

THE ARMENIAN CASE

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INTRODUCTION

When we deal with the Armenian issue, we must ask the following simple question.

What is the reason why Armenians living together with Turks, in peace and harmony for centuries, as a faithful part of the Ottoman Empire, are dominated by a feeling of hate creating a deep gap between the two societies, which is widely discussed today?

Armenians and Turks, whose customs, living styles are similar and who are in interaction in the field of literature, cooking culture and many other subjects, have also mutually respected each other's religion.

The first theatre in the western sense under the Ottoman Empire started in Istanbul in the Armenian schools of Haskoy and Kuzguncuk. Aruchian Papazian is the first lady who took the stage. The first orchestra in Istanbul was set up by an Armenian. The composer of the first Turkish operetta is an Armenian.

The first women chorus was also set up by Armenians and the first etymologic dictionary was written and published by an Armenian.

The Balian who marked the 18th and 19th centuries' Ottoman-Turkish architecture was an Armenian family from Kayseri.

The main fields of occupation of the Armenians called "faithful people" were official translation, brokerage, craftsmanship and trade. Armenians in the Cilicia region were farmers.

At the time of Abdulhamit, 3000 Armenians were working in the Ottoman central administration and municipalities, 6000 in the provincial state organization, namely 9000 Armenians were employed. There were 9 Armenian deputies in the 1876 assembly.

In senior bureaucracy, 149 Armenians were working in the Ministry of Foreign Affairs, 145 in the Ministry of Justice, 184 in the Ministry of Maritime Affairs, 318 in the military industry, and 200 at the Treasury. During the Balkan wars, the Minister of Foreign Affairs was an Armenian.

Agop, Nichan, Kapril and Nikogos Tashchian brothers were great musicians.

Agop and Nikogos aga published a musical magazine named "NIVAK-i Osmanyan" and Nikogos aga recited the azan at the Dolmabahce mosque, upon the demand of the Sultan Abdulmecit.

HISTORICAL DEVELOPMENT

Considering the events from a broad perspective, it appears that in the 19th century, nationalist movements began to develop and as a result detachments from the Ottoman Empire occurred. The development of nationalist movements dates back to the French revolution. This revolution has been a milestone in the weakening of empires of different nations and ethnic groups and in the constitution of States based on nations. This movement which started from the

Balkans began to also influence the Ottoman country in the 19th century; for the Armenians, the 1829 Mora rebellion and finally the 1832 independence of Greeks served as a good example. Serbian and Bulgarian rebellions were other examples.

With the regression of the Empire, the situation of Armenian villagers worsened, their financial resources were not enough to give taxes to the State and rackets to Kurdish feudal lords. With the abrogation of the 1876 Constitution by Sultan Abdulhamit II, conditions worsened, the spirit of nationhood arose among the Armenians and revolutionary ideas started to spread. The numerous missionary schools in Anatolia also contributed to this development. The trend of studying in Europe and getting westernized increased among Catholic Armenians. Hence, Armenians came into close contact with the European culture. In 1876, after the Bulgarian rebellion of 1876, in April 1877, Russia declared war on the Ottomans. Russians crossed the Danube and received help from Romans, and broke the resistance of Plevna. As war ended with the victory of Russians, on 2 March 1878, the Ayestefanos (Yeşilköy) agreement was signed.

During the 1877-78 Russian war, the request for help by the Armenian patriarch Nerses Varjabedian from Grand Duke Nikolai was one of the elements which sowed suspicion on the confidence between the Ottoman and the Armenian communities.

Article 16 of the Yesilkoy agreement stipulated that the reforms and arrangements required in the provinces where the Armenians settled be completed without delay, due to local conditions, and the protection of Armenians from Kurds and Circassians. Shortly after this agreement, at the Berlin Congress held on 13 July 1878, Armenians made an attempt to bring this issue on the international arena. According to article 61 of this agreement, within the scope of the Armenian reform, autonomy was granted to 6 provinces (Diyarbakir, Van, Erzurum, Bitlis, Harput, actual Elazig region, Sivas) called "vilayeti sitte", and the appointment of Armenian governors and creation of Armenian militia forces were accepted. Furthermore, the responsibility of implementing the Armenian reforms was transferred to the European harmonization.

