that matter, the stance of the Prime Minister and the Foreign Minister is primordial, and being aware that the recognition of the genocide allegations by the Knesset will have a heavy impact on relations with Turkey, which are already on poor terms, they are trying to prevent this from taking place and is seen to be successful so far.

105 "En Israel Personne Ne Nie L'Existence du Génocide Arménien", *Armeness*, 25 August 2012.

106 "Genocide 'Widely Recognized in Israel' Says Israeli Minister", *Asbarez*, 24 August 2012.

107 Ibid

VII – PRESIDENTIAL ELECTIONS IN ARMENIA

On the 18th of February 2013, the presidential election will be held in Armenia.

The Armenian Constitution grants great powers to the Presidents and therefore, the roles and influences of parliaments and Government in politics is of secondary importance. Looking from this point of view, the Presidential election is the most important political event in Armenia.

Before the Parliamentary election held last May, almost everyone joined in on the opinion that Sarkisian would easily win the Presidential election. However, following the Parliamentary election, despite the Armenian Republican Party, chaired by Sarkisian, winning the election and even gaining the majority in the Parliament, a significant development took place in internal politics. The Prosperous Armenia Party withdrew from the coalition.

The Party has been established shortly before the 2008 elections. In terms of the policies it proposes, apparently it is no different than the Republican Party. The Party's Chairman Gagik Tsarukyan and the prominent figures of the party are mostly politicians who are close to businessmen or to business circles. Therefore, according to a frequently mentioned speculation, this party has been established upon the advice of former President Robert Kocharyan and has close contacts with Russian business circles.

The Prosperous Armenia Party has increased its votes by more than a hundred percent (from 14.7% to 30.12%) and its total number of 24 deputies has risen to 37. The votes of the Republican Party, which is the Government's great partner and as mentioned above, has gained the absolute majority on its own, have increased from 32.8% to 44.02%, but this increase is lower than that of the Prosperous Armenia Party in terms of ratio. This situation clearly shows that the rising party in Armenia is Prosperous Armenia. As a result of this, the Party has asked for more shares from the government and according to some speculations, it has been requested for the Prime Minister to be from this party. However, the Republican Party has not made any concessions concerning this matter and the Government has been formed without the Prosperous Armenia Party. Since the Republicans hold the majority in the Assembly, this did not seem that inconvenient back then.

As the Presidential election neared, the idea that there could also be candidates from the Prosperous Armenia Party came to the agenda. Normally Chairman of the Party Tsarukyan should have been a candidate. However,

although not rejecting this possibility, Tsarukyan had also not announced his candidacy; while at the same time had not refrained from implying that he could become a candidate. Similarly, Armenia's second President Robert Kocharyan, who was said to control the Prosperous Armenia Party from the background, had also not made a statement on his candidacy, but also did not stand as a candidate until now (the end of November 2012). Therefore, it was said that Vartan Oskanyan, who served as Foreign Minister for ten years during Kocharyan's term, would be candidate, but the Civilitas Foundation which he established was sued on grounds that the donations sent from abroad were misappropriated and going further, Oskanyan's reputation was tried to be reduced by lifting his legislative immunity. However, this initiative has especially been criticized in Western countries.

Serge Sarkisian is the first politician to announce that he will become candidate for Presidency.

Levon Ter-Petrossian, who is Armenia's first President and the Chairman of the Armenian National Congress, which is still the greatest political party after Prosperous Armenia, has not stood as candidate. During the 2008 elections, he had gained 21.5% of the votes against Sarkisian who had received 52% of the votes. Since his Party was only able to receive 7.8% of the votes during the Parliamentary election in May, he almost has no chance to be elected as President. Therefore, it is presumed that this is the reason for him not standing as candidate.

On the other hand, Chairman of the Heritage Party Raffi Hovanissian has declared that he will stand as candidate. Hovanissian is an American Armenian whose Party has close contacts with the Diaspora. However, this is a small party. It has gained 6% of the votes and 7 deputies in the last Parliamentary election¹⁰⁸. Hovanissian attempts to draw the attention of public opinion through his extreme statements and behaviors. For instance, a while ago, he had staged a hunger strike on one of Yerevan's squares in the middle of winter for reasons unknown. Recently, he has visited Azerbaijan, whereas all other Armenian statesmen are careful not to visit, and has attended an international conference in which he has strictly criticized Azerbaijan due to the Karabakh conflict and has accused Turkey of occupying Western Armenia. Asking to take the floor when he had no right to and when was denied to do so, he tried to occupy the platform. Although these kinds of demagogic behaviors are appreciated by some Armenians, it is not enough to be elected as President.

108 By receiving 6% of the votes and gaining 7 deputies in the 2008 election, this party has obtained relative success. The Heritage Party was able to enter the Parliament by receiving 5.7% of the votes and gaining 5 deputies during the previous elections.

The Dashnak Party otherwise known as the Armenian Revolutionary Federation is much more extreme than the Heritage Party in its statements and actions. Despite its strength within the Diaspora, it has not obtained a strong political place in Armenia. Although it has increased its votes after entering the Government during Kocharyan's Presidency, it has withdrawn from the coalition as a reaction to the signing of the Turkey-Armenia Protocols and it has been seen during the parliamentary election this year that this party has lost most of its votes¹⁰⁹.

Arthur Bagdasarian, Chairman of the Rule of Law Party, which is known as Orinats Yerkir in Armenian, is presumably at the front of the individuals who the European Union countries want to see as President. However, although being in the Government Coalition, this party, by only receiving 5.5% of the votes and gaining 5 deputies in the last election, has no chance in the Presidential election.

What is the tendency of Armenian public opinion at a time when about 2 months remain until the Presidential election? According to a public opinion poll published on this issue¹¹⁰, the percentage of votes the potential candidates could receive is as follows:

President Serge Sarkisian.....	%28
Chairman of the Prosperous Armenia Party Tsarukyan.....	% 19
Second President Robert Kocharyan.....	%11
Chairman of the Heritage Party Raffi Hovanissian.....	%4
Chairman of the Armenian National Congress Levon Ter-Petrossian.....	%3
Former Foreign Minister Vartan Oskanyan.....	%3
Chairman of the Rule of Law Party Arthur Bagdasarian	% 1
Head of the Dashnak Party Vahan Hovanissian	% 1

Meanwhile, it has been seen in the last few months that the Armenian President election also has an international dimension. Following Vladimir Putin's re-election as President, Russia's initiatives to form a bloc together with the countries separating from the Soviet Union have increased. When considering the special conditions of Georgia and Azerbaijan in the Southern Caucasus, the sole country that could join this bloc is Armenia. Armenia's

109 The Dashnak Party had received 13% of the votes and gained 16 deputies in the 2008 Parliamentary election. However, it has only been able to receive 5.7% of the votes and gained 6 deputies in this year's Parliamentary election.

110 "Si les Elections Présidentielles Avaient Lieu Dimanche Prochain, Serge Sarkissian Arriverait en Tête", *Armenews*, 12 November 2012.

border with Iran and Turkey being defended by Russian forces, a large Russian military base existing near Gyumri, Armenia's membership to the Commonwealth of Independent States and the CSTO¹¹¹, Russia's special place within Armenian economy, Russian investments, and Armenia's dependence on Russia for petroleum and natural gas have almost made this country an ideal candidate for the bloc wanted to be established under Russia's guidance.

The Armenian Government favors the continuation of these rather privileged relations with Russia and it does not hide that especially with security considerations, Russia is highly needed.

The Armenian Government favors the continuation of these rather privileged relations with Russia and it does not hide that especially with security considerations, Russia is highly needed.

However, particularly for economic and political reasons, Armenia also desires to have close relations with Western countries and their organizations in Europe such as the EU, NATO and the Council of Europe. A problem emerges at this point. It could be understood that although Russia finds it normal for Armenia to have cooperation to a certain degree with some Western countries and organizations, it wants this cooperation to have a limit and does not want integration

taking place especially in the economic area. Therefore, as we explained in detail before, it insistently does not want Armenia to become a member of the Eurasian Union. On the other hand, it wants the contact and cooperation with NATO to be restricted. It could be understood that regarding this matter, Russia could use prices of natural gas as an instrument of pressure on Armenia. However, it is also apparent that Armenia is resisting. Prime Minister Tigran Sarkisyan has openly stated that becoming a member of the Eurasian Union will not be to Armenia's advantage. It has been expressed in the press that this situation has negatively influenced President Putin and he has indefinitely delayed his visit to Armenia¹¹².

On the opposite, it could be seen that interest in Armenia has increased in European Union countries and organizations and in connection to this, visits conducted to this country have also increased. There is a serious rise in the high status visits of EU member countries conducted to Armenia which creates the belief that they are almost acting according to a pre-defined plan. The same increase could be seen in the EU, NATO and Council of Europe officials. This year, the Secretary General of NATO Rasmussen, Special

111 CSTO, Collective Security Treaty Organization

112 "Putin Not Planning to Visit Armenia", *Haykakan Zhamanak*, 10 November 2012.

Representative for the Caucasus Appathurai, NATO Commander-in-Chief, Commander of American Forces in Europe and many other high ranking NATO officials have visited Armenia. The level of visits conducted by officials of EU organizations is much higher. Within this framework, President of the European Council Herman van Rompuy and President of the European Commission Baroso have come to Armenia. Furthermore, Deputy Secretary General of the Council of Europe has conducted a visit. There have been many high ranking bilateral visits from the countries of EU and NATO to Armenia. The intensity of the visits, which was not seen before, forms the evidence for the increased interest in Armenia and the desire to maintain close relations with Western countries.

It is doubtful whether Serge Sarkisian is the Armenian President wanted by Russia. However, for reasons such as still being the person to be able to receive the most votes and his influence over all security forces in Armenia, it is very difficult to remove Sarkisian from power. It is difficult to determine from now how this personal struggle between Russia and the Western countries regarding Armenia will end.

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CAUCASUS 2012 DRILLS: RUSSIA'S EFFICACY ATTEMPTS IN THE CAUCASUS AS PART OF ITS SECURITY STRATEGIES

(KAFKAS 2012 TATBİKATI: GÜVENLİK STRATEJİLERİ KAPSAMINDA RUSYA'NIN KAFKASLARDA ETKİNLİK DENEMESİ)

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Abstract: *The Caucasus-2012 drill has been one of the most influential among Russia's military exercises. Rather than its dimension, capacity, potential and influence, evaluations in terms of regional security policies have become the agenda topic. According to some commentators, the main goal of the Caucasus-2012 drill has been considered to be a preparation for the security of the Olympic Games to be held in Sochi in 2014. According to another version, Russia will not be able to be a mere spectator during a possible attack on Iran. Moreover, it could be observed that this drill is assessed to be a threatening and pressuring move against Georgia's security. Although the Russian military base in Armenia is not involved in this drill directly, a joint drill of the CSTO armed forces under the name of "Interaction-2012". Taking all these into consideration, it is also mentioned that Caucasus-2012 also has hidden goals.*

Keywords: *Caucasus-2012, military drill, Russia, Armenia, Georgia, military bases*

Öz: *Kafkas-2012 tatbikati son yirmi yıl içinde Rusya'nın askeri tatbikatları içinde en fazla ses getireni oldu. Tatbikatın boyutu, kapasitesi, potansiyeli ve etkinliğinden ziyade bölgesel güvenlik politikaları açısından yapılan değerlendirmeler gündem konusu olmuştur. Bazı yorumculara göre Kafkas – 2012 tatbikatının temel hedefi 2014'de Soçi'de yapılacak Olimpiyat Oyunlarının güvenliğine bir hazırlık olarak değerlendirilmiştir. Başka bir versiyona göre İran'a yapılacak muhtemel saldırı sırasında Rusya seyirci kalamayacak. Bunun yanı sıra bu tatbikatın Gürcistan'ın güvenliğine karşı bir tehdit ve baskı eylemi olarak değerlendirildiğini görebilmekteyiz. Ermenistan'daki Rus askeri üssü bu tatbikatta doğrudan yer almasa da "Etkileşim - 2012" adı altında KGAÖ silahlı birliklerinin ortak tatbikatı düzenlenmiştir. Tüm bunları dikkate alarak Kafkas-2012 tatbikatının saklı amaçlarının olduğundan da bahsedilmektedir.*

Anahtar kelimeler: *Kafkas-2012, askeri tatbikat, Rusya, Ermenistan, Gürcistan, askeri üsler*

Introduction

The “multipolar world system” policy, which Russia consistently mentions and works towards its implementation, is a policy which is impossible to be achieved under today’s conditions. Activities to increase Russia’s efficacy in the Caucasus and Central Asia have gained a new momentum when Putin came to power. This issue becomes apparent in activities towards the development of new projects in the economic and security areas and enlarging and deepening the current policies. However, during when the bipolar system was dominant, Russia did not have the strength to carry the potential of being a “global power” of the Soviet Union and the satellite states. Therefore, in order to gain efficacy in the Near Abroad, it wanted to advance the process by developing military and political alliances and making bilateral agreements. In this aspect, the Customs Union, Eurasian Union, strengthening the organizational structure of the CIS and allowing the CSTO to gain efficacy is among Moscow’s primary issues of foreign policy. In fact, this approach

The only “ally” of Russia in the Caucasus is Armenia which is economically weak and has no direct border link with Russia. This situation shows that Russia is in a disadvantageous position in the Caucasus.

also formed basis of the “near abroad” policy Russia declared after the collapse of the Soviet Union. Even though this area is still regarded as Russia’s domain, the continuation of this situation has not been easy for the Moscow administration and is currently still not easy. From the Caucasus perspective, we see a Georgia whose relations with Russia are on very bad terms. Although as time passes and balancing policies are becoming more and more deregulated, Azerbaijan keeps its distance with Russia and the problem of mutual trust between the two countries has always revealed itself. The only “ally” of Russia in the Caucasus is Armenia which is economically weak and has no direct border link with Russia. Thus Russia is in a disadvantageous position in the Caucasus. When considering that the most problematic region within Russia’s borders is again the Caucasus, it becomes evident that Russia must show much more effort towards the region in the short and medium term. Therefore, Russia is obliged to increase its military activity and to carry its security strategies to a new dimension. An opposite situation could further reduce Russia’s efficacy in the Caucasus which is already problematic. Upon coming to power, Putin declared that the Foreign Policy Concept would be prepared and implemented until the end of this year. Based on news leaked to the press, the Concept (Document) is prepared. However, the text of the document has not yet been published in the press. The primary issue is the reinforcement of the CIS. Recently Russia will give priority to this issue in its foreign policy. In a situation where economic crisis

and the “Arab Spring” exist, Russia necessitates the advancement of the “integration” period with its close neighbors¹.

It is difficult to say that this “integration” will gain success in the economic area. There are many reasons for this. It is a known fact that political integration takes place not willingly, but under pressure. The development of the political integration process from now on will also be possible under these pressures.

One of the most effective instruments in Russia's keep is its army. The doubts that the Russian army, which has attempted to reform and reorganize for more than twenty years, will successfully complete the reform process it is currently in, are more than the hopes in this direction. Its reorganization as an army carrying the potential of having a dynamic and effective impact by eluding from its traditional structure based on numerical superiority passes through the resolution of many structural issues. In this situation, Russia's Caucasus-2012 drill is important in several aspects. Through this drill, the Russian Armed Forces has tested the capability of the southern troops. Furthermore, it has been a show of strength towards the opposition and the illegal forces in the Northern Caucasus found within its own borders and also towards the countries of the Southern Caucasus (Azerbaijan and Georgia).

Caucasus-2012: Potential, Capacity, Goal

The capacity and potential of the war games in the Caucasus-2012 drill is different than the drills taking place in other areas at the same time. The war games in the drill have taken place in four shooting ranges on the polygons of “Prudboy”, “Kapustin Yar”, “Ashuluk” and “Raevsky”. This drill, which started on the “Raevsky” range (country of Krasnodar) on September 17, has continued until 23rd September. The area of exercise has been determined as the Southern Military circle. Observing this and its other properties, we could determine what kind of war games Caucasus-2012 has presented, along with its capacity, potential and also its goals.

1. Statistically, it has taken place with a crowded attendance. In this drill where eight thousand people participated, 200 armaments and equipment, 100 cannons, approximately ten ships and boats have been used and 80 flights have taken place. This has been considered as the most important event in 2012 within the Russian army² and it should

1 Первым делом – СНГ: Разработана новая концепция внешней политики России, <http://www.rg.ru/2012/12/17/politika.html>, 17.12.2012

2 “Кавказ-2012” маневрирует в сторону Сочи-2014 http://www.ng.ru/nvo/2012-08-08/1_caucasus.html, 08.08.2012

also be mentioned that it has made an impression in the international area. The Federal Security Service (FSB), Ministry of Interior, the Ministry of Extraordinary Situations, the Federal Protective Service and other paramilitary organizations have also participated.

The GLONNAS³ system will be used in the exploration operations (Note:). The newest planes and helicopters are available in this system. All helicopters and journey vehicles in the Military Zone have already been renewed. Moreover, this system has been equipped with vehicles artillery vehicles and air defense systems. The “Barnaul T” management system with new automatization of the Barunal-air defense forces has been used for the first time in this drill. This system is not only able to keep the Northern Caucasus under control, but also the Southern Caucasus. This feature is important for the 102nd military base in Armenia. The issue of logistic assistance in Caucasus-2012 has also been one of the primary subjects. Pipe laying forces, which are only found in the Russian army in the world, have also been active. These forces had also played an active role in 2008 during the Georgian war. These forces have installed 75 km of pipes in the Caucasian mountains in 2011. During the drill, “İskender” missiles, bladed rockets and sea forces and also ship repelling systems have also been used.

2. This drill is also the first full-scale drill after the division units in the army forces were abolished and replaced by brigade units. Significant changes have been made to the Army Forces starting in 2009. The division units, which were difficult to be managed, had first been reformed to be replaced with brigades. Currently, the structural units in the Russian army are in a hierarchy of battalion - brigade – operative commandership. Units like the traditional regiment, squad, army corps and army have completely been eliminated⁴.

3. The drill has taken place in the Southern Military Zone⁵. The Army

3 Global Navigation Satellite System, is a radio-based satellite navigation system operated for the Russian government by the Russian Aerospace Defence Forces. It both complements and provides an alternative to the United States' Global Positioning System (GPS) and is currently the only alternative navigational system in operation with global coverage and of comparable precision.

4 85 brigades have been formed in the Army Forces after the reform. Following the collapse of the Soviet Union, the numerical power of the Army Forces has experienced a serious decrease. According to specialists, the proportion of Army Forces within the RF Armed Forces is below 30% and when compared to the other armies in the world, is at very low levels. Структура Сухопутных войск, [http://army.lv/ru/Istoriya-Rossii/Rossiyskaya-Federatsiya-\(1991-...\)/Vooruzhennie-Sili-RF/Suhoputnie-voyska/Struktura-Suhoputnih-voysk/2120](http://army.lv/ru/Istoriya-Rossii/Rossiyskaya-Federatsiya-(1991-...)/Vooruzhennie-Sili-RF/Suhoputnie-voyska/Struktura-Suhoputnih-voysk/2120)

5 This district formed for the first time with the name Northern Caucasus Military District, has been installed on 4 May 1918. This district, which has experienced structural changes during the course of its development with some regulations, has been installed since 4 October 2010 with the President of the Russian Federation's "the Russian Federation's Decree Concerning its Military Divisions" (20 September 2010) the Southern Caucasus Military District has been installed within the scope of the Northern Caucasus Military District.

Forces in this zone are located within the 4 military areas (okrug)⁶ formed on strategic directions. The reconstruction of the last area has been executed as a result of new reforms. The regions of Moscow, Leningrad, Northern Caucasus, Volga-Ural, Siberia, and Far East which existed before have been removed and replaced by the new four areas. The names of the newly formed areas are mentioned as the following since 1st December 2010. 1) Central Military District, 2) Southern Military District, 3) Western Military District, 4) Eastern Military District⁷. The forces in the Southern Military District are mostly known as Russia's leading military forces. They have also been equipped with more modern weapons. While the Southern Military District was formed within the range of the Northern Caucasus Military District, the Black Sea navy and the 4th Commandership of the Air Forces and Air Repelling Forces are also located in this district. The forces in this district had directly intervened in Georgia in August 2008. Today, the Southern Military District encompasses the administrative borders of the two Federal Districts (Southern Region and Northern Caucasus Region) and 12 federate units of the Russian Federation exist in these regions. Moreover, Russia's military bases in Ukraine, Armenia, Southern Ossetia and Abkhazia also exist within the commandership of this region. The military quarter of the region is located in the city of Rostov-Don. All military and paramilitary forces besides the strategically aimed rocket forces and air-space defense forces are connected to this commandership. The Ministry of Interior, FSB Border Guard Troops, Ministry of Extraordinary Situations and the forces of other ministries and organizations are also within the scope of authority of this commandership⁸.

4. Based on official evaluations, the war games have been accomplished on a high level. Based on the evaluations made on the high level of the military chain of command, it is normal for some defects to take place. But, in general, the army has successfully accomplished the task given to it. While observing the Caucasus-2012, President V. Putin has emphasized that it has been performed at a high level⁹.

In unofficial evaluations, different approaches have been displayed concerning the drill's capacity and potential. According to some commentators, the Caucasus-2012 drill is the most confidential drill that Russia has performed

6 West, South, Central and Eastern districts

7 Медведев подписал указ "О военно-административном делении РФ", <http://ria.ru/politics/20100921/277669145.html>, 21/09/2010

8 Южный военный округ, <http://structure.mil.ru/structure/okruga/south/history.htm>

9 Путин на "отлично" оценил проведение учений "Кавказ-2012", http://ria.ru/defense_safety/20120917/752656250.html#ixzz2FRV8zwSR

in the last twenty years. The drill has taken place closed to foreign journalists and specialists. On the other hand, the country's journalists have only been at the drill area once during Putin's visit. The reason for this confidentiality was to prevent excuses for foreign pressures to increase regarding the drill. The drill being presented as a "command-military quarter drill"¹⁰ has served towards hiding the actual purpose of the drill¹¹. If these allegations are true, then it is possible to say that the information provided on the number of soldiers participating in the drill and the weapons and equipments used are also not correct, because if the number of soldiers participating in the drill are over ten thousand, foreign observers must be invited based on the agreement made between Russia and NATO. As emphasized above, the number of soldiers participating in the drill is eight thousand.

The Country In and Outside the Drill: Armenia

Within the framework of the reforms made in the army forces in Russia, important changes have also been made in the structure of the 102nd military base in Armenia. Firstly, changes have been made structurally in the units within the military base and the brigade system has started being used. Within the former 123rd motorized regiment, the 73rd independent motorized brigade (Yerevan) and within the former 124th and 128th motorized regiment, the 76th independent motorized brigade (Gyumri) has been installed. These reconstructions have been organized with the December 2008 dated regulation numbered 5/50 of the combined brigade (based on Armored Combat Vehicles and Slightly Armored Palletized Land Vehicles) structure approved by the Russian Federation Armed Forces Presidency of General Staff. The current potential of the 102nd military base following the restructure is as follows.

The 73rd independent motorized brigade (Yerevan): 3 motorized battalion, tank battalion, 2 howitzer self dynamic artillery squadron, reactive artillery squadron, antitank artillery squadron, anti-plane missile squadron, pioneer battalion commandership, communication squadron, logistic assistance squadron, repair-restoration squadron, administration and artillery exploration battery, exploration squadron, radiation, chemical and biological defense squadron, medical squadron, commander squadron, shooter team (strong shooters) totaling 4393 soldiers.

Apart from these, the 566th independent communication brigade (Gyumri): 65 people, 988 anti-plane missile regiment (Gyumri), 2 C-300B squadron,

10 A majority of the war games in command-military quarter drill are performed on maps, models and computer.

11 Эксперты разошлись в оценках учений "Кавказ-2012" <http://www.kavkaz-uzel.ru/articles/213162/>, 26.09. 201

3624 air bases are found (16 Mig-29, 2 Mig-29UB). Since 2010, the arms equipment of the base has been developed, equipped with S-300 and Mig-29's. In the declaration made by the Russian Federation's Ministry of Defense on October-November 2011, it has been said that the 102nd military base has completely been accomplished. Families of the soldiers have moved to Russia, the number of soldiers in the military post near Yerevan have been decreased and the military forces there have been deployed to Gyumri, the Turkish border. The military sites evacuated by the Russians have been passed on to the Yerevan post under the inspection of the RF Armed Forces Army Forces Commander Aleksandr Postnikov. The weapons left behind during the reconstruction have also been passed on to the Armenian army.

Again in March 2012, a drill has been performed in the military base in Gyumri. 1000 soldiers have attended the drill and 200 weapons and military vehicles have been used. According to some, this drill was a preparation before the military attack on Iran. According to the Russians, if the US attacks Iran, it would use Turkey's territories. In this situation, the Russian army must be prepared for the developments. As a matter of fact, the forces in Abkhazia and Southern Ossetia have also been called to vigilance.

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Before the Caucasus-2012 drill started, Georgia had started talking against this drill within world public opinion. The Western state and the US have mentioned that this drill should not be performed. Against these statements and pressures, Russia has somehow been forced to take a step back and has decided not to include the military bases in Abkhazia and Southern Ossetia and also the military bases in Arenia in the drill. Despite this decision, some units belonging to the military bases in Abkhazia and Southern Ossetia have also been drilled. Concerning the military base in Armenia, a different formual has been formed and a joint drill has been made by the CSTO with the title "Interaction-2012". Two thousand soldiers, more than 500 war vehicles, 50 artilleries and 200 equipments have been used in the drill¹².

Georgia's Concerns

A decleration was made by NATO on September 5th, requesting Caucasus-2012 to be performed as transparent as possible. Moreover, it has called on

12 Учение КСОР ОДКБ «Взаимодействие-2012» в Армении завершилось победой союзников, http://odkb-csto.org/news/detail.php?ELEMENT_ID=1135

Russia to respect international agreements and Georgia to respect territorial integrity. The Deputy Chief of Staff of the Russian army Aleksandr Postnikov has announced that Caucasus-2012 will not entail a threat to the other countries (The Georgian government has said that this drill will threaten the region and has regarded it as psychological pressure before the Georgian parliamentary elections held on 1 October 2012). Georgia's statements and initiatives have caused the US and Europe to bring this issue under examination. In a statement made by the Estonian Minister of Defense, it has been indicated that Russia's aim in organizing such a drill was an attempt to keep Georgia "in its place". By mentioning that a similar drill had taken place in 2008 before the attack on Georgia, he has referred to the possibility of a new attack¹³. These kinds of pressures have caused Russia to make a change in the decision it had reached. It was said that the military bases in Armenia, Abkhazia and Southern Ossetia would be including in the war games within the scope of this drill¹⁴. However, due to these pressures, by finally making a change in its decision, Russia has announced that the Russian bases in these countries will not be included in the drill¹⁵. By calling upon Russia, the Secretary General of NATO and other officials have expressed that the drill must be made in a "transparent" manner. Tbilisi has regarded this decision as a diplomatic achievement¹⁶.

"Caucasus-2012"s Open and Hidden Goals

Official statements concerning the purpose of the Caucasus-2012 drill has not been satisfying and a series of unofficial versions and statements have been brought forward. While emphasizing the level of truth in a majority of these statements, we should also note that there are several goals or purposes. When addressing the issue as a whole and evaluating these events together with the war games organized in the Russian Armed Forces, we are able to reach the conviction that these goals are more than one.

1. Right before the Caucasus-2012 drill, an operational technical drill was made in Moscow on 14 September under the name "Thunderclap-2012" belonging to organizations combating drugs. On 15-19 September, the joint military exercise of the CSTO military troops with the title "Interaction-2012". At first sight, these drills have been organized independently from each other. However, some

13 Путин готовит "второй этап завоевания Грузии", решил эстонский министр обороны и назвал два признака, http://www.newsru.com/world/13sep2012/putin_ivanishvili.html

14 Daha önce de Rus genelkurmayı Çeçenistan'daki poligonların (Alpiyskiy, "Gvardeyskiy", Kalinovskiy) tatbikat dışında tutulacağını açıklamıştır. Fakat bu karar Gürcistan'ın endişelerini gidermemiştir.

15 "Кавказ-2012" маневрирует в сторону Сочи-2014, http://www.ng.ru/nvo/2012-08-08/1_caucasus.html

16 Виталий Камышев, "Кавказ-2012": версии и подозрения, <http://www.svoboda.org/content/article/24712286.html>

commentators say that the common goal of these drills is to prepare for the security in the 2014 Olympic Games to be held in Sochi.

2. In both Caucasus-2012 and the war games of the CSTO, it could be seen that many strategic issues exist. Important equipments such as automotized administration systems, space exploration, unmanned airplanes etc. have been used. Another important point is that the air assault forces have played an active role in the war games. In a situation where Georgian airspace is closed to military aircraft and Azerbaijan does not allot its own airspace to the military aircraft flying to Armenia, no answer could be found to the question of how airborne assault squadron has a place within "Interaction-2012". The military base in Armenia being situated in the Southern Military District and the "Interaction-2012" and the "Caucasus-2012" drills starting almost at the same time cause one to believe that there is a strong link between these¹⁷.
3. The most important is during the speech delivered by President V. Putin of the Russian Federation who met with the commanders during the drill, it has been mentioned that the increase of the use of force in the international area necessitates Russia to also increase its defense capacity. Putin has said "You have the capacity to understand what is going on in the world. Use of force is gradually increasing in international issues. We must guarantee our own security by increasing Russia's defense capacity". Putin has also emphasized "With this drill, armed forces must show that they are ready to protect their national interests. We must be ready to respond to threats and difficulties directed towards Russia's national security"¹⁸.
4. When considering these statements and comments, the Caucasus-2012 drill is a multi dimensional drill in terms of its purpose and goals. Rapidly recovering during a possible attack on Iran and securing the southern borders has been a display of power towards the illegal armed

The air assault forces have played an active role in the war games. In a situation where Georgian airspace is closed to military aircraft and Azerbaijan does not allot its own airspace to the military aircraft flying to Armenia, no answer could be found to the question of how airborne assault squadron has a place within "Interaction-2012".

17 Газета выявила "тайны" военных учений с участием России, включая "Кавказ-2012", и разгадала их единый замысел, <http://www.newsru.com/russia/18sep2012/manoevresplan.html>, 18 сентября 2012

18 Rusya'dan Kafkasya'da Dev Askeri Tatbikat! http://www.anadoluhaberim.com/haber_detay.asp?haberID=3789 18 September 2012

organizations in the Caucasus and against states like Georgia and Azerbaijan.

5. With this drill, the Russian Armed Forces have been able to test how much the reforms have affected the army's tactic and operational capability.

Conclusion

The execution of the Caucasus-2012 drill should first be evaluated as a display of strength of the Russian army. The war games performed within the scope of this and other drills have been important in testing the maneuvers and tactic capability of the army.

Due to new regulations made in the last 20 years, reforms have continued without a systematic change being made in the army's structure by reducing the number of soldiers. However, concerning the reforms made after 2008, it has been indicated by specialists that the Russian army is not able to resolve its current issues. The power to equip the very crowded army with modern weapons possessing advanced technology is very limited. Moreover, the social problems of military employees, also taking in to consideration unpreventable problems like bribery and corruption in a situation where there is no transparent administration, trying to reach a resolution by reducing numerical power are perhaps the only choice that Russia has today. Many different assessments are made in Russia today regarding military reforms. While some specialists emphasize that these reforms are a recipe to salvation, many other specialists believe that new reforms would significantly reduce the Russian army's war and defense capability. Furthermore, it is also underlined that the finance required to implement the reforms entails a separate problem. The scandals of corruption that have been brought to the Russian army's agenda in the last month, the Minister of Defense being relieved of duty and the new investigations taking place after this incident, and the comments made by specialists show that it is not easy for the Russian army to easily escape the situation it is currently in. The corruptions experienced within the army and the reforms made not creating positive results and the perceptions that those advocating and opposing a reform on high administrative levels are in domestic competition display that the Russian army is having great difficulty in overcoming its problems.

While events have developed in this manner, the agreement on the Gebele base in Azerbaijan not being extended has forlorn Russia. These developments create the idea that it is possible for Russia to give priority to

the policy of “at least protecting what is in its hands” from now on in the process. We could say that from now on, Russia will increase the number of army forces in the Northern Caucasus in the short and medium term and small regional drills will frequently take place in the future.

From the political aspect, Russia increasing its efficacy in close countries and giving priority to “regional integration” policies are also among these possibilities. Based on news leaked to the press, one of the primary issues of the new Foreign Policy Concept presumed to be published at a recent date is the reinforcement of the structure of the Commonwealth of Independent States. Based on this document, in a situation where economic crisis and the “Arab Spring” exist, Russia necessitates the advancement of the “integration” period with its close neighbors¹⁹. This issue has been determined as Russia's primary goals of its recent foreign policy.

19 Первым делом – СНГ: Разработана новая концепция внешней политики России, <http://www.rg.ru/2012/12/17/politika.html>, 17.12.2012

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ARMENIAN RELOCATION AND INTERNATIONAL LAW

(ERMENİ TEHCİRİ VE ULUSLARARASI HUKUK)

Yılmaz ERACAR¹

Abstract: *Discussions on the Armenian incidents of 1915 relates to history and are not legal subject matters. Thus, any discussion on the matter should be considered and limited in the context of general social sciences research methodology. This is because the 1948 Genocide Convention is not applicable ex post facto. Armenian relocation also does not qualify as crime against humanity under the customary law because of the statute of limitations first, and also, because the relocation decision was taken under imperative military reasons.*

Keywords: *Armenian Relocation, international law, customary law, 1948 Genocide Convention, genocide, Ottoman Empire*

Öz: *1915 Ermeni olaylarına ilişkin tartışmalar hukukun konusu değil tarihsel tartışmalardır. Nitekim, konu hakkında herhangi bir tartışma yapılacaksa bu genel sosyal bilimler araştırma metodolojisi içerisinde düşünülmeli ve kapsamda ele alınmalıdır. Bunun sebebi 1948 Soykırım Sözleşmesi'nin geçmişe uygulanabilirliğinin (ex post facto) mümkün olmamasıdır. Ermeni tehciri, birinci olarak zamanaşımı kuralı, ve ikinci olarak tehcir kararının zaruri askeri sebeplerle alınmış olmasından dolayı teamül hukuku çerçevesinde insanlığa karşı suç olarak da görülemez.*

Anahtar Kelimeler: *Ermeni tehciri, uluslararası hukuk, teamül hukuku, 1948 Soykırım Sözleşmesi, soykırım, Osmanlı İmparatorluğu*

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I. INTRODUCTION

Between 1915 and 1916, during the First World War, severe hostilities from the Armenians compelled the Ottoman Government to transfer them away from their potential operation zones, to other – remote parts of the Ottoman Empire. During the transfer, many undesired and unexpected incidents occurred, resulting in the death of numerous Armenian subjects. The Ankara, Kars and Lausanne Treaties buried this tragic event into history. Thirty years later, after the adoption of the Genocide Convention, Armenians have continuously tried to revive this event and label it as genocide, on purely political grounds and in violation of international law. In the process, by also distorting facts, i.e., excessively inflating death figures, Armenians have started lobbying several parliaments, to put pressure on them, to pass a resolution recognizing the incidents as genocide. Their actual objective has been to put political pressure on the Republic of Turkey. The article briefly specifies events leading to the Armenian relocation and revisits the provisions of the relevant treaties, conventions, charters and statutes on the Armenian relocation, to elaborate that the relocation of Armenians could not be described as genocide or crimes against humanity. This article concludes that genocide, as a legal concept, cannot be used to label Armenian relocation & related incidents, because they occurred before the concept of genocide was defined by the Genocide Convention and as a matter of fact, international criminal law prohibits any retroactive application of such treaties and conventions. It has been stressed that the resolutions of the world parliaments which recognize Armenian relocation as an act of genocide are purely political, and are violations of international law. Finally, the position to be taken by the Republic of Turkey on the negative resolutions of some foreign parliaments on Armenian issue is suggested as a desire to end the ongoing controversy between the Republic of Armenia and the Republic of Turkey.

