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THE ARMENIAN GENOCIDE AND TURKEY'S CANDIDACY TO THE EUROPEAN UNION

by
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To the memory of my dear mother Sonia

1947-2007

*Whose love and care have given me all the blessing
and support needed in life!*

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Introduction

The accession negotiations between the EU and Turkey formally started on the 3rd of October 2005. It was a culmination of more than forty years of open direct talks between the two concerned parties in different arenas, be it economical, political, or social (Human Rights). It was also the synthesis of major intra-European debates on important issues dealing with the appropriateness of accessing a country with around seventy million Muslim citizens, and their capability of integrating in a “Christian” though secular Europe. Perhaps, this mere fact gave the topic additional importance and further coverage by the media in the West, Turkey, Armenia, and of course in the rest of the world. No other candidate country to the EU, and no other accession negotiations have created this much debate among Europeans. Analyzing the political discourse during this month’s European Parliament elections, one can easily notice how sensitive is the issue of Turkish accession for the European public mind, and how well the victorious right wing and conservative parties exploited the prospect of Turkish accession in order to gain the votes of those “anxious” Europeans.¹ The political discourse in Europe, whether during electoral campaigning or not, highlight important concerns, most notably concerns emanating from a potential shift in demographics and from immigration (legal and illegal) and the related effects it has on identity, unemployment, public order, urban security, social provisions, control of borders and taxation.² Implying a negative effect by

¹ EU Observer, *Turkey Nervous after EU Elections Results*, June 10, 2009, <http://euobserver.com/15/28280>

² Laura Maritano, *Popular Racism, Modernity and Europe: An Ethnography on Turin (Italy)*, Paper for the “Ionian Conference”, May 2000. This ethnographic research of Turin (Italy) between 1997 and 1999 reveal the sensitivity some Europeans have against immigrants and against Muslims in general. The findings of this revealing ethnographic research can be accessed on, <http://aei.pitt.edu/743/01/ICMaritano.pdf>

the prospect of Turkey's accession, the right wing MEP candidates topped the above mentioned concerns with the following question: Will the accession of Turkey increase or decrease these problems? These concerns are rooted in a historical perception of the Turks, one that characterize them as being "culturally inferior" to the Europeans. The writings of Erasmus, the most famous scholar in Europe during the early 16th century, can give historical infrastructure of the current perception of modern Turkey.³ Though this perception has positively evolved with time, yet according to many Turks, things have not fundamentally changed for the past 500 years.⁴ In a parallel line of thought, it is perhaps not wrong to state that the progress of the negotiations, whether positive or negative, and in a broader context, its subsequent repercussions on the relation between Christendom and Islam, will have significant global implication and shape much of the world we live in today and the world of the coming generations. Yet, this is not to say that my focus will be to study Islam as a force "anti" or "pro" regional political integration, or see whether the cultural differences between Turkey and Europe, with all the diversity and heterogeneity within the latter, play a role in defining the future course of negotiations and the broader EU enlargement strategy.

Without the slightest doubt, the road to final accession is a long, complex, and most importantly, an uncertain process. Turkey has a lot to do to comply with the Negotiating Framework which constitutes the theoretical structure of the principles

³ In *On the War against Turks*, Erasmus refers to the Turks as "wicked barbarians" sent by God because "we have angered God and caused him to send the Turks against us, just as he sent frogs, lice, and locust upon the Egyptians long ago". Desiderius Erasmus, *On the War against Turks*, pp. 316-319.

⁴ Semih Akcomak, *Differences between the EU and Turkey greatly Exaggerated*, United Nations University, pp. 2-3

governing the negotiations. In this context, it is worth of notice that for the Armenian Diaspora in Europe, as for most of Armenians in general, the major missing point in the framework is the absence of a binding clause, a prerequisite for accession, requiring from Turkey to recognize the mass killings of Armenians in the late 19th and early 20th centuries as an act of genocide.

In a broad sense, this is a study of how an ethnic group has sought to utilize a regional integration process to redress its historic grievances. The group under consideration here is the Armenian Diaspora and the integration process is that of Turkey's negotiations for accession to the European Union (EU). The study follows the ethnographic approach, highlighting (as well as assessing the effectiveness) of the efforts of the various groups representing the Armenian Diaspora in Europe to get European governments and the EU to make Turkey's recognition of its responsibility for the Armenian massacres (what this study refers to as the Armenian question or the Armenian genocide) a precondition for Turkey's full admission to the EU.

Similarly, we shall find an answer to a simple yet central question: How important is the Armenian Question for the European Union? And subsequently, how the humanistic façade of the EU will be jeopardized if they let Turkey in, without having found an appropriate solution to the Armenian Question? However, before evaluating the Europeans on their own probable perceptions vis-à-vis the Armenian Question and their own national and European interests in raising such a critical issue for Turkey, other vital

questions surface: have the Armenians lobbied well in Europe? What did they do to influence the public opinion over there? What do they exactly want?

As a response to these vital questions, the study argues that the Armenian Diaspora in Europe was largely unsuccessful in imposing its conditions for Turkey's accession on the EU member governments and on the EU parliament. This limited effectiveness can be attributed to two factors: 1) Turkey's economic and geo-strategic significance for the EU; and 2) the Diaspora's failure to convince the European public that modern Turkey is not worthy of EU membership because of its human rights record. In a nutshell, the Diaspora was largely unable to convince the European public that Turkey is not worthy of EU membership, because of its current treatment of the very small Armenian community still living in Turkey (as well as of the much larger Kurdish minority), its overall poor human rights record, and, above all, its refusal to recognize the Armenian Genocide.

I have used the term Armenian Question, especially in the first part of this study, to describe the situation of the Armenians, both under Ottoman rule and thereafter. Care should be given to the point that the Armenian Question, as it became known, was part of the bigger minority questions in the Ottoman Empire. Other minorities included, among others, the Jews, the Greeks, the Maronites of Syria, and the Slavs of the Balkans. All of these minorities have sought for varying degrees of autonomy and independence from Ottoman rule, and in the process, their aspirations were well "exploited" by the major powers at that time, notably, the British, French and the Russians. These questions were

collectively labeled as the Eastern Question.⁵ As the Europeans pressured the Ottoman Sultan to undertake some drastic reforms of the minorities' conditions, the Turks sought several ways and means to get rid of these "questions" in the aim of liberating itself from external demands. In the case of the Armenians, who were the biggest non-Muslim minority group, the final solution was a carefully planned mass deportation and mass extermination under the cover of World War I. This was a valuable example of violence as a political solution. From this defining moment on, the more captivating term Armenian Genocide became a central element of how the Armenians and those who sympathize with their plight comprehend and represent the massacres of the late 19th and early 20th century. However, it is worth mentioning that I will be careful in deploying the term genocide, since there is an ongoing political debate on whether or not the mass killings of Armenians under Ottoman rule constituted genocide. To this end, both of the above mentioned terms (Armenian Question and Armenian Genocide) will be used interchangeably. In parallel, the recognition of the Armenian Genocide by the UN sub-commission on prevention of discrimination and the protection of minorities (1985), the recognition of the European Parliament (1987), and of the International Association of Genocide Scholars (IAGS, 1997), will all constitute my points of reference when employing the term genocide. Therefore, however problematic may the issue seem for those who deny that the atrocities amount to genocide, the fact remains, for instance, that

⁵ Vahakn Dadrian, the most prominent scholar on the Armenian Genocide, considers the Eastern and Armenian questions to be twin questions. He further stresses that the Eastern question foreshadowed the Armenian question, and that the developments in international power politics and the rise of the nationalistic feelings of the Turks and the Armenians, and the collision of these forces contributed directly to the sorrow fate of the Armenians. Vahakn Dadrian, *The History of the Armenian Genocide: Ethnic Conflict from the Balkans to Anatolia to the Caucasus*, pp.21-23

the IAGS is a respected worldwide body that studies genocide, and its recognition of the Armenian Genocide provides basis for the use of this term throughout my thesis.

In light of the above, what shall the Armenians do to make their case better heard in European arenas?

As regards to organization, this study examines the above mentioned issues in three major parts, with an additional introduction and a conclusion. A full bibliography is also provided at the end of this thesis. Part one gives a brief overview of the historic relations, interactions, confrontations, and cooperation between Europe, the Ottoman Empire, and the Armenian people of Anatolia. It gives the reader an understanding of the rise and temporary fall of the Armenian cause described at the time as the Armenian Question, and in the process, aims at finding how important were the Armenians and their cause in European-Ottoman affairs. An additional important purpose is to inform the reader of the historic background and context in which the Ottomans undertook to massacre the Armenian population of Anatolia, and whether the deportations, mass murders, and atrocities can be labeled genocide.

Part two undertakes to explain how Turkey under the Republic, in the tow parallel realms of State and civil society, dealt with the Armenian Question after 1915 until our contemporary days, and how the Turkish attitude affected the EU membership talks. It also informs about certain articles in the Turkish penal code that limit the freedom of expression in Turkey. It finally sheds light on the activity of a number of intellectuals in

promoting a different approach towards dealing with the Armenian Genocide, one characterized by assuming responsibility of the atrocities and publicly apologizing to the victims.

Part three deals with the essence of the EU-Turkish negotiations. It describes the important Negotiating Framework signed in October 2005, as well as an evaluation of the current state of negotiations between the two concerned parties. Most importantly, this part dwells on how the Armenian Diaspora in Europe has responded to the accession talks, the consequences of this response, and gives knowledge of what the Armenian community does to utilize the accession talks to make its case, especially regarding the genocide, better heard in EU forums.