These reforms were not implemented. The failure to realize the reforms led to the exertion of pressure on this subject by the Russians, after the 1912 Balkan war and the organization of the Armenians in order to carry out armed struggle. Such movements started first in Europe and then spread to Anatolia. Another focus was Caucasia. In 1887, in Geneva, a group of Armenian students created the Hunchakian Revolutionary party. Article 6 of the party program stipulated that when a foreign power attacks Turkey externally, time would come to make a general revolution in Armenia and the party would start the rebellion. In 1890, the Tachnak party was created. On the other hand, on 29 November 1890, Armenian ministers, traders, some high ranked justice officials signed and submitted to Abdulhamit a petition of confidence in the Ottoman State.

On 24 July 1908, Abdulhamit had to promulgate again the constitution it abrogated previously. Turks and Armenians celebrated together the freedom and equality principles they acquired as a result of a joint struggle. Talat, Enver and Cemal pashas visited churches. With the II.nd Constitution, the freedom to acquire arms was granted to people. This freedom led to armament.

In the 19th century, especially in the 1890-1900 period, events occurred in Yozgat, Sason, Diyarbakır, Zeytun (Maraş), Van and Adana. In Istanbul, in 1895, manifestations took place at Babıali and the next year an incursion was made to the Ottoman Bank.

The most important of these events, which caused the end of the cooperation between Armenians and the Party of Union and Progress was the event of Adana. Immediately after the 31 March event, on 3 April 1909, in Adana, especially after the provocation of the community leader, Adana bishop, Mucheg Ohannes killed two Muslims and events broke out and violent clashes occurred during 4 days between Armenians and Muslims and there was too much loss of life. Clashes spread to villages and 17,000 Armenians and 1,850 Muslims were reported dead.

On 10 December 1912, Bedros Kapamacian was killed upon the order of the Tachnak committee. The aim of this murder was to eliminate Armenians who were faithful to the State and accepted the Ottoman superior identity.

In February 1914, the Yenikoy Agreement was signed between the Ottoman Empire and the Russian Tsar. According to this agreement, a large amount of land was reserved in the East Anatolia for Armenians to create an independent State. On this land, one Swedish and one Dutch were expected to govern in the capacity of governors. In his memories, Cemal Pasha indicated that when World War I broke out, they abandoned the said agreement.

At the beginning of March 1915, the Tachnak community in Sophia proposed to land 20,000 Armenian military volunteers to Cilicia. Half of them were to come from the Balkans and the other half from the United States of America. Armenians supported the Allied States during World War I. Armenians of Turkey joined the Russian forces. Armenian volunteers from Russia exempted from military service to fight against Turks at the Caucasian battlefield were organized by the Russian branch of Tachnaks.

One of the places where the Hunchak community was most powerful was the village of Zeytun, North-East of Maras. Acts of violence started at the end of 1914. Clashes occurred between Armenian gangs and gendarmerie units. When mobilization was declared, no one from this village enlisted in the army.

Developments in the Armenian front led Sultan Abdulhamit to constitute the Hamidiye troops.

The most important factor for the decision of deportation to be taken was the rebellion of Van. On 20 April 1915, the Armenians in Van took the offensive under the command of the Tachnak leader, Aram Manukian, at the end of the clashes, on 20 May, Russian and Armenian troops and later on the Russian Army broke into Van. The Armenians gave the city key to the Russian general commander. In return the Head of the Armenian Defense Committee, Aram Manukian, was appointed as the governor of the region by the Russian military authorities.

After the deportation, with the hatred created by all the events experienced during the deportation, Russian and Armenian troops massacred the Muslims in Eastern Anatolia, especially, in 1916.

After these first years of the 20th century, we now observe that decisions have been taken at the parliaments of 46 countries, in favor of the so called Armenian genocide. The first one of these is the Russian-English-French joint venture in 1915. Six decisions were promulgated in the 1915-1990 period and the remaining 38 decisions were promulgated after 1993.

The definition of genocide has been provided in 1948 in the United Nations Convention and it was indicated there that only real persons can commit genocide. At the Nurnberg court, Nazis were accused, not the German people, more recently, as a result of the events which occurred in ex-Yugoslavia, certain leaders were brought into court and accused, not the Serbian people. Only in the allegation of Armenian genocide, the Turkish people are accused and not persons and/or leaders. As only an international court has the authority to decide on the crime of genocide, decisions promulgated by parliaments of countries have no legal consequence, but affect world public opinion and sympathy was felt for the Armenian cause.