II. EVENTS LEADING TO THE RELOCATION OF ARMENIANS

Armenians in the Ottoman Empire

The indifference to government policies and rebellions of Armenians had started well before 1915. Before then, Armenians and Turks had lived in peace as subjects of the Ottoman Empire for about 600 years. The Empire, under Islamic law, granted to the peoples of the conquered territories the right to continue living according to their own religious rules and traditions, to include their local educational activities. The Armenians, as other non-Muslim subjects, were never compelled to convert to Islam. Through the years, the urban Armenian population, immune from obligatory military service, prospered,

becoming bankers, merchants, industrialists, doctors, lawyers, government officials, and even ministers. The Armenians in the rural areas were primarily farmers. In the Ottoman Empire many artisans and craftsmen were also Armenians. In general, Armenians were more educated and prosperous than Muslims. European merchants gave their agency functions to Ottoman non-Muslim subjects. Christians and Armenians benefited from the American missionaries' schools while Turks did not. Their economic and cultural superiority were largely due to Ottoman tolerance². Under these excellent circumstances, then, what caused Armenians to rebel against the Ottoman Empire?

Russian Imperialist Policy

The Russians invaded Caucasia in 16th century and began to expel Muslims from the lands they had conquered. After the Ottoman Empire was defeated in the Russo-Turkish War (1768–1774), the Ottoman Empire entered a treaty (Kuchuk Kaynarca) with the Russians. According to the terms of the treaty, Russia gained Southern Caucasia and the right to protect non-Muslims living in the Ottoman Empire. Russia seized Southern Caucasia from the Iranians in 1795 and annexed Georgia in 1801. In 1828 Russians forced the Iranians to leave the khanates of Erivan and Nahjivan, today's Armenian Republic. Thus, Armenians living in Southern Caucasia switched from Iranian to Russian rule. The Russians expelled Turks from the khanates and gave the lands to their allies, the Armenians.³

During the wars between 1827 and 1829 among the Russians, Persians, and Ottomans, a large population exchange began in the east. In these wars the Armenian armed units joined the Russian forces. In the khanates, the Russians massacred the Muslims (ethnic Turks) and forced them to leave, and gave the evacuated land to the Armenians. When Russians seized the Erivan Khanate, they drove nearly, 60,000 Muslims, two thirds of the population, from Erivan. In 1829 the Russian armies advanced to Erzurum and annexed the Caucasus. The Armenians in the area supported Russians in the wars. So when the war ended, the Russians left eastern Anatolia joined by 50,000 to 90,000 Armenians who replaced the exiled Muslims in Erivan and other territories. In addition, 40,000 Armenians joined them from Iran.⁴

2 Ömer Engin Lütem (editor), *Basic Knowledge and Documentation on the Armenian Question*, Center for Eurasian Strategic Studies, Institute for Armenian Research, 2007; Justin McCarthy, *Armenian Rebellions and Ottomans*, 1 at 1, available at <http://www.eraren.org/bilgibankasi/en/index5_1_3.htm>.

3 Kamuran Gürün, *The Armenian File, The Myth of Innocence Exposed* (2007), at 60-64.

4 Ömer Engin Lütem, *Basic Knowledge and Documentation on the Armenian Question*, Center for Eurasian Strategic Studies, Institute for Armenian Research, 2007; Justin McCarthy, *Let the Historians decide on so-called Armenian Genocide*, 1 at 2-3, available at <http://www.eraren.org/bilgibankasi/en/index5_1_2.htm>.

According to Justin McCarthy, "...by 1900, approximately 1,400 000 Turkish and Caucasian Muslims had been forced out by Russians. One third of these had died either murdered or victims of starvation and disease. Between 125,000- 150,000 Armenians emigrated from Ottoman Anatolia to Erivan and other parts of the Russian southern Caucasus."⁵

In the 1877-78 war, the Russians, with the help of many Armenians, advanced to Erzurum. After the conflict ended with the Berlin Treaty (signed July 13, 1878), Russia evacuated northeastern Anatolia. The Armenians who helped Russians feared revenge and fled.

Because the Ottoman Empire was disintegrating, the Armenians believed they would have a better life under Russians' rule. Emboldened by the hope of free land and ultimately an independent state the Armenians sought to ally with the Russians. The Muslims believed that when Russians attacked, their neighbors, the Armenians might again become their enemies and they could lose their lands and their lives. Thus, Russian imperialist policy created a hostile environment between Armenians and Muslims.⁶

The Armenian Rebellious Committees

At the Berlin Congress in 1878, the Armenians tried but failed to obtain autonomy for the six provinces, Sivas, Mamuretulaziz, Diyarbakir, Bitlis, Van, and Erzurum. In 1880 to gain the attention of European powers, the Armenians started to prepare for rebellion. In Russian Armenia they formed associations to gather and send weapons to eastern Anatolia.⁷ In the Ottoman Empire, other associations were founded, but they could not play an active role in rebellions. The three main associations that led the Armenian rebellions were Hunchak, Dashnak and Armenakan.

The Hunchak Party was founded in Geneva in August 1887 by Armenians mostly from Russia.

The second, the Armenian Revolutionary Federation, also called the Dashnaks, was formed in Tiflis in 1890 through a consolidation of various Armenian groups.

Both associations were communist and nationalist. Their goal was to free Armenia of Turkey and Russia. To gain this freedom, they advocated armed

5 Justin McCarthy, Let the Historians decide on the so-called Armenian Genocide, 1at 2-3.

6 *Id.*

7 Kamuran Gürün, The Armenian File, the myth of innocence exposed Türkiye İş Bankası kültür yayınları, (2007), at 151.

rebellion in the Ottoman Empire, provoked the government and terrorized the local populations. The terrorism included the murder of both Ottoman officials and Armenians who opposed them. The Hunchak Party declared that the most appropriate time for rebellion would be when Ottoman Empire was at war.⁸ Because Armenians were a small minority in the overall territory, the Armenian rebels believed that they could not win by themselves against the Ottoman government or against the Kurdish tribes. So, following a well considered strategy, they planned to attack the civilian Muslim population. If the Muslims retaliated or if the Ottoman government took the military action, the Armenians would claim that they are being persecuted and would induce the European powers (states) to intervene. The powers would force the Ottomans to make reforms in favor of non-Muslim population. These reforms would start with local administration rights and would ultimately bring independence to the Armenians. The Armenians were inspired by the Bulgarians to take this path to independence.⁹

Because Armenians were a small minority in the overall territory, the Armenian rebels believed that they could not win by themselves against the Ottoman government or against the Kurdish tribes.

The Armenian rebels believed that by emulating the Bulgarians, they could achieve the same result. But, there was one important thing they did not consider. In Bulgaria, the majority of the population was Bulgarian. In the region called Ottoman Armenia, only 17 percent of the population was Armenian. 78 percent was Muslim. Rebels would have to expel Muslims from the region to create Armenia.

Between 1890 and 1896 the Hunchak Party organized many rebellions in Istanbul and in several provinces of Anatolia. Major rebellions took place all over the eastern Anatolia from 1894 to 1896.¹⁰

In 1895 the Hunchak rebels came to Zeitun and prepared defenses for rebellion. On October 24, 1895 Armenians made a surprise attack on the barracks in Zeitun and killed soldiers and held 650 soldiers captive. Only 56 soldiers managed to escape.

On December 24, 1895 soldiers besieged Zeitun. Though nearly 5,000 rebels fled the town, most were captured. The six powers of Europe (Russia, England,

8 *Id.* at 151-162.

9 In 1876, Bulgarian rebels attacked Bulgarian Muslims. The Muslims retaliated by attacking the Bulgarian Christians. Then the Russians invaded Bulgaria to protect the Christians. In the end 260,000 Bulgarian Muslims died, 575,000 Muslims were expelled, and the Bulgarian Principality was founded: Justin McCarthy, Esat Arslan, Cemalettin Taşkıran, Ömer Turan, *The Armenian Rebellion at Van*, (Utah Press, 2006), at 60.

10 K. Gürün, *The Armenian File*, at 162-181

France, Italy, Germany and Austria) intervened. An agreement was reached, and the rebels had been disarmed and surrendered. Taxes had been reduced and taxes in default were all cancelled.¹¹

Between August 14 and 26, 1896 the Armenakans, Hunchaks and Dashnaks, raided and captured the Ottoman Bank to force the European powers to seize and occupy Istanbul. Out of 25 attackers, six were wounded, four died, and after an agreement was reached, the 15 surviving attackers evacuated the bank and were transported to Marseille for temporary exile in France.¹²

Because the Zeitun and other rebellions failed, their organizers, the Hunchak Party lost power leaving the Dashnak Party as the main rebellious party in Turkey.

By 1896 twenty-three rebellions occurred in the Eastern Anatolia. On June 3, 1896, the rebels planned to occupy and hold the Armenian sections of Van and await the arrival of the reinforcements from Iran, then entire city would be seized to provide positive conditions for an expected Russian intervention.

On June 3, the rebels fired on Turkish soldiers, and fighting continued until June 26 and rebellion failed. At the end of the conflict, 418 Muslims and 1715 Armenians died; 363 Muslims and 71 Armenians were wounded.¹³

The period of conflict from the 1890 Erzurum incident to the 1896 Van rebellion is known in the Europe as the Period of Massacres. It was asserted that during this period 50,000 - 300,000 Armenians were killed. However, the Ottoman government estimated the figure at 13,432. The difference between these figures shows the extent of disagreement on the number of Armenian casualties.¹⁴

World War I and the Armenian Rebellion in Van

Between June and July 1914 a congress was held in Erzurum attended by Papisijan and Viremijan, members of the parliament, and the Dashnak delegates from the Caucasus. According to Ottoman archive documents:

In this congress held in Erzurum, they have worked on the text of the agreement, the terms of which, were set with the Russians pertaining to Russians' handing the occupied regions over to the Armenians, and

11 *Id.* at 182-216.

12 Vahakn N. Dadrian, *The History of the Armenian Genocide*, (2004) at 142-143.

13 J. McCarty, E. Arslan, C. Taşkıran, Ö. Turan, *The Armenian Rebellion at Van*, at 60-70

14 Kamuran Gürün, *The Armenian File*, at 205.

Russians' guarantying a free Armenian state. Russian-Armenian agreement was approved by the congress and following articles were decided to be sent for the information of the committees.

1- To continue to show submission and keep silent until the declaration of war; but in the meanwhile to become well equipped with the weapons to be obtained from Russia and from the inner regions.

2- Should the war be declared, all the Armenians in the Ottoman Empire would join the Russian forces with their firearms.

3- To keep silent on, should Turkish army advances.

4- Should the Turkish army withdraws or comes to the point of standstill, all the gangs should start their activities behind lines in accordance with the plan they already have.

The 3rd Army revealed the decisions taken at the congress, and ordered and warned the governor and the commanders under their service to be full alert.

The following is the information, which was forwarded by the 3rd Army, upon the measures taken by the Armenians in Russia and Turkey, until the declaration of war.

1- The Muslim villages and towns on the eastern part of the border (in Russia) were being searched and the weapons found in the houses were distributed among the Armenians.

2- A large number of weapons, ammunition, and bombs were stored in Oltu, Sarıkamış, Kağızman and Iğdır in order to arm the Ottoman Armenians...

3- It has been understood that the Russian consuls in Iran having armed the Iranian Armenians especially the ones in Rumiye and Salmas, sending them into the inner regions of the border with the promise of foundation of Armenia on the lands to be occupied in Turkey.

4- Some of the leaders of the Dashnak Committee of Caucasus and Turkey were organizing Armenian gangs in the regions neighboring borders as follows;

(a) Six thousands Armenians were gathered mostly from Erzurum, Eleşkirt, Hınıs, Malazgirt and from among deserters in Kağızman, 3,500

of whom were sent to Azerbaijan with the arms provided by the Russian government.

(b) We are informed that an Armenian cavalry gang of 1,500 men most of whom fled from Oltu, Kars, Sarıkamış and from Trabzon have been formed. 1,000 of these have been sent to Iğdır region in order to pass over to Beyazıt, and 500 were sent to Oltu from where they were to pass over to the Hodigar region.

(c) ...6,000 Armenians- mostly composed of the Armenians from Beyazıt, Van, Bitlis, deserters, and of the Armenians from environs of Iğdır have gathered in Iğdır have been organized in groups and have been armed...

5-It is understood that the surplus of weapons and firearms brought over the borders are being kept in Karahisar, Sivas, and Kayseri.¹⁵

As indicated in the Ottoman Archive documents, the organization and arming of the Armenians in Eastern Anatolia had increased significantly in the pre-World War I period.

The Ottoman Empire entered World War I on November 1, 1914. Immediately, the Russian forces in Iran seized the Kotur Pass, and then they took Dir and Baskale.¹⁶ The Armenian soldiers, who were advanced units of Russians, forced the Armenian villagers to move to Russia and the ones capable of bearing firearms to join them. When they withdrew, the Armenian soldiers destroyed villages and massacred the Muslim (Turkish) population. The Armenian soldiers in the border units took their weapons and fled to the Russian side.¹⁷

The Armenian uprising started to spread in rural regions in February 1915. The rebels using guerilla tactics, attacked small groups of gendarmes or military units. Because the rebels were better organized, their attacks were more effective. They attacked the army's supply trains, cut the roads and communication lines, ambushed and killed gendarmes, and destroyed bridges and fortifications, to disrupt the logistics of the belligerent Ottoman Armed Forces.¹⁸

By March 1915, the Eastern Anatolian countryside became a war zone. Armenians attacked the Ottoman soldiers and soldiers, in reprisals, burned rebel villages. Both Muslim and Armenian civilians suffered. Armenians who

15 Armenian Activities in the Ottoman Archive Documents, 1914-1918 Volume I, Genelkurmay Askeri Tarih ve Stratejik Etüt Başkanlığı, (ATASE) (2005), at 109-111.

16 J. McCarthy, Esat Arslan, Cemalettin Taşkıran, Ömer Turan, 'The Armenian Rebellion at Van', at 178-179.

17 Armenian Activities in the Archive Documents, Volume I, at 117.

18 J. McCarthy, Esat Arslan, Cemalettin Taşkıran, Ömer Turan, 'The Armenian Rebellion at Van', at 188-189.

lived in mixed Muslim-Armenian villages left for Armenian villages and were forced to join the rebels. The conflict became civil war between Muslims and Armenians.

In April 1915, Governor Cevdet began to act against the three Dashnak leaders in Van, hoping to kill leaders and thereby suppress the rebellion. Out of three Dashnak leaders, Ishkhan and Vramian were killed April 16 through 17, but Aram Manukian escaped becoming the sole leader of the rebellion. In spite of the governor's efforts, the rebellion in south of Van city could not be suppressed. Troops sent from Iranian border were attacked on the roads on April 18, and could not reach Çatak.¹⁹

On April 18, the three Armenian parties, Hunchak, Dashnak and Armenakan, met and formed the "Military Committee of Armenian Self-Defense". Aram Manukian became the head of the ruling Military Committee in Van.

On April 20, Armenian forces closed most of the roads by fortifying them, but left the road from Van to Gevas open. The Armenian villages near Van joined in the general rebellion. A battalion from the mobile gendarme division was sent to Van. They arrived on April 23 and defeated the rebels in the Havasor District. Armenians in the area fled to Van city.

The Armenian rebels attacked Van city in a bid to occupy and hold Van until the conquest by the Russians. Armed with bombs, dynamite, and incendiary grenades, the rebels captured police outposts in the western section of Garden district in Van. The fight then continued on the border of the Armenian and the Muslim quarters. Armenians destroyed the Ottoman emplacements all along the line. The Ottomans seized the British Consulate. Rebels burned down the Hamid Aga Barracks, a center of the government forces, and the British Consulate. The Ottomans blasted the Armenian emplacements with cannon fire from the Citadel and from Toprak Kale. Both sides destroyed the city. The Ottoman forces kept their positions in the Garden District after the initial Armenian attacks. On April 20, the Ottoman soldiers and gendarmes were forced to withdraw first from Armenian districts in the western part of Old City. The Armenians burned the Post Office, the Ottoman Bank, the Tobacco Monopoly, and other official buildings. The Ottoman soldiers and gendarmes withdrew into the Citadel along with the Muslim civilians from the western part of the Old City. Armenian forces attacked the Citadel but were driven back. The Ottoman soldiers, unable to make a counterattack, kept open the roads to the west (to Lake Van) and the Gevas. "The highest possible number of Ottoman soldiers in and near Van was approximately 6,500 until May 3, and 6,300 (2,200 Kurds out, 2,000 regulars in) on May 9."²⁰ It can only be said that

19 *Id.* at 194-200.

20 *Id.* at 200 - 212

the Armenian forces must have outnumbered the Ottoman forces and the majority of them were better armed than the Ottoman soldiers, as they lacked only artillery.

Vahakn N. Dadrian, reflecting a typical selectivism, under the cover of academics, does not detail the Van rebellion in his book, “The History of Armenian Genocide”, where he only states the following:

*Wide spread governmental provocation, during which some Armenians clashed with gendarmes and soldiers who were harassing them... There were also sporadic acts of sabotage by isolated individuals and groups of Armenians. This unrest culminated in the interior ministry order of April 24, 1915, authorizing the arrest of all Armenian political and community leaders suspected of anti-ittihad or nationalistic sentiments.*²¹

Morgenthau, similarly, first stated the number of Armenians fought in Van, as: “The whole Armenian fighting force consisted of only 1,500 men; they had only 300 rifles and a most inadequate supply of ammunition, while Djevdet had an army of 5,000 men, completely equipped and supplied”.²² Later he refuted his statement by saying: “In the early part of 1915, therefore, every Turkish city contained thousands of Armenians who had been trained as soldiers and who were supplied with rifles, pistols and other weapons of defense”.²³ On April 24, 1915, the governor of Van informed the Ministry of Interior: “Until now approximately 4,000 insurgent Armenians have been brought to the region from the vicinity.”²⁴ Although Morgenthau disparaged the Turks, he had to accept: “So far as I can discover, the Ottoman Turks had only one great quality, that of military genius”²⁵ Thus, one must ask: how can 1500 Armenians with only 300 rifles overcome the 5,000-6,000 Turks completely equipped and having artillery?

To save the Van province, the Ottomans attacked the Russian forces in western Iran on April 29. Russian forces including the 1st Armenian Druzhiny took defensive positions north of Dilman. However, between May 1 and May 2, the Ottomans lost the battle and withdrew. If the Van Gendarme division, with its three thousand men, were available, the result of the battle would be different. Instead, the Gendarme Division was in Van Province fighting the Armenian rebels. As a result, Armenian rebellion was the main cause of this defeat.²⁶

21 Vahakn N. Dadrian, *The History of the Armenian Genocide*, Berghahn Books, Sixth, Revised Edition, (2004) at 221.

22 Henry Morgenthau, *Ambassador Morgenthau's Story*, (1918) at 299.

23 *Id.* at 301.

24 K. Gürün, *The Armenian File*, at 253.

25 H. Morgenthau, *Ambassador Morgenthau's Story*, at 277.

26 J. McCarthy, Esat Arslan, Cemalettin Taşkıran, Ömer Turan, *The Armenian Rebellion at Van*, at 212.

The End of Van Rebellion

On April 21, the Third Army Command sent a force, which included two gendarmerie battalions and a mountain gun unit, to reinforce the units in Van. They arrived Van city on May 9. They could only keep open the road from Van to Bitlis which was the only evacuation route available to the west for the Van Garrison and Van's Muslim population.

On May 8, with the newcomers from Hovasor District and elsewhere, the Armenian forces began a general attack on Van and neighboring Muslim villages. The Armenians set fire to the Muslim quarter of the city and the Muslim villages. To remove the Muslim citizens from danger, Cevdet began the transfer of officials and Muslim women and children from the city. Meanwhile, the Russians with the Armenian units advanced from Kotur to Van. On May 7, the Russian forces captured Baskale, and moved towards Van.

The Van province was lost, and the Ottoman forces withdrew to Bitlis province. From May 16 to May 17 the last Ottoman soldiers and civilians left Citadel and moved to Bitlis. Armenian forces took control of the city, burned the remaining Muslim houses and office buildings, and, except for the very old and young, killed the remaining Muslim men and a large number of the women. Armenian attacks to Muslims ended when the Russians arrived.

The Armenian forces established their administration in the city and designated Aram Manukian as its head. On May 20, Russians entered Van, and the Armenians welcomed General Nikolayev. Two days later Nikolayev announced the formation of the Van Province Armenian Government, and Aram Manukian was named governor.²⁷

Closing Down the Armenian Committees

The Armenian rebellions in eastern Anatolia were the most important cause for the Ottoman defeats in the wars in the Ottoman east. The Ottoman losses at Sarikamis, the Armenian rebellion, and the Russian invasion of 1915 should be evaluated together.

After the tragic defeat at Sarikamis, the Ottomans were able to reconstitute the Third Army and they had the advantage of an interior line of communication and transportation. But, the Armenian rebellion made these two Ottoman advantages ineffective. Throughout Van, Bitlis and Erzurum provinces on the Russian advance routes, Armenian rebels cut the telegraph lines and hindered

²⁷ *Id.* at 212-216.

the movement of troops. This allowed the Armenian spies and scouts to help the Russian advance significantly. The Van rebellion illustrated the most devastating effect of Armenian rebellion. The Ottomans were forced to dedicate 6,000 men to fight the rebellion in the city and unknown number to fight the rebels in other areas of the province. The Russians attacked Teperiz Pass and Bargiri with 5,500 men, 4,000 Armenians, and 1,500 Cossacks. Against them stood one Ottoman cavalry brigade of nearly 1,700. With superior numbers, the Armenian and Russian forces defeated and annihilated most of the cavalry brigade. Thousands of men at Van would certainly have been enough to defeat the invaders. Thus, “It is not an exaggeration to say that bloody civil war, Ottoman defeat, and awful mortality were directly, but not exclusively, caused by the Armenian rebellion in the province of Van.”²⁸

Given the urgent and precarious situation, Talat Pasha, acting without any decision from the council of Ministers, personally assumed the responsibility of transferring the Armenians to other parts of the empire, instead of driving them towards the Russian border and eventually to Russia.

On April 24, 1915, to suppress the hostile actions by the Armenians, the Ottoman government decided to close the centers of the Hunchak and Dashnak Committees and similar organizations in the capital and in other provinces. The government seized the committees’ documents and arrested the committee’s leaders and members as well as

anybody who had taken part in the committees’ activities.²⁹ In all, the government arrested 235 people in Istanbul. This is what actually took place on 24 April, 1915. “This day, 24 April, on which the Armenians hold demonstrations each year claiming it is the date of massacre, is the day when these 235 people were arrested.”³⁰ This action did not stop Armenian rebels’ attacks. In the end, the Deputy Commander in Chief, Enver Pasha, sent a telegram to the Minister of Interior, Talat Pasha, on May 2, 1915. He reported that the Russians drove the Muslims resident within their borders into the Ottoman lands under miserable conditions on April 20, 1915. He referred to the constant rebellions of the Armenians around Lake Van and other areas. To stop the hostile activities of Armenians, he suggested that Armenians should either be sent to Russia or dispersed within Anatolia. It was clear that Enver Pasha’s intention was limited to end the Armenian rebellions. “If the Armenians could be relocated in such a way that they would not form large communities, but would live in small groups far from each other, than the chance of organizing a rebellion would disappear.”³¹

28 *Id.* at 216-221.

29 Armenian Activities in the Archive Documents, Vol. I. at 128-129.

30 K. Gürün, *The Armenian File*, at 263.

31 *Id.* at 254-261.

Implementation of Relocation

Given the urgent and precarious situation, Talat Pasha, acting without any decision from the council of Ministers, personally assumed the responsibility of transferring the Armenians to other parts of the empire, instead of driving them towards the Russian border and eventually to Russia.

While the Interior Ministry was taking steps with regard to relocate the Armenians, the Allied Powers, Russia, Great Britain and France released a joint declaration on May 24, 1915 stating: “In view of those new crimes of Turkey against humanity and civilization, the Allied governments announce publicly to the Sublime-Porte that they will hold personally responsible for these crimes all members of the Ottoman Government and as well as those of their agents who are implicated in such massacres.”³² The Ottoman response to the joint statement was the following: “The Ottoman Government considers its principal duty to resort to any measure it deems appropriate for safeguarding the security of its borders, and feels, therefore, that it has no obligation whatsoever to give an account to any foreign government.”³³

Having realized the matter was likely to assume international dimensions, Talat Pasha, ensured the passing of an interim law on May 27, 1915 (adopted May 27 and published on June 1) for transferring and settling of the Armenians in the allotted quarters. “Although the Council of Ministers could put the relocation process by a government decree, an interim law passed in order that the military authorities, too, could be given the same authority. The law came after the action.”³⁴

The Law stipulated that the Armenians residing in the provinces bordering the area of military operations and near the Mediterranean Sea would be relocated for the protection of the state’s security and survival and to prevent the Armenian people’s cooperation with the Russian army and their rebellion in eastern Anatolia. All the basic needs and security of the relocated Armenians would be met. Their transfer would be made in comfort. Their wellbeing and possessions would be secured during their voyage. The expenses incurred during the relocation would be met by the immigrant funds. They would be given properties and land in proportion to their previous financial and economic assets. The needy would receive new houses built by the state, the farmers would be given seeds, and the artisans would be provided with necessary tools and implements. Their belongings and possessions left behind would be returned to their owners or their equivalent values would be paid in the same manner.³⁵

32 H. Res. 106 Finding (3), available at <<http://middleeast.about.com/od/turkey/a/me090318c.htm>>

33 V. N. Dadrian, *The History of the Armenian Genocide*, at 239.

34 K. Gürün, *The Armenian File*, at 266.

35 *Armenian Activities in the Archive Documents*, Vol. I at 134-135.

The government had taken all the necessary measures for the safest and easy transfer of the Armenians. Local administrators were responsible for transferring and relocating the Armenians. Authorities utilized railways and rivers wherever possible and selected safest and shortest routes. But, the transfer was not so easy. In time of an intensive military effort during an ongoing World War, most of the trains available were carrying soldiers, ammunition, and food. As a result, the government could not allocate sufficient train services to transfer the Armenians. Also, on numerous occasions, the Armenians were attacked by outlaws, during the relocation. For example, on June 14, 1915, 500 Armenians, a convoy departed from Erzurum, were killed by local tribesmen as they were travelling between Erzurum and Erzinjan. On June 26, 1915, the Armenian convoys sent under protection from Erzurum were also attacked and killed by the brigands of Dersim.³⁶

Around Meskene, near Aleppo, local tribesmen attacked the convoys and killed about 2,000 people. The same outlaws robbed another 2,000 Armenians on their way from Diyarbakir to Zor and Suruc to Menbic. Two thousand more Armenians travelling around Diyarbakir were taken to Mardin and killed by bandits and tribesmen.³⁷

The government at each incident ordered the authorities to take every possible measure to protect the Armenians against such attacks by tribesmen and bandits and to punish the attackers. The government set up commissions to investigate those atrocities, and referred to courts martial the perpetrators of acts of violence during the transferring the Armenians.³⁸

On August 23, 1915, the government by issuing a circular, asked the local authorities the number of people caught and brought to justice for crimes committed against the Armenian people. According to the circular, 1,673 people were court martialled. These people were found guilty of stealing money from the convoys, of failing to provide security for the convoys, of exposing the convoys to attacks, of acting contrary to orders, and of forcibly taking women from the convoys. On May 22, 1916, out of 1,673 people sent to court martial, sixty-seven were sentenced to death, and 524 were sentenced to prison.³⁹

Moreover, during the transfer, typhus and dysentery epidemics spread among the Armenian transfers, and probably killed more Armenians than the violent attackers did. In fact, members of the belligerent Ottoman Army themselves were not immune from such epidemics and were effected equally. The order

36 K. Gürün, *The Armenian File*, at 269-271.

37 Y. Halaçoğlu, *Facts on the Relocation of Armenians*, (2002), at 83.

38 *Armenian Activities in the Archive Documents*, Vol., I, at 234.

39 Y. Halaçoğlu, *Sürgünden Soykırıma Ermeni İddiaları*, (2007), at 93-95.

issued by the 4th Army Commander Cemal Pasha on September 22, 1915 showed the extent of care given to protect the Armenian citizens in Aleppo. After the Armenians relocated from Aleppo to Rayak, Cemal Pasha noted that despite the order dated September 2, 1915, 106 of the relocated Armenians were sick. Two of them were suffering from typhus and three were dead. Cemal Pasha ordered once more that the relocated Armenians would have medical examination, and the sick would be maintained and sent to the hospitals, and the healthy ones would continue with the transfer⁴⁰.

On November 25, 1915, relocation was halted because of large crowds at train stations and adverse winter conditions.⁴¹ On February 16, 1916, a message sent by Talat Pasha to Deputy Commander Enver Pasha, suggested to put an end to the relocation measure.⁴² On March 15, 1916, due to administrative, financial and military reasons, the government announced to provinces that the Armenian relocation had ended and that no Armenian was to be transferred to new areas. Those Armenians enroute to new destinations were resettled permanently where they were, mostly in city centers.⁴³ On December 18, 1918, the government gave the Armenians the option to return to their original homeland or live where they were.⁴⁴

Despite all the difficulties, poor transportation conditions, famine, attacks by bandits and tribesmen, epidemics of typhus and dysentery, and insufficient medical care, most of the transferred Armenians reached their new settlements.

The Number of Armenians Relocated

The number of relocated Armenians had been determined according to data in the census registries of the provinces. Census registries of the provinces depended upon Ottoman census statistics of the year of 1914.

Ottoman Census Administration was set up in Istanbul in 1892. First director of the administration was a Muslim (Turk), but later the administration was operated under a Jew, named Fethi Franco between the years 1893-1903, subsequently an Armenian, named Migirdich Shinopian, and as of 1908 an American.

Thus, the source of 1914 population figure is the 1914 census statistics of Ottoman territory published in 1920. Statistics of 1914 depended on the census

40 Armenian Activities in the Archive Documents, Vol., VIII, T.C. Genel Kurmay Başkanlığı, (2008) at 159.

41 Y. Halaçoğlu, Facts on the Relocation of Armenians, at 110.

42 Armenian Activities in the Archive Documents Vol., VIII, at 253.

43 Y. Halaçoğlu, Facts on the Relocation of Armenians, at 110.

44 Y. Halaçoğlu, Sürgünden Soykırıma Ermeni İddiaları, at 56.

made in 1905/1906. According to the Census Regulation, in 1905/1906 census, each person's gender and race were recorded and each person recorded in the census ledger could get an identity certificate (Teskere-i Osmani) in return of a small charge. Representatives of non-Muslim inhabitants controlled the census.

Copies of census lists were given to the districts' non-Muslim and Muslim religious representatives, and then the results of the census were published. After the census is complete, births, deaths and the individuals moving in and out of the district were recorded in the population ledger by the local civil servants of the district. Lists showing the three months' total of these changes were sent by local civil servants to the General Directorate of Census in Istanbul. General Directorate of Census recorded the changes written on the lists in the population registry of the territory with three months intervals. After 1905/1906 Census, at the end of each year the number of the population determined by the correction of the previous year's figure according to the population lists sent by the vilayets (provinces). The 1914 population figure had been determined in this way and published in 1920 when Istanbul was under occupation.⁴⁵

The Ottoman census statistics are a reliable source of population statistics because they depend on physical counting, not on estimation. Also, sound population statistics were needed for tax collection and military conscription. "It is known that unlike the Catholic and Protestant churches, the Greek Orthodox and Gregorian Armenian churches did not keep population records. For that reason, the exaggerated statistics put forth by the Armenians do not rely on a sound source."⁴⁶

According to the 1914 population statistics, The Ottoman population consisted of 1,161,169 Armenians, 67,838 Armenian Catholic, and 65,844 Protestants (included some other nationalities as well). Including the Protestants, the total number was 1,294,851. Ottoman archive documents showed the number of the Armenian population recorded in the population register (ledger) and the people who were to be relocated as of the beginning of the relocation (May 1915).⁴⁷

On May 25, 1915, the ministry of Interior instructed that the government record the name of the village and town the Armenians evacuate, the number of people

45 Orhan Sakin, *Osmanlıda Etnik Yapı ve 1914 Nufusu*, (2008), at 2-69.

46 G. Aktan, '*The Armenian Problem and International Law*', 1 at 7.

47 I personally compared these numbers with the numbers of the population census statistics of 1914 and I found these figures to be close. While the Armenian population figure in 1914 in 18 provinces (vilayets and sancaks) was 1,043,193, it changed to 987,569 in 1915. Approximately 5 percent fall in population is reasonably expected under the conditions of war, migration, and epidemics of disease. These documents proved the reliability of the Ottoman population census statistics of 1914 once more.

evacuated from the town, and the places in the Ottoman territory where they resettled.⁴⁸ Some records may have been kept for the Armenians relocated. Only one document in the ‘Armenian Activities in the Archive Documents’ (ATASE Documents), states the number of Armenians relocated from the provinces. The other document that lists relocated Armenians was given by Yusuf Halacoglu.⁴⁹

In a report submitted by the ministry of the Interior to the Grand Vizier on 7 December 1916, it was stated that about 702,900 individuals had been relocated; 25 million kurush had been spent in 1915 for this purpose; until the end of October 1916, 86 million kurush had been spent; and until the end of the year, 150 million kurush more would be spent.⁵⁰

Until now, no document from Ottoman Archives could be found showing the total number of Armenians resettled in their new places. The most reliable document on this subject appears to be the report of American Consul at Aleppo, J. B. Jackson to the American Ambassador Henry Morgenthau on aid provided to Armenians. In the report dated February 3, 1916, Jackson stated a rounded-up total of about 500,000 Armenian immigrants.⁵¹

On September 26, 1915, Zenop Bezjian, the vekil of Armenian Protestants reported American Ambassador Morgenthau that “over one half million Armenians had gotten Zawr.”⁵² Who knows the real number of Armenians better than the man who had given money to them one by one? For this reason, the number of Armenians who actually reached their new settlements may be, at minimum, 486,000, based on the J.B. Jackson’s report. The number of relocated Armenians was 610,491 according to my calculation. If the above-mentioned figure of 702,900 is accepted, the difference between 702,900 and 486,000 becomes 216,900. In evaluating this difference, the following factors should be considered:

- The 486,000 Armenians were the first to be relocated and arrived at their settlements by February 3, 1916. The relocation continued until March

48 *Id.*, Vol. VIII, at 155.