Chapter I- The Armenian Question under the Ottoman Empire

Brief historic overview of the European-Ottoman relation

The relation, interaction, confrontation, or collaboration between Europe and Turkey is normally not a new subject. It can be traced back to the 15th century when the Ottoman Turks conquered Anatolia and captured in 1453 the ancient Christian city of Constantinople, the Capital of the Byzantine Empire then. Constantinople became Istanbul, the Capital of the expanding Ottoman Empire. This was a turning point not only for the Ottomans, but definitely for the entire world. The Ottomans also invaded and colonized the Balkan Peninsula and threatened the very heart of Europe, twice reaching as far as Vienna, first in 1529 during the reign of Suleyman the Magnificent, and second during the late 17th century. All this took place at a time when Europe was sinking in Feudalism and disintegration, with small kingdoms and states erupting and waging wars one against the other.⁶

Going back to the roots, the Ottoman Empire was founded in Anatolia by a small group of nomadic Turkish warriors under the leadership of Osman, after whom the Ottoman Empire was named. The empire lasted for approximately 600 years, from 1299 to 1923, its power stretching on a vast territory in central Asia, parts of Eastern Europe, and parts of North Africa, while its influence affected the entire globe.

⁶ For a comprehensive and chronological order of these intra-European wars see, in particular, Adam Hart-Davis, *History: The definitive visual guide*.

The second siege of Vienna did not last long, and the defeat in 1683 was a turning point culminating in the so-called Treaty of Carlowitz signed in 1699 between the overwhelmed Turks on the one hand and the members of the then Holy League.⁷ In the words of the renowned historian Bernard Lewis:

*"The Treaty of Carlowitz has a special importance in the history of the Ottoman Empire, and even, more broadly, in the history of the Islamic world, as the first peace treaty signed by a defeated Ottoman Empire with victorious Christian adversaries"*⁸

This era was also well-described in the contemporary Ottoman chronicler Silihdar:

*"This was a calamitous defeat, so great that there has never been its like since the first appearance of the Ottoman state."*⁹

The European-Ottoman common history was not characterized by war alone. There were relatively long periods of stability and cooperation. On many occasions, a number of European kingdoms and states allied themselves with the Ottomans to fight fellow Europeans, not the least of which was the French-Ottoman alliance in the mid 16th century to fight the Habsburg dynasties,¹⁰ and the triple alliance of Britain, France and the Ottoman Empire to fight the Russians in the Crimean war of 1853-1856. As Donald Quataert puts it,

*"In 1856, the Ottoman Empire entered the Concert of Nations, a formal recognition of their transformation from antagonist to participant in the European state system."*¹¹

⁷ The Holy League was composed of Austria, Venice, Poland, Tuscany, and Malta; it was blessed by the Roman Catholic Pope and backed by Russia. Bernard Lewis, *What Went Wrong? Western Impact and Middle Eastern Response* (Phoenix, 2002), pp. 18-20.

⁸ Ibid

⁹ Ibid

¹⁰ *Encarta Encyclopedia*, http://au.encyclopedia.msn.com/encyclopedia_781532710/habsburg-ottoman_wars.html

¹¹ Donald Quataert, *The Ottoman Empire, 1700-1922*, (Cambridge University Press, 2000), p. 85.

With time, and as Europe entered the respective ages of Renaissance, Enlightenment, and Capitalism, the Ottoman Empire was soon facing troubles and challenges on different levels, be it domestic or foreign.

First, by the mid 16th century, the empire had reached the confines of extension, i.e. it was now bordered with lands either difficult to conquer or unproductive to explore. In this era, historic Armenia, stretching on big parts of Eastern Anatolia, was incorporated by force into the Ottoman Empire. Second, as Europeans sailed the Atlantic westward and discovered new rich lands in the Americas, the European-Ottoman power balance started to tilt in favor of the former. Third, Europe was experiencing a quick transformation from feudalism to commercial capitalism. This was one of the by-products of the industrial revolution that helped shake the old established socio-economic hierarchy. In contrast to Europe, the Ottoman ruling class was, for the most part, exclusive of wealthy merchants and bankers that had succeeded in making their way up the socio-economic ladder.¹² Fourth, military defeats became gradually a common event. Russia made advances in the Crimea and the Danube to the North of the Empire. Napoleon started his occupation of Egypt in 1798, and the Europeans in general challenged the Ottoman rule in Eastern Europe and the Balkans, often by backing local rebellions. The power of the Wahhabis in the Arabian Peninsula started to grow, as they defied the permissive religious practices of the Ottoman rulers.

In the words of Turkish historian Feroz Ahmad,

*"The Ottomans were well aware of developments in the world around them but were unable to absorb these developments into their own complex, multi-religious society."*¹³

¹² This was made more difficult by the fact that the merchants were divided by religious affiliation – Greek Orthodox, Catholic, Armenian, Jew and Muslim – and could not act together as a class to protect their economic interests. Feroz Ahmad, *Turkey: The Quest for Identity*, p. 17.

¹³ Ibid

Faced with all these challenges, the Ottomans sought to modernize their economy and society. This came during the reign of Sultan Abdulmecid who launched in 1838 an era of collective reforms known as the *Tanzimat*. These set of reforms included the equality of all before law, and “all” meant Muslims and non-Muslims, an end to corruption in the administration, and the establishment of the rule of law. It is worth of remark that the *Tanzimat* statesmen asked the Great Powers, all of them Europeans, to observe the implementation of reforms. They were being made the guarantors of reform.¹⁴ This is important to mention because, as it will be shown shortly, the Armenians were accused of inviting or inciting foreign intervention, and based on this assumption their massacres were sometimes justified.

The 19th century witnessed an era of increased military cooperation between the Ottoman Empire on the one hand, and the Western Powers and Russia on the other. Many European countries, especially Germany, were granted contracts to build factories, railways, and roads. Missionary work also increased as Protestant and Catholic brotherhoods from Europe and the United States opened up schools, nurseries, and orphanages in the Empire.¹⁵

As the scope of the relationship widened, merchants, industrialists, and travelers came to visit the empire, as the latter provided new big markets for industrial Europe. It is important to mention the 1838 Anglo-Ottoman Commercial convention which removed some Ottoman monopolies over segments of the economy, and gave the British a good

¹⁴ *The Tanzimat statesmen calculated that if the sultan strayed from the path of reform, the European ambassadors would bring him back to the path since there was no internal social force that could do so. Ibid, pp. 33-34*

¹⁵ Peter Balakian, *The Burning Tigris*, pp. 25-31. In 2005, Peter Balakian won the Raphael Lemkin Prize for his book *The Burning Tigris*. Raphael Lemkin is a Polish Jewish jurist who first coined the term Genocide in 1943. Reference to Lemkin is made in the part “Armenian massacres as Genocide”.

number of trade privileges which they needed to expand the capacity of their exports. The scope of diplomatic relations greatly expanded as well in the 19th century, as permanent embassies were inaugurated in both Europe and Istanbul.

The Armenian Question in the European-Ottoman Relation

The history of Armenia or *Hayastan*, on the strategic plateau in the Caucasus between the Caspian and the Black seas goes back to more than 3000 years.¹⁶ On this geographic location, they have created a distinct linguistic and ethno-religious community. Armenians sought, with varying degrees of success, to preserve their unique identity from the surrounding powerful empires and kingdoms. Even when they were obliged to live under the authority of a foreign power, most of Armenians succeeded in maintaining their separate national identity. On many instances, they had been the victim of forces beyond their power and will, faced many wars and massacres, and challenged them with a solid attachment to their ancestral lands and villages.

As mentioned earlier, Armenia was incorporated in the Ottoman Empire in the 16th century. As with all the minorities living under the rule of the Sultan or the Caliph, the Armenians were considered a *Millet*. They enjoyed religious and cultural freedoms but were subject to discrimination as they were relegated to second class citizenship under the law and were obliged to pay higher taxes than their Muslim counterparts.¹⁷

¹⁶ Armenia is the name given to Hayastan by its neighbors after Armen, the strongest tribe living in the highlands.

¹⁷ It was only with the promulgation of the Ottoman constitution in 1876 that the all subjects came to be referred to as Ottoman Citizens, though the contradicting *Millet* system was preserved until the final dissolution of the Empire in 1922. This is in theory, whereas in practice, it is worth of remark that the constitution was put on the shelf two years later (1878) on the pretext of difficult political situations.

They too enjoyed an acceptable degree of autonomy in the administration of their own *Millet*.¹⁸ Some Armenians even reached high levels of power in the political sphere, and asked for full scale emancipation of the Armenian nation. While keeping their distinctive character, the Armenians were also well integrated into the Turkish social fabric.¹⁹ But to keep things in its normal scope without exaggeration, it is worth mentioning that between 1850 and 1870, the Armenian patriarch sent 537 notes and letters to the Ottoman authorities asking and demanding for protection from daily abuses, discrimination and violence to which Armenians were subject to by their Muslim brethren.²⁰ Therefore, picturing the Armenians as living in utmost security and stability can not be well-founded. There was a growing feeling of discontent among the Muslim population of the empire who perceived the *Tanzimat*, although superficially implemented, giving a better status for non-Muslims while not adding value to the wide majority of the people. This feeling was aggravated by the constant intervention, or more precisely, constant exploitation of the European powers of the multi-religious character of the Empire.

With time, the Armenian Question became a pretext for the European Powers to intervene in the internal affairs of the Ottoman Empire, but not to a degree that could jeopardize their own economic interests. It is in a very vague and ambiguous pattern that the European powers dealt with the Armenian Question, which, in their eye, was a small detail in the greater Eastern Question. Their “defense” of Armenians seems to have been

¹⁸ The three main *Millets* in the Ottoman Empire were the *Ermeni Milleti* designating the Apostolic Armenian Church, the *Rum Milleti* designating the Greek Orthodox Church, and the *Yahudi Milleti* designating the Jewish community. Later, the *Katolik Millet* (Catholic) and the *Ermeni Protestant Millet* (Armenian Protestant) were added in 1831 and 1850 respectively. See, in particular, Tessa Hofmann, *Armenians in Turkey Today: A critical assessment of the situation of the Armenian minority in the Turkish Republic*, Forum of Armenian Associations in Europe, 2002, p. 12.