In the 1919-1921 period, 144 leaders/members of the Party of Union and Progress were judged in Malta. A triple judgment was made and the crimes imputed were the following:

1. Ill-treatment of English prisoners,
2. Non-compliance with the terms of the Mondros Armistice and
3. Slaughter of Armenians.

The English crown chief prosecutor carried out the prosecution and in July 1920 decided that a lawsuit can be filed at a civil court on one subject only, only 8 persons are judged for ill-treatment of English prisoners, and it is concluded that there is no evidence on the other points.

After the Treaty of Sevres, the English Minister of Foreign Affairs, Lloyd George, requested the prosecutor to extend the inquiry. The basis of this request is article 230 of the Treaty of Sevres. This article is related to the collective massacre of Armenians and the acceptance of this fact by the Ottomans.

Furthermore, whether non-Muslims other than Armenians were massacred is also cross-examined. The English requested help on this matter from the U.S. Secretary of State. Contrary to the report against the Ottoman State, drawn up by the U.S. Ambassador in Turkey, Morgenthau, Admiral Bristol indicated in his report that what is written by Morgenthau is not true and that there were clashes from both sides. After the Americans opened their archives to the English, following the examination of these archives, no serious evidence was found against the Ottomans. The English Crown Chief Prosecutor could not file a lawsuit in spite of the pressure exerted by Lord Curzon. In July 1920, a decision is pronounced that there is no need for prosecution and that there is a lack of legal grounds for legal action. Lord Curzon requests the filing of a political lawsuit, even if no legal lawsuit can be filed.

In face of the Armenian allegations brought on the agenda long after the events which occurred, Turkey remained passive. In 1975, the ASALA organization started murdering diplomats and officials working in Turkey's foreign missions abroad and other terrorist actions were initiated. These activities ended up after a while, for two main reasons.

The first one, which is the most important one, is that with terrorism Armenians began losing sympathy and they started thinking that it will be more useful for their cause to politicize the issue, and the second reason is the counter-actions taken by the Turkish State.

A few months after the Turkish government applied for European Union full membership in 1987, the European Parliament officially recognized the Armenian genocide and requested Turkey to recognize it also and declared that otherwise its membership would not be possible.

Armenia was founded in 1991 and the Republic of Turkey recognized this State, and later on imposed an economic embargo on Armenia.

This event accelerated the politicization strategies of the Armenians. A similar decision was promulgated in 2001 by the French parliament and the acceptance of the genocide was prevented at the U.S. House of Representatives in various years. However, similar attempts were made subsequently with the efforts of the Armenian supporters.

What happened in 1915?

According to the Ottoman and American archives, the number of deported Armenians is 700,000 and 300,000 Armenians were not forced to migrate. The great proportion of Armenians who were not deported lived mainly in Istanbul and Western Anatolia. About 400,000 - 450,000 Armenians living in Eastern Anatolia migrated to Caucasia.

The most important reason for the attacks on convoys was the authorization granted to the deported Armenians to carry their valuable goods, jewelry with them. These attacks were made by deserters, Kurdish tribes, some low level State officials and gendarmes. A small proportion of them was deported by train and some by tumbrels and coaches. However, a great number of Armenians had to walk for long distances.

About 500,000 Armenians among the deported ones arrived safely in 12 big camps in Syria and Northern Iraq and there, according to the reports of the American organization, expenses worth two gold liras a day were made for them. In Aleppo, they were primarily accommodated in hospitals and schools, later on they settled in tents set up in the surroundings of the city.

During these events, the number of Armenians who died is estimated at 200,000-300,000 and those killed at 10,000-15,000. According to the Armenian diaspora and other Armenian sources, this number is about 1 - 2.5 million.

Talat Pasha set up 4 investigation committees and sent them to Anatolia. The committee dismissed many officials and brought them to the martial court, the criminals arrested were penalized. Among the 1673 persons who attacked the convoys, committed murders and usurped the effects of the Armenians, 600 were State employees. 67 of them were prosecuted and only 12 persons were condemned for murder and executed.

Most of the Armenians settled in Aleppo and the surroundings. The American Consul, Jessie J. Jackson, prepared daily reports. Apart from deaths due to attacks on convoys, epidemics were another cause of death.

THE LEGAL ASPECT

In 1948, the United Nations (UN) adopted unanimously at its General Assembly the "Convention on the Prevention and Punishment of the Crime of Genocide".