49 When I compared these two documents, I saw shortages and excesses in both. I decided to arrange another list by taking the higher figures (not exceeding the population figure recorded in the 1915 population register) from both documents, and completing the shortages. The ATASE Documents list has been used as a basis and shortages of this list have been completed according to the Halaçoğlu list. While the ATASE documented number of relocated Armenians as 413,06751 and Halaçoğlu’s number was 438,75852, my calculations resulted in 610,491. Because nearly 500,000 Armenians reached their allotted lands on February 3, 1916, this number of 610,491 seems more valid.

50 K.Gürün, *The Armenian File*, at 273, (source of Gürün), Genelkurmay, 1/2, KLS 361, File 1445, F. 15-22. This archive document also supports the figure that I conclude to be true.

51 Because, on the detailed list affixed to the report, the total number was written to be 486,000: Hikmet Özdemir, Kemal Çiçek, Ömer Turan, Ramazan Çalık, Yusuf Halaçoğlu, *Ermeniler: Sürgün ve Göç*, (2005), at 76. Affix 10/1, 10/2.

1916. Certainly some thousands' of Armenians had also reached their new places between February 3, 1916 and March 15, 1916.

- Because of the military dispatches between Aleppo and Zawr, the transfers were delayed for most of the Armenian convoys and the Armenians living in and around Adana and Maras. Because of the delay, relocation had been ended. The number of the Armenians from those convoys and Adana and Maras should be deducted from the difference. Those Armenians en transit were resettled permanently where they were, mostly in city centers.
- The Armenian deaths, which had occurred because of short rations and epidemics of typhus, dysentery, and cholera, must also be taken into consideration.

Many Armenian groups insist that 1,5 to two million Armenians were massacred during the relocation practices. However, after the elimination of the effects of the above-mentioned three factors from the difference of 216,900, probably most reliable number of Armenians killed by the bandits and tribes can be determined, and it will not exceed 10,000 to 20,000.⁵³

Armenian Losses during World War I

The above calculation of Armenian losses may be compared with the calculation of Armenian losses during World War I.

As stated above, the Armenian population as of 1914 was 1,294,851 according to the Ottoman census statistics. In a document, relying on information furnished by the British Embassy, Constantinople, and the agents of the Near East Relief Society in 1921, the approximate number of Armenians in the world as of November 1922 has been estimated as 3,004,000. Out of these 3,004,000 Armenians, 817,873 were refugees from Turkey and 281,000 were still living in Turkey. The total estimate does not include the able-bodied Armenians, who were retained by the developing new regime under the leadership of Mustapha Kemal, nor the women and children, approximately 95,000 who were forced to adopt Islam.⁵⁴ Thus, the total of Ottoman Armenians in 1922 becomes 1,193,873 if one includes those Armenians who were refugees from Turkey, those living in Turkey and women and children. Bogos Nubar's figure declared at the Paris Peace Conference regarding the Armenians living in

52 Heath W. Lowry, *The Story behind Ambassador Morgenthau's Story* (1990), at 50-51.

53 H. Res. 252 Finding 1.

54 H. Özdemir, K. Çiçek, Ö. Turan, R. Çalık, Y. Halaçoğlu, *Ermeniler: Sürgün ve Göç*, (2005) at 157-160. Affix 11.

Turkey at that time confirms these numbers.⁵⁵ If this total compared with the 1914 Armenian Population estimate of 1,294,851, one can extrapolate that the total of Armenians who died during these seven years is 100,978. This number includes deaths in mutual killings during the Armenian rebellions in 1915-1917. It was a bloody war between peoples in which both communities suffered deaths in great numbers. "According to the findings...of the 'Martyrs' Project launched in the early 1980s, mass graves abound in Eastern Anatolia, anthropological research helps to determine to which group each mass grave belongs. Although it is early to make a general assessment, one may conclude that the mass graves belonging to Muslims (Turks) are more numerous."⁵⁶

On the other hand, when the Ottomans retook much of the east, the Armenian population fled to Russia where they starved and died of disease. When the Russians retook the provinces of Van and Bitlis they did not allow the Armenians to return, leaving them to starve in the north.⁵⁷

III. ARMENIAN RELOCATION AND INTERNATIONAL LAW

International Law during the Relocation

During the Armenian relocation, the 1648 Westphalia Convention was in effect.

The principles of Westphalia convention were as follows:⁵⁸

- (1) The principle of the sovereignty of states and fundamental right of political self determination.
- (2) The principle of (legal) equality between states.
- (3) The principle of non-intervention of one state in the internal affairs of another state. In other words, states are equal and do not have the power to intervene into other states' domestic policy issues.

Although the matter of status and treatment of minorities was an internal affair of states, the European Powers supported non-Muslim minorities to dismember the Ottoman Empire after 1839.

55 G. Aktan, *The Armenian Problem and International Law*, at 13.

56 *Id.* at 14.

57 J. McCarthy, *The Armenian Rebellion at Van*, at 242.

58 Alena Ingvarsdottir, *Treaty of Westphalia 1648, milestone Documents 'The Fall of Westphalia? Sovereignty of States Post Globalization'* Skemman, 24 June 2009, available at <<http://hdl.handle.net/1946/3088>>.

The Joint Declaration and the Trials of Ottoman Officials

As stated above, immediately after the relocation started, the British, French and Russian Governments issued a joint declaration on May 24, 1915 claiming, for the first time another government, of committing a crime against humanity, alleging that the Kurd and Turkish population of Armenia had been massacring Armenians. At that point in time there was no such a crime as a 'crime against humanity' in international law. The joint declaration had been issued shortly after the relocation decision, most probably due to missionaries' reports. Allied Powers had totally ignored facts; with regard to both the Armenian rebellion and the massacre of Muslims, in the course of the very same incidents. The relocation of the Ottoman citizen Armenians was an internal matter of Ottoman Empire. Non-intervention of another state's internal affairs was one of the Westphalian principles. Thus, the Allied Powers had no legitimate authority to investigate or prosecute such alleged crimes. As a matter of fact, the Ottoman Government had given an adequate response to the purely political statement issued by the Allied Powers.

When the armistice was signed on October 30, 1918, and Istanbul was occupied beginning in November 14, 1918, the Allied Powers attempted to hold responsible the Ottoman leaders for wartime crimes, overlooking the fact that, the new Ottoman Government had already acted on.⁵⁹ On October 8, 1918, Talat Pasha's government resigned and a week later Ahmet Izzet Pasha formed a new government. The following statement was included in his government's mission statement: "We decided that the subjects (citizens) who were made to emigrate and resettle in other parts of the country due to necessities of wartime may return to their original places of residence and we have begun to carry out this decision."⁶⁰ On November 1, 1918, Enver Pasha, Talat Pasha, Jemal Pasha, Bahattin Shakir bey, Dr. Nazim Bey, Azmi Bey and Bedri Bey fled the country. Many thought that the escape was facilitated by the Government. When Sultan Vahdettin requested from Izzet Pasha that the ministers from the Union and Progress Party be dismissed, Izzet Pasha resigned on November 8, 1918, and Tevfik Pasha formed a new government on November 18, 1918. With an order from the Sultan, the Assembly was dissolved on December 21, 1918.⁶¹

As a result of pressure exerted by the British, Tevfik Pasha had established an extraordinary court, to try the individuals who would be prosecuted as war criminals. On January 30, 1919, 27 people, including members of the war time government and high ranking officials were arrested and imprisoned in the Bekir Agha Regiment. The British released the names of most of those who

59 K. Gürün, *The Armenian File*, at 291-294.

60 *Id.*

61 *Id.*

were arrested by the Ottoman authorities.⁶² The Sultan was not pleased with the Government and thus forced Tevfik Pasha to resign. Ferit Pasha, from the Liberty and Agreement Party, formed the new government on March 4, 1919. Ferit Pasha formed the court known as Nemrut Mustafa Pasha Martial Court and on March 10, 1919, sixty additional members of the Union and Progress Party were arrested.⁶³

Under the supervision of the British, the Nemrut Mustafa Pasha Martial Court commenced on April 27, 1919 to try the members of the Union and Progress Party. While this trial continued, the British who were not satisfied with the Ottoman tribunals took a group of the most important Ottoman leaders from Bekir Agha regiment and sent them to the island of Malta. The Nemrut Mustafa Pasha Martial Court sentenced Talat Pasha, Enver Pasha, Cemal Pasha and Dr Nazim Bey to death in absentia, but later, they were killed by Armenian assassins. Javit Bey, Mustafa Bey, and Sherif Bey were sentenced to fifteen years, on July 13, 1919. After this, the British interest in the trials in Turkey waned.⁶⁴

The government of Ferit and Vahdetin used all methods available to them to slander the Union and Progress Party. The British arrested and deported a total of 144 Ottoman officials to the island of Malta for trial. The Allied Powers accused these officials of four categories of offenses: (i) failure to comply with Armistice terms, (ii) ill-treatment of prisoners of war, (iii) outrages to Armenians or other races in Turkey and Transcaucasia, (iv) participation in looting, destruction of property, etc.⁶⁵

As stated above, the adoption and implementation of the interim law of 'Relocation of Armenians' was an internal matter of the Ottoman Government which did not affect other states. Since international law at the time did not cover internal matters of a state, the Allied Powers had no right to try the ranking Ottoman officials on these charges. However, despite complete access to the Ottoman documents given by the Treaty of Sevres, despite a thorough review of the British and U.S. Department of State documents, and despite all the documents and evidences gathered by the 1919-20 Ottoman tribunals, the British prosecutor could not find any worthwhile evidence with which to accuse the Malta detainees. At last, the Turks who were detained at Malta, without being charged, were exchanged with the British who were detained in Turkey.⁶⁶

62 *Id.* at 295.

63 *Id.*

64 *Id.* at 296.

65 *Id.* at 300-301.

66 *Id.* at 300-303.

The Situation in the Caucasus

In November 1917 Bolsheviks seized power and announced that they would be withdrawing troops from both the western and Caucasus fronts. Ottoman–Russian peace negotiations began one month later on December 4, 1917 in Erzurum and on December 18th the Erzurum Agreement was signed ending the armed conflict between Russia and the Ottoman Empire in the Caucasus campaign of World War I. After the Erzurum Agreement, the treaty of Brest-Litovsk was signed on March 3, 1918 and the Ottoman Empire regained the Eastern Anatolia, Batum, Kars and Ardahan.⁶⁷

The Conference reached the conclusion that the United States was the only potential mandatory, which would have been acceptable to all.

Under the terms of the Armistice of Mondros which was signed on October 30, 1918, Ottoman Empire armed forces were required to withdraw from all Caucasus territory belonging to Russia and to return to the West of the what had been the pre-war border with Russia. After the Ottoman armies retreated to the 1914 borders, Georgians occupied Ahiska

on March 1, 1919, Armenians took Kars on April 19, and Georgians entered Ardakhan on April 20.⁶⁸

The Armistice of Mondros was signed on October 30, 1918; but the treaty of Sevres, between Turkey and the Allied Powers was signed by the Ottoman representatives on August 10, 1920 after two years delay. The Paris Peace Conference opened on January 18, 1919 and included two delegations of Armenians that served as the representative of all Armenians, Bogos Nubar Pasha and the representative of the Democratic Republic of Armenia, Avatis Aharonian. Both Bogos Nubar Pasha and Avatis Aharonian spoke at the Council of ten of the Paris Peace Conference on February 26, 1919. Bogos Nubar Pasha, stating that the Armenians had sided with the Allied Powers during the war and he alleged that one of the motives behind “the massacre and deportation” of the Armenians was their allegiance with the Allied Powers; he then demanded that the Armenian Republic be recognized and claimed the union of the Democratic Republic of Armenia and that six provinces of the Ottoman Empire, including Cilicia with an outlet (Trabzon) to the Black Sea, be given to the mandate of one of the Powers and that those who had taken part in the massacres of Armenians be punished.⁶⁹

67 K. Gürün, *The Armenian File*, at 286-292.

68 *Id.*

69 Ömer Engin Lütem, *The Armenian Demands at the Paris Peace Conference of 1919*. *Review of Armenian Studies*, Number 11-12 Volume 4-2007 available at <<http://armenians-1915.blogspot.com/2008/01/2271-armenian-demands-at-paris-peace.html>> (visited May 11, 2010).

The Mandate over Armenia

The Peace Conference was of the opinion that Armenia, with its small population, could not stand alone against the Turks on the one hand and the Bolsheviks on the other. It was essential therefore that they should find a protective power, which would undertake as a humanitarian duty the protection of this Christian community. France, Britain, and Italy could not undertake that task. They were already overburdened with the weight of the mandates that they had accepted. Russia would have been the most fitting choice for a mandatory in Armenia. But the Russian Revolution had put Russia out of the question as a mandatory. The Conference reached the conclusion that the United States was the only potential mandatory, which would have been acceptable to all. President Wilson seemed to be inclined to accept this mandate and proposed that a joint allied commission go to Turkey to ascertain the true conditions, especially the desires of the people concerned. Since the British and French refused to send out commissions, the American commissioners (the King-Crane Commission which was official American Commission) went alone primarily to investigate the conditions in Syria.⁷⁰

King-Crane Commission Report

The King-Crane Commission emphasized the dangers of an inequitable division and the exploitation of the Ottoman Empire by the Allies and voiced the feelings of the Turkish people regarding the occupation of the Smyrna region by Greece. The establishment of a separate Armenian State was the deliberate intention of the Peace Conference. To this end first, Colonel Haskell was appointed as High Commissioner in Armenia on behalf of the four Great Powers and second, Major General Harbord was appointed by President Wilson to investigate conditions in Armenia.

Report of Major General James G. Harbord

In July (August) 1919 President Wilson sent the ‘American Military Mission to Armenia’ to Turkey headed by Major General James G. Harbord to investigate the status of Armenians in Turkey and Transcaucasia. The mission spent 30 days in Asia Minor and Transcaucasia, and interviewed government officials of that region as well as individual Turks, Armenians, Greeks, Kurds, Tartars, Georgians, Russians, Persians, Jews, Arabs, British and French and Americans for some time domiciled in the country. The report of the ‘American Military Mission to Armenia’ entitled ‘Conditions in the Near East’ was

70 K. Gürün, *The Armenian File*, at 309-312.

submitted to the Secretary of State on October 16, 1919. The mission described situation in Turkey as follows:⁷¹

Very alarming reports had been received from Transcaucasia for several months before its (the mission's) departure from France, particularly as to organized attacks by the Turkish Army impending along the old international border between Turkey and Russia. The itinerary of the mission through Turkey was planned with those reports before it and with the intention of observing as to their truth and if possible to exert a restraining influence. We practically covered the frontier of Turkey from the Black Sea to Persia, and found nothing to justify the reports. The Turkish Army is not massed along the border, their organization is reduced to a skeleton, and the country shows an appalling lack of people, either military or civilian...

On the Turkish side of the border, where Armenians have returned, they are gradually recovering their property, and in some cases have received rent for it, but generally they find things in ruins, and face winter out of touch with the American relief and with only such desultory assistance as the Turkish government can afford. Things are little if any better with the peasant Turks in the same region. They are practically serfs equally destitute, and equally defenseless against the winter. No doctors or medicines are available. Villages are in ruins, some having been destroyed when the Armenians fled or were deported, some during the Russian advance; some on the retreat of the Armenian irregulars and Russians after the fall of the Empire. Not over 20 percent of the Turkish peasants who went the war have returned. The absence of men between the ages of 20 and 35 is very noticeable. Six hundred thousand Turkish soldiers died of typhus alone, it is stated, and insufficient hospital service and absolute poverty of supply greatly swelled the death list...

In the territory untouched by war from which Armenians were deported the ruined villages are undoubtedly due to Turkish deviltry, but where Armenians advanced and retired with the Russians their retaliatory cruelties unquestionably rivaled the Turks in their inhumanity...

The Armenian is not guiltless of blood himself; his memory is long and reprisals are due, and will doubtless be made if opportunity offers... Kurds appealed to this mission with tears in their eyes to protect them from Armenians who had driven them from their villages, appealing to

71 Conditions in the Near East. Report of the American Military Mission to Armenia by Maj. Gen. James G. Harbord. Senate document No 266 66th Congress 2d Session (1920). available at <http://armenianhouse.org/harbord/conditions-near-east.htm> (last visit May 11, 2010).

be allowed to go back to their homes for protection against the winter now rapidly approaching on the high interior plateau. The Kurds claim that many of their people were massacred under cruel circumstances by Armenian irregulars accompanying the Russian Bolsheviks when the Russian Army went to pieces after collapse of Empire. Similar claim is made by the people of Erzerum, who point to burned buildings in which hundreds of Turks perished, and by the authorities of Hassan-Kala, who give the number of villages destroyed by the Armenians in their great plain as 43.

About the land claimed by Armenians General Harbord stated:

The events of the Greek occupation of Smyrna and the uneasiness produced by the activities and propaganda of certain European powers have so stirred the Turkish people in the long interval since the armistice... There is no wisdom in now incorporating Turkish territory in a separate Armenia no matter what the aspirations of the Armenians... In the proposition to carve an independent Armenia from the Ottoman Empire there is something to be said on the part of the Turk; that his people even when all the refugees shall have returned to their homes, will be in the majority in the region contemplated for a reconstituted Armenia and they were in the majority before the deportation.

General Harbord did not submit a recommendation as to the United States accepting a mandate in the Near East; he only outlined the reasons for and against the acceptance of said mandate. General Harbord's report emphasized the humanitarian duty of a mandate over the Near East, while stressing that America's first obligation was to its own people and its nearer neighbors. The report estimated that a total force of 59,000 including support units would be required and estimated total cost as \$756,014,000 for a five year period. These were powerful detractors of the mandate.⁷²

During the meeting of the Supreme Council held on January 19, 1920 the government of the Armenian State was recognized as a *de facto* government on the condition that the recognition in no way prejudged the question of the eventual frontier.⁷³ The report of the American Military Mission to Armenia was submitted to the Senate by President Wilson on April 13, 1920. On April 23, 1920 the secretary of State informed the Armenian Representative that the United States recognized the *de facto* government of the Armenian Republic.⁷⁴

⁷² *Id.*

⁷³ FRUS, Volume III (1920) at. 775, United States Department of State, Papers relating to the foreign relations of the United States (1920), V. III. Available at <<http://digicoll.library.wisc.edu/cgi-bin/frus/frus.frus.1920v03>> (last visit May 11, 2010).

⁷⁴ *Id.* at 778.

At the San Remo Conference on April 26, 1920, the Supreme Council decided;

(a) to make an appeal to President Wilson that the United States of America should accept a mandate for Armenia... (b) that whatever may be the answer of the United States Government on the subject of the mandate the president of the United States should be asked to arbitrate on the boundaries of Armenia as set forth in the draft article below; (c) that an article in regard to Armenia should be inserted in the treaty of peace in the following sense: Turkey and Armenia and the other High Contracting Parties agree to refer to the arbitration of the President of the United States of America the question of the boundary between Turkey and Armenia in the vilayets of Erzerum, Trabizond, Van and Bitlis and to accept his decision thereupon as well as any stipulation he may prescribe...⁷⁵

On May 17, 1920 President Wilson's acceptance of the U.S. role as arbitrator for the Armenian boundaries was communicated by the Secretary of State to the Powers concerned.⁷⁶ President Wilson, on May 24, 1920, appealed the U.S. Senate to authorize the United States to assume a mandate over Armenia in response to the appeal of Supreme Council at its meeting in San Remo. President Wilson, almost simultaneously, expressed that he had agreed to demarcate the boundaries of Armenia within the Turkish Vilayets of Van, Bitlis, Trebizond, and Erzerum. On June 1, 1920, the United States Senate rejected Wilson's appeal that the United States undertakes a mandate over Armenia. No reasons were offered for this action, but the debate elucidated several fundamental objections, which were based for the most part on the report of General Harbord. These objections included objections to the number of forces needed to preserve internal order guarding against external aggression and the heavy cost of the mandate.⁷⁷

Arbital Award of President Wilson

At the San Remo Conference on April 26, 1920 the Supreme Council of the Allied Powers invited the president of the United States to arbitrate the question of the boundaries between Armenia and Turkey. Since it was not necessary to obtain the approval of the Congress for arbitration, President Wilson's acceptance of this invitation was telegraphed to the American Ambassador in

⁷⁵ *Id.* at 781-782.

⁷⁶ *Id.* at 783.

⁷⁷ Philip Marshall Brown, The Mandate over Armenia, *The American Journal of International Law*, Vol., 14, No. 3 (Jul. 1920). at 396, available at <<http://www.jstor.org/pss/2187661>> (last visit May 11, 2010).

Paris with the intention that it be conveyed to the Powers represented on the Supreme Council on May 17, 1920.⁷⁸

On September 18, 1920, the High Commissioner Bristol at Constantinople warned the U.S. Secretary of State;

The Nationalist movement was organized as a protest against the Greek occupation of Smyrna, and to resist any similar aggression of the Armenians in the eastern vilayets. This feeling against the Greeks has been increased, and is the only thing that could have held the Nationalists together so long. Therefore, it is safe to state that the feeling against Armenia gaining any territory in the eastern vilayets is most bitter and stronger than ever before. No one could believe that the Turks would evacuate any territory ceded Armenia without being forced to make such evacuation. The Nationalists, who represent practically the vast majority of the Turks, do not recognize the treaty signed by the Constantinople Government and it is most probable that they will have to be forced by the Allies, assisted by Greece, to recognize the treaty. The Turkish treaty gives to Armenia only such portions of the eastern vilayets as may be decided by the arbitration of the President. This would seem to impose upon him the responsibility for enforcing the evacuation of territory thus given to Armenia. Such regions are practically empty of Armenians to-day and repatriation from the Erivan Republic would result in disorder unless protection was assured.⁷⁹

The arbitral jurisdiction was assigned to President Wilson under Article 89 of the Treaty of Sevres. On August 10, 1920 the Treaty of Sevres was signed and an authenticated copy of the treaty was transmitted to Wilson through the U.S embassy in Paris on October 18, 1920 drawing attention to the Article 89, of the treaty.⁸⁰ President Wilson signed a document outlining his decision on November 22, 1920.⁸¹ On November 24, 1920 the Secretary of State sent the original text of the President's decision to the Ambassador in France (Wallace) to be conveyed to the President of the Supreme Council of the Allied Powers.⁸²

On November 30, 1920 the High Commissioner at Constantinople reported to the Secretary of State;

Reliable information received from Armenia by one just returning from Erivan. It is reported that Armenia is finished. The Armenian troops ...

78 FRUS. at. 783.

79 *Id.* at 788.

80 *Id.* at 789.

81 *Id.* at 795.

82 *Id.* at 789,790.

*were defeated and in many cases ran away... A second armistice is in effect and a treaty of peace is being negotiated. The Americans are reported all safe within the Turkish lines. Bolsheviks and Nationalist Turks are in accord.*⁸³

On December 4, 1920 the Consul at Tiflis (Moser) reported to the Acting U.S. Secretary of State;

*It is officially announced at Erivan December 2nd that Armenia is declared Soviet Republic... Russian action taken at the request of Armenian Bolshevik Committee at Baku met with no opposition. The new government will consist of five Bolshevik Commissaries and two members of the Dashnak Party. Soviet Russian Ambassador has announced Russia's recognition of the new Soviet Republic... During the peace conference between Turkey and Armenia local government at Alexandropol turned Bolshevik... Relief work in Armenia proper no longer possible, but [Director General] Yerrow hopes under the protection of Turks to continue relief of Armenians in Turkey and to obtain communication and supplies through Erzerum and Trebizond.*⁸⁴

On December 13, 1920 the Acting Secretary of State informed the Ambassador in France (Wallace) that the; "Department has decided that on Friday December 17, the President's boundary decision will be given out for publication by the press on the following day."⁸⁵ The Ambassador in France (Wallace) responded to the Acting Secretary of State on December 16, 1920; "I have received from the Foreign Office a pressing request that you be asked to delay making public the President's decision on the Armenian boundary until they have been afforded opportunity to submit certain considerations which are to be immediately communicated to you through me."⁸⁶

Leaders of the governments of the principal Allied Powers had deferred the Publication of the President Wilson's decision for an undetermined time, because Soviet Russia had annexed Armenia as part of its territory and the Democratic Republic of Armenia had ceased to exist. Therefore, President Wilson's boundary decision had been in vain.

Treaty of Alexandropol

After the American Congress rejected a mandate over Armenia, the Democratic

83 *Id.* at 805.

84 *Id.* at 806-807.

85 *Id.* at 807

86 *Id.* at 808.

Republic of Armenia in the Caucasus started to attack Turkey in June of 1920. On September 29, 1920 Turkish Army launched a counter-offensive military operation. Thus, Eastern Anatolia was retaken and order and security was re-established. The treaty of Gumru (Treaty of Alexandropol) was signed between the Grand National Assembly of Turkey and the Democratic Republic of Armenia on December 2/3, 1920 to end the Turkish-Armenian War. Both sides accepted the new boundaries and admitted that the provisions of the treaty of Sevres were null and ineffective. The Armenians also renounced all territorial claims against Turkey. The Treaty was to be ratified by the Armenian parliament. However this could not be done because Bolshevik Russia occupied Armenia on the same days. Later on, the Treaty of Moscow and the treaty of Kars took its place.⁸⁷

Treaty of Moscow

The Treaty of Moscow was signed between the Grand National Assembly of Turkey and Bolshevik Russia on March 16, 1921. According to Article I of the treaty: “The Government of the RSFSR hereby agrees not to recognize any international acts concerning Turkey, which have not been accepted by the Government of Turkey, currently represented by the Grand National Assembly of Turkey.” Additionally, in the same Article, the Treaty accepts Turkey; “as the sum of the territories included in the National Turkish pact of January 28, 1336 (1920) formulated and proclaimed by the Ottoman House of Delegates in Constantinople and communicated to the press and all foreign nations,” With Article XV of the Treaty; “Russia hereby promises to undertake the appropriate measures with regard to Republics located in the Transcaucasus area in order to ensure the necessary acceptance by said Republics of the Articles of the present treaty which concern them directly, by separate treaties to be concluded between these Republics and Turkey.”⁸⁸

Treaty of Kars

The Kars Agreement was the treaty stipulated in the Treaty of Moscow. It was signed on October 23, 1921 between the Government of the Grand National Assembly of Turkey and the Governments of the Socialist Soviet Republic of Armenia (SSRA), the Azerbaijan Socialist Soviet Republic (ASSR), and the Socialist Soviet Republic of Georgia (SSRG) and ratified by Yerevan on September 11, 1922.⁸⁹ Article 2 of the Treaty of Kars by stating: “In virtue of

87 Treaty of Alexandropol, available at <[http:// western-armenia.org/treatyofalexandropol.php](http://western-armenia.org/treatyofalexandropol.php)> (last visit may 11, 2010).

88 Treaty of Moscow, available at <http://western-armenia.org/treatyofmoscow.php> (Last visit May 11, 2010).

89 Treaty of Kars, available at < <http://groong.usc.edu/treaties/kars.html>> (last visit May 11, 2010).

this agreement, the Governments of the Socialist Soviet Republics of Armenia, Azerbaijan and Georgia agree not to recognize any international act concerning Turkey which has not been recognized by the National Government of Turkey, actually represented by its Grand National Assembly.” invalidated the other past treaties except Treaty of Moscow. With Article IV of the Treaty, the sanjaks of Ardahan and Kars were included in the borders of Turkey. With this Treaty Turkey’s eastern frontier has been definitely determined. The region of Nakhchevan became an autonomous territory under the protection of Azerbaijan (Article V). Turkey ceded to Georgia suzerainty over the town and port of Batum (Article VI).

According to Article XV, each of the Contracting Parties agreed to promulgate, immediately after the signature of the present treaty, a complete amnesty to citizens of the other party for crimes and offenses committed during the course of the war on Caucasian front. With this amnesty, Contracting Parties released their claim to anything for the crimes and offenses committed by the citizens of the other Party during the war on the Caucasian front.

The Treaty of Lausanne

The Turkish independence war ended with the Mudanya Armistice on 11 October 1922. The peace talks began in Lausanne on 20 November 1922.

The agreement had been reached on every position with Armenia with the ratification of the Kars Treaty. But Armenians attempted again to take part in the Lausanne peace talks. They submitted a note to the Conference demanding the land marked by President Wilson together with a part of Cilicia be ceded to them. Allied States asked for a national homeland from Eastern Anatolia for the Armenians. Ismet Pasha, during the meeting, which took place on 13 December, 1922 stated that “there was not one inch of land in the Turkish motherland”. And he added; “today there is no obstacle for the Armenians who are in Turkey to live comfortably, in harmony with their fellow citizens.”⁹⁰ After the meeting of the First Commission, on January 9, 1923, the Armenian issue was not talked about during the Lausanne Conference anymore.⁹¹

The Treaty of Lausanne was signed on July 24, 1923. There was not any clause in the agreement related to the Armenians. Articles 37-44 were about minorities. When the Turkish Civil Law was published the Armenian community officially declared that they preferred to live in Turkey like any other citizens.⁹²

90 K.Gürün, *The Armenian File*, at 368-379.

91 *Id.*

92 *Id.*, *Lausanne Treaty*, available at < www.hri.org/docs/lausanne/>.

IV. ICTJ'S LEGAL ANALYSIS ON APPLICABILITY OF UN CONVENTION ON EVENTS PRIOR TO 12 JANUARY 1951

Applicability of the UN Convention on Events prior to 12 January 1951

On 12 July 2002 the Turkish Armenian Reconciliation Commission (TARC) requested that the International Center for Transitional Justice (ICTJ) facilitate an objective and independent legal study on the applicability of the 1948 Genocide Convention to events which occurred during the early twentieth century.⁹³

In the memorandum submitted to TARC, under the heading of 'International Law generally prohibits the retroactive application of treaties' ICTJ has quoted article 28 of the Vienna Convention on the Law of Treaties and added;

The ICTJ with this statement refuted its aforementioned assertion regarding the application of the term genocide to events that pre-dated the adoption of the Convention.

... unless a contrary intention appears, a treaty provision stating that a treaty comes into force on a particular date "must mean all the provisions of the treaty" come into force on that date. The text of those provisions of the Convention imposing obligations on States Parties to the Convention almost universally obligate the States Parties to take action in the future.

And ICTJ has concluded as EXECUTIVE SUMMARY OF LEGAL CONCLUSIONS;

International law generally prohibits the retroactive application of treaties unless a different intention appears from the treaty or is otherwise established. The Genocide Convention contains no provisions mandating its retroactive application. To the contrary, the text of the Convention strongly suggests that it was intended to impose prospective obligations only on the States party to it. Therefore, no legal, financial or territorial claim arising out of the events, [which occurred prior to January 12, 1951] could successfully be made against any individual or state under the Convention.

Applicability of the Term Genocide to the Events that Pre-dated the Adoption of the Convention

93 ICTJ's Legal Analysis on Applicability of UN Convention on Genocides prior to January 12, 1951 available at <<http://groong.usc.edu/ICTJ-analysis.html>> (visited December 23, 2007).

The ICTJ reached the correct conclusion on the applicability of the Genocide Convention to the events which occurred prior to January 12, 1951. But subsequently, despite that it was not asked, the ICTJ going beyond its competence, applied the genocide label to the relocation,⁹⁴ and additionally asserted; “Although the Genocide Convention does not give rise to state or individual liability to the events, which occurred ... prior to January 12, 1951, the term “genocide” as defined in the Convention may be applied to describe such events.” In support of its baseless arguments the ICTJ has alleged; “It is clear from the text of the Convention and related documents and the travaux préparatoires, that the term genocide may be applied to events that pre-dated the adoption of the Convention.... The drafters of the Genocide Convention used the term genocide to refer to events that pre-dated the adoption of the Convention.”

It has been specified above by the ICTJ that, “the Genocide Convention contains no provision mandating its retroactive application.” The ICTJ with this statement refuted its aforementioned assertion regarding the application of the term genocide to events that pre-dated the adoption of the Convention.

Second, the drafters of the Genocide Convention may have reviewed events that pre-dated the adoption of the convention to define the crime of genocide. This does not mean that the term genocide may be applied to events that pre-dated the adoption of the Convention. Additionally the use of the term genocide by the drafters of Genocide Convention does not give permission for the violation of the general principles of international criminal law, namely ‘*nullum crimen sine lege*’ and ‘*non-retroactivity ratione personae*’ to apply the genocide term to the Armenian relocation in an unjust and illegal manner.

The ICTJ going further and exceeding its competence has defined the elements of the crime of genocide which was developed by the Preparatory Commission for the ICC, then stated; “It is important to note that these elements were developed in order to assess the guilt or innocence of individuals alleged to have perpetrated genocide, a task which is well beyond the scope of this memorandum.” But the ICTJ has refuted this statement with its subsequent statement; “...this memorandum therefore proceeds to analyze whether the events constituted genocide as defined in the Convention, using the elements of the crime of genocide outlined above as an analytical tool for this purpose.” The ICTJ’s analysis of whether the events constituted genocide as defined in the Convention using the elements of the crime of genocide as an analytical tool, is an application of the Convention or Statute of ICC retroactively. The assessment whether the events constituted genocide is the same as the assessment of guilt or innocence of individuals who were alleged to have

94 G. Aktan, ‘Yarı Hukuki’, Radikal Newspaper, 15.02.2003.

perpetrated genocide. If it was assessed that the events constituted genocide the alleged perpetrators of the events would automatically become guilty. Therefore, analyzing the events that pre-dated the adoption of the Convention, depending on the Convention's or Rome Statute's provisions, means the application of these conventions was done retroactively, so it violates the article 28 of Vienna Convention and the articles 22 and 24 of the Statute of the International Criminal Court.