¹⁹ Journalist and Writer Andrew Mango states that “*paradoxically, it seems that there were at one time more Turkish speakers among Christian Armenians than among Muslim Kurds*”. Andrew Mango, *The Turks Today*, p. 18.

²⁰ Peter Balakian, *The Burning Tigris*, p. 5.

a sole matter of lip-service that most probably had misguided some Armenian political organizations, in the era of rising nationalism, in their effort to drag European support for their cause.²¹ As it will be shown, the absence of a strong determination and a fruitful intervention by the Western powers to solve the Armenian Question only increased the chances of genocide. The coming events also shed light on how some Armenians had naively assumed that this “European Messianic drive”, if one may say, would eventually come to the assistance of the “Christian Armenian defenseless nation”.

The Early Massacres and the Armenian Genocide

Massacres of 1894-1896 and thereafter

The Ottoman Empire was gradually losing control of all the developments in the surrounding regions. Rebellions erupted in the Balkans, as the Slavs sought for autonomy and independence. The Russians pressed against the Sultanate by backing these rebellions, and declaring many wars the most dramatic of which was in 1877. The Russian troops crossing the borders of the Empire included many Russian Armenians. Russia made extraordinary gains. In the spring of 1878, it had reached the borders of Istanbul and was clearly in a position to dictate peace terms to the Sultan. After serious negotiations, the Great Powers achieved a compromise in Berlin under the auspices of the

²¹ The preamble to the section on tactics in the report of the Second General Congress of the Armenian Revolutionary Federation says: “*The Congress unanimously accepted the principle that without European intervention it would be impossible to bring to a successful conclusion the struggle to free our people and that, therefore, before choosing the methods and times of operations, efforts must be funneled into the task of bringing about such intervention through all means.*” Razmik Panossian, *The Armenians: From Kings and Priests to Merchants and Commissars*, p. 190.

German chancellor Bismarck. The ensuing deal was to be known as the Treaty of Berlin signed in 1878. Subsequently, the Sultan lost some 40 percent of the territories under his rule. Among the provisions of the Treaty, there was a clause pushed forward by Russia necessitating an amelioration and reform in the provinces inhabited by Armenians, and to guarantee their security against attacks by Circassians and Kurds as a prerequisite of retreating from the newly conquered lands. In the words of Turkish historian Feroz Ahmed,

*"That was a crucial provision that had dire consequences for the future of the Ottoman-Armenian relationship".*²²

Martha Finnemore takes another approach on the Armenian case in the treaty of Berlin, when she states that,

*"The treaty of Berlin explicitly bound the Sultan to carry out internal political reforms to protect Armenians, but the nature, timing, and monitoring of these provisions were left vague and were never enforced. The Congress of Berlin ignored an Armenian petition for an arrangement similar to that set up in Lebanon following the Maronite massacres (a Christian governor under Ottoman rule)".*²³

After 1878, social and political conditions for the Ottoman Armenians worsened. Being a Christian and an Armenian became more acute in the Ottoman Empire. It is important to mention all these important historic stations to understand the context in which the massacres and the Genocide took place. As the promises failed to materialize, groups of Armenians joined forces to form revolutionary units in the aim of pushing towards the implementation of the reforms. Most of the small scale revolts against higher taxes and inequality in the provinces where Armenians were majority were crushed with military might.

²² Feroz Ahmad, *Turkey: The Quest for Identity*, p. 41.

²³ Martha Finnemore, *The Purpose of Intervention: Changing Beliefs about the Use of Force*, pp. 63-64.

The first large-scale massacres were committed during the period stretching from 1894 to 1896. Estimates put the death toll of Armenians killed during this period at around two hundred thousand souls. In the summer of 1894, in the distant province of Sasun, the massacres started. Armenian villagers had taken up arms to defend themselves against Kurds and had refused to pay double taxation, first to the Kurdish tribal leaders, and second to the Ottoman government. They even asked for European intervention to quell further disturbances by convincing the Ottoman government to implement the reforms it had promised earlier in the Treaty of Berlin. To make their cause better heard, the Armenians held a demonstration in Constantinople in September 1895. That proved to be a total tragedy. A series of massacres, in a pattern indicating a predetermined plan, spread through every Armenian inhabited town of the Ottoman Empire. The worst atrocity in those months was the burning of the Armenian cathedral of Urfa in which some 3,000 Armenians had taken refuge. Needless to say, these massacres occurred in peacetime with no wars justifying these actions.

Reaction on the part of foreign powers was limited to diplomatic protest. It is worth mentioning the letter sent by Paul Cambon, the French Ambassador to Constantinople at that time, to his mother on October 10, 1895, in which he had written:

*"They have committed atrocities, the Armenians provoked the repression by that protests, but the unrest which followed was abominable. It is in France's interest to support Turkey, but we must not be taken in, Turkey should be considered as a minor to be kept under European supervision."*²⁴

It is estimated that some 250,000 Armenians perished during the 1894-1896 massacres.

In his turn, Balakian comments on these tragic events as follows:

²⁴ Laurence Jourdan *The Armenian Genocide: A documentary DVD* by ARTE Channel.

"By the end of the 1890s, the lack of political recourse or punishment let the sultan off the hook, and left the Turkish society engaged in a culture of massacre that permanently dehumanized Armenians in an evolutionary process that would culminate in genocide in 1915".²⁵

In 1908, a revolution broke out in the Sultanate by the Young Turks against the reign of Abdul Hamid II. The revolutionaries asked for the re-establishment of the constitution abrogated earlier by the Sultan and demanded equality among all *Millets* in the Empire. As a result, minorities entered parliament, and Armenians won 14 seats. Fraternity among all subjects was the order of the day in the empire; but not for long. The massacres of Adana shortly thereafter had put strong objective doubts on the commitment of the Young Turks to equality and fraternity.

More and more, Ottomans came to perceive Armenians as potential threats to their national security, and therefore sought to take pre-emptive measures to reduce or even eliminate this menace. There is no well-founded evidence that indeed the Armenians caused such a threat. As every group of people having a common history, language, and blood tie, Armenians too had national aspirations. Furthermore, in a *Millet* system as in the Ottoman Empire, having religious allegiance should be well understood. That is especially the case for Armenians who have been the first nation worldwide to adopt Christianity as the official State religion in as soon as the year 303. In the same line of thought, this "romantic" affiliation of Armenians as being Orthodox Christians to their Russian Orthodox brethren can be justified. The religious association, though not an institutionalized one, between Armenians and Russia do not constitute enough proof for Ottomans to accuse the whole Armenian population of lacking loyalty or of being the "Trojan Horse" in the Muslim Empire. It is true that some Armenian nationalists perhaps

²⁵ Peter Balakian, *The Burning Tigris*, p. 115.

mistakenly looked for Western intervention in support of the presumed emancipation of their nation, but it is also true that the Ottoman response was unimaginable. Added to this, the upheavals of Armenian revolutionaries seldom had grand ambitions for independence. In many instances, they were the direct result of daily abuses by the Ottoman Gendarme and by the Kurds. In a worst case scenario, these held “guilty” for the upheavals could have been called to a fair trial and the necessary punishment, if necessary, could have been made. In this context, some Turks argue that there wouldn’t have been any atrocities had some Armenians not collaborated with the Russians. Having said this, what happened with the Armenians can not be classified as genocide. It was a mere pre-emptive attack to prevent the Armenians from gaining control of parts of the empire. This is the “fifth column” argument, through which, the victims are held responsible.²⁶ There are two probable explanations in this matter; either the Ottomans did believe that the entire Armenian population was a threat, or they needed a scapegoat and an explanation for their losses and defeats, and subsequently used this dialect as a pretext to justify the total annihilation of the Armenians, and to create an ethnically homogenous Turkey.

World War I and the Genocide

The Ottoman Empire entered the war on November 1914 on the side of the central powers (Germany and Austria-Hungary) and against the Allies (France, Britain, Russia,

²⁶ For further readings on the Turkish side of the story, see, in particular, <http://www.tallarmeniantale.com/> or <http://www.armeniangenocidedebate.com/>

and the United States). The Ottomans considered this as an opportunity to put an end to foreign intervention in their state affairs, and to deal with the Russian threat which had been challenging the territorial integrity of the Ottoman Empire since the later part of the 19th century. The majority of Armenians happened to be living on the major Russo-Ottoman battle fronts. Beyond their will, Armenians had found themselves in the very center of the battlefield. Although a small part of the Armenians had fought on the side of the Russians, it is worth of notice that the Armenians had been mobilized into the Ottoman Army on a massive scale. They had fought side by side with their Muslim brethren against the Allies. In a letter sent to the Armenian Patriarch of Konia, Enver Pasha then Minister of War, expressed his gratitude and satisfaction of the military conduct of the Armenians. Ironically, and despite this acknowledgment and under the pretext of securing the fronts, the government ordered Armenian soldiers to be disarmed and assigned to labor battalions. Because a handful of Armenians had not obeyed the supreme orders, it is obvious that the entire Armenian population was being accused of treason and betrayal.

In April 1915, as the Turkish troops were retreating westward after their defeat in a battle with the Russians, around 24 thousand Armenians were massacred in the town of Van (South-Eastern Anatolia). The survivors took refuge inside the town and organized resistance. After 27 days of fighting, Van was liberated by the Tsar's troops. The news of Van reached Constantinople. The Turks immediately began to take measures to stop the "Armenian plot". On the night of April 24, around six hundred Armenian intellectuals were arrested and imprisoned. The majority of them were either deported or executed later. For Armenians, the date of April 24 commemorates the start of the Genocide.