The said crime is clearly defined in this convention and courts competent on the related lawsuits are indicated. First of all, this convention is not retroactive.

The Rwanda and Yugoslavia International Criminal Courts set up with the decision of the UN Security Council pronounced individual genocide decisions and furthermore the Nurnberg military court condemned the German leaders of the period, for the crimes they committed against humanity.

If we set aside the legal aspect and consider the aspect of conscience, in the light of the information provided above, the measures taken by the Ottoman government before the Armenian exodus and its judgment and condemnation of State officials and other civil persons who committed crimes during the exodus totally invalidates the argument of a planned genocide.

After the Pearl Harbor raid, the USA transferred Japanese citizens to military headquarters, together with their families, and interned them in these locations. This is an example of measures taken by States in times of war, against elements of potential risk for them and the decision of deportation taken for Armenians originates from the same mentality.

The European Union (EU) Council of Ministers of Justice and Interior adopted a "Framework Decision on Combating Racism and Xenophobia", on 19 April 2007. This decision confers the authority to the EU countries courts to decide on genocide and stipulates also that genocide denial can be subject to one to three years imprisonment by the same courts.

According to the source "DOCUMENTS on OTTOMAN ARMENIANS, II, Ankara, 1983, pp. 91-92, the following instructions dated 30 May 1915 were given by the Ottoman Minister of Interior, Department of Immigrants and Settlement of Tribes, regarding the deported Armenians:

1. Local administrations are responsible for the persons to be transferred.
2. Armenians to be transferred can take all their movable belongings and animals with them.
3. During the journey of the deported Armenians, local administrations on the route will be responsible for their security of life and property, their accommodation, subsistence and rest. Officials at all levels are responsible for any neglect in this respect.
4. When the Armenians arrive at their new place of settlement, they will either be accommodated in houses to be built in towns and villages, alone, or in villages to be set up in zones determined by the government. Due care will be taken regarding public health, agriculture and construction, in the creation of villages in the said areas.
5. If there are no free and abandoned lands for the creation of villages, State farms and villages will be allocated to this purpose.
6. The boundaries of towns and villages to be created for the settlement of the Armenians will be at least 25 kilometers far from the Baghdad railway and other railways.
7. Records will be kept for all Armenians to be installed in villages, towns and the newly created villages and the name, surname, age, profession, place of birth, place of settlement of the persons and the name and age of all family members will be duly and correctly indicated in this register. This register will serve as basis for the population census.

8. Persons to settle in the designated places cannot go to other locations, without obtaining the authorization of the related Committee and the required documents from the local security forces.

9. The government is responsible for the accommodation of all persons arriving to the places of settlement, meeting their needs, and protecting public health and welfare. These expenses will be covered from the immigrants' allocation.

10. The construction of accommodation places and houses, the acceleration of these operations, the preservation of public health and welfare are under the responsibility of immigrants' committees under the leadership of the highest level administrative official. In locations where they do not exist, such committees will be immediately set up, according to the Regulation on Immigrants.

11. District and province governors are entitled to assign a sufficient number of civil servants for the efficient realization of transfers, supply of accommodation, food and the execution of installation works, at the Ministry, in harmony and cooperation.

12. For the accommodation of each family, adequate land will be allocated, by taking into consideration its economic conditions and current needs.

13. Allocation and distribution of land will be realized by the committees.

14. The allocated land and its boundaries will be indicated on a provisional receipt which will be given to the new owner of the land. Related information will be clearly recorded on a special register.

15. For those engaged in agriculture and craftsmanship and who are presently needy, a sufficient amount of operating capital, equipment and tools will be provided.

Furthermore, the Minister of Interior, Mehmet Talat, ordered by a confidential letter to prevent the migrating Armenians move from their current location, until the war is over. Following rumors stating that the real estate owned by the migrating Armenians was sold at very low prices, he promulgated a circular containing a series of measures.

What are the grounds of the Armenian argument?

1. ARAM ANDONIAN's book (Memories of Naim Bey): Aram Andonian who worked as military censor official during the mobilization declared in 1914 collected the statements of Armenians who survived the forced migration. Naim Bey, the former chief clerk of the Aleppo Deportation Committee, provided to Andonian its memories composed of numerous official documents, telegrams and decisions acquired during the term of his duty.

2. The Turkish government set up after the world war created a special military court where the leaders of the Party of Progress and Union were judged. Decisions pronounced by these courts are mentioned as important proofs supporting the allegations of genocide.