Using 'genocides' instead of 'events' in the heading of the memorandum, the ICTJ illustrated its prejudice. Before analyzing the events thoroughly, it had already preemptively accepted the events as genocide. This conclusion is illustrating in the following statement: "Because the other three elements identified above have been definitively established, (without proving the existence of the special intent, intent to destroy) the events viewed collectively," (although the massacres occurred as individual events the ICTJ considered the events collectively). Can thus be said to include all of the elements of the crime of genocide as defined in the Convention, and legal scholars as well as historians, politicians, journalists and other people would be justified in continuing to so describe them.

The ICTJ, considering individual events collectively and without proving genocidal intent also violated paragraph 2 of the article 22 of the Statute of the ICC. (2. The definition of a crime shall be strictly construed and shall not be extended by analogy. In case of ambiguity, the definition shall be interpreted in favor of the person being investigated, prosecuted or convicted.) Since it was not asked whether the genocide term be applied to the events, the ICTJ, going beyond its authority, submitted a false view and harmed Turks in a political and moral sense. Some of the parliaments may have been influenced in passing resolutions regarding recognition of genocide.

V. ASSERTIONS OF PRO-ARMENIANS

On January 12, 1951 the Genocide Convention entered into force. Pro-Armenians knew well that the provisions of the Genocide Convention could not be applied retroactively even to analyze or define the events occurred before the adoption of the Convention from the viewpoint of International Law. However they applied the genocide label to relocation retrospectively and unjustly. They launched the relocation as genocide, and tried to include the relocation into the definition of genocide to support their assertions. According to article 2 of the Convention, to constitute genocide one of the five cited acts should be committed with intent to destroy (*dolus specialis*). First they tried to prove that the Ottoman administration had the intent to destroy Armenians

through the relocation decision. Since no evidence of the existence of intent to destroy could be found they changed the basis of their assertion from paragraph (a) and (b) to paragraph (c) of Article 2 of the Genocide Convention, namely “deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part.” They alleged;

Since the Ottomans could not openly destroy, they used the relocation as an opportunity to impose on the Armenians, the kind of living conditions that would cause them to perish. Through an “omission” of their duty to protect the Armenians from attacks during the “deportation”, to ensure safe transportation, no less than to provide food, medicine, medical treatment and shelter.⁹⁵

As mentioned above, from the text of the Interim Law it can be seen clearly that the Ottoman administration did not have such an intention. Provisions taking place in the Interim Law indicate that all the measures had been stipulated for the safe transfer and settlement of the Armenians. On the other hand, for military reasons, in the few months preceding the World War I, the Ottoman government relocated its Greek subjects from the coast of Anatolia to the safe places. As even Morgenthau accepted;

Greek inhabitants were actually removed to new places and were not subjected to wholesale massacre. It was probably for the reason that the civilized world did not protest against these deportations that the Turks afterward decided to apply the same methods on a larger scale not only to the Greeks but to the Armenians...The Turks adopted almost identically the same procedure against the Greeks as that which they had adopted against the Armenians.⁹⁶

But the War had changed the conditions. Ottomans lost 90 000-110 000 soldiers in Sarikamış battle and they were fighting in three fronts. For this reason it could not be possible to set aside sufficient gendarmerie to protect the Armenian columns at every time during the relocation. The Government could not control the armed bands, tribes and bandits effectively. Continuous wars had deteriorated the economic situation. Epidemics of disease a long road and poor transportation conditions made the relocation difficult. In spite of these severe conditions, as specified above, the losses of Armenians were limited. Therefore, they inflated pre-transfer Armenian population and started claiming that out of two million deported Armenians 1,500,000 were killed, and 500,000 survivors were expelled. (H. Res. 252) The reason for these excessively high figures was to assert indirectly the presence of the intent to destroy by way of

95 G. Aktan, *The Armenian Problem and International Law*, at 10.

96 H. Morgenthau, *Ambassador Morgenthau's Story* (1918), at 323-324.

deporting and thus to allege that genocide had been committed.⁹⁷ As stated above, the Ottoman government had to make the relocation decision to stop the Armenians from hitting the Ottoman army from behind, cutting the logistic communication lines and attacking Muslim settlements. Engagement in political and armed conflict for the purpose of independence makes the Armenians a political group. As a political group, Armenians cannot enter the definition of Article 2 of the Genocide Convention. Political groups have not been included in the definition of genocide but were included in the definition of the crime against humanity in Article 7 of the Rome Statute. In individual events local tribes for the purpose of revenge or some other ordinary reasons committed attacks on the Armenian columns when safeguards were not sufficient enough for protection. The Ottoman government as a result of these attacks of tribes had sent gendarmerie soldiers to capture those plunders and increase the safeguards.⁹⁸ Captured criminals were tried and sentenced. Leaving aside wide spread and systematic attacks, which are the required condition for the constitution of crime against humanity, there has never been any attack from any Ottoman military unit to the Armenian columns during the relocation. Moreover, Article 49 of Geneva Convention prohibits individual or mass forcible transfers but permits total or partial evacuation of a given area if the security of the population or imperative military reasons so demand. Therefore, the Armenian relocation cannot be described as genocide or crime against humanity from an international law point of view. Notwithstanding this fact, using inflated death numbers, the Armenians started lobbying to have parliaments to pass resolutions recognizing the relocation as genocide. Unfortunately, many parliaments passed resolutions applying the genocide term to relocation which violated international law. The aim of Armenians was and is to press on Turkey to admit that genocide occurred. This is obvious. If Turkey admits, that genocide occurred then the Armenians will make their lawless, unjust and unrealizable claims, namely reparation and the granting of six provinces of eastern Anatolia.

If it is accepted that treaties cannot be applied retrospectively it cannot be asserted that the preamble statement is sufficient warrant for applying the genocide label to pre-Convention events that satisfies its definition.

Geoffrey Robertson QC's Opinion about 'was there an Armenian Genocide?' may be a good sample to pro-Armenian assertions.⁹⁹ G. Robertson first accepts that treaties are not retrospective and adds;

97 G. Aktan, 'The Armenian Problem and International Law', at 10.

98 Armenian Activities in the Archive Documents, 1914-1918, Vol VIII (2008), at 162.

99 G. Robertson, QC's Opinion 'was there an Armenian Genocide?' 9 October 2009. Available at <<http://groong.usc.edu/Geoffrey-Robertson-QC-genocide.pdf>> (last visit may 12, 2010).

The Vienna Convention on the Law of Treaties sets up a presumption that treaties are not retrospective... I find nothing to rebut this presumption in the language of the Genocide Convention. But plainly the term “genocide” may be applied to massacres before the passage of the Convention; those who drafted and debated it spoke repeatedly of other historical events as “genocide” even though they had occurred centuries before. The preamble statement, which recognizes that “at all periods of history genocide has inflicted great losses on humanity”, is sufficient warrant for applying the label to pre-Convention events that satisfy its definition.¹⁰⁰

If it is accepted that treaties cannot be applied retrospectively it cannot be asserted that the preamble statement is sufficient warrant for applying the genocide label to pre-Convention events that satisfies its definition. Because the non-retroactivity principle means that the Genocide Convention does not exist for the events before the passage of the Convention. Therefore it is out of the question to apply the preamble or any provision of the nonexistent Convention to the events. Robertson quotes from Geoff Hoon;

The fact is that the legal offence of genocide had not been named or defined at the time that the actual atrocities were committed. The U.N. Convention on Genocide came into force in 1948 so it was not possible at the time of the events that we are considering; legally to label the massacres as genocide within the terms of the Convention...The common practice in law is not to apply such judgment retrospectively.¹⁰¹

Robertson gives an astonishing response; “the common practice in law applies to the rule against prosecuting for a crime that did not exist at the time it was committed, but nobody talking about prosecution.”¹⁰² But applying the genocide label to the relocation he condemns Turks for a crime they had not committed even without being tried and he acts as if he has been a prosecutor. Robertson indicates; “The Eastern department considers that it is not the work of HMG to decide what constitutes genocide: ‘investigating, analyzing and interpreting history is a matter for historians.’” Robertson argues; “Deciding what amounts to genocide is a matter for judgment according to international law, and not at all a matter for historians. Historians establish facts; lawyers must judge whether those facts amount to a breach of international law.”¹⁰³ I agree with Robertson. It is the business of jurists, not historians, to interpret the international law. Historians and scholars, who had applied the genocide label to relocation, have violated the international law. Without judgment of

100 *Id.*, 1 at 14.

101 *Id.*, 1 at 33.

102 *Id.*

103 *Id.*, 1at 24.

the competent courts, which are national competent courts and the International Criminal Court (ICC), no scholar has the right to apply the genocide label to the Armenian relocation. On the other hand, since the genocide Convention cannot be applied retrospectively, no competent national court, the ICC or any ad hoc international court could make a judgement on this issue.

Robertson indicates;

On 2 July 2007 a memorandum on HMG's position on the Armenian genocide restated the position that; 'there is an absence of unequivocal evidence to prove that at the top level the Ottoman administration took a specific decision to eliminate all Armenians under their rule.' It further added the misleading claim that; 'It is not common practice in law to apply judgments retrospectively.'

Robertson argues; “there can be no logical or legal objection to an authoritative judgment which decides whether the events of 1915 satisfy the 1948 definition.”¹⁰⁴ It is amazing to hear such an assertion from a member of the UN Justice Council like that Robertson makes.

As was specified above, to ascertain whether the events of 1915 satisfy the 1948 definition according to the provisions of the genocide Convention definitely means application of the Convention retrospectively. The legal objection to an authoritative judgment which decides whether the events of 1915 satisfy the 1948 definition comes from Article 6 and Article 9 of the Genocide Convention which indicate the competent tribunals. Therefore, from an International Law point of view, except these previously mentioned competent tribunals, no congress, parliament, government, scholar or any real or legal entity can give authoritative judgment on acts enumerated in Article 3 of the Genocide Convention. Since they are obliged to apply the general principle of International Criminal Law, ‘nullum crimen sine lege’, even competent tribunals cannot give any authoritative judgment on this subject.

Robertson points out Malcolm Yapp's criticisms on Vahakn Dadrian's “The History of the Armenian Genocide”;

He (Malcolm Yapp) accepts that the Ottoman Government ordered the deportations without adequate arrangements for the transport, food or security. He says that; 'although Dadrian produces many reports seeming to suggest that the members of the Ottoman Government wanted to destroy the Armenians, he fails to find any document which constitutes a definite order for massacre.'

104 *Id.* at 35.

Robertson asserts; “This failure, as I have pointed out, is not crucial.”¹⁰⁵ On the contrary, this failure is crucial. As it was specified above, intent to destroy, (*dolus specialis*) is a crucial element of the crime of genocide. If its existence cannot be proven the defendant could not be convicted. Robertson should have known this.

Robertson also indicates;

An FCO draft answer for Baroness Scotland to give to Lord Biffin in 2001 stated; ‘additionally, the government’s legal advisers have said that the 1948 UN Convention on genocide, which is in any event not retrospective in application was drafted in response to the holocaust and whilst the term can be applied to tragedies that occurred subsequent to the holocaust, such as Rwanda. It cannot be applied retrospectively.’

Lacking any legal base Robertson asserts; “Of course the term “genocide” can be applied retrospectively.

VI. U.S. H. RES. 252 AND RECOGNITIONS OF SO-CALLED ARMENIAN GENOCIDE

On March 4, 2010 the House of Representatives Foreign Affairs Committee passed the H. Res. 252 on ‘Affirmation of the U.S. Record on the Armenian Genocide Resolution’.¹⁰⁶ This resolution is the same of H. Res. 106 which had been withdrawn from the agenda of the House of Representatives. Since David Saltzman had made excellent sound study which began to analyze the factual and legal deficiencies of the U.S. H. Res. 106,¹⁰⁷ in this article only the most important legal deficiencies and the distortion of the facts have been emphasized.

First as specified above, since they are not competent tribunals mentioned in the Genocide Convention U. S. Congress, European Parliament and other parliaments have no jurisdiction to label the events that occurred some 95 years before, as genocide within the terms of the Convention. It was shown that relocation cannot be described as genocide and a crime against humanity under the provisions of international law. The crime of genocide was named and defined with the Genocide Convention. The Convention was adopted in 1948. At the time of the relocation of Armenians, the offense of genocide had not been

¹⁰⁵ *Id.* at 34.

¹⁰⁶ H. Res. 252 (111th) at <http://www.govtrack.us/congress/bills/111/hres252/text> (last visit May 10, 2010).

¹⁰⁷ D. Saltzman, U.S. H. Res. 106: Factual and Legal Deficiencies, April, 2008, Tusiad Publication, available at <<http://www.tusiad.us/content/uploaded/Saltzman%20report.pdf>>.

named or defined, so it was not possible at the time of the events legally to label the relocation as genocide within the terms of the Convention. After the Convention, the application of the definition of genocide from the Convention to the relocation that had occurred nearly 30 years before was unjust given that the standard was applied retroactively. Such an unjust application of the Convention provisions retrospectively violates the fundamental principle of international law: 'nullum crimen sine lege' as specified in Article 28 of the Vienna Convention and Article 22 of the Statute of the ICC. By describing the relocation as genocide unjustly, levels the accusation to the Ottoman leaders of the grave crime of genocide; this crime which they did not commit is hurting the Turks and harming the republic of Turkey politically.

Below, intentionally misleading assertions and distortions of facts included in the resolution.

The Period from 1915 to 1923. Relocation started in May of 1915 and ended on March 15, 1916. The years of 1915 and 1916 must be considered. It was also stated that; 'resulting in the deportation of nearly 2,000,000 Armenians, of whom 1,500,000...were killed 500,000 survivors were expelled'. As specified above (in the sectioned entitled 'The Amount of Armenians Relocated') the Armenian population in 1914 was 1,294,851. If this is true, how can 2,000,000 Armenians are relocated out of 1,294,851 Armenians? This shows clearly that facts were distorted. As mentioned above, the Ottoman sources support that the amount of Armenians relocated was around 700,000. Even H. Res. 252 accepted that 500,000 Armenians reached their homes. Thus, maximum losses of Armenians can only be 200,000. It is obvious that the number of Armenians that died during the relocation has been purposefully inflated to construe the relocation as genocide.

The Relocation must be considered together with the Armenian rebellion and the Russian invasion. It was a tragedy, but not a one sided affair. The Resolution has willfully ignored the Armenian massacres of Turks. Terrorist activities and massacres of Armenians during the advance and retreat of the Russians had turned the conflict into an intercommunal fight. Turks were massacred, expelled and forced to emigrate by Armenians who sided with Russians. Turkish people were more defenseless than Armenians because their men, between 20 and 45 years old, were fighting on the fronts. The loss of Turks, in World War I, amounted to two and a half million of which, 500,000 were war zone losses and the balance, and nearly two million were civilians. These deaths resulted from war, epidemics, scarcity of food and inadequacy of drugs, doctors and hospitals. It has been estimated that at least one million Muslim civilians perished in Eastern Anatolia at this time.¹⁰⁸ Not only was the

108 G. Aktan, 'The Armenian Problem and International Law', at 14.

relocation a tragedy, but so to as the Armenian rebellion and its resultant inter-communal war. The reason for this was the Armenians themselves.

Findings (4), (5) and (6) have mentioned the indictments and verdicts of the courts-martial. The accusations taken place in the indictment are not proof of guilt. Guenter Lewy specifies how the courts-martial is tried;

On May 6, 1919 at the third session of the main trial, defense counsel challenged the court's repeated references to the indictment as proven fact, but the court rejected the objection... Throughout the trials, the court heard no witnesses, and the verdict rested entirely on documents and testimony never subject to cross-examination... The most serious problem affecting the probative value of the 1919-20 military court proceedings is the loss of all their documentation. What is known of sworn testimony and depositions is limited to that related secondhand in selected supplements of the official gazette of the Ottoman government, Takvim-I Vekayi, and press reports. What is not known is the accuracy of the transcription and whether the newspaper reprinted all or only part of texts entered as evidence.¹⁰⁹

Given that the Empire with insolvent and disintegrating, and fighting on three fronts, was it be possible to provide sufficient security personnel, food, medicine, and health service for relocated Armenians?

In Findings (9) and (10) Ambassador Morgenthau's book, 'Ambassador Morgenthau's Story,' has been accepted as evidence. Heath W. Lowry compared Ambassador Morgenthau's Story with the 'Diary', his family 'letters' and his cabled

dispatches and written reports in the form of letters submitted to the U.S. Department of State during his twenty-six month stay in Turkey and reached a conclusion that only these documents, not the book, can be relied on.¹¹⁰

In Finding (14) the resolution took a passage from General James Harbord's report. As indicated above, the report also includes this passage; "...In the territory untouched by war from which Armenians were deported the ruined villages are undoubtedly due to Turkish deviltry, but where Armenians advanced and retired with the Russians their retaliatory cruelties unquestionably rivaled the Turks in their inhumanity... "

109 Guenter Lewy, 'Revisiting the Armenian Genocide', The Middle East Quarterly, Fall 2005, Vol., XII, Number 4 at 3-12. Available at <<http://www.meforum.org/748/revisiting-the-armenian-genocide>>.

110 H.W. Lowry, The Story behind Ambassador Morgenthau's Story (1990), at 79.

As a result David Saltzman concludes;

At its core it is dishonest, attempting to take advantage of a general and understandable lack of knowledge of this complex, contested history to deceive the public. Among other misleading aspects, the resolution is based on the faulty premise that there is a United States record on the "Armenian Genocide". The U.S. record on what is perhaps more accurately termed, the Armenian Revolt and the Ottoman Military Response, though rife with documents that reflect the U.S.' policies against the Ottoman Empire and promote the anti-Turkish prejudices of the day, includes ample evidence that the events in question, though undeniably dreadful, describe not one-sided affair. On the contrary, they clearly demonstrate that Muslims suffered from attacks by Armenian nationalist insurgents and that Muslim civilians suffered from war-induced deprivations alongside Armenians. Yet the resolution not only ignores such evidence that contradicts its glib, partisan view of history, it implies that such evidence must be discounted or dismissed out of hand. The resolution attempts to authenticate an historic narrative not warranted by the historic events that, a survey of the current literature on the matter demonstrates, remain the subject of genuine dispute. This constricted approach dishonors the pursuit of truth and impedes reconciliation between Turkey and Armenia.¹¹¹

VII. THE POSITION TO BE TAKEN BY THE REPUBLIC OF TURKEY ON UNJUST ARMENIAN GENOCIDE RECOGNITIONS

“Turkey’s long resistance and indifference is the primary reason why the Armenian lobbies have made progress in ensuring recognition of the alleged Armenian genocide.”¹¹² Recently, in Turkey, scholarly works on the relocation of Armenians and studies on Ottoman archives have increased. Unfortunately, there are very few works in foreign languages.

On Turkish side, it has been stated that the reason, the aim and the conditions of relocation of the Armenians had been expressed in the Interim law. The reason for the relocation decision was to prevent the Armenians from colluding with the Russian Army, the rebellion in Van; and their guerrilla activity in ethnic cleansing of the Turks and Muslims in Eastern Anatolia. The Interim Law envisages the measures for the safest and easiest transfer of Armenians. Since the relocation decision was, for military necessity, made and

111 D. Saltzman, U.S. H. Res. 106: Factual and Legal Deficiencies, April, 2008, Tusiad Publication, at 109.

112 Cenap Çakmak, 'ICJ and Armenian Genocide dispute', Global Politician, available at <<http://www.globalpolitician.com/24185-armenia-genocide>> (visited June 4, 2010).

implemented quickly, preparations for the transfer of Armenians to encampments was not made in advance. Given that the Empire with insolvent and disintegrating, and fighting on three fronts, was it be possible to provide sufficient security personnel, food, medicine, and health service for relocated Armenians? Considerable number of Armenians may have died, but as expressed above, not as many as pro-Armenians have asserted. Armenians were luckier than the Muslim emigrants who were expelled from the Balkans and escaped from Russian and Armenian forces. The Turkish civilian deaths that occurred in the same region, for similar reasons, were not less than the Armenian losses.¹¹³ Although it was not sufficient, the Ottoman Government supplied food, medicine, health services and encampments for Armenians. Additionally, Armenians benefited from the Near East Relief aid, especially, since the Ottoman authorities permitted Near East Relief to aid Armenians and helped their works. (J. B. Jackson's report, and Harbord's report). Under these conditions is it possible to assert that the Ottoman Government imposed these conditions of life on Armenians deliberately to bring about their destruction? Leaving aside a wide spread and systematic attack, since no unit of Ottoman security forces attacked Armenian columns, the relocation does not constitute a crime against humanity as specified in the Statute of Rome. Besides the relocation decision was taken for imperative military reasons which made the relocation permissible. These were the facts. That the republic of Turkey should tell the western world in their languages immediately using pamphlets (brochures) and any other instruments.

Turkey may take the following position regarding recognitions of alleged Armenian genocide:

The facts are announced:

(1) The relocation of Armenians was not genocide or a crime against humanity.

(2) With the Treaty of Kars, the Treaty of Sevres explicitly had become null and void, and the frontiers between Turkey and the republic of Armenia had been settled definitely. With the complete amnesty envisaged in Article XV of the Kars Treaty, files of crimes and offenses committed by the citizens of the other party during the War on the Caucasus front had been completely closed.

(3) The Convention on the Prevention and Punishment of the Crime of Genocide cannot be applied to events occurring in 1915-1916. Labeling the term of genocide to the relocation of Armenians is also an

113 G. Aktan, 'The Armenian Problem and International Law', at 13

application of the Genocide Convention retrospectively and as such is a breach of International Law. According to Articles 6 and 9 of the Genocide Convention, only the competent tribunal of the State in the territory of which the act was committed and International Criminal Court and International Court of Justice are competent tribunals to decide on genocide. For this reason, no congress, parliament, government, scholar or any other real or legal entity can give authoritative judgment on acts enumerated in Article 3 of the Genocide Convention. Since it is a matter of interpretation of the Genocide Convention, to investigate whether the 1915-1916 events satisfy the definition of genocide is not the business of historians, it is business of jurists. Historians are supposed to study these types of historical events in the historical context. The competent tribunals indicated in Articles 6 and 9 of the Genocide Convention cannot investigate the events occurred before the passage of the Genocide Convention as well. Because, they are obliged to implement the fundamental principles of International Criminal Law namely, 'nullum crimen sine lege' and 'non-retroactivity ratione personae'.

VIII. CONCLUSION

Rebellions and terrorist activities of Armenians made it compulsory for the Ottoman Government to transfer Armenians from their potential operation zones to other part of the country in 1915. During the transfer many unwanted and unexpected incidents happened and unfortunately some of the Armenians died. The file of this tragedy was closed with the Kars and Lausanne Treaties.

Implementation and interpretation of the 1948 Genocide Convention and relevant International Law is the business of jurists; not historians. The Genocide Convention and International Law cannot be applied retroactively to investigate whether the relocation of Armenians satisfies the definition of genocide of the Genocide Convention. Just to express the fact and refute the assertions of Armenians it may be said that in making the decision to relocate, the Ottoman government did not have the intent to destroy Armenians which is the crucial element in the crime of genocide. Also, since no unit of Ottoman security forces attacked Armenian columns, relocation is not a crime against humanity. Individuals who had attacked Armenian columns or done harm to the Armenians during the relocation were captured and punished.

In spite of the non-retroactive application of the Genocide Convention, Armenians, labeled the relocation as genocide and inflated death figures, and began lobbying to get parliaments to pass resolutions recognizing the Armenian

relocation as genocide. Many parliaments applied the genocide term to the relocation violating International Law without fully knowing what really happened. Members of the parliaments even do not care to learn. The Republic of Turkey has not acted as is due against this action up to now. The aim of Armenians is to create an opportunity to claim reparation and land. They want Turks to accept genocide crime that Turks did not commit to be able to make their lawless and unjust claims.

Non-retroactive application of the Genocide Convention means that at the time of the relocation, it is not exist with its preamble and the term genocide was unknown. It is impossible to label what happened as genocide, since the term would not be created until some 30 years later. Therefore, Armenians and members of the parliaments must know: first (1); the relocation of Armenians was not genocide and a crime against humanity, second (2); the application of the genocide term to the relocation is a breach of International Law, third (3); Parliaments are not competent Tribunals as mentioned in the Genocide Convention and they do not have jurisdiction to judge the crime of genocide; and fourth (4); the recognitions of parliaments are violations of International Law.

It is hoped that the Republic of Turkey will take the suggested position for recognitions of Armenian genocide. Thus the Western World learns the facts and, consequently Armenians would give up its unjust and untrue genocide assertions. This is essential so that good relations can be established between Turkey and Armenia.

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CATEGORIZING HISTORIOGRAPHY: TURKISH-ARMENIAN RELATIONS THROUGHOUT HISTORY¹

(HİSTORİOGRAFİNİN KATEGORİLEŞTİRİLMESİ:
TARİH BOYUNCA TÜRK-ERMENİ İLİŞKİLERİ)

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Abstract: *The history between Turks and Armenians has been a sturdy one. Although it begins with a steady trade relation in ancient times, it develops into a joint history after the Seldjuks settle in Anatolia. After the Seldjuk period, Armenians became subjects of the Ottoman Empire from the Middle Ages onwards. At the end of the Ottoman Empire, friction between the various inhabitants of the Ottoman Empire led to friction between nationalist Armenians and Ottomans. It eventually led to a violent outbreak of attacks from Armenian guerrilla groups on various Ottoman targets. In current times, these historical facts have been misinterpreted or even misused. This article tries to categorize the scholars that have occupied themselves with the study of the Armenians in the late Ottoman period, especially the controversy surrounding the alleged genocide during the Armenian Relocation of 1915 and the Armenian Revolt in prior years beginning in the end of the nineteenth century. This article aims to shed light on the long history of controversy between Armenians and Turks in the late Ottoman period. The article starts with the analyses of scholars and categorizing them accordingly. Furthermore, the various disputes on the issue are examined. The most heard disputes are related to the following points. For one, there is the statement that – so far – there is no proof that the Ottoman government was in any way involved in an organized system of annihilation of a particular ethnic group. Secondly, the number of deaths is also a major subject of discussion. Following these discussions, the trans-ethnic aspect is taking into account during this article. Another important aspect is off course the context of that specific time period. A short overview of the events that occurred during the years 1885 until 1916,*

¹ This paper is an extended and updated version of the book chapter entitled 'The controversy between Turks and Armenians in the late Ottoman period' in the 24-volumes encyclopedia entitled 'Tarih Boyunca Türk-Ermeni İlişkileri' which was edited by Prof. Dr. Enis Şahin and is scheduled to be published in 2013.

are also provided in this article. The relocation itself is also touched upon in detail. The feedback of primary sources, and the highly disputed second-hand sources wrap up this article.

Keywords: apricot, Late Ottoman period, Armenians, Ottoman-Armenian conflict, relocation, genocide

Öz: *Türkler ve Ermeniler arasında tarih sağlam başlayıp sorunlu hale gelmiştir. Antik çağlarda sıkı bir ticarî bağı ile başlayan Ermeni-Türk ilişkisi, Selçuklular'ın Anadolu'ya yerleşmesiyle ortaklaşır ve böyle gelişmeye devam eder. Selçuklu döneminden sonra, Ermeniler Ortaçağ'ından sonra Osmanlı İmparatorluğu'nun himayesine girerler. İmparatorluğun sonu geldiğinde, tıpkı Osmanlı İmparatorluğu'nun diğer azınlıklarında olduğu gibi, bazı kışkırtıcı milliyetçilik akımları, sürtüşmelere yol açar. Bu sürtüşme milliyetçi Ermeniler ve sadık Osmanlılar arasında ortaya çıkan gerginliğe yol açmıştır. Söz konusu gerginlik döneminde birçok olaylar gerçekleşmiştir. Bu makalenin amacı, Osmanlı'nın son dönemlerinde ortaya çıkan Türk-Ermeni çatışması ve günümüzde bu çatışma ile ilgili olarak yapılan bilimsel tartışmalara ışık tutmaktır. Yazının ilk bölümü Osmanlı dönemi öncesi Ermeniler ve Türkler arasındaki uzun geçmişe ışık tutmayı amaçlamaktadır. Ardından bu konuda çalışma yürüten farklı bilim adamlarının görüşleri ve yazarları incelenmektedir. Ayrıca bu tarihi olaylarda tartışma konusu olan bir kaç noktaya vurgu yapılmaktadır. Önem verilmesi gereken iki temel tartışma noktası vardır. Birincisi Osmanlı hükümetinin belli bir etnik grubun imhası için düzenleme yapıp soykırım çalışmaları başlatmış olması için herhangi bir kanıtın bulunmadığıdır. İkinci olarak ölü sayısı büyük bir muamma olarak geçmektedir ve o yüzden tartışılan önemli bir konudur. Takip eden bölümde, Türk-Ermeni olaylarında sınırlar ötesi etnik boyutların etkisi ele alınmaktadır. Bu sorun sadece Osmanlı İmparatorluğu veya sadece Rus İmparatorluğu içerisinde gerçekleşen bir sorun olmamıştır. O yüzden bu konuya bakarken tüm arşivleri ele almak gerekmektedir. Buna odaklanmadan 1885 yılından 1916 yılına kadar olanları sıralayıp o dönemin çerçevesini oluşturmak gerekiyor. Makale 1915 yılında büyük tartışma noktası olan tehcir kararını yakından incelemekte, son bölümde ise, daha önce bahsettiğimiz farklı ülkelerin arşivlerine bakılarak, birincil kaynaklardan bahsedilmektedir. Bu kaynaklar bazen doğru kullanılmamıştır, bazen de çarpıtılmıştır. Bu nedenden dolayı birincil kaynaklardan sonra, tartışmalı olan ikincil kaynaklar incelenmektedir.*

Anahtar kelimeler: kayısı, Osmanlı'nın son dönemi, Ermeniler, Osmanlı-Ermeni çatışması, tehcir, soykırım

The Turkish-Armenian relations up to the nineteenth century

The first interaction between Turks and Armenians officially started in the eleventh century with the arrival of the Seljuk Turks from Central Asia to Anatolia. Although it is probable that there were some trade relations between the Turks of Central Asia and the Armenians of Asia Minor, most scholars have not investigated the seriousness of these trade relations.²

For one; the apricot, which is still the number one fruit in Turkey, originated from Central Asia in the fourth millennia B.C. but was known in the Armenian region of Anatolia during ancient times. Therefore it could be possible that there were some trade relations between the Central Asian Turks and the Anatolian Armenians in the first millennia B.C. (but this is not – yet – been the subject of detailed scholarly research). This, however, can be countered by the option that it could have been the Chinese who brought the apricot to Asia Minor through the Persians, or that it could have been merchants from Alexander The Great that brought the apricot to Asia Minor through India. Another option could be that of the passing Central Asian tribes of Turkic or Turkish origin on their way to Europe. There is a good chance the Huns passed or interacted with the Armenians during their migration west in the fifth century after Christ; the same can be said of the Shaman-turned-Jew Hazar Turks (468-965), who founded an empire in the region of the Caucasus. Both options are, however, just a possibility and more research is needed.

The main reason for the Armenian-Turkish alliance was the fact that the Byzantine Empire, which ruled over most of Anatolia, was Greek-Orthodox and the Armenians were Gregorian-Christians.

Therefore most scholars put the beginning of Turkish-Armenian relations in the eleventh century, when the Seljuk Turks invaded Anatolia.³ The Armenians, tired of the Byzantine yoke, joined forces with the Seljuk Turks in the Battle of Manzikert in 1071 and defeated the Byzantines. The Armenians were known as excellent horsemen in those days, something that fitted perfectly with the Seljuk Turks, who also were known for their excellent horsemen skills (especially when it came to using bow and arrow; shooting arrows while riding a horse).

The main reason for the Armenian-Turkish alliance was the fact that the

2 For more, see: 'The earliest known history of the Armenians', in: Gürün, Kamuran, *The Armenian File* (İstanbul 2007), p. 12-20

3 For more, see: 'The Armenian-Turkish relations before the Armenian actions began', in: Özkan, Zafer, *The Armenian Question from terror to policy* (İstanbul 2001), p. 3-15

Byzantine Empire, which ruled over most of Anatolia, was Greek-Orthodox and the Armenians were Gregorian-Christians. To the Byzantines, the Armenians were seen as heretics and everything was done to try to convert the Gregorian-Christian Armenians to Greek-Orthodox Christians. Seeing that the Seljuk Turks were not interested in converting their subjects, the Armenians joined the Turks and hoped for a reward in the lines of a re-establishment of an Armenian kingdom, just like in ancient times. But although the Armenians were awarded by the Seljuk Turks by letting them act like semi-independent principalities, they were controlled by the Seljuk patronages.

When the European crusaders came to Anatolia in 1096, the Armenians were again eager to join forces with the invading troops. Unhappy with the way things were going with the Seljuk Turks, the Armenians were able to help the crusaders with crucial information. For example, the city of Antakya (or Antioch) was besieged by the crusaders for months until an Armenian resident of Antakya opened the gate and enabled the crusaders to enter on June 3rd, 1098. The crusaders showed absolutely no mercy to the Muslim enemies. The reason the Armenians were unhappy had multiple reasons:

- The Armenians' hopes were in feign, and they had not been given the independent kingdom they had hoped for;
- The Seljuk Turks had not forced the Armenians to convert to Islam, like the Byzantines did, but they did, however, collect a higher tax amount from non-Muslims within the Seljuk Empire.

Nonetheless, the Seljuk Turks were able to re-conquer most of the Anatolian lands they had lost during the crusades during the twelfth and thirteenth century. One exception was the Armenian Kingdom of Cilicia (1198-1375), which was only to be ended by another Turkish tribe: the Mamluks. It was the Mamluk Turks who eventually conquered the Armenian kingdom.⁴

After the defeat of the last Armenian kingdom, the Anatolian Armenians were almost entirely ruled by outside forces, which almost always originated from the Turkic or Turkish steppe of Central Asia. The Seljuk Turks (1071-1308), Khwarezmids (1157-1231), Mamluks (1250-1307), Mongol-Tatars or more accurately the Ilkhanate Turks (1254-1344), subsequently ruled Anatolia before the Ottoman Turks (with a brief interference of the Timurid Turks in early 1400s) entered the stage.