Promptly, Talaat Pasha announced the "Temporary Deportation Law". Although it did not mention the word "Armenian", this law, nonetheless provided the official cover for the practices which had began in the early spring of 1915. The law stated:

*"Army, Army corps, and division commanders can, if required for military reasons, move the population of towns and villages they suspect of being guilty of treason or espionage, either separately or en-masse, and install them in other areas."*²⁷

As a sign of European neglect, it is worth mentioning the letter sent by the German Ambassador in Istanbul to his superiors in Berlin on April 17, 1915 in which he had written:

*"In a situation where there is no way out, this could damage interest, which are otherwise more important and even crucial for us".*²⁸

On August 11 1915, a remarkable letter was sent by US Consul Leslie Davis to US Ambassador Morgenthau. In this letter Davis described in detail the situation of Armenians in Harpout assembled for deportation. Davis wrote:

*"If it were simply a matter of being obliged to leave here to go somewhere else it would not be so bad, but everyone knows it is a case of going to one's death."*²⁹

With Ottoman commitment and European neglect, the Armenian Genocide was realized. Once again, violence was used as a political solution. Armenians put the estimates of the death toll to around 1.5 million. The remaining were lucky enough to

²⁷ In Turkish language, the temporary deportation law is called *Tehcir* Law, a copy of the original publication in Turkish Arabic script can be found on http://en.wikipedia.org/wiki/File:Ottoman-Tehcir_Law.jpg

²⁸ Laurence Jourdan *The Armenian Genocide: A documentary* DVD by ARTE Channel

²⁹ Henri Morgenthau, *United States Diplomacy of the Bosphorus: The Diaries of Ambassador Morgenthau, 1913-1916*, p. 300.

reach, quasi-safely, the final destination of the State directed deportations. The international community monitored what was happening, denounced the events, diplomats sent telegrams to their countries describing the atrocities. Philanthropic work was not enough for Armenians. It didn't prevent them from being massacred.³⁰ Writing on the Armenian case, Martha Finnemore, states that contrary to the Maronites of Mount Lebanon, the Slavs of the Balkans, and the Orthodox of Greece and Bulgaria, the Armenians did not have protection by any of the European powers. In the words of Finnemore,

*"The Armenian Christians had no European champion."*³¹

Thus, the events of 1915 describe what has been commonly known and recognized thereafter as the Armenian Genocide. Most of the Armenian Diaspora communities came to exist as a direct consequence of the Genocide of 1915. Armenians, during the Soviet era, and mainly after the fall of the Berlin Wall and the independence of the remnants of historic Armenia, have worked hard to receive international recognition of what they consider historic verities. Having in mind Turkey's regional power and geopolitical importance, Armenians, until today, succeeded with varying degrees, in making their voice heard, and their caused recognized.

³⁰ Vahakn Dadrian, internationally renowned expert on the Armenian Genocide, states that "perhaps the most daunting lesson of the Armenian Genocide is that when international actors intervene in response to persecutions in another state without firm coordination and commitment, any actions they take may actually aggravate rather than alleviate the plight of the victim population. V. Dadrian, *The History of the Armenian Genocide*, p. xxii.

³¹ Martha Finnemore, *The Purpose of Intervention: Changing beliefs about the use of force*, p. 63.

Today, as Turkey applies for EU membership, Armenians consider having a historic opportunity to push forward the issue of international and European recognition of the Armenian Genocide.

Seeds of International Recognition

The definition of genocide in international law

Several efforts have been made to come out with a proper definition of an event that is more tragic than a massacre, more horrible than a pogrom, and more violent than carnage. An event in which mass killing is so widespread and far-reaching that the entire victim community is intentionally put under the risk of total annihilation. In 1943, and for the first time, the term genocide was used by Raphael Lemkin to describe such events. A Polish-Jewish jurist, Lemkin, as his writings demonstrate, had been strongly affected by the dismal fate of both the Armenians under Ottoman and Turkish rules and the Jews under Nazi rule.³²

The United Nations General Assembly adopted the Convention on the Prevention and Punishment of the Crime of Genocide on December 9, 1948. As part of its definition, the resolution states among other things:

³² The Center for Armenian Remembrance (CAR) recently published a book titled "*Raphael Lemkin's Dossier on the Armenian Genocide*". The book is a compilation of articles written by Lemkin to describe the Armenian Genocide, and advises a series of legal remedies to prevent genocides in the future. For further details about this work, see, in particular, http://www.centerar.com/index.php?file=publications_product&id=37

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

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

The following acts shall be punishable:

- (a) Genocide;*
- (b) Conspiracy to commit genocide;*
- (c) Direct and public incitement to commit genocide;*
- (d) Attempt to commit genocide;*
- (e) Complicity in genocide.*

The resolution further adds that Genocide, whether committed in time of peace or in time of war, is a crime under international law, and that this crime should be prevented and the perpetrators shall have adequate punishment.³³ While some scholars criticize this definition and describe it as vague, it remains, to date, the standard and most credible definition of the crime of Genocide in international law.³⁴ Nevertheless, the main problem of this convention is the lack of power of enforcement.³⁵

³³ The full text of the UN resolution can be accessed on http://www.unhchr.ch/html/menu3/b/p_genoci.htm

³⁴ For further reading about the criticism of the CPPCG, see, in particular, http://en.wikipedia.org/wiki/Genocide#Criticisms_of_the_CPPCG_and_other_definitions_of_genocide

³⁵ Vahakn Dadrian, *The History of the Armenian Genocide*, introduction, p. xxi

The following part aims at briefly discussing the Armenian Genocide in light of this definition.

Armenian massacres as genocide

In a tape broadcasted on CBS days after the adoption of the definition of genocide by the United Nations in 1948, Lemkin straightly considered that what had happened to the Armenians in the Ottoman Empire was a clear act of genocide.³⁶ However, there are extensive debates between historians, scholars, and politicians from all the corners of the world, on whether the mass killings of Armenians amount to genocide or not. I do not intend to study genocide in depth in this thesis, as it needs a separate research, my main focus remains on the Armenian case in the EU-Turkey accession negotiations. However, there are a number of facts worth mentioning. The current debate, on whether the massacres amount to genocide or not, is a highly politicized discussion; it is in no way a constructive one. All Armenian historians and intellectuals describe the events as genocide, and in the process, undertake studies to prove the actual intent and planning of the Committee of Union and Progress (CUP, commonly known as the Young Turks) to eliminate the Armenian population of Anatolia. In contrast, almost all Turkish intellectuals, with the exception of a handful but a growing number of them, consider the events of 1915 as the natural by-product of World War I, the excesses of Kurdish irregulars, the indirect result of the “necessary” deportations of Armenians from the battle

³⁶ For further reading about the CBS tape, see, in particular, http://www.armeniapedia.org/index.php?title=Lemkin_Discusses_Armenian_Genocide_In_Newly-Found_1949_CBS_Interview

fronts, and the ensuing famine and mal-nutrition. Some revisionist Turkish historians even go to the extreme blaming the Armenians for their bloody fate. The majority of Turkish historians neglect the actual intent of the Ottoman State to get rid of its Armenian subjects, and they question the very number of deaths claimed by the Armenians.³⁷ In this sharp divide between both “schools”, added to it the constitutional limitations on the freedom of expression in Turkey, there is little hope for constructive dialogue to reach a common ground. According to Gregory Stanton, President of the International Association of Genocide Scholars, an independent association which introduces itself as the leading international organization of scholars who study genocide,

*“Turkey’s call for an historical commission to study the events of 1915 is an attempt to put genocide deniers on an equal level with genuine scholars.”*³⁸

Nevertheless, some facts remain very clear. There were around two million Armenians living in Anatolia on the eve of World War 1. After the end of the war and the declaration of the Turkish republic in 1923, there were hardly any Armenians left. The vast majority of them were killed, deported, and forcibly converted to Islam.³⁹ The remaining Armenians, mostly in Istanbul or in very remote villages, were in no case significant.

³⁷ For further readings on the Turkish point of view, see, in particular, <http://www.tallarmeniantale.com/> or <http://www.armeniangenocidedebate.com/>

³⁸ This idea is mentioned in the open letter to President Obama accessed on http://www.genocidescholars.org/images/IAGS_Obama_Letter.pdf

³⁹ Bardig Kouyoumdjian, and Christine Simeone, *Deir-es-Zor, Sur les traces du génocide Arménien de 1915*. In this book, remarkable cases of Armenians who have forcibly converted to Islam in the Syrian Desert are explored. Of the many examples, I can cite the case of Abdallah Tallal, born Hagop Dogramadjian, whose mother had left him to a Bedouin family to save him from the Ottoman killings. Eventually the mother and the son survived and after many years, the mother, herself converted to Islam, managed to find and recognize her son via a blood spot he had on his back.