3. The Special Organization: It is argued that this organization was assigned to realize the Armenian genocide.

4. In the book entitled "THE WHITE BOOK", qualified as a report of the Party of Progress and Union, distributed by the Ottoman government to foreign embassies in Istanbul, it was admitted that certain excess was witnessed during the deportation. It was indicated in the report submitted at the meeting of the Party of

Progress and Union, held at the end of September 1916 that Talat Pasha admitted the excess.

At the last congress of the Party of Progress and Union, held on 1 November 1918, Talat Pasha did not deny the events, in his speech, defined them as the consequences of war situation and confessed that there were victims.

By bringing the persons responsible for these events to court martial, it admitted beforehand that crime was committed during these events.

What must Turkey do?

As a general policy, we must be aware of the strong Armenian diaspora and be extremely careful that the decisions we take do not cause prejudice to Turkey from other countries, and the measures we shall take and the sanctions we shall apply to not harm our country's interests.

Furthermore, we must be convincing in the steps we take, avoid bluffing policies, lest our interlocutors feel our seriousness and determination. To have not been able to do certain things which we indicated that we shall apply, in the past, will be considered a weakness.

It is true that the Armenian State and the Armenian diaspora will not renounce the "genocide" allegation regarding the 1915 events. This reality has been clearly put forth by Armenian authorities immediately after certain attempts were made by the current government in order to normalize relations with Armenia. We must say beforehand that we must also not renounce our national interests, for the sake of moderating the relationship, display a peaceful, conciliatory image.

We must be well aware of the purpose and strength of Armenia and its diaspora. The objective of their intense propaganda and efforts to influence the world public opinion is expressed clearly in article 1 of Armenia's Declaration of Independence in 1990, where the Eastern Anatolia region is defined as Western Armenia, in article 13 of their Constitution where Mount Ararat is indicated as the official arma of the State, in the introduction of the Constitution where referring to the Declaration of Independence, it is stated that the national targets indicated in that document are the basic principles of the Armenian State. Furthermore, on various occasions, the validity of the 1921 Kars Agreement determining the frontier between Turkey and Armenia is the subject of discussions at the Armenian Parliament. We must conceive very well that the aim of our opponents is not a simple apology.

1. First of all, works and efforts must be carried out under the supervision of government agencies, within the framework of a determined strategy and coordination.

2. Scientific works – Although Armenians did not up to now approve the proposition of Turkey to have scientists from both countries gather and carry out a joint work, by using all the sources and archives, we must continue carrying out scientific works. The aim here is to use all the publications to reach summary conclusions and to defend them as Turkey's permanent official arguments.

All kinds of publications and propaganda activities must be carried out so as to defend our arguments in various languages.

3. The border between our countries must not be opened in the near future and no goodwill gesture must be shown, because they have no good will. On the contrary, the immediate expulsion of about 70,000 Armenian citizens working illegally in Istanbul could be used as a strong trump, whenever required.

4. After the promulgation of the related law in France on 18 January 2001, the erection on 8 March 2001 of the Armenian monument, and the promulgations of similar laws in many European countries, South American countries such as Argentina exerted pressure on us in the international arena. In conclusion, the most critical point is focused on whether a declaration will be promulgated on this subject at the US Congress. In the USA, declarations on the so called genocide have been promulgated in 30 states and in these states, students are taught about the genocide crime committed by Turks on the Armenians.

The scenario that such a declaration will be promulgated by the US Congress sooner or later, hence the matter may be brought to the United Nations and land and compensation will be claimed from Turkey and we shall be forced to come to the table, is always on the agenda. In order to prevent such developments, the Republic of Turkey and various governments spent money and serious lobbying efforts before the US public authorities. This is reiterated every year around April, maybe we consent to some concessions which we are not fully aware of and extend this "Sword of Democles" for one more year and consider it as a success. Considering the eventual risks imposed by a basic policy change, it will be appropriate to discuss the suspension of the efforts made in this sense and the demands made by the US government, and wait for the developments.

5. Concerning steps to be taken for normalization of the relations with the Armenian State, the efforts to be spent, bilateral relations must absolutely be established. Third States or international organizations must not be allowed to interfere. The most important message to be given to the Armenian State in such efforts is that retaliation principle will be applied, and that if real peace is desired, the required sincerity must be displayed and hostility must end.