The Ottomans ultimately ruled Anatolia from the fourteenth century up to

4 For more, see: 'The Armenian kingdom of Cilicia', in: Gürün, Kamuran, *The Armenian File* (İstanbul 2007), p. 21-25

the First World War. The latter war ended in 1918, ending the Ottoman rule over Anatolia, as well as the Ottoman rule over the Armenians of Anatolia. Within the Ottoman state (1299-1922), Armenians were given some privileges. Most had to do with the Armenian help in the siege of Constantinople (present day İstanbul) in 1453, against the Byzantines; the same Byzantines against whom the Armenians still had a grudge for the oppressing of so many Armenians Christians. Just like in the Seljuk Empire, the Armenians were eager to fight for the Ottomans. But in this case the Ottoman ruler Fatih Sultan Mehmet II, did reward the Armenians:

- The Armenians were given their own Church and Patriarch in İstanbul in 1453;
- From that point on, the Armenians were known as the ‘Sadık Millet’; a title exclusively given to the Armenians by the Ottomans in the history of the Ottoman Empire (1299-1922). It meant ‘The Most Loyal People’, for their help and relatively peaceful way of live;
- Trade was given to the Armenians⁵, which helped the Armenians population to become wealthy during the Ottoman period of 1453-1918.

Although these actions ensured the loyalty of the Armenians for centuries, it could not prevent the Armenians becoming influenced by nationalist and socialist ideologies in the nineteenth century. In this context, we need to discuss the controversy between Turks and Armenians in the late Ottoman period. This controversy is still heavily debated in contemporary discussion when speaking of Turks and Armenians, as well as their relations throughout history.

The controversy between Turks and Armenians in the late Ottoman period

When speaking of the Armenian-Turkish relations, one cannot ignore the burning question of the events in the late Ottoman period. Along with the controversy, it also has a long background of literature that has tried to describe the events from 1895 to 1917. To understand these events, one must first look at the literature and categorize it accordingly.

There are more than 26.000 publications concerning the events in the First World War between Armenians and Ottoman Turks, almost all are seen as “pro-Armenian” or “pro-Turkish” by critics.⁶ This article is no way written

⁵ Because banking and trade were seen as something ‘anti-islamic’, most of these professions were performed by the Ottoman minorities. Banking was given to the Ottoman Jews and trade to the Ottoman Armenians.

⁶ Aktan, Gündüz, ‘Devletler Hukukuna Göre Ermeni Sorunu’, in: Lütem, Ömer Engin (ed.), *Ermeni Sorunu: Temel Belgeler ve Belgeler* (Ankara 2009), p. 149

to take a stance on this highly disputed subject. It is only meant to give a historical overview of what happened in those years, according to variously primary sources as well as literature written by internationally renowned scholars. Next to a historical overview and analyses, the subject also needs an overview of the Armenian issue in a context of international law.⁷

The context of international law is of immense importance since scholars that try to describe the events of 1895-1917 are mostly with a background in History, Political Science, International Relations and Sociology. This is peculiar since the question of genocide is a pure juridical debate and should be answered in the context of international law. However, not annotating the question of genocide should not be interpreted as a reason for scholars to avoid research in these fields. Scholars, like historians, are extremely useful in describing and researching the events but without making comments in the juridical arena. This can only place them in the wrong arena, namely outside the academic world and inside the disturbing world of propaganda and lobby.

Four categories

With this in mind, it is possible to set up categories in which the scholars that have occupied themselves with the events in the late Ottoman period (and published their research findings as books, essays and/or papers), can be incorporated. The first two categories are the basic points of view that are in fact outmoded:

1. Scholars that affirm the Armenian claims that the events in 1915-1917 were in fact genocide.
2. Scholars that affirm the Turkish claims that the events in 1915-1917 were in fact a byproduct of war and that both sides suffered, but add to this that there was no systematic, organized scheme by the Turkish government to annihilate the Ottoman-Armenian population in Anatolia.

While these two categories are still present in some minor groups, most modern academics are better categorized in the following:

3. Scholars that are reluctant to use the term ‘genocide’ due to the political meaning that has been added to the, from origin juridical, term. However, these scholars do believe that ethnic cleansing (which

⁷ Van Der Linde, Dirk “The Armenian Genocide Question & Legal Responsibility” in *Review of Armenian Studies*, No: 24, (2011)

is close to the term ‘genocide’) by the Turks, dominated the events. In the views of these scholars, the relocations of the Armenians were used as a cloak to ‘solve’ the problem of the “un-loyal Armenians in the Ottoman Empire.” Some of these scholars are debating to which extent the Ottoman officers, high-ranking and sub officers, were involved in the massacres that occurred.

4. Scholars that are unwilling to use the term ‘genocide’ because:
 - a. The term ‘genocide’ is not applicable to the events in the late Ottoman period, because of the fact that the Ottoman archives show that most middle- and high-ranking Ottoman statesmen and/or officers were critical of the execution of the relocations. Most scholars in this category see a bigger role for the Hamidiye irregulars that were recruited from Kurdish horsemen, which add a new trans-ethnic problem to the events.
 - b. The same scholars also exclude the term ‘genocide’ because the term was not in effect until the UN Genocide Convention of 1948, so it is legally not accurate to imply the term to the period prior to the Second World War. But nonetheless; according to these scholars, even if it was possible to implement the term, the term would not be correct due to the fact that there are no documents in the archives that imply that it was an act of state driven, systematic, organized extermination of an ethnicity whatsoever.

Scholars analyzed

Now, if the literature is analyzed using quotes from the most common (and most used) sources in the field, it is possible to give a picture of the debates in the literature.

First category

The problem with the first category is that the majority consists of scholars with a motive that needs to be questioned. As it is with Vahakn N. Dadrian (1926) from the Armenian Zoryan Institute, who seems to collect arguments that validate his opinion that the Armenian claims of genocide are in fact true. Dadrian’s 2004 book ‘Warrant for Genocide’ (New Jersey) was heavily criticized by Mary Schaeffer Conroy⁸. Conroy stated in her ‘Review of Vahakn N. Dadrian, Warrant for Genocide: Key Elements of Turko-Armenian

8 Professor of Russian History at the Colorado University.

Conflict’, that “while it suggests convincing theories for Turkish massacres of Armenians, it does not convincingly document these theories. It is thus unsatisfying as a whole. This book is more a work of journalism than solid history and is not recommended.”⁹

Dadrian (along with Peter Balakian, Arman J. Kirakossian and Richard G. Hovannisian) all seem to fit perfectly in the first category. All have endured some serious critic; for example from Guenter Lewy in his renowned ‘The

Being called the ‘Sadık Millet’, or ‘the most loyal people’, the Ottoman Armenians also gained high positions within the Ottoman government. This had everything to do with the Janissary -history of the Ottoman Turks. So it shouldn’t raise eyebrows to the fact that in 1912 the Ottoman Minister of Interior was in fact an Ottoman of Armenian descent called Gabriel Noradunkyan (or Noradoungian).

Armenian Massacres in Ottoman Turkey: A Disputed Genocide’. This book has been received very positively, among others by the Dutch historian Eelko Y. Hooijmaaijers¹⁰, who seems to agree with his colleague Lewy¹¹. Lewy states that the Andonian Papers have “raised enough questions about their genuineness as to make any of them in a serious scholarly work unacceptable.”¹² The Andonian Papers were said to have been given or sold to the Armenian Andonian, who then took them to Europe. The papers are only used by scholars in the first category, especially Dadrian. According to these scholars the

papers are the ‘indefinite prove’ that the Ottoman Empire was planning a systematic elimination of the Armenians.

Second category

However, the second category seems more diverse with findings that contest figures and other data provided by scholars from the first category. The most important data that is being contested are the population tables. Maybe one of the first scholars that decided to verify the Ottoman population figures in the French archives, was Stanford J. Shaw. They were in fact French diplomats that conducted the last pre-war population census within the Ottoman Empire in the year 1914, and due to the dragoman¹³ culture of

9 Conroy, Mary Schaeffer, ‘Review of Vahakn N. Dadrian, Warrant for Genocide: Key Elements of Turko-Armenian Conflict’, in: *The Social Science Journal*, vol. 37, no. 3, p. 483

10 Eelko Y. Hooijmaaijers is a historian at the State University of Groningen in the Netherlands.

11 Professor emeritus of Political Science at the University of Massachusetts-Amherst.

12 Guenter, Lewy, *The Armenian Massacres in Ottoman Turkey: A Disputed Genocide* (Utah 2005), p. 73

13 Dragomans were translators and merchants. Because banking and trade were seen as something ‘anti-islamic’, most of these professions were performed by the Ottoman Jews and Ottoman Armenians.

Ottoman Armenians, the French were assisted by this Christian minority. Being called the ‘Sadık Millet’, or ‘the most loyal people’, the Ottoman Armenians also gained high positions within the Ottoman government. This had everything to do with the Janissary¹⁴-history of the Ottoman Turks. So it shouldn’t raise eyebrows to the fact that in 1912 the Ottoman Minister of Interior was in fact an Ottoman of Armenian descent called Gabriel Noradunkyan (or Noradoun gian).¹⁵

What Shaw (1930-2006)¹⁶ stated after his intensive research in the French archives is still of importance today. In his two-volume book ‘History of the Ottoman Empire and Modern Turkey’, he stated that:

The Entente propaganda mills and Armenian nationalists claimed that over a million Armenians were massacred during the war. But this was based on the assumption that the prewar Armenian population numbered about 2.5 million. The total number of Armenians in the empire before the war in fact came to at most 1.300.000 according to the Ottoman census. About half of these were resident in the affected areas, but, with the city dwellers allowed to remain, the number actually transported came to no more than 400.000, including some terrorists and agitators from the cities rounded up soon after the war began. In addition, approximately one-half million Armenians subsequently fled into the Caucasus and elsewhere during the remainder of the war. Since about 100.000 Armenians lived in the empire afterward, and about 150.000 to 200.000 immigrated to western Europe and the United States, one can assume that about 200.000 perished as a result not only of the transportation but also of the same conditions famine, disease and war action that carried away some 2 million Muslims at the same time.¹⁷

These figures are backed by scholars like the French scholars Youssef Courbage and Robert Mantran (1917-1999). Mantran of the Aix-Marseille University of France explains the events in the lines of Shaw; according to the French-to-English translation of USAK-scholar Maxime Gauin, Mantran states the following:

14 Janissaries were Christian-children that were collected with the devşirme-system through an Islamic tax. The most intelligent children were then trained in either battle skills (to form an elite Janissary Corps), music skills (to form the Military Mehter Bands), engineering skills (like the famous, most likely Armenian, Ottoman architect Mimar Sinan) or an education in languages and diplomatic skills. The latter is one of the reasons the Ottoman Empire had a staggering 29 paşa’s (highest commander-in-chief), 22 ministers (including a minister of Foreign Affairs and a minister of Interior), 33 members of parliament, 7 ambassadors and 11 consuls (diplomats) of Ottoman-Armenian descent.

15 Öztuna, Yılmaz, ‘The Political Milieu of the Armenian Question’, in: Ataöv, Türkkaya, *Armenians in the Late Ottoman Period* (Ankara 2002), p. 49

16 Stanford J. Shaw, professor of Turkish history, worked at Harvard University, UCLA and Bilkent University until his death in 2006.

17 Shaw, Stanford J., *History of the Ottoman Empire and Modern Turkey*, Vol. 2/2 (Cambridge 1977), p. 315-317

*On the Eastern front, an expedition led by Enver finished as a serious defeat (December 1914); the Russian offensive which follows is supported by the local Armenian population; during the Winter and the Spring, exactions are committed against the Turkish inhabitants, and an Armenian State is even proclaimed (May 1915); because the threat of extension of the Armenian secession, the Ottoman government orders in May 1915 the evacuation of the Armenian populations from Van, Bitlis, Erzurum to Irak, and from Cilicia and Northern Syria to central Syria. Legal guarantees are given to Armenians about the right to return to their homes, and about their goods, but these guarantees have not been respected by some military; in July 1915, the reconquest of the lost lands by Ottoman Army is accompanied by revenge violence: the evacuation and the regaining control provoked the death of several thousands of Armenians.*¹⁸

Just like Shaw, Mantran speaks of “several thousands of deaths” which is in contrary to the work of Dadrian. The scholars of the second category seem to have serious criticism on the scholars of the first category, but Dadrian in particular. This is not just limited to scholars from the second category. Edward J. Erickson from the University of Birmingham, thinks Dadrian “has made high-profile claims that Major Stange and the Special Organization were the instruments of ethnic cleansing and genocide. Documents not utilized by Dadrian, though, discount such an allegation.”, adding to it: “Clearly, many Armenians died during World War I. But accusations of genocide demand authentic proof of an official policy of ethnic extermination.”¹⁹

Third category

Some of the scholars that tried to break free of the first two categories, have done so in the recent years. One of these scholars is Erik Jan Zürcher of the International Institute of Social History in the Netherlands, probably the most known scholar of the third category. Zürcher states that “we have to conclude that even if the Ottoman *government* as such was not involved in genocide, an inner circle within the Committee of Union and Progress under the direction of Talat wanted to ‘solve’ the Eastern Question by the extermination of the Armenians and that it used the relocation as a cloak for this policy.”²⁰

18 Mantran, Robert, *Histoire de la Turquie* [The History of Turkey] (PUF 1952), p. 108-109

19 Erickson, Edward J., ‘Armenian Massacres: New Records Undercut Old Blame’, in: *The Middle East Quarterly*, Summer 2006, Vol. 13, No. 3

20 Zürcher, Erik-Jan, *Turkey: A Modern History* (London 2004), p. 127

Zürcher is contested by scholars (like Yunus Özger and Bernard Lewis) from the fourth and last category, who think the events are not compatible to the term ‘genocide’ due to the facts that:

- The Ottoman government reacted to the Armenian Rebellion at Van in 1915; and the Armenian uprisings which took place as early as 1895 in Bayburt.²¹
- The Ottoman Turks had no racial theory like the Nazi’s had, nor did they have an intent to ‘wipe out’ the Ottoman Armenians.²²
- Probably more Ottoman Turks were killed in that period, than Ottoman Armenians. This point is almost indisputable since scholars from the third and even first category, like Sachar, agree.²³

Some scholars from the fourth category, add to these arguments, thus expanding (and complicating the matter even more) the problem by showing documents from the Ottoman archives in which there are inconsistencies in the relocation of the Armenians. This shows there was no central plan or any single policy to which the officers should comply.²⁴ The inconsistencies were that in some places the families were given 24 hours notice, in others several days before the relocations began. In some places they were allowed to sell their possessions, in others these were taken into custody by the local authorities. In some places carts and donkeys were allowed, in others everyone had to go on foot. Most Armenians were free to travel by train or ship, but only if they could afford it; so “the wealthy Armenians were allowed to travel south to Syria by train or ship, but for the impoverished masses, it was columns marching over the mountains in the dead of winter.”²⁵ The documents also dispute that there were given direct orders to these high-ranking officers.

Most scholars from the third category, including Dutchmen Zürcher and Boekestijn, do not dispute these findings in the Ottoman archives but see them as inconclusive. Zürcher for example agrees with the argument that the Ottoman Turks had no racial theory like the Nazi’s²⁶, as well as Arend Jan Boekestijn. Boekestijn even adds that “the Armenian side claims that the

21 Özger, Yunus, 1895 Bayburt Ermeni Ayaklanmaları [The 1895 Armenian Uprisings in Bayburt] (İstanbul 2007)

22 Lewis, Bernard, ‘There Was No Genocide: Interview with Professor Bernard Lewis’, in: Ha’aretz Weekly, January 23, 1998

23 Sachar, Howard M., The Emergence of the Middle East: 1914-1924 (New York 1969), p. 453

24 “Far from being a massacre orchestrated from on high, the deaths were a side-effect of the war, a consequence of epidemics or debilitation during the exodus, or a result of battles between armies and rival militias.”, from: Fargues, Phillip (a.o.), Christians and Jews under Islam (Tauris 1998), p. 110-111

25 Dyer, Gwynne, Armenia: The End of the Debate? (London 2009)

26 Zürcher, Erik-Jan, Turkey: A Modern History (London 2004), p. 128

Ottoman government at the highest level had the intention to kill Armenians. So far, there is no such proof in the Ottoman Archives.”²⁷

The other big controversy are the number of casualties on both sides; like Paul Dumont of the Marc-Bloch University in Strasbourg said in his 1989 article ‘The Death of an Empire (1908-1923)’:

*However, it is important to underline that the Armenian communities are not the only ones to have been ground down by the plague of the war. In the spring of 1915, the tsarist army moved to the region of the lake of Van, dragging behind it battalions of volunteers composed of Caucasus and Turkish Armenians. [...] For each of the provinces which suffered from the Russian occupation and from the Armenian militias’ acts of vengeance, an important demographic deficit appears in the statistics of the post-war years — adding up to several hundred thousands of souls.*²⁸

The high rate of casualties on both sides is also recorded in Malcolm Yapp’s findings, according to Yapp the “Armenians were deported en masse from the eastern provinces and many (probably between a quarter and a half million) died, either from starvation and hardship or from massacre mainly at the hands of Kurdish tribesmen. No direct documentary evidence has ever come to light to show that the Armenian massacres of 1915 were the deliberate policy of the Ottoman government [...]”.²⁹

The quarter and a half million of Armenians that are put forward by Yapp, are a lot lower than the estimated number of Zürcher (600.000 – 800.000) but near to what other scholars, like Veinstein³⁰, say. Veinstein also points out that “there were also very many victims among the Moslems throughout the war, because of combat but also of actions conducted against them by Armenians, in a context of ethnic and national rivalry. If there are forgotten victims, it is they, and the Turks of today have the right to- denounce the partiality of the Western opinion in this respect. Were they forgotten about because they were only Moslems?”³¹

27 Boekestijn, Arend-Jan, ‘Turkey, the World and the Armenian Question’, in: Turkish Policy Quarterly, Winter 2005, Vol. 4, No. 4

28 Dumont, Paul, ‘The Death of an Empire (1908-1923)’, in Robert Mantran (ed.), *Histoire de l’Empire Ottoman* (Paris 1989), p. 624-625

29 Yapp, Malcolm E., *The Making of the Modern Near East: 1792–1923* (New York 1987), p. 269-270

30 Gilles Veinstein is professor of Turkish and Ottoman History at Collège de France in Paris, France.

31 Veinstein, Gilles, *Trois questions sur un massacre*, in: *L’Histoire*, no. 187 (April 1995). The translation was provided by the talented young French scholar Maxime Gauin.

Fourth category

The last category probably has the most scholars in its mid, along with Yapp, Veinstein and McCarthy there are others (like Paul Henze and Jeremy Salt) who try to point out the following:

- So far; no proof that the government was involved in an organized system of annihilation of a particular ethnic group, be it Armenian, Assyrian or Pontic Greek, has been found. The relocations were also not designed to ‘get rid’ of the Christian minority in the Ottoman Empire, since Catholic and Protestant Armenians were not subdued to the relocations.³² Nor was there an attempt to destroy the ethnic Armenian population, since not all Armenians were relocated. Along with Protestants and Catholics; Armenians living in Western Anatolia, were also exempted from relocation. On the other hand; Assyrians, Arabs, Kurds and even Turks (both Christian and Muslim) were relocated as well, if they caused any skirmish or stirrups.³³
- In the events surrounding the Armenian relocations, more Muslim (probably ethnic Turkish and Kurdish) Ottomans died. According to American demographer Justin McCarthy, this had everything to do with the fact that in 1915 (prior to the relocations) the Armenians had revolted in Van, the biggest Ottoman city in Eastern Anatolia at that time, located in the province of Van. Together with the invading Russian army, the Armenians had driven the Muslims from the city as well as the province. The Armenians in turn had been driven out after the re-conquest of Van by Ottoman forces in the same year. The city of Van then changed hands rapidly between the fighting armies of the Ottomans at one side and the Russian-Armenian combined army at the other, with massacres that accompanied every side’s victory. At the end, the Ottomans took Van on April 6th 1918³⁴, causing the final exodus of fleeing Armenians as well as the return of the surviving Muslims. McCarthy: “Neither side, however, can truly be said to have won the war. More than half of Van’s Armenians had died, as had almost two-thirds of its Muslims.”³⁵

32 According to Bernard Lewis, emeritus professor of Near Eastern Studies at Princeton University, the Catholic and Protestant Armenians were excluded from the relocations. Stephen Pope, however, states that only the “Greeks and the Catholic Armenian business community in Constantinople was spared, effectively restricting the order to Orthodox and Protestant Armenians”.

33 The ‘Tehcir Law’ was an century-old-law that was pretty common in the Ottoman Empire; it was only put to use when intern uprisings evolved to a general rebellion. One of the first known cases was that of the Turkish (and Muslim) tribe of Karamanoğulları, who were relocated from the province of Karaman to the frontier in Western Thrace and Rumeli (present day Bulgaria and Greece) after the Battle of Ankara in 1402. The general idea was that both possible outcomes would benefit the Ottoman Empire. Either the Karamanoğulları would be killed at the front, or they would defeat the Christians who were still constantly harassing and attacking the European Balkan provinces of the Ottoman Empire.

34 McCarthy, Justin, *The Armenian Rebellion at Van* (Utah 2006), p. 244

35 McCarthy, Justin, *The Armenian Rebellion at Van* (Utah 2006), p. 2

- The events were actually a struggle for power in the region of Eastern Anatolia between the ethnic groups of Armenians (with the aid of Armenians from Iran and Russia) and Kurds (with the aid of Kurds from the Ottoman province of Iraq and Syria as well as the Kurds from the Qajar Empire of Iran). This started at the end of the 19th century, with the formation of the Hamidiye irregulars (drafted from Kurdish horsemen, and developed to a new trans-ethnic problem when the Kurds used their Hamidiye forces to muscle the large Armenian minority out of Eastern Anatolia in order for them to establish a large minority of their own. The Hamidiye were formed to suppress the Armenian aspirations for an independent homeland in Anatolia, which was being strived by the National-Socialist movement of the Armenian Revolutionary Party of Dashnakzutyun.³⁶

Disputes on the issue

The first point, which is the statement that – so far – there is no proof that the Ottoman government was in any way involved in an organized system of annihilation of a particular ethnic group, is not only cited by the American scholars McCarthy and Michael M. Gunter³⁷; but also by the British historian Yapp, French historian Veinstein, Dutch historian René Bakker³⁸ and Canadian military historian Gwynne Dyer. Most scholars seem to agree on this one, except for category-one-scholars. Dyer pointed out that “if genocide just means killing a lot of people, then this certainly was one. If genocide means a policy that aims to exterminate a particular ethnic or religious group, then it wasn’t.”³⁹ He is backed by the Romanian-American scholar Michael S. Radu, who made a good point by stating that “whether the Ottoman authorities were guilty of “genocide” in a legal sense is doubtful, since the term itself did not exist in international law until after World War II; in a moral sense, doubts could also be raised, since if “genocide” means intentional destruction of a specific group because of its nationality, religion, race, etc., the survival of the Armenian community of Istanbul, outside the conflict area, is hard to explain.”⁴⁰

36 There are interesting sources (Stewart-Smith 121; Munoz 53-63) that speak of an intensive interaction between the Dashnakzutyun and the Nazi’s of Hitler-Germany. For example the so-called ‘Armenische Legion’; which was active in the years between 1941-1944 under the Nazi-armies. It constituted of a total of 9 regiments (808 till 816), as well as the brigades I/125, I/198, II/9 and another 22 volunteer units. These 9 regiments, 3 brigades, 22 volunteer units totaled at a staggering 43 battle divisions, numbering approximately 20.000 or 200.000 Armenians (the last nil is contested; Auron 238). Other examples are the proclamation of the Armenians as ‘official Arian refugees’ by the Nazi’s before the outbreak of WW II; the Armenian newspapers Azat Hayastan (“Free Armenia”) and Hayrenik (“Motherland”) that were published in Berlin and the establishment of a ‘Armenian National Committee’, all in the period between WW I and WW II in Nazi-Germany.

37 Michael M. Gunter is professor of Political Science at Tennessee Tech University in Cookeville, USA. He stated that “the Armenian claim that they were victims of a premeditated genocide, but that it does not ring true.”, from: Gunter, Michael M., Pursuing the Just Cause of Their People: A Study of Contemporary Armenian Terrorism (Greenwood 1986), p. 17

38 Bakker, René (a.o.), *Geschiedenis van Turkije* [The history of Turkey] (Amsterdam 1997), p. 150

39 Dyer, Gwynne, *Armenia: The End of the Debate?* (London 2009)

40 Radu, Michael S., *The Dangers of the Armenian Genocide Resolution* (Foreign Policy Research Institute, 2007)

Like most international scholars, the German historian Eberhard Jäckel also points out that “an explicit order for mass murder has so far not been found. [...] More importantly, in and around Constantinople Armenian residents were not deported, and those from the area of Aleppo were allowed to use rail transportation during the deportation. This is strong evidence against an intended comprehensive genocide.”⁴¹ He in turn is backed up by the Swedish scholar Bertil Dunér, who sees political motives in the actions of some international organizations as well as in the actions of some scholars from category one:

*[...] what happened at the Sub-commission meeting in 1985 was not (UN) recognition of the Armenian genocide, although it is frequently portrayed that way – far from it. The special rapporteur does not seem to stick to the definition study. The special rapporteur’s study also lacks weight for a different, perhaps even more important, reason. It should be emphasized that neither was there any recommendation to the superior Commission on Human Rights to adopt a resolution.*⁴²

The second point is the number of deaths. The scholars from category four conclude that the number of 1.500.000 Armenian victims is exaggerated, and think only one third of that amount actually perished. Scottish scholar Norman Stone stated this before:

*In 1916 — and this surely tells against ‘genocide’ — the Ottomans tried 1,300 of these men and even executed a governor. About half a million Armenians arrived in the south-east and a very great number then died of the disease and starvation that were so prevalent at the time. Muslims also died in droves. In addition, the figure given for overall losses by the Armenian representative at the Paris peace treaties was 700,000 — not 1.5 million as has been widely claimed.*⁴³

Although most capable scholars (also from the third category) agree that the number of one-and-half million Armenian deaths is indeed exaggerated; there are scholars from the first (and in some cases third) category, who dispute this. The demographic research of McCarthy, as stated above, not only showed the death tolls in the city of Van (which changed hands numerous in the years 1915-1918⁴⁴), but also in Erzurum (which fell in Russian-

41 Jäckel, Eberhard, Genozid oder nicht? Hunderttausende Armenier kamen 1915/16 wohl ohne Absicht um [Genocide or not? Hundred thousands of Armenians died in 1915/16 without any intent], in: Frankfurter Allgemeine Zeitung, March 23, 2006

42 Dunér, Bertil, ‘What Can Be Done About Historical Atrocities? The Armenian Case’, in: The International Journal of Human Rights, Summer 2004, Vol. 8, No. 2

43 Stone, Norman, ‘What has this genocide to do with Congress?’, in: The Spectator, London 2007

44 “The Ottomans, moving south of Lake Van, then advanced on Van City. [...] The Ottoman army reclaimed the city of Van then lost it again at the end of the month. Van was to be taken and retaken until the final Russian conquest on September 29, 1915. [...] The Ottomans were at first occupied with losing their war elsewhere; but on April 6, 1918, they retook Van City.”, from: McCarthy, Justin, The Armenian Rebellion at Van (Utah 2006), p. 241-244

Armenian hands on February 16, 1916) and Bitlis (March 3, 1916).⁴⁵ In these areas it seems more likely that the non-Armenian population (since they were seen as ‘the enemy’ by the Russian and Armenian forces) suffered a higher mortality rate. Most Russian documents, like the newly discovered diary of the Russian Lieutenant-Colonel Tverdohlebov⁴⁶, seem to confirm these findings. Especially when one looks at ‘The Armenian Report’ of the Russian General L.M. Bolhovitinov which is dated December 11th, 1915.⁴⁷ The period described by these Russian archives, which are only recently searched due to the strict policy within the Soviet Union that the archives should remain closed at all times, are from 1890 to 1918. The newly opened Russian

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documents, reporting on the Armenian activities within the Ottoman Empire, seem to correspond with data taken from other archives. Which is something the French scholar Thierry Zarcone did: “After the capture of Erzurum by the Russians in 1916, the Armenian militias committed massacres against the Muslim populations.”⁴⁸

The trans-ethnic aspect

The reason why the Russian archives are so rich and full of data, is explained by the trans-ethnic aspect of the problem. For example; all three major Armenian parties (Armenakan/Ramgavar, Huncakian and

Dashnakzutyun) that fought for independence in the name of the Ottoman Armenians were supported by tsarist Russia. Russia, the arch-enemy of the Ottomans in those days, wanted access to the Mediterranean Sea and needed to find a way past the Ottoman Empire, since they stood in the way of Russia and the Mediterranean Sea. Since the allied forces did not want Russia to access the Mediterranean, which would effectively create more power for Russia, the Russians tried other methods. One of these methods was to stir up the Christian minorities within the Ottoman Empire; due to Russia the Ottoman Armenians

45 McCarthy, Justin, *The Armenian Rebellion at Van* (Utah 2006), p. 242

46 Lt.Col. Tverdohlebov was stationed in Erzurum during the end of 1917 and the first months of 1918, where he kept his journal and accurately described what he saw: “*The Armenians carried out massacres by dodging the Russian officers in the evening of February 26 [1918], in Erzurum. [...] The number of the massacred Muslims reached 3.000 that night.*”, from: T.C. Genelkurmay Başkanlığı, *Gördüklerimiz Yaşadıklarımız* (Ankara 2007)

47 Perinçek, Mehmet (ed.), *Rus Kafkas Ordusu Kurmay Başkanı Tuğgeneral L. M. Bolhovitinov – 11 Aralık 1915 Tarihli Resmi Ermeni Raporu* [Chairman of the Russian Caucasus Division, Brigadier General L. M. Bolhovitinov – The Official Armenian Report, dated December 11th 1915] (İstanbul 2009)

48 Zarcone, Thierry, *La Turquie: De l’Empire Ottoman à la République d’Atatürk* [Turkije: Het Osmaanse Rijk en de Republiek van Atatürk] (Paris 2005), p. 42-43

began a revolt against the Ottomans from 1890 onwards. Both thinkable outcomes would benefit the Russian agenda:

1. The Armenians would succeed and create a independent Armenian state, which would not forget the Russian support and behave as a sort of Russian puppet state;
2. The Armenians would be defeated and Russia, having gained the title of ‘protector of all Christians in the Ottoman Empire’ after the Russo-Turkish Wars of 1877-1878, would have to intervene on behalf of the Armenians.

Historian Paul Henze, from the Smithsonian Institute in America, wrote that “[w]hen war broke out in 1914, the Russians again encouraged Armenian expectations and exploited the eastern Anatolian Armenians as a fifth column. In the end they did not intervene to protect Armenians when Ottoman authorities, in a life-and-death wartime situation, moved to deport them, nor were the Russian able to protect their collaborators against the vengeance of local Muslims when Ottoman authority collapsed. As had happened so often before during the preceding 150 years, Russia was willing to exploit Armenians for her own purposes but unprepared to make sacrifices on their behalf.”⁴⁹

This is why the three major Armenian parties, striving for independence, were basically under the influence of Russia. With the exception of Armenakan/Ramgavar, which was founded by an Ottoman Armenian in France in 1885, the parties were in fact founded by Russian Armenians for ‘their suppressed Armenian brethren in the Ottoman Empire’.⁵⁰

Both Dashnakzutyun (Georgia, 1890) and Huncakian (Switzerland, 1887) were founded by Russian Armenians but aimed to create a leftwing Marxist, socialist-nationalist Armenian state in Eastern Anatolia. Especially the formation of the Armenian Revolutionary Party ‘Dashnakzutyun’ in 1890, created an increase in Armenian state-undermining activities⁵¹ in the East Anatolian provinces of the Ottoman Empire.⁵² Most were in fact orchestrated by the Armenian leadership of Huncakian and Dashnakzutyun, and this prompted the founding of the Hamidiye by the Ottoman Sultan Abdülhamit

49 Henze, Paul, ‘The Roots of Armenian Violence. How Far Back Do they Extend?’, in: *International Terrorism and the Drug Connection* (Ankara 1984), p. 179-202

50 For more on the Russian role, see: Özkan, Zafer, *The Armenian Question from terror to policy* (Istanbul 2001), p. 17-31

51 Such as in Erzurum (1890) and Kumkapi, İstanbul (1890).

52 “[...] a militant Armenian nationalist movement had blossomed since the turn of the century, armed and encouraged by the Russians [...]”, from: Wheal, Elizabeth-Anne (a.o.), *Dictionary of the First World War* (New York 1996), p. 34-35

II in 1891. The Hamidiye were irregular troops, drafted out of Kurdish horsemen in Eastern Anatolia in an attempt to suppress the Armenian aspirations for an independent state in the region of Eastern Anatolia.

For the Armenian militants, there were also a few possibly outcomes that encouraged them to rebel against the Ottoman Empire:

1. Success, which meant the creating of a homogeny left-wing nationalistic Armenian state in Anatolia where the overwhelming majority would be Gregorian-Christian Armenians.
2. Defeat against the Ottoman Empire, but only after the Dashnakzutyun and Huncakian would commit bloody massacres against the local population. This would evoke the rage of the local Ottomans and they would retaliate by massacring Armenians left and right. At this stage, or so they thought, the Europeans (or at least the Russians) would intervene and attack the Ottoman Empire on behalf of the Armenians. William L. Langer⁵³ said it best when he stated:

Europeans in Turkey were agreed that the immediate aim of the agitators was to incite disorder, bring about inhuman reprisals, and so provoke the intervention of the powers. For that reason, it was said, they operated by preference in areas where the Armenians were in a hopeless minority, so that reprisals would be certain. One of the revolutionary told Dr. Hamlin, the founder of Robert College, that the Henchak bands would “watch their opportunity to kill Turks and Kurds, set fire to their villages, and then make their escape into the mountains. The enraged Moslems will then rise, and fall upon the defenseless Armenians and slaughter them with such barbarity that Russia will enter in the name of humanity and Christian civilization and take possession.”⁵⁴

The revolutionary Armenians soon realized they misjudged their outcomes, but it was too late. “The Catholicos [supreme chief of Armenian church] was clearly asking for a Russian attack upon Turkey. [...] Russia was not really interested in the Armenians; she was prepared to use them as a tool of her expansionist policy and no more. Blinded by the hatred of Turkey, the Armenians did not realize what a sorry part was prepared for them in the coming war.”⁵⁵

53 William L. Langer (1896-1977) worked at Harvard University from 1936 to 1942 and again in 1952 until 1977, where is expertise was Ottoman and Russian History.