The IAGS undoubtedly considers the atrocities and massacres committed by the Ottoman Empire against the Armenians to be a clear act of Genocide.⁴⁰ Indeed, there is a considerable body of literature that shows the actual intention of the Ottomans to get rid of its Armenian subjects. The most remarkable and interesting document is the one discovered by British officials in Turkey in early 1919. The document was labeled "The Ten Commandments". In the words of Peter Balakian,

*"It is a blueprint of the Armenian extermination operation and appears to have been the centerpiece of a secret party meeting, which took place sometime in late December 1914 or in January 1915".*⁴¹

The document states:

1. Profiting by the Arts: 3 and 4 of the CUP, close all Armenian Societies, and arrest all who worked against Government at any time among them and send them into the provinces such as Baghdad or Mosul, and wipe them out either on road or there.
2. Collect arms.
3. Excite Moslem opinion by suitable and special means, in places as Van, Erzerum, Adana, where as a point of fact the Armenians have already won the hatred of the Moslems, provoke organized massacres as the Russians did at Baku.
4. Leave all executive to the people in provinces such as Erzerum, Van, Mamuret el Aziz, and Bitlis, and use Military disciplinary forces (i.e. Gendarmerie) ostensibly to stop massacres, while on the contrary in places as Adana, Sivas, Broussa, Ismidt and Smyrna actively help the Moslems with military force.
5. Apply measures to exterminate all males under 50, priests and teachers, leave girls and children to be Islamized.
6. Carry away the families of all who succeed in escaping and apply measures to cut them off from all connection with their native place.
7. On the ground that Armenian officials may be spies, expel and drive them out absolutely from every Government department or post.
8. Kill off in an appropriate manner all Armenians in the Army – this to be left to the military to do.
9. All action to begin everywhere simultaneously, and thus leave no time for preparation of defensive measures.

⁴⁰ The IAGS passed a resolution in 1997 unanimously recognizing the massacres of Armenians as Genocide.

⁴¹ Peter Balakian, *The Burning Tigris*, p. 189.

10. Pay attention to the strictly confidential nature of these instructions, which may not go beyond two or three persons.⁴²

Other citations date back to 1870s and reflect the Ottoman “fear” that the Armenian Question be exploited by the Europeans with the purpose of weakening the Empire. Among the oldest citations, it is worth of notice an 1879 article published in the Tbilisi based monthly newspaper called “Pordz”. In this article, the author refers back to a declaration of Kamil Pasha who became the Ottoman Grand Vizier in 1885. The article, quoting Kamil Pasha, reads:

*“If in European Turkey we kept warm the snakes, in Asian Turkey we must not repeat the same stupidity. Common sense dictates that we destroy and eliminate from our soil all those elements which can endanger us and serve as weapons and means in the hands of European powers to intervene... the rights of the State demand that we remove the slightest suspect appearances and elements, and secure our future;”*⁴³

The following part aims at examining Turkey’s stance towards the Armenian Genocide, in the two dimensions of State and civil society.

⁴² Peter Balakian, *The Burning Tigris*, pp. 189-190. Balakian himself refers to the in-dept study of the “Ten Commandments” undertaken by Vahakn Dadrian in *The Secret Young-Turk Ittihadist Conference and the Decision for the World War I Genocide of the Armenians*, in *Holocaust and Genocide Studies* 7, no. 2 (Fall 1993), pp. 173-174.

⁴³ Razmik Panossian, *The Armenians: From Kings and Priests, to Merchants and Commissars*, pp. 232-233. Kamil Pasha was anxious of a European intervention on behalf of Armenians in Anatolia similar to their intervention in the Balkans.

II- Modern Turkey and the Armenian Genocide

Official Turkish stance vis-à-vis the Armenian Genocide

We can trace back Turkey's response to the Armenian Genocide to as early as 1919, after the defeat of the Ottoman army in the face of the Allies a year earlier. Britain at that time had more or less a million soldiers in the newly conquered empire. An extraordinary court was organized in March of that year with the encouragement and support of the British forces, to bring to justice around 112 figures ranking from the high heads of the CUP reaching down to rank-and-file army officers and administrative personages. The main charges were massacres and unlawful profiteering of power. The trials, in one of their verdicts, found four principal heads of the then Ottoman government – Talaat, Enver, Jemal, and Dr. Nazim – guilty of first degree murder and were sentenced to death in absentia.⁴⁴ The trials were soon interrupted because they gradually inflamed Turkish and Kemalist nationalism. Subsequently, the verdicts became increasingly “soft” and their enforcement increasingly improper. In 1921, the trials were abolished altogether.⁴⁵ But regardless of their termination, they remain an important station in the struggle for the recognition of the Armenian Genocide, as they represent an indirect acknowledgment on the part of the defeated Ottoman authorities at that time of their responsibility in the mass-killings of Armenians. Colin Tatz, director of the Center of

⁴⁴ Peter Balakian, *The Burning Tigris*, p. 344

⁴⁵ “By 1921, Britain had abandoned the idea of war crimes trials in Turkey. After much debate and disagreement over the pursuit of justice in Turkey, the war office, led by its new secretary, Winston Churchill, decided that it would free its prisoners held at Malta.” Ibid.

Comparative Genocide Studies at Macquarie University, states that the mere fact of a trial proves that something had happened,

*"given that organized forgetting and/or calculated denialism are rampant, these trials tell us that something did happen, quite apart from guilt or innocence. Trial records last in archives longer than superseded textbooks in libraries."*⁴⁶

The trials and the process of assuming at least partial responsibility was reversed by a long period of state-sponsored denial.⁴⁷ Ankara officially states that the debate on whether genocide took place or not should be left for academics, scholars and historians and not to politicians. In this line of thought, calls are made to scholars from both sides to sit on a round table, open up archives, and produce a constructive dialogue to reach a common ground between the two versions. Turkey further asserts that a great number of Kurds and Muslims had been deported as well, and many of them were killed during the Great War of 1914-1918. Therefore the death of thousands of Armenians should be viewed from this angle, i.e. it was a sad by-product of the Great War and the ensuing chaos, lawlessness, and sometimes famine and epidemics. However, these statements are in contradiction with the perpetrators' testimonies in the post-war trials, the official letters and telegrams of consuls and ambassadors in the Ottoman Empire, eye-witness accounts of survivors, and most importantly the earlier mentioned deciphered telegrams of the CUP. The official position of Turkey is well understood not only in the confines of international affairs and real politics but also it is understood as the manifestation of a psychological act of escapism and avoidance. In this remark, it is interesting to mention

⁴⁶ C. Tatz, *Turkish Denial of the Armenian Genocide*, Center for Comparative Genocide Studies, Macquarie University,
http://www.anca.org/assets/pdf/armenian_genocide_reference/Colin%20Tatz%20article%20on%20Turkish%20Denial%20of%20the%20Armenian%20Genocide.pdf

⁴⁷ It is worth of notice that the People's Permanent Tribunal convened in 1984 in Sorbonne and determined that modern Turkey must assume responsibility without using the pretext of any discontinuity in the existence of the State to avoid that responsibility. The Zoryan Institute helped sponsor the tribunal.

the work of psychiatrist Judith Herman, *Trauma and Recovery*, in which she describes the dynamics of denial:

*"After every atrocity one can expect to hear the same predictable apologies; it never happened; the victim lies; the victim exaggerates; the victim brought it upon herself; and in any case it is time to forget the past and move on. The more powerful the perpetrator, the greater is his prerogative to name and define reality, and the more completely his arguments prevail."*⁴⁸

Added to this, Turkish authorities fund some institutions, organizations and scholars in the United States and Europe to promote their own point of view on the issue of the Armenian Question. A number of university professors are "hired" for this purpose, the most obvious example being that of Heath Lowry of Princeton University. Lowry had written a letter to the Turkish Ambassador in Washington drawing the latter's attention on a growing number of publications mentioning the word "Armenian Genocide". In response to Robert Lifton's book published in 1986 titled "the Nazi Doctors" in which the author had made reference to the Armenian Genocide, Lowry advised the Turkish ambassador to respond to the "claims" of Lifton, and for this purpose Lowry wrote the response on behalf of the embassy. When Lifton received the official letter from the embassy, he was surprised to notice that Lowry's letter to the ambassador was attached by mistake. Within months of this incident, the news went public and it created a wave of responses. Richard Falk, a professor at Princeton asserted that

*"The long arm of the Turkish state has enlisted, directly and indirectly, some prominent academic spokespersons (both Turks and non-Turks) who have outrageously muddied the waters of truth by obscuring and distorting the story of Armenian genocide in the 1915-18 period."*⁴⁹

⁴⁸ Judith Herman, *Trauma and Recovery*, p.8

⁴⁹ Falk's view as well as a summary of positions regarding the Lowry case can be accessed on <http://users.ids.net/~gregan/pac.html>

Added to it, following his appointment to a Turkish-funded chair in Princeton, a number of scholars joined forces to write a petition published at that time in the New York Times, the Boston Globe, and the Chronicle for Higher Education. The petition was titled "Taking a Stand against the Turkish Government's Denial of the Armenian Genocide and Scholarly Corruption in the Academy" and was signed by more than a hundred scholars. In this 1997 petition, the scholars, most of them not of Armenian origin, attempt to shed light on a number of Turkish practices in the United States. Although my main concern is in the realm of EU-Turkey, nevertheless, these Turkish efforts give us a clear idea of their policy of denial; a policy prevalent not only in the US, but also in the EU and in Turkey itself. The petition states, among other things:

1) Today the Turkish government pays public relations firms in the US millions of dollars each year to wage a war against scholarship and testimony about the Armenian Genocide. 2) We denounce Turkey's manipulation of American universities, secondary schools, newspapers, the media, the White House and Congress and other institutions for the purpose of Armenian Genocide Denial, as intellectually and morally corrupt. We urge American institutions and citizens to reject Turkey's blackmail.⁵⁰

As mentioned earlier, Ankara requests creating a commission of historians to study the alleged killings of Armenians, and asserts the need to study the Ottoman Archives to reach a fair understanding of what Armenians and others consider genocide. In this context, the assumption that the archives could provide a solid ground for discussions by historians is contested by Ara Sarafian, an American-Armenian historian who had conducted a "sure place" and in-depth study of the Turkish State archives. According to Sarafian, the opening up of the archives in 1985 had the purpose of supporting the official version of the Turks on the Armenian Genocide. Sarafian adds:

⁵⁰ The full text of the petition can be accessed on http://users.ids.net/~gregan/pet_pb.html

*"The promise of the Ottoman records on the events of 1915 was ruse to displace discussions of European and American sources on the Armenian Genocide, and to recast the debate in terms of Ottoman Archives, which would remain under the direction of Turkish state authorities."*⁵¹

The appointment of Ismet Binark as the General Director of State Archives can explain in part what Sarafian is claiming. According to Binark, Ottoman archives showed the guilt of Armenians as an insidious minority and presumably justified the mass extermination that followed from that guilt. Binark further considers that it is undoubtedly not true that the Ottoman inflicted massacres on the Armenian population, but on the contrary, it was the Armenians who committed atrocities against defenseless Turks.⁵²

The experience of Ara Sarafian with the State Archives could create concerns on the possibility of an objective scholarly study which some European bodies, like the European Parliament, are asking for. In sum, there are doubts that Binark, in his capacity as director of the National Archives and as someone who has preset conclusions on the Armenian Question, can be an objective source of records on the concerned subject matter. And, furthermore, doubts are materialized with the legal restraints on the freedom of expression in Turkey, since an open discussion of a taboo subject like the Armenian Genocide is not an easy task to do. In this perspective, in 1997, the German academic Hilmar Kaiser, who specializes in the study of the Armenian Genocide, was banned

⁵¹ Ara Sarafian, *The Ottoman Archives Debate*, <http://www.gomidas.org/forum/archives.pdf>

⁵² The Grand National Assembly of Turkey represents Binark as an important personality that made a positive difference in what relates to the organizations of the Republican Archives. Further references have been made on his works regarding the "Armenian allegations of Genocide". For further reading on Binark, visit <http://www.tbmm.gov.tr/yayinlar/yayin3/257-155Son.pdf>

access to the State Archives for life, on the pretext that he was not an objective researcher on the subject matter.⁵³

Orhan Pamuk and Taner Akcam are among a growing number of intellectuals who have challenged the State propagated version of the Armenian Question, and subsequently had been called to trial for having “insulted the Turkish identity” under the article 301 of the Turkish penal code. Nevertheless, their experiences were far more “tolerant” than that of Hrant Dink, editor-in-chief of the Istanbul-based Armenian newspaper Agos, who was shut dead in 2007 in front of his office, while he was still on trial for having “insulted”, as Pamuk and Akcam, the Turkish pride under the same article 301. A reference to Pamuk, Akcam and others will be made in the next section.

Much has been written on article 301 of the Turkish penal code. But what concerns us is that it stands in sharp contrast to the freedom of expression culture prevalent in the EU. As will be shown below, the freedom of expression is an important pillar in the Negotiating Framework which constitutes the main outline of EU-Turkish negotiations. As the EU aims at exporting its culture of human rights, respect for minorities, and freedoms of expression to Turkey, it faces, at least until now, a “resistance” on the part of the host country. Adding to the complexity of the problem, the article has immense popularity among the nationalist voters. Therefore, it is unlikely, due to political-electoral calculations, that the article will soon be abolished. The article makes it illegal for a person or an institution to use wordings that insult the Turkish identity, ethnicity, government and institutions.

⁵³ Mannik Khatcherian, *Genocide scholar banished for life from Ottoman Archives*, May 18, 1997, <http://www.cilicia.com/armo10e4.html>

Olli Rehn, the EU commissioner for enlargement, commenting in 2007 on the progress made by Turkey in its accession efforts, stated the urgency to amend article 301 of the Turkish Penal Code so that the candidate country be in line with the European Convention on Human Rights, to which Turkey is signatory.⁵⁴ Though the article was amended in 2008, it still constitutes an obstacle for Turkey's accession to the EU. Among the 2008 amendments, the phrase "insulting Turkishness" was replaced by "insulting the Turkish Nation", the maximum prison duration went down from three years to two, and a new clause was added, through which the approval of the Minister of Justice became a prerequisite before filing a case.⁵⁵ In the EU 2008 enlargement report, reference was made to these judicial amendments, but on the other hand, the report reflected EU concern that the new clause which stipulates the necessary approval of the Minister of Justice before court proceedings can be manipulated and politicized in a manner that might undermine the equality of all before law.⁵⁶

By and large, one cannot deny the fact that Turkey made tremendous efforts in the process of democratization, liberalization, and secularization, starting with Atatürk until reaching our modern times. In Turkey, voting has been free ever since 1950, there is a functioning parliamentary democracy, and subsequently, the electorate has a say in politics, i.e. they can change the political elites. Much attention and care is being given to "imitate" the European legal structures, and there is relative freedom for the media and

⁵⁴ The Commission's 2007 enlargement report can be accessed on:

<http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/07/736&format=HTML&aged=0&language=EN&guiLanguage=en>

⁵⁵ Source: [http://en.wikipedia.org/wiki/Article_301_\(Turkish_penal_code\)](http://en.wikipedia.org/wiki/Article_301_(Turkish_penal_code))

⁵⁶ The Commission's 2008 enlargement report, p. 15-16,

http://ec.europa.eu/enlargement/pdf/press_corner/keydocuments/reports_nov_2008/turkey_progress_report_en.pdf

for the individuals albeit limited by the famous article 301.⁵⁷ Surely, as it will be shown later, there remain important flaws, but in parallel, there is a Turkish commitment to be qualified for EU accession. As Recep Tayyip Erdogan puts it:

*"The alternative to Europe is ourselves".*⁵⁸

Turkey's European thirst is certainly not a sudden phenomenon. Going back some fifty years ago, Turkey posed itself as Europe's Middle Eastern bastion against communism and played well on the East-West differences and contradictions during the cold war to impose itself a strategic need for both protagonists. It was against this background that the Association Agreement between Turkey and the then European Economic Community (EEC) was signed in 1963.⁵⁹

Civil society in Turkey:

The positions of civil society v/s the official stance

The Turks have undertaken essential reconstruction of their society in an effort to resemble the European model. Mustafa Kemal Atatürk laid the foundation for this change, with the adoption of a number of modernizing measures which included, inter alia, the adoption of the Latin alphabet that replaced the old Arabic script in 1928, the top-down "enforcement" of secularism, the replacement of turbans and fezzes by hats, of

⁵⁷ Andrew Mango, *The Turks Today*, pp. 4-11.

⁵⁸ Ibid.

⁵⁹ Eugene Krieger, *Turkey's fragile EU perspectives since the 1960s*, published in Hans-Lukas Kieser, *Turkey beyond Nationalism: towards Post-Nationalist Identities*, 2006, pp. 167-169.

patronymics by surnames, and with legislating laws that support and sustain the secular character of the Turkish State and society. Added to this, there is always, though currently to a lesser extent, the role of the military in providing a forceful backing to the secular regime. What Ataturk did can be considered a cultural revolution to make the Turks bear resemblance to Europeans. In other words, he reshaped Turkey along European lines. To what degree his efforts succeeded is a different story; with the victory of the moderately Islamic Equality and Development party (AKP) in the parliamentary elections of 2002, secularism in Turkey seems to be on the defensive. However, the fact remains that, for example, Turkish women are much more "emancipated" than those in stricter Islamic countries to the south or to the east. As regards to the "European dream", it is worth mentioning that all strata of Turkish society are willing to join the EU, each for a different reason. The moderate Islamists want accession because it will provide them with greater religious freedoms, the Army sees in it an opportunity to solidify the reforms envisioned by Ataturk, Turkish businessmen see in the accession an opportunity to expand markets, while the Kurds look at Europe as a center of defense for minority rights.⁶⁰

On the other side, the European perception of the Turks is still a negative one in the general sense of the word. This perception is mostly affected by their contact with Turkish immigrants. In the European eye, the Turks lack integration in their respective host societies, their education level lags behind European standards, and the treatment of women is in no way parallel to the Western model. Subsequently, as a survey conducted in 2002 shows, Turkey is the least popular of the candidate countries to the EU.⁶¹ This

⁶⁰ Andrew Mango, *The Turks Today*, pp., 234-237.

⁶¹ Ibid.

view of the Turks might push them backwards to nationalism and/or religious fundamentalism.

As regards to the Armenian Question, and as mentioned earlier, the Turkish authorities are not willing to assume any responsibility in the mass killings of Armenians during World War I. On the contrary, allegations are made that the Armenians massacred thousands of Turks during the WWI period. For instance, on October 5 1999, a huge martial monument on the border with Armenia was inaugurated in the presence of the then President Suleyman Demirel. The monument was dedicated to the alleged killing of almost 80000 Turks by Armenians in the south eastern district of Igdir.

This denial policy echoes well in the civil society as well. However, there is a small but a growing number of intellectuals who are challenging the official policy of denial, and subsequently, embracing a more lenient approach towards this taboo subject. Nevertheless, their numbers are still insignificant and politically marginal. In general, after the 9/11 terrorist attacks in New York and Washington, the resulting wars on Afghanistan and Iraq, and the mistaken connection between Islam and terrorism, all had negative impacts on the freedom of expression; an ideal that seems to have become a troublesome issue for intellectuals and other progressive-minded people.