54 Langer, William L., *The Diplomacy of Imperialism* (New York 1935), p. 157

55 Kazemzadeh, Firuz, *The Struggle for Transcaucasia* (Oxford 1952), p. 10

A short overview of 1885-1916

The most important events that played a major role in the Ottoman-Armenian conflict, some are previously described in the text above, took place in the years 1890-1915. One must however keep in mind that most Armenian revolutionary parties were founded in the years 1885-1890, and that their activities started in the subsequent years. The Tehcir (or ‘relocation’) started in 1915 and ended in 1916. Another important aspect is that these years were known as the days of nationalism and imperialism, which would explain the readiness of the Armenian population in the Ottoman Empire to participate in a Russian imperialism-based strategy. Both the Russians and the Armenians were heavily influenced by the two ideologies of nationalism and imperialism. In the Ottoman Empire, the primarily political ideology was Islamism (especially under the reign of Sultan Abdülhamit II from 1876 to 1909), but changed with the Young Turk Movement from 1909 onwards. It, meaning the primarily political ideology within the Ottoman Empire, then became nationalism or patriotism.

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Important events

What follows is a list of events that have importance for everyone who wishes to study the Turkish-Armenian relations during the First World War. All events are put in chronological order:

- In 1885, Armenakan (also called ‘Ramgavar’) was founded;
- The Armenian Party of Huncakian was created in 1887;
- The formation of the Armenian Revolutionary Party ‘Dashnakzutyun’ in 1890;
- The founding of the Hamidiye in 1891;
- The First Sasun Rebellion of 1894 (in present day Batman);
- In 1895 the region of Zeytun (present day Süleymanlı in

Kahramanmaraş) was the stage of a fierce battle between the Armenian Huncakian organization and Ottoman forces (including Hamidiye);

- Dashnakzutyun attacked and occupied the Ottoman Bank on August 26th, 1896;
- The Khanasor Punishment on July 25th, 1897;
- The Second Sasun Rebellion on March 30th, 1904;
- The 1905 Yıldız Mosque Assassination;
- The Dashnakzutyun – Young Turks alliance of 1907;
- The İttihat ve Terakki Cemiyeti constitution of 1908;
- The counter coup on April 13th, 1909 by Sultan Abdülhamit II;
- The Adana Rebellion and subsequent massacre of 1909;
- The assassination of the Ottoman-Armenian governor of Van, Bedros Kapamacıyan, on December 10th, 1912 by the Dashnakzutyun;
- And the eventual arrest and trial of the Huncakian and Dashnakzutyun leaders in 1915.

Sasus (1894)

The First Sasun Rebellion of 1894 (in present day Batman), when Ottoman Armenians organized an uprising in an attempt to create an independent state of Armenia, was oppressed by the Hamidiye. Dashnakzutyun took part in the uprising by supplying arms to the local Armenian population in Sasun, which then started to attack non-Armenian villages in the region (ethnically these were prominently Turkish or Kurdish Muslims). In the fighting that followed, the Dashnakzutyun was defeated by the Hamidiye. Some Hamidiye retaliated by massacring Armenians at random. Israeli scholar Yitzchak Kerem stated: “My point is, and this is what the Armenians don’t like, is that more Kurds killed Armenians than Turks”. Adding that “[...] it wasn’t an organized act by the regime. It was a byproduct of hate.”⁵⁶

56 Kerem, Yitzchak, Online Interview by Luke Ford, on: lukeford.net (March 16th, 2009)

Zeytun (1895)

In 1895 the region of Zeytun (present day Süleymanlı in Kahramanmaraş) was the stage of a fierce battle between the Armenian Huncakian organization and Ottoman forces (including Hamidiye). Zeytun, being a region that is more located in Central or South Anatolia (officially ‘Mediterranean Part of Anatolia’), was not among the regions where the Hamidiye was active. In fact, Zeytun was not one of the regions where the Hamidiye could have been strongly active, since there were not so many Kurds in the region to begin with. This is a big difference with Sasun, which is located in the far Eastern part of Anatolia and where the Hamidiye (or Kurdish tribes) were an overwhelming entity and a relatively big minority. This is one of the reasons why the Ottoman regular forces were called to end the rebellion in Zeytun instead of the Hamidiye. This is not to say, no Hamidiye were present; just less and only as a small part within the much bigger Ottoman army. This is again interesting because the Zeytun Rebellion did not end with large-scale massacres, like the Sasun Rebellion of 1894. It ended with a peace treaty in which the Armenians were giving a form of semi-autonomous self-government.⁵⁷

The Ottoman Bank (1896)

To raise awareness in Western Europe about the Armenian struggle for independence; members of the Dashnakzutyun, attacked and occupied the Ottoman Bank on August 26th, 1896. The purpose of the raid was to dictate the Dashnakzutyun demands of reform in the Armenian populated areas of the Ottoman Empire and to attract European attention to their cause since the Europeans had many assets in the bank. The operation caught European attention but at the cost of a ‘divide-and-rule’-strategy in Eastern Anatolia by Sultan Abdülhamit II. The Hamidiye-forces were giving more options and weapons to suppress the Armenians. Because the Hamidiye-forces were ethnically Kurdish, but resigned in the same region (of Eastern Anatolia), they saw the Armenian struggle for independence as a risk to their own ‘homeland’. Both ethnic groups basically claimed the same territory as their own, this situation was used by the Ottomans to gain more control in Eastern Anatolia. The Kurds were merely an instrument in this strategic plan.

Khanasor (1897)

What followed were fierce retaliations between the two ethnically groups of

57 Gürün, Kamuran, *Ermeni Dosyası* (Ankara 1983), p. 160-161; Gürün, Kamuran, *The Armenian File* (İstanbul 2007), p. 195

Armenians and Kurds. One of the most bloody was the Khanasor Punishment, which was performed by the Armenians against the Kurdish Mazrik tribe (mostly Hamidiye) on July 25, 1897. During earlier fighting's, the Mazrik tribe had ambushed a squad of Armenian Dashnakzutyun's and massacred them. Khanasor was the retaliation of the Dashnakzutyun, in which the Mazrik tribe was caught off guard and massacred.⁵⁸ Some Armenians consider this their first victory over the Ottoman Empire and celebrate it each year in its remembrance.⁵⁹

Sasun (1904)

With the annihilated Mazrik tribe and a couple of other Kurdish tribes, Dashnakzutyun had a boost in moral while the Hamidiye was losing territory heavily. Eventually the Dashnakzutyun felt they were strong enough to engage in another big battle, again to conquer the region of Sasun. On March 30th, 1904, Dashnakzutyun played a major role in the Second Sasun Rebellion in which they sent arms and militants to the region for the second time in an attempt to muscle the non-Armenian population out of the region. This was intended to create a majority of Armenians in the Ottoman region. Afraid of a similar outcome as Zeytun (where estimates show at least 20.000 Muslim casualties; which were either civilian, Hamidiye or Ottoman soldier⁶⁰), the Ottoman governors reacted by sending even more Hamidiye irregulars. The last thing the Ottomans wanted was another Armenian region that could act as a semi-autonomous region, which was the case with Zeytun in 1895. With the Zeytun defeat and Mazrik Massacre in mind, the Hamidiye forces used this pretext to retaliate fiercely. Without regular Ottoman forces to control them, which was the case in Zeytun, the Hamidiye was free to retaliate by massacring at random.

The Yıldız Assassination (1905)

The quick and constant shift of power between Armenian militants under command of Dashnakzutyun and Huncakian on one side, and the Kurdish Hamidiye irregulars together with the Ottoman forces at the other, caused irritation and hate at both sides. These feelings of hate were rapidly implemented in massacres left and right by all parties involved. By 1905,

58 “[...] Armenian fedayees attacked the Mazrik tribe, killing all the men and sparing only the women and children.”, translated from Armenian: Mihran Kurdoghlian, Badmoutioun Hayots, C. hador [Armenian History, volume III] (Athens 1996), p. 42-48

59 Karentz, Varoujan, Mitchnapert the Citadel: A History of Armenians in Rhode Island (iUniverse 2004), p. 166; Mesrobian, Arpena S., Like One Family: The Armenians of Syracuse (Gomidas Institute 2000), p. 222

60 Dadrian, Vahagn N., The History of the Armenian Genocide: Ethnic Conflict from the Balkans to Anatolia to the Caucasus (Oxford 1995), p 127-129

creating European awareness once again became key in the attacks organized by Dashnaksutyun; just like the attack on the Ottoman Bank in 1894. In 1905, members of Dashnakzutyun organized an assassination attempt on Sultan Abdülhamit II in the Ottoman capital of İstanbul. The Yıldız Mosque Assassination, as it was called, was intended to kill the Ottoman sultan when he was on his most vulnerable: on his way to the Mosque to pray, hence the name 'Yıldız Mosque' which was the name of the mosque Abdülhamit II frequently visited. The attempt failed because the timed bomb missed its target, Sultan Abdülhamit II, by a few minutes; but nonetheless killed three guards.

The Young Turks (1907-1908)

In 1907 the İttihat ve Terakki Cemiyeti (also called Young Turks because of the relatively young ages of the founders), tried to overthrow Sultan Abdülhamit II. Because the İttihat ve Terakki Cemiyeti (translated as 'The Committee of Union and Progress') consisted of a group of young, mostly European-educated, army-officers of the Ottoman Empire, most of the Ottoman soldiers supported them. United by their hate against Sultan Abdülhamit II (who acted as a dictator in some ways; although he brought a constitution to the Ottoman Empire in 1876, he also prorogued the constitution as well as suspended some rights and freedoms only two years later in 1878), Dashnakzutyun and the İttihat ve Terakki Cemiyeti declared an official alliance. What the İttihat ve Terakki Cemiyeti did not know was that Dashnakzutyun still hoped to gain autonomy to govern Armenian populated areas of the Ottoman Empire as a 'state within a state', and that Sabahattin agreed with it in the year 1907. Sabahattin, being of royalty by blood, was the son of reigning sultan Abdülhamit II's half brother. He joined the İttihat ve Terakki Cemiyeti, maybe due to a personal feud against his uncle, and developed his own group within the Cemiyet. Sabahattin argued for the use of violence against his uncle and intervention by all means; even if this meant supporting the rebelling minorities within the Ottoman Empire or asking foreign powers to intervene. Although the mainstream of the İttihat ve Terakki Cemiyeti saw Dashnakzutyun as a political entity that would at most take place in the Ottoman parliament, a small group within the İttihat ve Terakki Cemiyeti (under leadership of Sabahattin) was talking with Dashnakzutyun representative Khaçatur Maloumian about an independent state of Armenia in Anatolia. In the end Sabahattin resigned from the İttihat ve Terakki Cemiyeti and created his own opposition party Teşebbüs-ü Şahsi ve Adem-i Merkeziyet Cemiyeti, which would not play any role hereafter.

Eventually Sultan Abdülhamit II was forced to reinstate the constitution in

1908, when the İttihat ve Terakki Cemiyeti took control of the European army division of the Ottoman Empire and marched to İstanbul. The Armenians gained more seats in the parliament but also gained the mistrust (and even hate) of the supporters of Sultan Abdülhamit II. While Abdülhamit II in fact had an Armenian mother, he was portrayed as an ‘anti-Armenian tyrant’ by Dashnakzutyun. This was mostly due to the Hamidiye troops, which carried his name (Abdülhamit, Abdül Hamid, Hamidiye).

Adana (1909)

When on April 13th, 1909 Sultan Abdülhamit II rallied his supporters, in order to organize a coup against the İttihat ve Terakki Cemiyeti, all hell broke loose in the Ottoman capital of İstanbul. Some soldiers mutined and were joined by religious leaders demanding Sharia instead of a parliamentary constitution. The Dashnakzutyun saw this as an opportunity and remembered the words of Sabahattin. In the turmoil, the Armenian Dashnakzutyun started an uprising in the city of Adana.⁶¹ The relatively wealthy Armenians⁶² were already the envy of the town and when it came out that some Armenian religious leaders were in fact part of the organized uprising, all hell broke loose in Adana; just like it did in İstanbul, 939 km to the west.

An official document, sent to Great-Britain by the British Embassy in Anatolia, describes (again) what role the Russians played in the Adana Uprising: “Certain Armenian leaders, delegates from Constantinople, and priests (an Armenian priest is in his way an autocrat) urged their congregations to buy arms. It was done openly, indiscreetly, and, in some cases, it might be said wickedly. What can be thought of a preacher, a Russian Armenian, who in a church in this city where there had never been a massacre, preached revenge for the martyrs of 1895? Constitution or none, it was all the same to him. ‘Revenge’, he said, ‘murder for murder. Buy arms. A Turk for every Armenian of 1895.’ An American missionary who was present got up and left the church. Bishop Mushech, of Adana, toured his province preaching that he who had a coat should sell it and buy a gun.”⁶³

This wasn’t the first document from the British archives that insinuated that the Russians, along with some Armenian committees, tried to evoke a massacre by the Ottomans so the European powers could intervene. The

61 Erickson, Edward J., *Ordered to Die: A History of the Ottoman Army in the First World War* (Greenwood 2001), p. 95-104

62 Within the Ottoman Empire professions like banking and trade were left to religious minorities like the Jews and Armenians. Muslims (mostly Turks) were either peasant or soldier, or both. This had everything to do with the fact that Islam frowned upon loan sharking, asking for interest and making big profits on trade. This was seen as ‘profiting from your fellowman’ and ‘unfit for a Muslim’.

63 Gürün, Kamuran, *The Armenian File* (İstanbul 2007), p. 213

following was stated in a report, which was dated July 18th, 1895 and sent to the British Foreign Office by the British Embassy in Istanbul: “The Armenian Committees are determined to provoke another massacre and it is rumored that they are preparing rebellions in various areas.”⁶⁴

The Armenian Uprising of 1909 was fierce for both sides, when the initial Armenian attacks wore off; the local population retaliated. During the massacres that followed hundreds of thousands of Armenians were killed. This created even more antipathy between Armenians and Turks, and Dashnakzutyun cut all relations with the İttihat ve Terakki Cemiyeti in 1912. The fact that the İttihat ve Terakki Cemiyeti had nothing to do with the Adana events, it were mostly local inhabitants, and even had courts where Armenian and Muslim ringleaders were held for trial, was ignored. Dashnakzutyun immediately showed the new Ottoman government (now governed by the sultan, the parliament and some İttihat ve Terakki Cemiyeti ministers) what they thought of the new Ottoman leadership by assassinating the Ottoman-Armenian governor of Van, Bedros Kapamacıyan, on December 10th 1912. The killing of Kapamacıyan, and the ongoing Armenian uprisings in Van, eventually caused all Huncakian and Dashnakzutyun leaders (almost all residing in İstanbul) to be tracked down, arrested and tried in 1915.

Tehcir (1915-1916)

What followed was a seemingly impossible plan of the İttihat ve Terakki Cemiyeti, to relocate all Armenians from Eastern Anatolia so they would not compose a problem anymore. The fact that the First World War just began in 1914 and the Russians (with Armenian help) were advancing, taking the city of Van just a few days earlier on April 20th 1915 made Talat Paşa, Minister of Interior and member of the İttihat ve Terakki Cemiyeti, issue two important orders:

1. The first order was issued on April 24th 1915 and called for the arrest of several Armenians in İstanbul. All were suspected to be involved with Dashnakzutyun, Huncakian and/or Armenakan/Ramgavar; along with the closure of a few Armenian organizations that were suspected of ties with the three revolutionary parties.
2. On May 27th, 1915 Talat Paşa issued an order to reinstate the temporary ‘Tehcir Law’ (meaning ‘Relocation Law’) until early 1916. The order was published in the official state-newspaper of the Ottoman Empire in June, 1915.

64 Gürün, Kamuran, *The Armenian File* (İstanbul 2007), p. 188

The relocation (1915)

The reason for Talat Paşa's drastic measure had to be searched in the drastic events of the years 1914 and 1915. Salt sees its origin "at this critical juncture, [when] between April 13 and 20, thousands of Armenians inside the walled city of Van rose up against the governor and the small number of regular and irregular forces garrisoned in the city. The extent to which the rebellion was coordinated with the Russians remains an open question, to which the answer must lie buried somewhere in the Russian state archives, but the effect was to weaken the Ottoman campaign in eastern Anatolia and Persia."⁶⁵

Salt even accurately described the extent of the Armenian activities:

*What was happening could no longer be described as disparate uprisings; it was rather a general rebellion, orchestrated principally by the Dashnaks and encouraged by Russia. The victims included not just soldiers or jandarma or officials but the Muslim and Christian villagers who were the victims of massacre and countermassacre.*⁶⁶

According to Brian G. Williams⁶⁷, himself in category four, most historians from the first category make the same mistake: "I am equally dismayed when I encounter Armenians who provide a historically context-less version of history which overlooks the fact that their people were engaged in an armed uprising which aimed to 'cleanse' (i.e. slaughter) the Turks of eastern Anatolia from a planned 'Greater Armenia'."⁶⁸ This would apply in both Adana (1909) and Van (1915), which eventually led to the Tehcir. Almost all scholars (be it from category three or four) are on the same page concerning the Russian-Armenian events:

- "Armenian volunteer units served in the Russian army, and there was agitation for a homeland in and around the Anatolian city of Van."⁶⁹
- "Moreover, throughout Eastern Anatolia the Turks were threatened by the insurrection of their embittered Armenian subjects, who disrupted communications and formed volunteer groups to help the Russians. Others joined the Russian Armenian forces."⁷⁰

65 Salt, Jeremy, *The Unmaking of the Middle East: A History of Western Disorder in Arab Lands* (California 2008), p. 62-63

66 idem

67 An associate professor in Islamic, Middle-Eastern and Central Asian history at the University of Massachusetts in Dartmouth, USA.

68 Williams, Brian G., Letter to the Toronto District School Board (January 31, 2008)

69 Cleveland, William L., *A History Of The Modern Middle East* (Westview 1994), p. 142

70 Mansfield, Peter, *A History Of The Middle East* (London 1991), p. 150

- “A few thousand Armenians joined the Russian army; there were Armenian desertions from the Ottoman army and guerrilla activity behind the Ottoman lines.”⁷¹
- “The Armenians were drawn to the Russians as fellow-Christians and likely protectors. Armenians from Russian Transcaucasia fought in the Russian Army, where they were joined among their kinsmen in Turkey. There were also Armenian risings behind Ottoman lines.”⁷²

Which should in no way be interpreted as an argument that Armenians did not die en masse:

*A few key facts are clear. One is that many hundreds of thousands (over a million, according to the Armenian lobby) Armenians in Eastern Anatolia died at that time, of exhaustion and famine as well as killed by Kurdish villagers and Ottoman soldiers. It is also a fact that the Armenian community and its leadership in Anatolia at the time took arms against the Ottomans, in open alliance with the latter's traditional enemy, Russia. Invading Russian troops and Armenian irregulars, whose occupation of the city of Van was the immediate cause of the deportation of Armenians, also engaged in indiscriminate violence, albeit on a smaller scale, against the mostly Kurdish population of the area; and all that during a war in which the very fate of the Ottoman Empire was being decided.*⁷³

But it also should not be used in discarding the deaths on the Ottoman side (be it Turkish, Turkic, Kurdish or Ottoman-loyal Armenian): “Worse yet, Armenian scholars have consistently dwelled on Turkish massacres of their compatriots in all their grisly details without so much as a word on the equally savage measures taken by the Armenians of the Transcaucasus and eastern Anatolia against local Turkic populace from 1905 to 1920. Indeed, when questioned on such episodes, they even dismiss them as Turkish propaganda. Yet the evidence for accepting this fact is overwhelming. This not to excuse the massacre of Armenians as mere quid pro quo but to point up such violence as an evil endemic to Middle Eastern society in general.”⁷⁴

The scholars stating that rebellious Armenians killed Ottoman Muslims as well, like Radu and Zeidner, are imminently present in the fourth category

71 Zürcher, Erik-Jan, *Turkey: A Modern History* (London 2004), p. 125

72 Mango, Andrew, *Atatürk: The Biography of the Founder of Modern Turkey* (Cambridge 1999), p. 161

73 Radu, Michael S., *The Dangers of the Armenian Genocide Resolution* (Foreign Policy Research Institute, 2007)

74 Zeidner, Robert F., *The Tricolor over the Taurus* (Ankara 2005), p. 44-48

but even scholars from the third category do agree with these facts. The discussion is more about if the Armenian uprisings were as compromising to the Ottoman war effort as Talat Paşa makes it seem. An interesting source is found in the British archives; where Talat Paşa's is witnessed to have cried (or at least put his hands in front of his face) during an interview concerning the relocation.⁷⁵ One can say that it at least shows that it wasn't premeditated by Talat Paşa or that even he himself did not expect so many victims.

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According to Oxford professor Hew Strachan, in the fourth category himself, "the initial violence was not centrally orchestrated, although it was indirectly sanctioned by the pan-Turkish flourishes of Enver and others."⁷⁶ This is reinforced by three, national and international, decisions of the, then still functioning as the Ottoman government, İttihat ve Terakki Cemiyeti.

1. In 1919 there was intent to ask the Netherlands, Sweden, Denmark and Spain (all neutral states during the First World War) to research the events of 1915, in order to rule out any sentence for an international crime. However, it is unclear whether these telegraphic invitations were officially sent or not.⁷⁷
2. The Military Courts of 1919-1920 in İstanbul, which were called 'Divan-i Harb-i Örfi', were used to research the events. But even prior to these trials the İttihat ve Terakki Cemiyeti put 1673 Ottoman officers on trial for 'inhumane treatment of the Armenians during the Tehcir' and sentenced 1397 of whom 67 were put to death as early as the end of 1915.⁷⁸ The final verdicts were on February 19th, March 12th and May 22th 1916.⁷⁹
3. The Ottoman leaders decided to cooperate with the Malta Proceedings (1919-1921) in which the allied forces, united under the leadership of the British Lord Curzon, held 141 Ottomans for 'war crimes' but eventually were forced to let them go.⁸⁰ This had two reasons. For one, the British wanted to rescue their prisoners of war (POW's) from Turkish hands by exchanging prisoners. And two, they couldn't find

75 BBC/Discovery Channel, First World War: Jihad 1914 - 1916 (part 4 of 10) (2003)

76 Strachan, Hew, First World War, (New York 2004), p. 112-113

77 See: Şimşir, Bilal, The Deportees of Malta and The Armenian Allegations (Ankara 2003)

78 See: Halaçoğlu, Yusuf, Sürgünden Soykırıma Ermeni İddiaları (İstanbul 2007)

79 See: Şimşir, Bilal, The Deportees of Malta and The Armenian Allegations (Ankara 2003)

80 idem

any evidence against the 141 Ottomans, as stated by Sir A. Gedes on July 13th, 1921:

*"I regret to inform Your Lordship that there was nothing therein which could be used as evidence against the Turks who are being 'detained for trial at Malta'."*⁸¹

In the end, the Ottoman officials were set free and exchanged for British POW's in Ottoman-Turkish hands.

Primary sources

As mentioned before, the primary sources are diverse and present in more than one national archive. So far; we have seen the mention of Russian, British and French documents. The French archives show that the Ottoman Armenians were probably numbered at 1,2 or 1,3 million, while the British archives show that there simply isn't any evidence linking either Talat Paşa, nor the İttihat ve Terakki Cemiyeti, nor the Ottoman government, to a centralized organization of annihilating the Armenians. The fact that even the Malta Tribunals were aborted, basically says it all. The Russian archives, however, depict a totally different picture; namely that of the Russian-Armenian relations which, under influence of imperialism and nationalism, started the Armenian aspirations for an independent homeland in Anatolia. In order for this to be realized, Eastern Anatolia needed to have a majority of Armenians, something Dashnakzutyun and Huncakian tried to accomplish in the years 1890-1915.

Ottoman archives

The Ottoman archives are even more clear about it; according to Lewis and Pope, the 1915-1916 events were not designed to 'get rid' of the Christian minority in the Ottoman Empire, be it Armenian, Assyrian or Pontic Greek. Lewis is cited saying that "Catholic and Protestant Armenians as well as Armenian railway workers and members of the armed forces were not subdued to the relocations".⁸² This while Stephen Pope insists that "exemptions spared Greeks and the Catholic Armenian business community in Constantinople, effectively restricting the order to Orthodox and Protestant Armenians, who were subject to a military enforcement operation until late

81 FO 371/6504/E.8515: Craigie, British Charge d' Affaires at Washington, to lord Curzon, No.722 of 13.7.1921

82 Lewis, Bernard, *Het Midden-Oosten: 2000 jaar culture en politieke geschiedenis* [The Middle East: 2000 years of cultural and political history] (Amsterdam 2002), p. 332

1916.”⁸³ This would mean that some Armenians were in fact saved because of their participation in Ottoman military operations. This would mean the relocations were aimed at the Gregorian-Armenian Christians (an orthodox and nationalistic form of Christianity, exclusively present among the Armenians). Because of the aggressive nature of the Armenian Revolutionary Party Dashnakzutyun, which had a wide support under Gregorian Armenians, a lot of Ottoman-loyal Armenians were attacked, massacred and assassinated by Dashnakzutyun as well non-Armenians that were attacked by the same Dashnakzutyun. One example could be the before mentioned Bedros Kapamacıyan.

However; two new studies, performed by Turkish scholars Taner Akçam and Uğur Ümit Üngör, tried to show that the Ottoman archives also had another side to them. According to Akçam and Üngör, both in category two, there is enough circumstantial evidence to conclude that the Ottomans had the intention to eliminate the Armenians. For Üngör, who stated in his book review about Akçam’s book that it “is in fact largely outdated, despite recent updates”, adding “it is also strange that Akçam uses no Ottoman archives”, the circumstantial evidence is quite obvious.⁸⁴ Üngör’s critic is interesting since Akçam “uses more than 1800 sources which add up to over one hundred pages in his book ‘A Shameful Act’ (translated to Dutch as ‘De Armeense genocide: een reconstructie’⁸⁵)”, according to Belgian professor Detrez.⁸⁶ The same Detrez concluded that “Uğur and Akçam have more or less the same conclusion”.⁸⁷ Just like Akçam, Uğur does not seem to focus that much on the Ottoman archives but is more concentrated at the time period in which the Armenian deaths occurred. He even sees this as the foremost reason to see the relocations as means to a systematically organized annihilation: “The astonishing pace in which the Armenians died, proved that ‘relocation’ was a euphemism for ‘destruction’.”⁸⁸

Akçam’s book also received much criticism from Erman Şahin in his article from 2008 ‘A Scrutiny of Akçam’s Version of History’. In Şahin’s article there are many points of criticism, of whom only two examples will be given: “For an author claiming to have mastered the subject, Akçam makes too many factual errors, which diminish the text’s reliability as a point of reference: The Ottoman Empire was not considered the “Sick Man of Europe” since the 1830s; the term was coined by the Russian Tsar in 1844

83 Pope, Stephen (a.o.), *Dictionary of the First World War* (New York 1996), p. 34-35

84 Üngör, Uğur Ümit, ‘De Armeense genocide’ [The Armenian Genocide], in: *De Helling*, 2007/2

85 Akçam, Taner, *De Armeense Genocide: een reconstructie* (Amsterdam 2007)

86 Detrez, Raymond, ‘Tussen betrokkenheid en distantie: De Armeense genocide’, in: *de leeswolf*, No. 7, October 2007

87 idem

88 Üngör, Uğur Ümit, ‘Armeense Genocide en toetreding’, in: *Friesch Dagblad*, December 28, 2006

(p. 27). Sasun was not a Cilician village; it was in Bitlis province (p. 41). [sic]”⁸⁹

German archives

One of the most known sources concerning the Armenian events of 1915, is a document that is supposed to be in the German archives. Although most scholars from the first category use the quote, that is said to belong to Adolf Hitler himself, it is in fact highly controversial. It is believed to have been used by Hitler when he said to his generals on the eve of sending his Death's Heads units into Poland in 1939: “Go, kill without mercy! Who today remembers the annihilation of the Armenians!”⁹⁰ Israeli historian Tom Segev, himself from category three, had this to say about the quote:

*[...] the quote attributed to Hitler is of dubious provenance. [...] It turned out that on that day, Hitler gave two speeches. The Americans managed to locate the official version of both; the line about the slaughter of the Armenians does not appear in either.*⁹¹

The dubiousness of the Hitler quote is also been the topic of publications of Leon Picon and Heath W. Lowry, who are both from the fourth category. Lowry stated, in his article ‘The U.S. Congress and Adolf Hitler on the Armenians’, that “there is no proof that Adolf Hitler ever made such a statement.”⁹¹ Picon made a similar remark in his article ‘Armenian “Hitler Quote” Proven To Be Fabrication’.⁹³

Apart from the controversy concerning the Hitler quote, there are also sources in the German archives that speak of the following events; as witnessed by German army officers, who were allies of the Ottomans during the First World War:

- The suffering of Armenians;
- The suffering of the Ottoman Muslims, Turks and Kurds.

This is the case in the book of the Belgian scholars Antoon Gailly and Luc

89 Şahin, Erman, ‘A Scrutiny of Akçam’s Version of History’, in: Journal of Muslim Minority Affairs, Vol. 28, No. 2, August 2008

90 Used in the fact sheet ‘Fact sheet: Armenian Genocide’, from the University of Michigan-Dearborn, April 3, 1996.

91 Segev, Tom, ‘Mozart and the Armenian genocide’, in: Haaretz Daily News, October 18, 2007

92 Lowry, Heath W., ‘The U.S. Congress and Adolf Hitler on the Armenians’, in: Political Communication and Persuasion, 1985, Vol. 3, No. 2

93 Picon, Leon, ‘Armenian “Hitler Quote” Proven To Be Fabrication’, in: ATA-USA, Fall 1985/Winter 1986

Vervloet.⁹⁴ In which one German doctor is stated to have said: “What I saw in aspects of sorrow and misery among the Armenians on their journey through the wilderness, cannot be described. [...] Not only Europeans but many Turks and Arabs whom I spoke, were angry about the atrocities against the Armenians. Cholera, typhoid and other infectious diseases were endemic among the deportees. It was the fault of the incompetence of the local officials, their laziness and disinterest, their dishonesty and fanatical hatred, failing all efforts by the military head of state to improve the conditions of the Armenians.”

Vervloet and Gailly also found a source in which one German medical army officer is stating that “[t]he Muslims were also not spared from such horrors [as the Armenians went through]. As they were refugees as well, they knew the horrors of war at first hand. I estimate that one million Muslims died as well during the typhus epidemic that broke out during the relocations of the Armenians.”⁹⁵

These German documents at least show that:

- a) The military leaders of the Ottoman Empire tried to take measures, ensuring the lives of the Armenians during the relocation, but this failed due to the incompetence of local officers;
- b) Not only Armenians, but Muslim Ottomans suffered as well before, during and after the events of 1915. Possibly in a much larger extent.

American archives

Just like the Ottoman archives, much of the documents from the American archives are in fact disputed. Although most scholars from the first category relied on the book of former ambassador Morgenthau, recent research showed it to be an untrustworthy report. Morgenthau’s report was believed to be an eyewitness report, but turned out to be a report written by others and then assigned to Morgenthau. It was used “as proof of the fact that the Young Turk Government planned and carried out a ‘genocide’ against its Armenian minority” for more than 72 years until Heath Lowry, professor at Princeton University, examined it.⁹⁶

Other primary sources of the American archives tell us the exact journey of

94 Gailly, Antoon & Vervloet, Luc (a.o.), *Geschiedenis van Turkije* [The history of Turkey] (Amsterdam 1997), p. 150-151

95 idem

some Christian Ottomans; one example is the testimony of Edward Tashji (or Taşcı). Tashji was the son of an Armenian mother, Zabel Tashjian, residing in the Ottoman province of Balıkesir in Western Anatolia at the start of the First World War; and a Syrian Orthodox father, Circi ‘George’ Tashji, who resided in the Eastern Anatolian city of Urfa at the start of the First World War. The education his father received (seemingly fluent in Arabic, French, Armenian, Ottoman Turkish and English) and the fact that he remained an Ottoman army officer during the entire First World War, are interesting findings. Another conversation between Zabel and Edward is stated as following:

Edward: “Were the fights between the Armenians and the Turks?”

Zabel: “No!”

Edward: “Then between whom did the confrontations take place?”

Zabel: “It was always among one Armenian political group against another group. I remember conversations in our home; the Dashnak would attack the Huncaks, the Huncaks would beat up the Ramgavar, the mutual hate and fighting would never stop!”⁹⁷

According to this testimony Zabel was “the sole survivor of a family of ten”⁹⁸, lived in Balıkesir until 1915 and made the journey to the Eastern Anatolian city of Kilis during the First World War. She had to make this journey of 1134 km on foot and it took her approximately six months.

Asked about the massacre of her family in Balıkesir, she replied as following:

Zabel: “I don’t remember the location or the date, but one day I witnessed a man on horse, attack a defenseless man on the ground.”

Edward: “[...] please think carefully about the person on the horse: Was he a soldier, did he wear a uniform?”

Zabel: “No, it was not a soldier.”

Edward: “Do you remember words spoken in Turkish or Arabic?”

Zabel: “No, I remember it was neither of these languages, nor was it

96 Lowry, Heath W., *The Story Behind Ambassador Morghentau’s Story* (Isis Press 1990), p. 69-70

97 Tashji, Edward, *Armenian Allegations – The Truth Must be Told* (reprint by Rose 2005), p. 20

98 idem 21

either Greek or Armenian; but it was a language that I could not recognize.”

Edward: “Could it have been Kurdish?”

*Zabel: “It could have been. I wish we had never seen those days.”*⁹⁹

Arriving in Kilis during 1915, Zabel does not mention any hardship during her long journey and even speaks of “an Armenian family in the town of Kilis, living in their own home”¹⁰⁰. The same family took her in and she lived there for another three years. Since Kilis is nearby Zeytun, where there were brutal killings committed by various groups and serious fights between Dashnakzutyun, Huncakian, Hamidiye etc., the Tashji-testimony is important. It could imply that the relocations were restricted to areas where there had been fights prior to 1915.

All these events, as recorded in the various archives and documents, seem to reaffirm what most scholars agree upon. Namely the fierce fighting between Dashnakzutyun, Huncakian and Hamidiye in the late Ottoman period, starting in the late nineteenth century and ending only with the end of the First World War.

Other events Zabel would testify about, were that;

- a) Her brother Minas went to İzmir to “fight against the Turks.”¹⁰¹
- b) In 1916 she met two Ottoman officers, Cerci Tashji and Butrus Nakkash (or Nakas), riding a horse (something only high-ranking and wealthy officers were permitted or could afford to do). Eventually she married Cerci Tashji, who took her to New York in 1920 to start a new life.¹⁰²
- c) Because the Anatolian Turkish state later known as Turkey¹⁰³ was reluctant to stand by and see how most Anatolians, or at least the educated officers like Cerci, emigrated abroad; she, meaning Zabel, and her new husband Cerci received French passports from the French forces occupying Eastern Anatolia from 1919 onwards, including Kilis

99 Tashji, Edward, Armenian Allegations – The Truth Must be Told (reprint by Rose 2005), p. 22

100 idem 23

101 idem 25

102 idem

103 When the Ottoman Empire collapsed in 1918, it had endured fierce fighting's, but was defeated nonetheless. What followed was the Armistice of Mudros (October 30, 1918). Some Turks did not accept the terms of a truce and decided to start the War of Independence (1919-1922). In the meanwhile they needed all the educated Anatolian Ottomans they could find, in order to rebuild the devastated lands of the former Ottoman Empire.

and Urfa. They eventually went to America with falsified French passports, stating they were “George Nordigian and Izabel Nordigian”.¹⁰⁴

All these events, as recorded in the various archives and documents, seem to reaffirm what most scholars agree upon. Namely the fierce fighting between Dashnakzutyun, Huncakian and Hamidiye in the late Ottoman period, starting in the late nineteenth century and ending only with the end of the First World War.