"Things have become a great deal more difficult for the small minority struggling for democracy and secularism in the Middle East", argues Orhan Pamuk, Turkish novelist and winner of the Nobel Prize for literature. Writing on the evolution of the intellectual mind in Turkey, Pamuk takes note on recent political developments in the

Middle East that have hampered the efforts, or even sometimes changed the orientation of a minority of mostly ex-leftist brains to achieve democracy and freedom of expression.⁶²

Among this class of intellectuals, Taner Akcam stands as an icon of the free-minded scholars. A Turkish historian currently living and teaching in Massachusetts, Akcam studied the atrocities the Armenians were subject to during World War I. He based his researches on the Ottoman sources (though he complains of the difficulty of compiling them) and seems to have found evidence that the massacres were not, as officially claimed, an inevitable by-product of the Great War, but rather, it was carefully planned and executed by the CUP with the intention of getting rid of the Armenian element from Turkish society. However, the most startling thing Akcam does is the explicit use of the word genocide to describe the mass killings of the Armenians. In the introductory note of his famous book titled, *A Shameful Act: the Armenian Genocide and the Question of Turkish Responsibility*, Akcam incites his Turkish brethren to reflect on the mistakes that were done in the past, and to bear in mind that denying responsibility of such acts and the refusal of any type of self-critic, keeps high the probabilities of recurring atrocities in the future. In addition, the author stresses that a number of CUP leaders later became part of the nationalistic front under the leadership of Ataturk in declaring the Republic. Therefore, the Republic should “escape” neither criticism nor responsibility of this “shameful act”, and if it does so, then the whole identity of the Turkish Republic becomes questionable, since among the founding fathers there were CUP criminals charged with deporting and killing Armenians. To sum it up, the author declares that Turkey can not become part of the democratic world as long as it does not

⁶² Orhan Pamuk, *Other Colours: Writings on Life, Art, Books, and Cities*, pp. 180-183.

recognize this “shameful act” and that recognition is the prerequisite for integration and reconciliation between the two people of Turkey and Armenia.⁶³

Another factor that hinders personal initiatives to study the Ottoman past, it is worth of remark that all the textbooks, manuscripts, telegrams and other volumes written before the year 1928 were in the Arabic script, making it impossible for later generations who learned the Turkish language in the then newly adopted Latin script, to independently study history. All official history textbooks, according to Akcam, avoid reference to the plight of the Armenians and the other Christian subjects of the Ottoman Empire.⁶⁴

On December 2008, and as part of an ongoing effort to openly discuss the Armenian Question in Turkey, a number of intellectuals undertook to sign an on-line public apology for the Armenians. The public apology stated:

*“My conscience does not accept the insensitivity showed to and the denial of the Great Catastrophe that the Ottoman Armenians were subjected to in 1915. I reject this injustice and for my share, I empathize with the feelings and pain of my Armenian brothers and sisters. I apologize to them”.*⁶⁵

Besides the fact that the apology refrained from using the word genocide, it nevertheless constitutes a positive step in breaking the fear that surrounds the open discussion of this topic in Turkey. In response to this campaign, the Turkish Prime Minister Erdogan declared his refusal of such an apology on the grounds that only perpetrators should take such a step, and in the Armenian case, the Turks were not responsible of any alleged

⁶³ Taner Akcam, *Un Acte Honteux: Le genocide Armenien et la question de la responsabilite Turque*, pp. 11-24.

⁶⁴ Ibid.

⁶⁵ The text of the “I Apologize” campaign and its official web site can be accessed at <http://www.ozurdiliyorus.com/>

crimes.⁶⁶ In addition, following a demand by a number of Turkish citizens, Ankara's public prosecutor's office started an investigation on the subject matter.⁶⁷ After some inquiry, however, the demand was rejected by the Minister of Justice and the proceedings were stopped. But surprisingly, two months later, the Ankara High Criminal Court annulled the earlier ruling and reopened the door for the criminal prosecution of the campaign leaders.⁶⁸ It is not clear so far the future course of the proceedings, but needless to say, the surrounding environment is not an encouraging one.

Furthermore, in a civil society response to this initiative, a number of Turkish nationalists launched a counter website asking from the Armenians an apology on alleged mass killings of Turks.⁶⁹ It is worth of notice that the initial "I Apologize" campaign collected around 30,000 signatories, whereas the counter "I Expect an Apology" campaign gathered around 118,000 signatures so far.

The Armenian Minority in Turkey

It is useful to examine the living conditions of the Armenian minority in Turkey, since it will give us an idea on Ankara's respect or disrespect of the different rights of the minorities, especially the non-Muslim ones, living under its rule and jurisdiction. The Armenians, first and foremost, are not allowed to publicly memorialize the victims of the

⁶⁶ *MSNBC*, December 17, 2008, <http://www.msnbc.msn.com/id/28281945/>

⁶⁷ *Hurriyet*, January 9, 2009, <http://www.hurriyet.com.tr/english/domestic/10744410.asp?gid=244>

⁶⁸ *South East Times*, March 3, 2009,

http://www.setimes.com/cocoon/setimes/xhtml/en_GB/features/setimes/newsbriefs/2009/03/03/nb-06

⁶⁹ The text of the "I Expect an Apology" campaign and its web site can be accessed at

<http://www.ozurbekliyorum.com/>

genocide in the manner they consider appropriate; that will be judged a challenge to the official version of the events. An interesting study conducted in the year 2002 by Dr. Tessa Hofmann and published by the Forum of Armenian Associations in Europe, the umbrella organization for European-Armenian NGOs, reached the conclusion that,

*“The situation of Armenians can be described as the combination of intense prejudice with an impressive range of discriminatory legal and administrative measures. The accumulation of the many restrictions, the arbitrariness with which changes occur and the legal uncertainty, which favors arbitrariness, determine the daily life of the Armenian community in Turkey”.*⁷⁰

Currently, some 70,000 Armenians live in Turkey; most of them in Istanbul.⁷¹

There are 38 Churches and Chapels in Istanbul; all are faced with severe shortage of clergymen caused with the closure of theological schools in Turkey in 1969. The Islamic schools of theology were later re-opened, while the Armenian and Greek Orthodox schools remain closed to date. The Armenian Apostolic Patriarchate, just as the Greek Orthodox one, does not enjoy the status of legal entities; i.e. no rights are granted to non-Muslim religious communities to exist as autonomous institutions independent of the state.⁷² There are 19 Armenian schools in Istanbul; all are private schools that face government orchestrated obstacles and problems. The problems can be summarized as follows:

- Armenian schools can be attended only by Armenians. The Deputy Headmaster of every Armenian school should be an ethnic Turk who has to report practically everything he sees.

⁷⁰ Tessa Hofmann, *Armenians in Turkey Today: A critical assessment of the situation of the Armenian minority in the Turkish Republic*, Forum of Armenian Associations in Europe, 2002, p. 6.

⁷¹ Ibid, p. 6

⁷² Ibid, p. 23

- Every year, the parents should apply for state authorization to enroll their children in Armenian schools. Attached to their demand, the authorities request a number of documents proving the Armenian religious affiliation of the parents. These formal applications are complex and time consuming. They aim at encouraging parents to put their children in Turkish schools; a push towards assimilation.
- Children must attend schools in their own districts. This causes a number of schools in the suburbs to be badly attended and poorly administered. It is an obstacle for merging the poor schools of the districts into a unified school located in a district with a meaningful Armenian population.
- Once a student goes to a Turkish school – as is the case with Armenians exhausted by the government imposed unnecessary procedures - he can never go back to an Armenian school. In public schools, only 4 hours per week are consecrated for teaching in non-Turkish native languages.
- Government regulations also result in a shortage of teachers. What adds to this problem further is the law prohibiting non-Turkish citizens to work as teachers in Armenian schools.⁷³

Digging forward into the Hoffman report, a number of facts reveal the desolate condition of the Armenian minority in Turkey. Following the war between Armenian and Azerbaijan over the disputed territory of Nagorno-Karabakh in 1993, a renewed wave of anti-Armenian hatred was initiated in Istanbul. A series of threatening mails dispatched to a big number of Armenian organizations, foundations, businesses, and individuals, added

⁷³ Ibid, p.26

to it a number of hostile graffiti on the walls of the Armenian Apostolic Patriarchate and Churches of Istanbul and the desecration of the five Armenian cemeteries of the city, lead the Armenians question the extent of the “anti-Armenian paranoia” and the goals of the “psychological war” against Armenians in Istanbul.⁷⁴ Writing on the situation of non-Muslim minorities in the Turkish Republic, Otmar Oehring argues that

*“all religious communities are under state surveillance, with religious minorities facing the closest scrutiny. Christian leaders know they are listened in to and their telephones are tapped. The Police visits individual Christian churches to ask who attends, which foreigners have visited, what they discussed. They are particularly interested in which Turkish citizens attend.”*⁷⁵

Armenians are also denied the access to the military body and the civil service. Care should be given to the point that the constitution grants, in theory, equal chances for all its citizens to access the civil and security services. Nevertheless, contrary to what is written, Armenians are discriminated against by their Muslim counterparts, thus putting severe limitations of the freedom of choice of profession. There are no members of Parliament of Armenian origin in the Turkish Grand National Assembly; *“There are no provisions for reserved seats for members of religious minorities, as exist for instance in the Islamic Republic of Iran”* states Hofmann.⁷⁶

Political discourse on Armenians, along with school textbooks and media reporting, picture the Armenian as the “bad guy” not worth of respect and trust. In this context, a meaningful poll undertaken in 1999 can bring much of this situation into light. The poll which was conducted among the youngster to see their perception of Armenians revealed, among other things, the following remarkable figures: 44.2% answered that

⁷⁴ *Marmara Newspaper*, October 27, 1994.

⁷⁵ Otmar Oehring, *Is there Religious Freedom in Turkey?*, *Orthodoxy Today*, October 14, 2005

⁷⁶ Hofmann, *ibid.* p. 31

there exist no “good” Armenians and that all, without exception, are bad people. In addition, 76% stated that the most unpopular people were the Armenians.⁷⁷

Since 2002, the ruling AKP party undertook a number of measures to improve the lot of the non-Muslim minorities. These reforms were, without a single doubt, a fruit of Europe’s demands and pressure on Turkey, and the latter’s persistent will to join the EU. A final evaluation of the reforms can not be presented, as the reforms are a continuous process. However, scholars on the subject like Gabriel Goltz see that

*“The reforms concerning the non-Muslim communities have consisted so far of piecemeal changes in existing laws or regulations with limited positive effects on the communities’ lives”.*⁷⁸

For example, though the right for the minorities’ congregational foundations to purchase real state and their right to re-register lands that were de-facto to them have been approved, the new law had no retroactive effect, and therefore minorities could not claim back the great number of lands seized by the Turkish authorities before the enactment of this law. Furthermore, the purchase of real state is to be approved beforehand by the Directorate General of Foundations, which has *“the power to decide whether the foundation needs the land or not”*.⁷⁹

⁷⁷ Otmar Oehring: Zur Lage der Menschenrechte in der Türkei – Laizismus = Religionsfreiheit? Missio, 2001, p. 32.