Highly disputed sources

Along with the sources that are mentioned before in this article, like Morgenthau and the Andonian Papers, there are other sources that are highly disputed among scholars. Most of them are recognized as unacceptable in an academic scholarly work. Some of the most known are the following:

1. Donald Bloxham’s ‘The Great Game of Genocide: Imperialism, Nationalism, and the Destruction of the Ottoman Armenians (Oxford University Press, 2005)’, which had a falsified photograph of what was said to be “an Ottoman official taunting starving Armenians with bread.”¹⁰⁵ It was however proven to be composed of two completely different photographs. All existing stock of Bloxham’s book was destroyed in 2010, according to Christopher Wheeler, Oxford University Press’ history publisher. The forgery in the book of Bloxham, professor of modern history at the University of Edinburgh, was uncovered by Jeremy Salt, professor of social and political sciences at the University of Melbourne.
2. The documents of German Protestant missionary Johannes Lepsius (1858-1926), which were banned from Germany in 1916. The work was reviewed by German-Turkish scholar Cem Özgönül in his book ‘Der Mythos eines Völkermordes: eine kritische Betrachtung der Lepsiusdokumente sowie der deutschen Rolle in Geschichte und Gegenwart der armenischen Frage (Köln 2006)’, which showed Lepsius to have manipulated most of his sources.¹⁰⁶

104 Tashji, Edward, *Armenian Allegations – The Truth Must be Told* (reprint by Rose 2005), p. 28-29

105 Salt, Jeremy, ‘Forging the past: OUP and the ‘Armenian question’, in: *Eurasia Critic* (January 2010)

106 Özgönül, Cem, *Der Mythos eines Völkermordes: eine kritische Betrachtung der Lepsiusdokumente sowie der deutschen Rolle in Geschichte und Gegenwart der armenischen Frage* [The myth of a Genocide: a critical examination of the Lepsius documents and the German role in history as well as present within the Armenian Question] (Köln 2006)

3. Maybe the most important source is that of Arnold Toynbee and James Bryce, who were the first persons to write about the Armenian relocations in the Ottoman Empire. All of their work, including ‘The Armenian Atrocities: The Murder of a Nation (Hodder & Stoughton 1915)’ and ‘The Treatment of Armenians in the Ottoman Empire, 1915-1916 (Hodder & Stoughton and His Majesty’s Stationery Office, 1916)’, were stated to be “war propaganda” by Arnold Toynbee himself. The works of Toynbee concerning the Armenians were also known as ‘The Blue Book’, about which Toynbee remarked “I was being employed by His Majesty’s Government to compile all available documents on the recent treatment of the Armenians by the Turkish Government in a ‘Blue Book,’ which was duly published and distributed as war-propaganda!”¹⁰⁷

He also added the following:

*The French Government made use of the Armenians in a different way. They promised to erect an autonomous Armenian state, under their aegis, in the Cilician part of the Anatolian Zone, and the promise brought them several thousand Armenian volunteers, most of whom were enrolled in the Légion d’Orient and served for the rest of the War.*¹⁰⁸

To which Dutch-Turkish scholar Timur Eroğluer, historian at the University of Utrecht in the Netherlands, replied during a debate that “you cannot use Toynbee’s work if you want to be taken seriously in the academic world.”¹⁰⁹

Aftermath

After the end of the Tehcir Law in 1916, and the subsequent end of the First World War shortly thereafter, the Ottoman Empire collapsed. The Ottoman forces were not able to withstand the allied forces and Anatolia became occupied by foreign armies. It was subsequently divided in eight zones, of which the Greek, Italians, French and British areas were the most important zones. The Armistice of Mudros (October 30th, 1918) and the Treaty of Sèvres (August 10th, 1920) ensured that some of the eight zones in Anatolia would eventually become small states (like Armenia and Kurdistan), while others

107 Toynbee, Arnold, *The Western Question in Greece and Turkey: A Study in the Contact of Civilizations* (Constable 1922), p. 71

108 Toynbee, Arnold, *The Western Question in Greece and Turkey: A Study in the Contact of Civilizations* (Constable 1922), p. 71-72

109 This debate took place on March 9th, 2006 at the Archimedes Teacher Education, Faculty of Education at HU University of Applied Sciences Utrecht in the Netherlands.

would be transferred to the Allied Powers. Although the Ottoman sultan accepted the terms, in exchange for retaining his wealth and titles, most Turks did not.

It was at this stage that a young Turkish officer, seemingly the only one who was able to remain undefeated during the First World War, took matters into his own hands. This officer, Mustafa Kemal (better known as Atatürk), was especially famous for his defense of the Dardanelles. At the Battle of Gallipoli in 1915, in which the British forces were defeated, almost 250.000 allied soldiers (mostly British, including Australian and New Zealand) perished. The same Mustafa Kemal declined the terms of a truce and decided to start the War of Independence (1919-1922); in doing so Mustafa Kemal even had to fight against some of the Sultans forces. Nonetheless most of the former Ottoman soldiers switched sides and denounced their loyalty to the Ottoman sultan in favor of Mustafa Kemal.

In the meanwhile, most of the Anatolian Armenians were migrating left and right:

- a) Some were just now returned to Anatolia from their relocation to Syria;
- b) Other Armenians decided to flee to the Caucasus, where they expected a Russian welcome-committee¹¹⁰;
- c) Another group decided to stay in (or return to) Syria or nearby regions like Lebanon;
- d) Quite a few emigrated to the United States, France or other western countries;
- e) And another group of Armenians assimilated in the Turkish-Kurdish communities of Eastern Anatolia. For example; the Armenian Sergey Vardanyan thinks that almost “half a million Armenians assimilated”¹¹¹, while the Turkish-Armenian Etyen Mahçupyan thinks “there are more than one million Armenians in Turkey today, for all but 60.000 they think they are and always were Turkish and Muslim.”¹¹² There are Turkish historians, who support these

110 According to Kemal Karpat, professor of Ottoman History at Wisconsin University, “nearly one million Armenians migrated to the north, primarily the Caucasus, together with the Russian army which withdrew from Anatolia in 1917.” He added that “this fact is accepted by Armenian historians as well, but they still think the pre-war population of Armenians living in Ottoman Anatolia was 2,5 million while it was in fact 1,4 million at most.”, from: Karpat, Kemal, ‘Bir milyon Ermeni 1917’de kuzeye göç etti’ [One million Armenians migrated to the north in 1917], in: İKTAM, June 1, 2009

111 Vardanyan, Sergey, *Converted Hamshen Armenians’ Dialect, Folklore and Art of Singing* (Yerevan 2009)

112 Mahçupyan, Etyen, ‘Türkiye’de bir milyon Ermeni var’ [There are one million Armenians in Turkey], in: *Agos Newspaper*, December 13, 2007

conclusions; like Yusuf Halaçoğlu in his 2002-book 'Facts On The Relocation of Armenians: 1914-1918'.¹¹³

Against the framework of this great migration of Armenians, which is the direct cause that there are seven million Armenians living abroad and only three million in Armenia itself today, the Armenians in the Caucasus had declared themselves independent in 1918; in accordance with the treaties of Mudros and Sèvres. This subsequently started a war with the neighboring Azerbaijan Turks, who are culturally and linguistically related to the Turks of Anatolia, for reasons that are not difficult to guess:

- 1 Most Armenians were anxious the Azerbaijan Turks would try to retaliate for what the Armenian Dashnakzutyun did in Anatolia and took pre-emptive measures;
- 2 Some Armenians wanted to retaliate against Turks in general for the relocations in 1915 and 1916;
- 3 Dashnakzutyun was still very active among the Armenians and even helped declare the Republic of Armenia, of which Dashnakzutyun-member Hovhannes Katchaznoui became the first Prime Minister.¹¹⁴ The nationalistic ideology of the Dashnakzutyun prompted them to try to capture some provinces of Azerbaijan (like Nakhchivan and Karabakh), which were historically Armenian according to Dashnakzutyun.

In the war that followed, the Armenians effectively captured most of Azerbaijan until Mustafa Kemal ordered his general Kazim Karabekir to engage battle with Armenia in 1920. Within months the Armenians were driven out of Eastern Anatolia, which was given to them according to the Treaty of Sèvres. Subsequently Armenia was forced to renounce all the territories granted to the Armenians in the Treaty of Sèvres and sign the Treaty of Gümrü (or Alexandropol) in 1920, in which the full occupation of the Armenian republic in the Caucasus by the Turks was foreseen.

Before the Turks could advance to the Armenian capital of Yerevan, to ratify the treaty by the Armenian government, the Soviet troops of Russia invaded and occupied Yerevan. As a result the Turks decided not to wage war against the Russians and be content with re-conquering the pre-Sèvres lands of Anatolia. The Armenians quickly foiled their annexation by the Turks, by

113 Halaçoğlu, Yusuf, *Facts On The Relocation of Armenians: 1914-1918* (Ankara 2002)

114 Katchaznoui, Hovhannes, *Dashnagtzoutiun has nothing to do anymore: Report Submitted to the 1923 Party Convention* (reprint İstanbul 2008)

signing an agreement with Soviet Russia and by doing so establishing the Armenian Soviet Socialist Republic. The Treaty of Gümrü was eventually replaced by the Treaty of Kars on October 13th, 1921, which established the borders between Soviet Armenia, Soviet Georgia, Soviet Azerbaijan (all conquered and annexed by Soviet Russia in the years prior to 1921) and Turkey.

The Soviet annexation of Armenia and Azerbaijan in 1920, caused that all conflicts between Turkey, Armenia and Azerbaijan were frozen for more than 70 years. With the collapse of the Soviet Union in 1991, the conflict between Armenia and Azerbaijan (which originated in 1918-1920 during the First Armenian-Azerbaijani War) concerning the disputed provinces of Nakhchivan and Karabakh, started again. In this war, known as the Second Armenian-Azerbaijani War of 1991-1992, Armenia occupied approximately one fourth of Azerbaijan. To this day, no peace treaty is signed between the two nations and the stalemate continues. Being a culturally relative of the Azerbaijani Turks, the Turks of Turkey soon closed the border with Armenia. A stalemate that continues as well. Armenia on the other hand, has still not acknowledged Turkey or its borders and makes references to Eastern Anatolia as “being West Armenia as part of a Greater Armenia”. Although Turkey recognized Armenia as one of the first countries right after 1991 and proposed the Turkish-Armenian protocols in 2009, the Armenian Dashnakzutyun has opposed every step to reconciliation. Over the years, Dashnakzutyun has become a major political party in Armenia; although they still have the same aggressive and nationalistic ideology as in 1915. This was also obvious with the death campaigns that were launched by Armenian assassination squads from the 1970s onwards in which several Turkish diplomats and civilians were assassinated.

All of this forms a great strain for Turkish-Armenian relations in contemporary time; a strain that would possibly be resolved when the Armenian Dashnakzutyun and other nationalist groups in Armenia would refrain from further anti-Turkish activities.

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SELF-DETERMINATION VS. TERRITORIAL INTEGRITY: OTTOMAN-ARMENIAN CONFLICT OF 1915 FROM TWO PERSPECTIVES OF STATEHOOD

(KENDİ KADERİNİ TAYİN VS. TOPRAK BÜTÜNLÜĞÜ: İKİ FARKLI
DEVLET OLUŞ PERSPEKTİFİNDEN 1915 OSMANLI-ERMENİ ÇATIŞMASI)

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Abstract: *This article investigates the 1915 relocation of approximately 750,000 Ottoman Armenians by the İttihat ve Terakki (Union and Progress) administration with respect to the notions of self-determination and territorial integrity. While it remains distant to the decades-old “genocide or relocation?” debate, this paper promises to discuss this controversy from an original angle, and offers a theoretical framework for the legitimate grounds on which the right to self-determination exists to justify secessionist demands. Mistreatment, peacefulness, majority and historical tests are proposed as theoretical prerequisites of legitimate separatism, and an archival analysis of the 1915 relocation suggests that three of these conditions were not satisfied in the Armenians’ pursuit of independence.*

Keywords: *Self-determination, territorial integrity, Armenian-Ottoman conflict, relocation, genocide*

Öz: *Bu makale yaklaşık 750000 Osmanlı Ermenisinin İttihat ve Terakki yönetimi tarafından sevk ve iskan edilmesini, kendi kaderini tayin hakkı ve toprak bütünlüğü kavramları açısından ele almaktadır. On yıllardır sürmekte olan “soykırım mı? tehcir mi?” tartışmalarına girmeden, makale bu ihtilafa özgün bir açıdan yaklaşarak ayrılıkçı talepleri haklı kılabilecek kendi kaderini tayin hakkının dayandığı meşru temellere ilişkin teorik bir yaklaşım sunmaktadır. Kötü muamele, barışçılık, çoğunluk ve tarihsel imtihan, meşru ayrılıkçılık için teorik önkoşullar olarak tanımlanmaktadır ve 1915 tehcirinin arşivsel bir analizi bu önkoşullardan üçünün Ermenilerin bağımsızlık arayışında bulunmadığı ortaya koyulmaktadır.*

Anahtar Kelimeler: *Kendi kaderini tayin hakkı, toprak bütünlüğü, Ermeni-Osmanlı ihtilafı, tehcir, soykırım*

Introduction

Few events in history combined politics, sociology, history and economics as much, yet were interpreted by these fields as little as the Ottoman-Armenian conflict of 1915. Was the Ottomans' relocation of their Armenian subjects to Mesopotamia region a legitimate government measure to quell an insurgency, and the large casualties an outcome of wartime conditions? Or was it a deceitful elimination of an unfaithful non-Muslim minority under the guise of relocation, *the first genocide of the 20th century*? The discourse on the issue covers an international relations dispute that fetches farther than nearly a century that has passed since the subject years. For Armenians around the world, international acknowledgment of the 1915 events as *genocide* will serve justice to their ancestors who fell victim in the hands of the Ottoman state. For modern-day Turkey, this inherited issue is a modern Crusade in order to curb the international emergence of the world's leading Muslim country. For the Government of Armenia, it is an intricate matter that requires a fine political balance between pleasing Armenian diaspora groups that represent a significant portion of the country's national income and three times as many Armenians as those in Armenia, and a rapidly prospering Turkish neighbor that is becoming a regional powerhouse with an increasingly favorable view of Armenia.

Despite the drastic split in their final conclusions, relocation and genocide literatures draw the general outline of the 1915 events somewhat identically: During the World War-I, an Armenian separatist movement was formed in the eastern half of the Ottoman Empire in pursuit of dismantling the war-worn Ottoman land and breaking out of it as an independent nation. In an effort to attract international Christian support and weaken the Ottoman hold in the area, rebels from *Hay Heghapokhakan Dashnaktsutyun* (*Dashnaks* or Armenian Revolutionist Federation) staged guerilla attacks in local villages and massacred thousands of Muslim peasants. Local Armenians initially refused to contribute the violent mission against their own government and neighbors. But as the greater empire began losing its territories to the occupying forces and the Armenian-populated regions looked like the next fall out in this campaign of imperial looting, they changed heart and began to provide manpower, arms, food and lodging to Dashnak rebels and Russian forces against the Ottomans. Ottoman state repeatedly urged Armenian patriarchs to bring their communities to peace, and issued a law that legislated banishment of any group that sides with the enemy during a war. As the violence continued, approximately 750,000 Armenians, mostly from the Eastern Anatolia, were mobilized by government forces towards the Mesopotamia region. The marches, however, ended tragically, and nearly all of the relocatees were unaccounted for when the 1.5 year-long practice ended in the late 1916.

Leaving bitter anger in Armenian common memory and an ineradicable stain in Ottoman history, these events led to a passionate debate as to whether the Armenians' relocation constitutes what is called *genocide* in international law today. Genocide literature argues that the Ottoman state's unrealistic policy of moving hundreds of thousands of people from all ages and health conditions on foot for hundreds of miles with minimal food sources suggests that the relocation was a cover up for a real intent to end the Armenian question by eliminating them. Relocation literature dismisses the charge with a counterargument that international laws require annihilative intent to exist for a genocide to occur, and available evidence counters the claim that the Union and Progress leaders acted out of such motivation. The relocation's outcome was regrettable, but it was a function of famine, diseases and attacks by local bandits along the relocation route, not aggression by Ottoman officials. The Ottoman state can at most be blamed for its incompetence in protecting the relocation convoys, but not for carrying out a murderous campaign against the relocatees.

As time passes, the discussion is being shaped less by law and history, and more by politics and prejudice. Those who discredit the genocide charge dismiss any possibility of incompetence or foul play by Ottoman officials –especially those on the field, and consider genocide allegations as a political plot to harm Turkey. Their opponents rigidly associate the outcome of this measure with the notion of genocide, and accept no other

interpretation as a possible alternative to it. Infested with emotional presumptions, unsubstantiated claims and methodical mistakes; both literatures passionately discredit each other's legitimacy, and the saddening fate of the millions of Turks, Kurds and Armenians who were victimized within the context of this conflict turns into a negotiation tool for narrow political interests.

For over thirty years, the Armenian genocide-relocation discourse takes the form of a debate, in which two parties try to convince a third party for the superiority of their own argument. In the absence of a common will to discuss the issue for the purpose of reaching the truth –a process known as *dialectics* in philosophy, resolution of this mutually-destructive controversy is contingent upon international mediation in the future. As the primary body in international conflict resolution and the legislator of the 1948 Genocide

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Convention, the United Nations will need to have its International Criminal Court (ICC) hear the dispute over the 1915 events and settle it. In its judgment, the court has to consult to historians who step back from the emotional climate of the subject years, authenticate archival evidence proposed by both genocide and relocation literatures, examine validity of available arguments, and finally reveal their convictions about how these events should be admitted into the pages of history. In these analyses, consistency of the Armenian and Ottoman motivations with the contemporary notions of self-determination and territorial integrity would be instrumental.

Doctrine of Self-determination

Philosophical underpinnings of the notion of self-determination is often traced back to the American Declaration of Independence of 1776 and the French Revolution of 1789. Emergence of the idea of human freedom led the way to some inalienable rights of the ruled against the rulers, and laid the groundwork for demands to determine own future. People were no longer subjects subjugated for the sake of the monarch, they were individuals who control their own fate. The idea of self-determination earned new applications in the early 20th Century. Russian communist Vladimir Lenin emphasized the right of oppressed people to break free from domination, and shape their own future. American President Woodrow Wilson emphasized that the logic behind self-determination should be the core principle underlying the ontological constitution of state vis a vis the citizens. The United Nations International Covenant on Economics, Social and Cultural Rights of 1966 defined the right to self-determination as “free determination of political status, and free pursuit of economic, social and cultural development.”¹

Political philosopher Cindy Holder argues that if determining own future is a fundamental right that is granted to individuals in democracies, it should also exist for groups that are willing to have a joint future.² Because people associate with some groups rather involuntarily (such as joining an ethnic or racial group by birth), collective futures of such groups inescapably impact individual futures of its members. Therefore, there is an organic link between the group’s fate and dignity of its members. “To interfere with self-determination” writes Holder, “is to fail to show respect for a basic component of human dignity”.³ Individuals’ right to decide together for their group needs to be recognized as a universal human right that exists naturally

1 United Nations, International Covenant on Economics, Social and Cultural Rights (1966). Retrieved June 04, 2010 from http://www.unhchr.ch/html/menu3/b/a_ceschr.htm

2 Holder, C. Self-Determination as a Universal Human Right. *Human Rights Review*, July-September 2006.

3 Ibid. p. 7.

and unconditionally across the globe. If “determining the terms on which a group associates with the government that hosts them” becomes an inalienable freedom, then states would always refrain from suppressing or mistreating their minorities, not only when doing so is politically feasible for them.⁴

In this view, self-determination is not a *derivative right* that exists only under certain conditions like inter-communal inequality or colonial occupation. Its underlying belief is that a conditional self-determination right would be ineffectual to the degree of meaningfulness due to the power asymmetry between the involved parties. If self-determination is considered as “a special right that peoples acquire as subjects of past injustice, or by special arrangement because of special circumstances, historical accident, or a negotiated compromise”, then “the burden of proof in disagreements over the scope of state authority” falls on people, which is the weaker and distressed side in such situations.⁵ On the other hand, appointing the state to make the judgment call of whether or not self-determination right exists in any given situation creates a conflict of interest. It is less than realistic to expect a state to act prudent enough to restrict its own authority to empower a group it is in a conflict with. In this zero-sum game, self-determination right of the group would likely be subordinated to “national interest” of the larger society as defined and represented by the state. A better approach, therefore, would be to interpret the self-determination right as a “deflat[ion] of the rights of states to make room for groups”, not an “inflat[ion] of the rights of groups to match those of states”.⁶

Self-determination is neither the same as secession, nor the first step towards it. Because it does not provide an exemption from the obligations of international laws, it would not function as an incentive for separatist violence.

Holder stipulates that universalization of the self-determination right would not necessarily undermine socio-political stability across the globe. Self-determination is neither the same as secession, nor the first step towards it. Because it does not provide an exemption from the obligations of international laws, it would not function as an incentive for separatist violence. In the past, autonomy of self-determining groups seldom turned into a pursuit of full independence, and when it happened, it was an outcome of the larger state’s continuous suppression during the period of autonomy. Even when a self-determining group seeks to break out, its establishment as

4 Ibid. p. 7.

5 Ibid. p. 7, 9.

6 Ibid. p. 10.

a “sovereign state” is still contingent upon its recognition as such by the international community, and in such contexts, international jurisprudence overwhelmingly favors territorial integrity concern of host governments over the secessionist aspirations of separatists.

The right to self-determination brings along a right to wield, which encompasses an agency problem. How can we be sure that a leadership that claims itself to be the representative of a community does indeed represent the common will of that community? Because, by the very definition of the term stateless nation, representative powers of such self-proclaimed leaderships are created by informal rather than democratic means, agency problem surfaces as an intrinsic feature of self-determination struggles. This was the core concern by various international organizations in the early 1990s when they refused to acknowledge the last apartheid administration as the legitimate representative of the South African nation, majority of which were indigenous blacks who were not allowed to vote. Such political sanctions in response to the widespread violations of human and political rights, and economic pressure by international financial institutions put an end to the half-a-century long practice of institutionalized racism in South Africa in 1994.

If we take the self-determination right as a universal right that exists unconditionally, then the Armenian ideal that led to the 1915 relocation could be considered a legitimate project. However, such an interpretation would also be inconsistent with an essential argument made to support the Armenian genocide thesis. Considering the Armenian separatists’ (Dashnaks’) revolts against the Ottoman state a legitimate exercise of the Ottoman Armenians’ right to self-determination as a community would translate into acknowledging Dashnaks as the legitimate representative of the Armenians in the area. If that was the case, how credibly can it be argued that the fact that Ottoman state relocated Eastern Armenians in their entirety points to genocidal intent? If a terrorist organization represents a community as a nation, then responding to it would call for a collective state action against the entire community.

On the other hand, if we take the Armenian insurgency as an isolated campaign carried out by some radicals detached from the Armenians in the area, then such a position would be at odds with historical records. Development and the context of the Armenian national struggle (as Dashnaks called their cause at the time) suggest that the separatist mission was a social movement widely supported by the Armenian communities in the Eastern Ottoman Empire. Memoirs and testimonies of the Armenian and Russian leaders from the subject years reveal that Dashnak’s insurgency started as an

unpopular extremist rebellion, but later mutated into an ethnic struggle as the Ottoman land was crumbled by the Entente forces during the war.

As an ironic stroke of history, the so-called obituary of the Ottoman Empire (the Sevres Treaty of 1920) acquits the Ottomans from the suspicion that they took a collective action against the Armenians in order to exterminate them. Only Entente Powers that fought and won the war against the Ottoman state were invited to the Sevres negotiations that laid out the terms and conditions of the partitioning of the Ottoman land, and Armenians were one of the 13 parties that were allowed to participate in the conference. The head of the Armenian National Delegation, Boghos Nubar Pasha justified their presence in the conference in his opening remarks:

“We fought against the Ottomans. For this reason, we are one of the warring parties. It is in this capacity that we want to take part in the conference.”⁷ The delegation’s demand was accepted by the Allied Powers, and Boghos Nubar Pasha participated in the negotiations on behalf of the Armenians in Eastern Anatolia. At the conference, demands of the Armenian delegation were granted and an Armenian Republic was agreed to be established in the six Eastern Ottoman provinces.

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The dual facts that an Armenian organization that admitted its fight against the Ottoman state was allowed to represent the area Armenians in the conference, and that it was given a sizeable portion of the subject territory to establish an internationally-recognized Armenian state have become certifications that the Dashnak uprising cannot be attributed to a group of rebels detached from the Armenian locals in the region. Had Mustafa Kemal Atatürk and his fellow defenders not fought and won a resistance war against the occupying armies and compelled them to nullify the Sevres Treaty, a Republic of Armenia would have been established in the Eastern half of the modern-day Turkey with a land mass larger than that of 22 of the 27 member countries of the European Union today (approximately 115,000 square miles). Relocated Armenians who are claimed by the genocide literature to have been unfairly exposed to a collective measure would have been resettled in these lands regardless of the degree to which they supported the Dashnaks’ mission during the war. As amply documented in the Russian, British, American and Ottoman archives, Armenians of Eastern Anatolia were far

7 Gündüz Aktan, “The Lausanne Peace Treaty and the Armenian Question,” in Ömer Engin Lütem (ed.), *The Armenian Question: Basic Knowledge and Documentation*, (Ankara: Terazi, 2009), p.23.

from being peaceful apolitical civilians as portrayed by the Armenian genocide literature. Because of this very fact, which is predictably downplayed by the pro-genocide resources, relocated Armenians have to be perceived by international legists as enemy combatants within the scope of martial law, not as peaceful civilians under the protection of genocide law.

Cindy Holder observes that states' denial of the minority rights to self-determine typically starts with their perception of groups as "inherently vicious, [...] untrustworthy, [...] historically backward or incapable of self-governance. As an empirical matter, hostility to self-determination and violations of rights to physical security, political participation, equality before the law and other human rights tend to go hand in hand."⁸ Neuberger adds that "where there is a permanent ethno-cultural majority, and minority and the majority has no incentive to allay the minority's grievances, the minority will be disillusioned with a principle which condemns it to permanent exclusion from the levers of power and influence."⁹ These guidelines contrast with the socio-historical background of the Armenian case. In the Ottoman Empire, Armenian minorities were nicknamed as millet-i sidika, which meant "loyal nation". Their cultural compatibility to their fellow Ottomans was exemplary, and the fact that they were the highest socio-economic segment in the Ottoman society with numerous figures in leadership positions in the government rule out any possibility that they were perceived as dangerous, unreliable, regressive or incapable. Even though millet-i sidika argument alone is insufficient to disprove the genocide charge (technically, a genocide can still be committed against a well-off group favored by the general society and the state prior to elevation of a conflict), it is equally conclusive that the emotional atmosphere at the beginning of Armenian revolts did not resemble the climate predicted by the self-determination literature. As documented by various primary sources, Armenians' pursuit of independence was an outcome of miscalculated opportunism on the part of the Ottoman Armenians who sought to take advantage of the turmoil in the Ottoman country. Its association to a social dynamic stemmed from the feelings of religious or ethnic persecution was, to put it succinctly, less than weak.

The Armenian case demonstrates that the right to self-determination can jeopardize international peace and stability if it is legislated as an unconditionally-existent universal right. In order to function as an endorsable democratic right that contributes to free and fair existence of communities and cultures across the globe, it should be allowed to exist selectively only when several conditions are satisfied. Firstly, it needs to be claimed out of a

8 Holder, 2006: 14.

9 Benyamin Neuberger, "National Self-determination: A Theoretical Discussion," *Nationalities Papers*, Volume: 29, Issue: 3, 2001, p. 400.

legitimate need. While what constitutes “legitimate need” is a potentially divisive topic, it seems sensible to suggest that mistreatment of a group would be one. If a group is ill-treated in any way by the larger society (may it be in the form of religious persecution, ethnic discrimination, racial segregation or sexual harassment), its pursuit of self-governance ought to be construed legitimate. Will Kymlicka’s assertion that “unequal circumstances” justify the right to self-determination is parallel to that of Allen Buchanan who writes that “collective rights to indigenous peoples [...] are needed as special protections for [their] distinctive interests [...] as a result of historical injustices perpetrated against them.”¹⁰ Uz further argues that “in [a] sovereign state, people would not have the right of self-determination unless they are discriminated on the basis of race, faith, language, etc.”¹¹

A second condition for the self-determination right would be peacefulness of the group seeking to exercise it. Except for some rare occasions in which a persecuted group resorts to violence solely as self-defense, violence in pursuit of self-determination must disqualify the mission to be a lawful exercise. Quebec Party’s pursuit of independence from Canada exemplifies peaceful execution of the self-determination right with its predominantly intellectual and political content. Mahatma Gandhi’s seminal leadership in pursuing his nation’s independence from the British colonizers was an epic yet promising episode that demonstrated that armed struggle is not the only way of accomplishing freedom. The Armenian case fails in the “peace test”. As noted previously, the way the Eastern Armenians chose to seek independence was strategically violent. Total number of Turks and Kurds who lost their lives as a result of Armenian assaults during the WWI is reckoned, if somewhat speculatively, by demographers to be between half a million and two million.

Thirdly, for a group to claim ruling authority in an area, it must have inhabited the subject territory for a substantial period. Because of the variable nature and dynamics of each case, it is better to determine the appropriate length of this period on a case-by-case basis rather than formulating it legislatively. This would prevent stateless communities relocating to a country in a war for the sole purpose of taking advantage of the turmoil, and seek independence. This inhabitation test, however, does not refer to “longer inhabitation” than other groups in the area. A group cannot be expected to have lived in an area longer than the larger nation it aspires to break out of. Otherwise, the self-determination right would be a privilege of indigenous peoples only, and this would generate an international law that

10 Holder, 2006: 7.

11 Abdullah Uz, “Teori ve Uygulamada Self-Determinasyon Hakkı,” *Uluslararası Hukuk ve Politika*, Volume: 3, Issue: 9, 2007, p. 81.

turns a blind eye to the harassments of immigrant groups by discriminative governments. Historical records reveal that the Armenians were in Eastern Anatolia long before the Ottomans arrived there in the early 11th Century. The Armenian episode satisfies the inhabitation test because Armenians lived in Eastern Anatolia for a substantial period, not because that period was longer than the Ottoman existence there.

Lastly, for a group to have the right to use the principle of self-determination for secessionist demands, it needs to represent the demographic majority in the area it aims to break away. Otherwise, a minority group's establishment of a sovereign country would be an inequitable and undemocratic bypassing of the majority will in the area. Appreciation of this idea lies at the center of the settlements controversy surrounding the Israeli-Palestinian conflict in the Middle East. Israeli government builds Israeli neighborhoods on the Palestinian side of the border in an effort to gain the majority status, and claim ruling authority in the area. This, however, is not to suggest that the self-determination right exists only for majorities. Preda considers the right to self-determination to be a "broad notion", and rejects "the restrictive view according to which the right only applies to colonial peoples and its implementation amounts to independent statehood."¹² Self-determination right belongs to both minorities and the majority, but its usage for independence must belong only to majorities. Official Census Records from 1914 reveal that the Armenians made about 20 percent of the population in the Six Vilayets (cities) in Eastern Ottoman region.¹³

Doctrine of Territorial Integrity

Self-determination may not be synonymous to secession theoretically, but it is strongly associated with it practically. Law Professor Vita Gudeleviciute writes that "... all history prior to the emergence of self-determination as a legal principle and later use of this principle in the resolutions of the United Nations reveal that this principle very often appears in connection with territorial claims, secession and claims for independence." When a community seeks to break out as an independent nation, which is a demand that inescapably includes a territorial claim, then the self-determination right begins to challenge the territorial integrity of the established state. Since protection of people and territory is the most fundamental function for which the institution of government was created, motivations to secede and to

12 Adina Preda, "The Principle of Self-Determination and National Minorities," *Journal of Dialectical Anthropology*, Volume: 27, 2003, p. 205.

13 Ottoman Census Records, as made available in Turkish State Archives at <http://www.devletarsivleri.gov.tr/Forms/pgArchiveBooks.aspx>

protect territory lead the two parties into conflict. Gudeleviciute notes that “the right to choose his/her own destiny inherently belongs to every human”, but “territory is one of [the] fundamental attributes of a state. [It] is one of the [...] well-established principles of international law, [as] enshrined in the Covenant of the League of Nations and again in the Charter of United Nations.¹⁴

To examine the legitimacy of the Ottoman state’s policy to relocate Eastern Armenians, the basis of the notion of territorial integrity needs to be clarified. Article-2 of the United Nations Charter reads that ‘all members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any state’.¹⁵ Gudeleviciute interprets this phrase to argue that territorial loss due to local threats is a domestic matter that is outside the scope of international law. He contends that the “[...] international legal rule applies only between states, because ‘members’ under the UN Charter are only states”, and therefore “respecting the territorial unity [...] of a state by its own population is a domestic affair, and [it] does not fall within the international law jurisdiction.”¹⁶

A monopoly on ruling power is a defining characteristic of the institution of government, but the size of the territory does not have anything to do with being government. Monaco with less than one mile-square area is no less of a “government” than a 6.5 million-square miles wide Russia as far as the United Nations is concerned. The UN continued to recognize Serbia as an independent state after a part of it unilaterally declared independence in 2008 under the name Kosovo. Because sovereignty or statehood is not compromised by territorial loss, secession is a domestic issue that remains outside the scope of international law.

If statehood has nothing to do with the size of the government territory, and the business of international organizations is solely the affairs between the states instead of the states’ affairs with their peoples; how is the legitimacy of a state action to protect territorial unity linked to international law? The answer is twofold: Firstly, considering international law identical to transnational law is a narrow interpretation that is incompatible with the true sense behind it. In the term international law, the word “international” refers to the wider meaning of the word, which is “universal”; not just to the narrower meaning of “between nations”. If domestic matters were not subject to international law, a domestic concept like genocide, for instance, would

14 Vita Gudeleviciute, “Does the Principle of Self-determination Prevail over the Principle of Territorial Integrity?” *International Journal of Baltic Law*, Volume: 2, 2005, p. 48.

15 Ibid. p. 50.

16 United Nations, Charter of the United Nations and the Statute of the International Court of Justice. (1945). Retrieved June 03, 2010 from <http://www.un.org/en/documents/charter/>

not have been criminalized by the UN in 1948 with the Convention to Prevent and Punish Genocide. Two UN-based tribunals held in 1998 and in 2007 ruled that Jean-Paul Akayesu of Rwanda and the Serbian Government were in breach of the convention for their responsibility in Rwanda Genocide and Srebrenica Genocide, respectively. Taking international laws purely as regulations of interaction between governments is a shallow interpretation that leads to attitudes like that of Sudanese government, which argued that the ICC has no jurisdiction in Sudan and refused to turn its Interior Minister Ahmed Haroun and a Janjaweed leader Ali Kushayb in the UN that found them guilty of war crimes during the Civil War in Darfur.

Because a government's legitimacy as a supreme authority in its territory originates in its international acknowledgment, and international organizations and agreements require obedience to their rules and regulations; international laws cannot be considered as guidelines solely for inter-governmental conduct.

One of the requirements of being a “government” (and of being an official “country”) is its acknowledgment as such by an international authority. “The principle of territorial integrity”, writes El Ouali, “is the principle that recognizes the sovereign existence of peoples, represented by their own states, within territories the legal basis and limits of which have been established in accordance to international law.”¹⁷ Such legal basis can be established by membership to an international organization such as the United Nations, European Union or NATO, or by participation in an international agreement such as the Lausanne Treaty that officially acknowledged the Republic of Turkey as a new

country in 1923. Similarly, Turkish Republic of Northern Cyprus is considered as an “occupied territory” rather than a “sovereign country” due to being acknowledged as a independent nation only by the Government of Turkey. Because a government’s legitimacy as a supreme authority in its territory originates in its international acknowledgment, and international organizations and agreements require obedience to their rules and regulations; international laws cannot be considered as guidelines solely for inter-governmental conduct. Summers recognizes “the law of self-determination [as a] [...] product of the interaction between nationalism and international law. It is the tension between these two doctrines [that] defined the content of that law.”¹⁸

Secondly, perceiving government as an unaccountable and unrestricted authority over its people under the name of sovereignty lays the groundwork

17 Gudeleviciute, 2005: 50.

18 Abdelhamid El Quali, “Territorial Integrity: Rethinking the Territorial Sovereign Right of the Existence of States,” *Geopolitics*, Volume: 11, 2006, p. 646.

for a Hobbesian leviathan state. In such rampancy, concepts like territorial integrity or national security, which are normally endorsable, can turn into some buzzwords used to justify state terror like those perpetrated against Bosnian Muslims in Srebrenica, Tutsis in Rwanda or non-Arabs in Darfur. The principle of sovereignty restricts accountability of political leaderships only to their domestic electorate, however it does not make them exempt from humanitarian obligations of international (global) jurisprudence.

If territorial integrity is a governmental right protected by international laws, where does it end and where does the self-determination right start? The United States Constitution of 1776, with its celebrated balance between creating a state that protects civil liberties and one that acts authoritatively for the common good, refrains from specifying what particular “trial procedures are legitimate or what sanctions are proper”¹⁹ for the government. The duty of determining the limits of punitive actions of the US government was left to the same source that created the institution of government: People. “If”, Roger Pilon argues, “we want to reduce the chances of arbitrary or capricious lines being drawn, it is best to leave the drawing to the collective judgment of the people who must live under them.”²⁰ This view is consistent with Dolovich’s argument that “to be legitimate, the exercise of the state’s power to punish criminal offenders in a liberal democracy must be consistent with principles the terms of which all members of society would accept even if they did not know where in the criminal justice hierarchy they would turn out to be.”²¹

From this perspective, Armenian relocation is quite challenging to analyze reliably. In the midst of a world war, in which the Ottomans fought with minimal resources against some of the world’s most capable armies at the time; the Ottoman public was not able to make any judgment on the uprightness of their government’s relocation measure. All the Istanbul administration could do for due process was to issue a relocation law that legalized deportation of any group that supports the enemy during a war. The law, which did not include the word “Armenian”, outlined the sanctions against the crime of treason. Albeit belligerent and unrepresentative of the opinion of the much larger Ottoman society, the only public comment on the government’s relocation idea was some local bandits’ attacks against the relocation convoys. Those assaults were a manifestation of an old social psychology in which “patriotism is considered sacred, and insulting national dignity is considered sinful.”²²

19 James Summers, “The Right of Self-Determination and Nationalism in International Law,” *International Journal on Minority and Group Rights*, Volume: 12, 2005, p. 353.

20 Roger Pilon, “The Purpose and Limits of Government,” *Cato’s Letters*, 1999, p. 16.

21 Ibid.

22 Sharon Dolovich, “Legitimate Punishment in Liberal Democracy,” *Buffalo Criminal Law Review*, Spring 2004, p. 440.

In the absence of a credible indicator of public view, examining the illegitimacy of the relocation policy would be one of the few ways of finding out whether it was a just and appropriate public policy under the governmental rights to protect territorial integrity and national unity. The United Nations Convention on the Prevention and Punishment of the Crime of Genocide (1948) reads that targeting a “national, ethnic, racial or religious group” with “intent to destroy” constitutes genocide.²³ The Armenian relocation satisfies the actors condition (although the relocation order did not address any particular group, the relocation was implemented only against the Armenian community as defined by their ethno-religious identity), but there is a lack of evidence to suggest that the administration designed the relocation for the purpose of exterminating the relocated subjects. The regrettable outcome of the relocation is insufficient by itself to point to a genocidal campaign.

One last dimension of the issue relevant to the discussion of the Ottomans’ motivation in 1915 is the context and the capabilities of those who carried out the relocation order on the field. Wartime hardships allowed Ottoman administration to dedicate only minimal resources to the execution of the relocation. Soldiers who worked in the implementation of the relocation were mainly vigilantes who joined the armed defense to protect their homeland from imperial occupation. The profile of a typical Ottoman soldier in the WW1 was far a cry from the professional soldier portrayed by Samuel Huntington as a “violence management expert” who are trained and prepared to conduct the “business of protection” with certain “ethical guidelines and mentality” called *weltanschauung*.²⁴ As Carl Schmitt once wrote, “state is a notion that belongs to its time.”²⁵ Arguments that the Ottoman soldiers could have protected the convoys better, and the Ottoman state could have relocated only belligerent Armenians are outcomes of anachronistic naiveté in which historical events are interpreted with modern conveniences, capabilities and paradigms without cognizance of the actual conditions existed during the World War-I.

Conclusion

This paper argues that the right to self-determination should be allowed to justify secession demands only when it promises to discontinue mistreatment

23 Ernst Kantorowitz, “Orta Çağ Siyasi Düşüncesinde ‘Vatan için Ölmek – Pro Patria Mori,’” in Cemal Baki Akal (ed.), *Devlet Kuramı*, (Ankara: Dost, 2005), p. 109.

24 United Nations, Convention on the Prevention and Punishment of the Crime of Genocide. (1948). Retrieved February 06, 2011 from <http://www.hrweb.org/legal/genocide.html>

25 Huntington, S. (2004). *Asker zihniyeti*. İstanbul: Salyangoz Yayınları, 66.

of a peaceful majority that inhabited its land for a substantial period of time, and concludes that the Armenian struggle during the World War-I satisfies the duration test, but falls short on the mistreatment, peace and majority tests. As Barkun says, “there is nothing novel about users of violence claiming legitimacy by linking their actions to interpretations of law, the constitution or democratic theory.”²⁶ The Union and Progress Administration’s response to Armenian uprising was justifiable from the perspective of the principle of territorial integrity. Nonetheless, the dual premises that the Armenian uprising was not a legitimate exercise of the self-determination right, and the Ottomans’ relocation was a legal act from the perspective of territorial integrity and national security are insufficient to prove that a genocide could not have occurred in 1915. To conclude whether the Armenian deportation constituted genocide or relocation, further investigations have to be conducted supplementally. Settling the conundrums about whether the Ottoman state had annihilative intent, and whether involuntary manslaughter could legally be considered as an element of genocide the same way as premeditated murder is would be the key points in those studies.

26 Schmitt, C. (2005). Somut ve çağa bağı bir kavram olarak devlet. In C. Akal (Ed.), *Devlet Kuramı*. Ankara: Dost Kitabevi Yayınları, 253.

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INTERVIEW WITH PROF. DR. HÜSEYİN BAĞCI¹

(PROF. DR. HÜSEYİN BAĞCI İLE MÜLAKAT)

This 40-minutes interview was conducted by Aslan Yavuz Şir on 21st of December 2012 at Middle East Technical University in Turkish. Interviewee Prof. Dr. Hüseyin Bağcı shared his impressions on his visit to Erivan last October for a workshop and as a participant to a live TV discussion by Yerevan Press Club as well as his views on developments regarding Turkish-Armenian relations and Turkish Foreign Policy.

AVİM: I believe you've visited Armenia on several different occasions including your last visit to participate in a workshop in Yerevan organized by the Yerevan Press Club. What are your impressions regarding the political and social perception towards Turkey in Armenia?

Bağcı: My first visit to Armenia was in 2009. I was invited by the National Security Council of Armenia for an international conference, and I was the only participant from Turkey among 29 participants from other countries. At that time President Abdullah Gül was pioneering a football diplomacy initiative, and so there was a good sentiment among both sides stemming from a tendency towards the establishment of diplomatic relations between Armenia and Turkey. It was a "spring mood" so to speak, long before there was an "Arab Spring" in the Middle East. And really during my visit in Armenia, this mood was clearly palpable at the conference, in the hotel, in the streets and among the academicians. This was until after the Protocols that were signed in Zurich were put back on the shelf. I think in the last three years between my two recent visits, I've observed two different sentiments, first being a positive tendency towards Turkey, evolving into a second sentiment, namely a disappointment with the process. In my last visit I've clearly felt both in the academia and

¹ Prof.Dr. Hüseyin Bağcı is a Professor of International Relations at Middle East Technical Universtiy in Ankara and the Chair of the department.

others a frustration, since it was a clear scoring opportunity, and since it ended up a missing chance. The disappointment was escalated further by the overwhelming public diplomacy initiative successfully pursued by the Azerbaijani government in the international arena that was clearly observable in the recent Safarov case and Turkey's support for this initiative. Still, this is only a fragment of the Turkey-Armenia relations. But the essential thing, the impression that I've had was the reaffirmation of the immediate necessity to establish political and diplomatic relations between two countries, in addition to other areas such as cultural and social relations. On the other hand, Protocols that were put back on the shelf or put in a "freezer" so to speak clearly corresponded with a negative impression of Armenia. However, Armenian people, despite the fact that they are religiously and linguistically different, are like "our people". Surprisingly I've learnt that the expression "to wrest a living from the stone"² was an Armenian expression, since the country is known as a "stone country". Capital city is full of excellent buildings made of stone. Thus, if one has to step in, so as to launch a rapprochement process between the countries, it must be Turkey taking the first step in this process. I don't think this would be easy with regard to the upcoming 2015, and the Turkish government would not be so willing due to domestic political concerns. However we must consider the possibility that the process will take a sharp turn after 2015, and Turkey will not accept Armenia's demands for the recognition of the genocide allegation and it will continue to be a problem in bilateral relations. The thing is, any improvement in the peace-building processes in the Caucasus will be in Turkey's favor. Interestingly, there are currently 80 students of Turkish language in Yerevan University. It could not be easy for the State, but Civil Society organizations, such as yours, can find ways to help these students by sending Turkish grammar books and other educational material. I think this is a clear sign of an increasing interest in Turkey. So, NGOs, and universities too, can help build bridges and make a contribution. As a member of the Middle East Technical University, I would like to contribute to that process myself if possible. We have to provide a basis for dialogue between the young generations, to make them communicate with each other. As long as these communication lines are not repaired, and we do not meet with these people, prejudices will remain where they are, and even strengthened. That doesn't mean we have to agree on everything, and we won't be, but we have to consider the possibility that as these relations and dialogue increases, the prejudices might be overcome more easily. Hrant Dink once said that let's leave aside the things we can't agree on and focus on other things such as cultural, social relations, literature, theatre, art, poetry etc. And yes, in those things we have to get closer. It was a pioneering project when President Abdullah Gul initiated the football diplomacy, but also a regrettable failure on both sides when it did not succeed.

2 "Ekmeğini taştan çıkarmak" T.N.

AVİM: So do you think track-two diplomacy would be reinitiated?

Bağcı: Absolutely. Universities, NGOs, chambers of commerce and trade, private sector and businessmen can play a dynamic role. Thus, trade relations are a primary factor in international relations. Why are we still restricting our trade with Armenia to go through Georgia or other countries and not establish direct trade links? No doubt this will also bring economic progress on the Turkish side of the border. Tourism itself could become a major sector. I think Turkey has to reach a balance in its relations with Azerbaijan, not a unilateral “enslavement” of a major critical issue in its foreign policy. Turkish and Azeri public must also be informed that disagreement on particular foreign policy issues is different than broadening areas of cooperation in critical areas. If we consider our relations with European Union and some countries in Europe such as France, we will see that we do not agree on everything, but we nevertheless continue to cooperate. In the case of France, we can remember that Turkish Prime Minister and Minister of Foreign Affairs responded harshly towards developments in bilateral relations, but we were the ones who ended up the embargo afterwards. Turkey is not a country to “bully” Armenia, but instead a country with the duty to be a “big brother”, compassionate friend or a good neighbor since we are pursuing a policy of “zero problems with the neighbors”. I think Minister Davutoğlu has to review his stance towards Armenia in the first place. Again, I don’t think it would not be possible to establish diplomatic relations in the initial phase, there domestic and international concerns involved. But I think we have to establish ways other than diplomacy with Armenia, and I also think that Turkey has to pursue a pioneering role. There is no reason for Turkey to have fears regarding Armenia, on the contrary, Armenia is a country half the size of Ankara including its total population. I might add that there is nostalgia in Armenia for Turkey, not only yearning or admiration: a wish that they had closer relations with Turkey. If I might exemplify, they would answer Turkey if they were asked to choose us over Iran. Culturally both countries are Muslim, but Armenians feel closer to Turkey. My impression is that if they were asked to choose visiting Istanbul or Tehran, they would clearly choose the former. We can utilize this sentiment. As an academic, I see myself among that peace-maker academician category. Our primary duty is to bring societies together, not create divisions among them. It’s especially essential to build these bridges among the young generations. So, student exchange programs between the two countries is an immediate requirement, so are the steps to be taken by Turkey to create opportunities for those students who are eager to learn more about Turkey. Kadir Has University’s recent initiative establishing a Department of Armenian Language is admirable, while Serdar Dinler’s role in this process has been a major one. Still, we need more.

I’ve visited Azerbaijan on several occasions. Surprisingly in a three-week

period I've visited both countries, namely Azerbaijan and Armenia. In Azerbaijan, I was impressed that there were a significant number of Azeris who were not happy that Armenians were gone. Thus, there is still an Armenian church in Baku located at the heart of the city, and whoever I spoke in Azerbaijan expressed that they wished that the Armenian neighbors were also there. I want to give a striking example, the family of an academic which was expelled from/migrated from/left Nagorno Karabakh (which term you would choose) have an Armenian attendant in their homes take care of their children, who also migrate from Nagorno Karabakh. On the one hand we have people slaughtering each other, and on the other, we have people entrusting their child to another, taking precautions for their children not to forget their Karabakh culture and heritage. This is clearly an irony of history and a behavior of obvious pragmatic basis. This is essentially humanistic. I believe that the humanistic issues must be prioritized over political concerns in that particular case. I also believe that the politicians of both sides are behaving shamefully³, both Turkish and Armenian. It's my very obligation to express that the social impression is different than the political sentiments in both sides. These societies have no enmity whatsoever with regard to each other. It's a matter of establishing the mechanisms to build bridges and come together. Therefore, I think both the Turkish and Armenian government's policies are awfully wrong.

After Hrant Dink was murdered, there has been a critical change of perception in Armenia. Especially after the murder, gathering of hundreds of thousands people during his funeral and the meeting afterwards created a very good sentiment in Armenia. So Hrant Dink's murder, albeit shameful, has also led to some positive change in mutual understanding.

AVİM: You've underlined that there is a major mutual diplomatic failure. How do you describe the failure behind the Protocols?

Bağcı: It can be defined by two factors. As you can remember, during the signing of the Protocols, we've seen Minister Davutoğlu's pleased facial expression on the one hand, Minister Nalbantyan's discontent facial expression on the other. It was a sign of Turkey's diplomatic victory with regard to concessions made and benefits from the Protocols. If these protocols were picked out from the freezer and relaunched today, it would be easier to have positive results. Azerbaijan's policy has played a crucial role in that process. They immediately intervened, and massive public policy campaign was launched to counteract these protocols. A 6-member committee immediately came to Turkey and met with the members of Turkish parliament. Domestically

3 Professor Bağcı uses the expression "ayıp etmek". Turkish translation is that "Her iki ülkenin politikacılarının da çok ayıp ettiğini düşünüyorum."

the campaign targeted at the opposition groups, particularly nationalist sentiments in the parliament, such as MHP. They used the prejudices on the Armenian issue in their favor. In the end, Turkey postponed the ratification of the Protocols due to Azerbaijan's tremendous pressure. It proves the influence of Azerbaijan's economic power, ie energy, to affect Turkish Foreign Policy. I've expressed that in my visits to Azerbaijan, that Azerbaijan took Turkish Foreign Policy in its pawn in these matters. They pursued a policy which restrained Turkey in a critical problem. Azerbaijan is pursuing a very aggressive public diplomacy campaign using huge amount of resources, which I think is very successful. Last year, there were several conferences on the commemoration and criticism of Hocalı massacre held in 42 universities including Middle East Technical University. Azerbaijan has never been that influential. Immediately afterwards there was a huge meeting in Istanbul Taksim on Hocalı massacre. At the time, Minister of Internal Affairs İdris Naim Şahin's comments were far marginal than we could expect from the now deceased nationalist leader Alparslan Türkeş. As you already know, rapprochement process between Turkey and Armenia was first pioneered by Türkeş. Most people do not know, or neglect that particular fact. It was an original approach, expressed in the saying "nail unstiches the nail"⁴. At that time, two radical groups from Turkey and Armenia played a unifying role. Today, the dependence/independence on Azerbaijan will play a crucial role in the upcoming years with regard to Turkish-Armenian relations. Secondly, in his speech on May 16th 2009 at the Azerbaijan Parliament Prime Minister Erdoğan said that Turkey would not make any attempts by overstepping Azerbaijan. From that time onwards, that's water under the bridge. But still, I believe Turkey is taking Azerbaijan factor into consideration much more than she needs. If Turkey's interests require the establishment of diplomatic relations with Armenia, Turkey must be able to do that, and not follow a policy that is bound with Azerbaijan's blessing. Analytically, we've seen that Azerbaijan could be a most effective outside factor in Turkish Foreign Policy. Historically this has been an opportunity missed. So we've seen that Turkish Foreign Policy is not that independent or free from outside influences; most importantly not immune but a follower Azerbaijan's national interests in these matters. This does not necessarily mean that there are no Armenian domestic political groups which are disturbed by a possible rapprochement with Turkey; on the contrary, they will always be there to prevent these attempts. Still, this is a matter of political will, a will that was materialized when Minister Davutoğlu and Minister Nalbantyan signed the Protocols in Zurich. Therefore, I believe, the failure to ratify these protocols was a failure/mistake by Turkey in the first place. That's because of the inability of Turkey to follow an independent decision-making process in pursuing its foreign policy, and the result was not

4 "Çivi çiviği söker". T.N.

in line with Turkey's national interests. I also believe that opening of borders with Armenia is in favor of Turkey's national interests. However, government does not consider this aspect as a more favorable policy in the face of Turkey's relations with Azerbaijan in quantitative and qualitative terms, so they saw these relations with Azerbaijan and the interests that are derived from it as more important than Turkey's national interests. There is no doubt that economically Azerbaijan is more important. But if pursue a more historical and diplomatic line of reasoning, it's fair to say that this choice between two sides is wrong in itself.

Prejudices in both sides, namely Armenia and Turkey will continue. But we can say that in the last three years and since Hrant Dink's murder, there is a mutual common sense and humane response is emerging.

AVİM: We've already highlighted those factors that might stall the rapprochement process for Turkey. Do you think there are similar factors for Armenia as well? What is the role of Armenian Diaspora?

Bağcı: Armenians outside Armenia are stuck with their prejudices on Turkey, and this is because their existence in those countries where the Diaspora is located depends on their anti-Turkey sentiments. I acknowledge that there are tragedies in the past, so I find this sentiment understandable. I've experienced this on several occasions during my encounters with Armenians. But this does not help Armenia. Armenians living in Armenia are poor people. Their life standards are well below Turkey's and maybe 20-25 years backwards. This is an obvious economic fact. Let's recall that lots of people from the Diaspora came to see the Turkey-Armenia football match back in 2009. I'm inclined to see the humanistic aspect, which I think is the crucial factor here. Thus, politics is abstract, but the humanistic side is right before us, visible. I believe it was a major political risk when Mr. Sarkisian joined President Gul in this attempt to establish diplomatic relations despite the Diaspora, and he paid a price for it. Just before he came to Bursa for the football match in 2009, I was interviewed by several media organizations and I was asked if Sarkisian will come or not. My comment was that it was inevitable and only natural that he would come to Turkey, he would come and enjoy our famous İskender kebab with President Gul, enjoy the game and that's just customary for him to do so. This was a traditional diplomatic conduct. It could contribute to dialogue or have no results at all, but this must have been done and it was. The night President Sarkisian came to Turkey, I was on a live TV program with Suat Kınıklıoğlu and we were watching the game as the crowd was raising Azerbaijan flags. While we're brothers and sisters with Azerbaijan, we're two separate states. Azerbaijan flags meant that people were showing their reaction to Karabakh

and that's acceptable, but it was a Turkey-Armenia football match. I myself watched a football game in Spain with Mehmet Nevruzoğlu Aliyev, who served as Ambassador of Azerbaijan to Turkey for 15 years, and we raised Turkish and Azeri flags at that match too. We all express our nationalist feelings in these times. But this is different. Azerbaijan is not a country to be disregarded. But this does not necessarily mean that Turkey has to protect Azerbaijan's interests all the time. Turkey has to follow the policy of "first life and then beloved"⁵. Turkey must convince Azerbaijan by explicitly defining the reasons for rapprochement with Armenia, namely that for specific reasons Turkey intends to establish diplomatic relations with Armenia, and this process might damage Azerbaijan indirectly, however for the sake of Turkey's national interests this is necessary. There are numerous references to protect the heritage of the "ancestors"⁶ nowadays, but what is necessary to attain this goal is obviously neglected in the case of Armenia. Thus, the failure of Turkey and Armenia to establish bilateral diplomatic relations is a historical mistake. Despite the tragedies in the past, Turkey was among the first countries to give a helping hand to Armenia after the 1988 earthquake. Armenians also did their best to help Turkey after 1999 earthquake. Again and again, humanistic reasons prevail over political barriers. This has always been my basic point of origin. With my all due respect and love for Azerbaijan and its people, a closed border with Armenia is our shame. Considering our relations with other neighbors, and that we didn't have any major conflicts with Armenia, we could not protect the basic right of communication and movement for people on the both sides of the border. There is famous saying in Gaziantep, "neighbors want for each other's ashes"⁷. Therefore, Turkey has to take the first step in that respect, play a pioneering role, although this is my academic viewpoint and not a political stance.

AVİM: From a historical standpoint, how do you perceive Minister of Foreign Affairs Ahmet Davutoğlu's recent remarks on a redefinition of Armenians as a part of "Turkish Diaspora" and "Just Memory"?

Bağcı: This is a belated remark. Minister Davutoğlu should not have any inconsistencies between his remarks and his practices. Thus, someone might ask Minister Davutoğlu the reason behind his reluctance to ratify the Protocols. Theoretically, I concur with Minister Davutoğlu's new approach. I also supported President Gül's initiative back then. These were humanistic approaches. But then we have to find ways to meet the young generation of Armenians in the Diaspora. In fact, we don't speak to each other, as we didn't

5 "Önce can, sonra canan" T.N.

6 Ecdad. T.N.

7 "Komşu komşunun külüne muhtaçtır" T.N.

in the past. Whereas I wish we invite them and they accept our invitation, then we can speak. I remember President Turgut Özal's project: he thought that Armenians should come and visit Turkey, even begin living here. Let me tell you a very recent experience. This year and before we visited President Putin in Russia, I've met with a Diaspora Armenian from New York. He was reluctant towards me as we were first introduced since I was coming from Turkey. My response was ironic: I asked him about his reluctance and that I'm a good person and not a cactus! When we were at Putin's house in October 2012 he told me "I visited 'Western Armenia' this year". I responded "yeah, well, that's great, we call it Eastern Turkey, how lucky for you! Which cities did you visit?". He said "Bitlis, Van Muş, etc. major cities in Western Armenia!". I responded "I'm glad for you, these cities are really beautiful cities in Eastern Turkey". Still, we were talking. He meant that he's been to Anatolia. I think we're stuck with the geographical definitions too much. It's similar to the absurd question whether we're European or not. We're located east of Europe, but we're the western neighbor of China. We're both Eastern and Western. I'm aware of our past with the Diaspora, i.e. ASALA's horrible terror. Retired Ambassador Bilal Şimşir has already put forward the horrible terror into words. Kamuran Gürun was among the first who wrote on the Armenian issue. The thing is we never spoke to the Armenians face to face. Elif Şafak's book played a crucial role in expressing a different aspect of the issue, namely one from the viewpoint of women. In the end Diaspora is an actor both in Turkish Foreign Policy and Armenian Foreign Policy. I say let's bring those Armenian students from Armenia to Turkey and send our students to Armenia, let's build bridges between them. I've met Raffi Hovannissian in 1994 in Tehran when I was there for a meeting. As you already know his father is one of leading academics in the Diaspora. Back then, Ahmedinejad was the Mayor of Tehran city, and we were at a dinner invitation by Ahmedinejad at one of the old palaces owned by the deposed Shah. The view of the palace was great. I told Raffi, let's take a picture together before this great view just for the sake of Turkish-Armenian relations and at the expense of my political career. We took that picture and we spoke a lot. And I think Turks and Armenians need to speak to each other today more than ever.

BOOK REVIEWS

(KİTAP TAHLİLLERİ)

Ellen Kronheim REISMAN

ARMENIANS: PERPETRATORS AND VICTIMS (ERMENİLER: FAİLLER VE KURBANLAR)

Author: Dr. Arnold Reisman, New Academia Publishing, LLC,
September 2006, 604 pages, ISBN: 978-0977790883

Since Dr. Arnold Reisman's book *Turkey's Modernization: Refugees from Nazism and Ataturk's Vision* (New Academia Publishing, 2006) was published, all his subsequent books were inspired by his initial research. In April and May of 2009 his next two books, *Arts in Turkey: How Ancient Became Contemporary* and *Post-Ottoman Turkey: Classical European Music and Opera*, were published by Booksurge, and provided a look back at Ottoman cultural history and the strides that were made by the modern Turkish Republic to infuse the past with the present and, with the help of the refugees invited by Ataturk, create a Turkish heritage in the arts that would be a springboard for future generations. In that same year three more books, *Refugees and Reforms: Turkey's Journey*, *The Transformation of Istanbul: Art Galleries Reviving Decaying Spaces*, and *Shoah: Turkey, the US and the UK*, appeared in the marketplace.

After reading Emir Kivircek's book about his grandfather, Behic Erkin, Dr. Reisman was enthralled with the story and pursued a line of research resulting in *An Ambassador and a Mensch: The story of a Turkish Diplomat in Vichy France*. Learning about Erkin and Gallipoli led to *My Enemy's Enemy*. A departure from the usual Turkish themes, *My Enemy's Enemy* is about the development of the Zion Mule Corps which eventually led to the creation of the Palestine Brigade. However, it was learning about Gallipoli that piqued his interest about the Zion Mule Corps.

Dr. Reisman's last book, completed just before his death and due to be

published in spring 2012, covers a subject which he avoided for years partly because of his lack of knowledge in the subject matter and partly because of its controversial nature. After reading Hovhannes Katchaznoui's *Manifesto: Dashnagtzoutiun Has Nothing to do Anymore*, Reisman began extensively researching to see if there was material by other Armenians in the same vein. Katchaznoui, had been a leader of the Dashnagtzoutiun, the Armenian Party, and was appointed the first Prime Minister of the Armenian state in 1918. He presented his *Manifesto* to his party when it convened in Bucharest in 1923. Essentially, it is a work of self examination and self criticism, the self to which he refers is his own party.

The result of Dr. Reisman's research is the forthcoming book *Armenians: Perpetrators and Victims*. Reisman uses archival documents and non-Turkish sources to show there is more to this controversy which people, including many historians and heads of state, either do not know or have chosen to ignore. He lays out facts providing the reader with an opportunity to have a more balanced understanding of this argument that polarizes people. Newspaper articles from the 19th and 20th centuries are reproduced giving a context for the subject. Quite cleverly, editorials are juxtaposed with actual on the ground reporting showing how uninformed and biased many people were. From the beginning of the book, which offers some of the history of Armenia, through the Appendices, the reader is almost overwhelmed with the amount of detailed information chronicling the Armenian/Turkish controversy through two centuries. Following the demise of the last Armenian kingdom in 1453, the greater part of Armenia was absorbed into the Ottoman Empire while the Eastern regions were controlled first by Persia, then Russia which annexed these territories during the nineteenth century. The Ottoman Empire's loss in the Russo-Turkish War of 1877-1878 resulted in the creation of a Bulgarian state and forced the Empire to recognize Romania and Montenegro as independent entities. Seizing upon this, the Russian Armenians, supported by their government, crossed into Turkey perpetrating crimes on many people including their own. Why would a people slaughter their "brothers"? The Russian Armenians had adopted the policy "the end justifies the means" and because their end was an independent Armenia, they believed that their behavior was the means to that end. Why would a government sponsor such horrific behavior? Russia wanted the Ottoman Empire dismantled and helping to stir up trouble was one way of accomplishing that goal. The British and French were interested in acquiring the rights to explore for oil so they, too, were eager to get into the area so they signed secret agreements with various sheiks and sent teams to the Persian Gulf to investigate the possibility of oil exploration in the region. Reisman documents instigation by missionaries and various consular personnel to stir up negative publicity against the Turks

in order to achieve their ultimate goal which happened in 1918 at the end of World War I.

As a child survivor of the Holocaust (*Welcome Tomorrow*, North Coast Publishing, 1982), Reisman is sensitive to the Armenian claims of genocide. Taking no sides, voicing no opinion, he documents the horrible atrocities perpetrated against the Armenians...sometimes as retaliation, sometimes not. It is left to the reader to make the decision if what was done to the Armenians was, indeed, genocide. With sensitivity intact, he shows that there is enough blame to go around and that both sides have an obligation to accept their responsibilities for the horrendous acts of the past so that they may move forward and establish a new relationship for present and future generations.

THE SANDCASTLE GIRLS (KUMDAN KALE KIZLARI)

Author: Chris Bohjalian, Doubleday, New York, 2012, 320 pages

A well-known and bestseller *Midwives'* author Chris Bohjalian has released his latest novel entitled *The Sandcastle Girls* on July 2012. The reader would be well advised to start reading the book from reverse in order to have an idea of what the novel is about. The suggestion is to start with the "author's note" and "acknowledgments" that follow the ending of the novel.

There are two reasons for this. The first reason is that in the "author's note", the author admits candidly that he has no affinity with the theme of the book. Furthermore, so as to write this novel, he expressed that he read the available stories based on the Armenian allegations. However, the most crucial point is the indication of the nearing centennial of the 1915 events. It is understood that the author was encouraged to write this novel with a view to serving Armenian propaganda.

The second noteworthy reason is the "acknowledgments" part where he lists the extent of his sources of reference, all notorious anti-Turkish publications of Armenian claims and allegations. Despite his Armenian heritage, he does not forgo his American fairness by revealing his biased references. The author should be appreciated for his honesty.

Bohjalian does not try to hide why he wrote this book. As the books of his reference are considered, it is to be seen why Bohjalian is a successful author. In the light of these consulted books, he wrote a comparatively moderate novel. With this input, one cannot expect or hope another outcome. Even though he tried to balance the book by giving room to the Turkish characters within the novel, the author's avoidance of indicating the difficulties that the Turkish people were subjected to in 1915 and the absence of the Turkish sources are serious deficiencies making the novel biased and propagandistic. The author subtly indicates that this novel is undertaken for a certain date.

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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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Turkey-Azerbaijan Relations: How to Switch from Brotherhood Slogans to Strategic Partnership?



It is time to develop a closer relationship. By adding block into place each year, a common future that is based not only on bureaucrats and politicians but also on the entire nation and with the aim of improving friendship, peace and prosperity between Turkey and the Azerbaijan will be built.


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IRAQ'S PIVOTAL POINT: TALAFAR



THE STRUGGLE AGAINST PIRACY: THE SOMALIA CASE AND TURKEY'S POSITION



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EVENTS

ORSAM-TRT Cooperation for the Documentary of Turkish Straits



The topics of the documentary film include the the issue of Turkish Straits.

ORSAM Middle Eastern Studies Summer School Completed




ORSAM held a summer school program from July 1-15, 2009.

Tal Afar Conference in Istanbul




A conference was held on "Tal Afar: From the Invasion to the Present." on June 13, 2009 in Istanbul.

Obama's Middle East Policies Discussed



New American Policies and the future of Turkish-American relations were a topic at the meeting.

The Priorities of Turkey's Iraq Policy Evaluated



A brainstorm was arranged at ORSAM seeking to answer the question: "What should the

- ORSAM GUEST**
- Prof. Raymond Hinnebusch** evaluated Syrian foreign policy and Turkey-Syria relations. According to Hinnebusch Syria values relations with Turkey for several reasons.
- Rıza Çolak**, Representative of the Iraqi Turkmen Front in Talafar: "There is no such thing as Sunni-Shite conflict in Talafar. We are all brothers and sisters."
- 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.
- Baodad Amreyev**, Kazakh

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Slovakya parlamentosu Avro Bölgesi'ndeki borç krizi için hayati önemde görülen Avrupa Mali İstikrar Fonu'nun genişletilmesi planlarını reddetti.

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Ukrayna'nın eski başbakanı, yolsuzluk yaptığı gerekçesiyle suçlu bulundu. Mahkeme Timoşenko'yu 7 yıl hapis cezasına çarptırdı.

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