⁷⁸ Gabriel Goltz, *The non-Muslim minorities and reform in Turkey*, published in Hans-Lukas Kieser, *Turkey beyond Nationalism: towards Post-Nationalist Identities*, 2006, p. 175.

⁷⁹ Ibid, pp. 176-177.

A brief overview of the Kurdish Question in Turkey

The Kurds are perhaps “the largest nation in the world without its own state”.⁸⁰ In Turkey, they are estimated to constitute around 20 percent of the country’s entire population. The Kurds represent an ethnic minority in Turkey, have a distinct language, and strive since the early years of the Republic for a sort of autonomy. On all occasions, their uprisings and rebellions were put down by the use of military force. It is estimated that around 30000 lives had been lost in inter-fighting. Most of the unrests were put under control after the Kurdistan Workers’ Party (PKK) leader Abdullah Ocalan was captured, with the help of the US, in Kenya and jailed for life in 1999.⁸¹ This is not to say that all Kurds took up arms to fight for self-determination. A number of them integrated in the larger Turkish society and have organized in political parties to peacefully promote and support their own causes. Living mostly in the underdeveloped south and south-eastern parts of the country, most of the Kurds have resisted assimilation into the bigger Turkish society, though they consider themselves an original and constitutive element of the Turkish Republic. The official ban on the public use of their native language has only been recently lifted.

It is argued that an ethnographic approach to the Kurdish problem in Turkey (as well as in Iraq), can not lead to cooperation as long as both “camps” (the Turks and the Kurds) have zero sum interest. In this sense, ethnicity discourse undermines cooperation. However, the fruitless ethnicity discourse can be overcome when both, the Turks and the

⁸⁰ Michael Gunter, *The Kurdish Question in Perspective*, World Affairs 166(4), pp. 197-205.

⁸¹ Murat Somer, *Failures of the Discourse of Ethnicity: Turkey, Kurds, and the Emerging Iraq*, p. 5

Kurds, replace this discourse with post-ethnic models and add to them a series of joint policies, implement productive democratic and administrative reforms, create opportunities, and therefore collectively produce positive-sum interest for both.⁸² There still remains a sort of distrust between the two parties, as the Turks believe that the Kurds, though have tactically changed their violent approach, are waiting for the right opportunity or the proper circumstances to realize their long-held ambitions. As Somer puts it:

“A substantial portion of the Turkish military and political leaders long suspected the USA – and Israel – of sympathizing with Iraqi-Kurdish statehood, and they apparently believed that Kurdish statehood would reignite Kurdish secessionism within Turkey”.⁸³

Not surprisingly, the EU asks Turkey to respect the cultural and political rights of its Kurdish minority. Just as Turkey asks for the rights of Turks in Cyprus, Turkey is expected to respect its own Kurdish subjects. In other words, in order to join the EU, Turkey has to become a purely democratic, diverse, and pluralistic country, where a culture of respect for minorities prevails. So far, with some resistance, piecemeal progress has been made by Ankara. In December 2004, a number of prominent Kurdish figures issued a joint-statement listing their demands from the Turkish authorities. The signatories asked for a new constitution recognizing the existence of the Kurdish people, guaranteeing its rights to have a distinct education system, its own media expressed in Kurdish language, its own political organizations, its own cultural associations, added to these, the signatories asked for enhancing the economic conditions in the predominantly

⁸² Ibid, p.1

⁸³ Ibid, p.5

Kurdish regions of the south-east, especially in the regions that were affected by the inter-fighting of the early 1990s, and the return of internally displaced people.⁸⁴

As a sign of goodwill towards its Kurdish voters, the ruling Justice and Development party (AKP) took the decision to broadcast a 24 hours State channel in Kurdish language. This was a breakthrough in Turkish-Kurdish relations. The news of opening up the new TRT 6 channel was duly covered by the western media. In a separate additional step, Kurdish language and literature departments are planned to open in Istanbul University and Ankara University by the year 2010. Despite these progresses, the use of the Kurdish language inside the parliament or for political campaigning is still banned.⁸⁵ The ruling party seems to be careful in gradually implementing the EU oriented reforms. Its efforts however are cautious in not provoking the wrath of the right wing nationalists.

In sum, Turkey is on the road of reform to reach a truly pluralistic and democratic society. The state's withdrawal from previously controlled areas could bring out renewed hope for the non-Muslim minorities. The EU membership dream is a major catalyst for reform, democracy, and stability in modern Turkey. As Goltz puts it,

*"Turkey, as signatory to the European Convention on Human Rights, accepts European Court of Human Rights rulings, hence legal practice in Turkey will be increasingly linked to supranational law and institutions".*⁸⁶

⁸⁴ The text of the Kurdish demands can be accessed at http://www.institutkurde.org/activites_culturelles/appels/what_do_the_kurds_want_in_turkey/

⁸⁵ Reuters, January 2, 2009, <http://www.reuters.com/article/latestCrisis/idUSL2352569>

⁸⁶ Gabriel Goltz, *The non-Muslim minorities and reform in Turkey*, published in Hans-Lukas Kieser, *Turkey beyond Nationalism: towards Post-Nationalist Identities*, 2006, p. 180.

III- Europe and the Armenian Genocide

It is not clear to what extent the European Union is committed in pressuring Turkey towards recognizing the Armenian Genocide, as a precondition for accession. A number of Armenians fear that an under-the-table understanding between the EU and Turkey has been taken to “shelf” the Armenian Question. The accession negotiations are not regarded as a favor to Turkey. On the contrary, it is in the interest of the EU since it will enhance stability strategically, politically, and economically. There is also wisdom in considering the accession as in the interest of the Republic of Armenia, since dealing with Turkey *per se* is more complex and troublesome than dealing with Turkey that is part of a Union friendly to the Armenian Republic. Turkey’s geographic location as a bridge between Western and Islamic civilizations, and on a transit route between Europe, the Middle East and Asia, between the Caucasus, the Black Sea and the Mediterranean, as well as its proximity to the major strategic oil fields, all together contribute in giving it a considerable political weight in international affairs. As Ankara’s regional power and geopolitical importance grows, so the prospect of compromise on the Armenian Question with the EU grows as well. Turkey has lately become the mediator of indirect talks between Syria and Israel. Its role in the Arab-Israeli conflict has been growing especially after the December 2008 Israeli assault on the Gaza strip, and Turkey’s “lip-service” condemnation of it. Turkey is a strategic ally of the United States and has good relations with almost all Arab and Islamic regimes including Iran. Turkey is the first Muslim nation to formally recognize the State of Israel as early as March 1949, and has a military alliance under the Security and Secrecy Agreement (SSA) signed in 1994 with the

Hebrew State. The Ottoman successor is also a member of the North Atlantic Treaty Organization (NATO) since 1952.⁸⁷ Lately, it has initiated a new era of enhanced relations with the Russians. In February 2009, Ankara and Moscow made a joint declaration with the aim of deepening bilateral relations. The Russian part described this event as a strategic one, and pointed out to further agreements and cooperation between the two countries in the future. Russia is the main supplier of natural gas to Turkey, while Turkey is one of the important transit routes of Russian exports to the West.⁸⁸ Economically, Turkey is major trade partner to the EU, have already customs union agreements with the Europeans, and most importantly, it represents a large and dynamic emerging market with a liberalized and functioning market economy.

For Armenians, there are precedents in history which solidly justify their fear and concern. As mentioned earlier in the thesis, during the massacres, the Europeans were unable, and sometimes unwilling to halt the atrocities against the Armenians. The international neglect during and after the genocide led the German dictator Adolf Hitler declare in 1939: "Who, after all, speaks today of the annihilation of the Armenians?"

However, what seem to have changed since then are two important things; first the international growing concern and interest in the respect of human rights as well as

⁸⁷ In a lecture at Helsinki University on November 2006, Olli Rehn, EU enlargement commissioner, stated that "Turkey remains a key country for Europe, as it was during the Cold War. But the tearing down of the Iron Curtain did not reduce Turkey's strategic value. On the contrary, Turkey became more important to us. Look at the news on TV – be it about Iran, Iraq, the Middle East, the energy crisis or the dialogue with the Muslim world, news reports constantly demonstrate that we need Turkey with us, as an anchor of stability in the most unstable and dangerous region, and as a benchmark of democracy for the wider Middle East. The high stakes of the Cold War have been replaced by other, more complex challenges, in which Turkey remains a vital strategic partner in Europe." Full lecture can be accessed on <http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/06/747&format=HTML&aged=0&language=EN&guiLanguage=en>

⁸⁸ *Asia Times*, February 25, 2009, http://www.atimes.com/atimes/Central_Asia/KB25Ag01.html

the prevention and punishment of the crime of genocide, and second, the growing number of Armenian organizations in the Diaspora that lobby for recognition of the Armenian Genocide. My focus here will be on the organizations within EU member states, though a reference will be made to the lobbying efforts in the United States as well. Before we examine the role of the Armenian NGOs in Europe, it is useful to amply observe the major negotiating points between the EU and Turkey.

The Negotiating Framework

The negotiations between the European Union and Turkey are governed by what is called the Negotiating Framework adopted in Luxembourg on October 03, 2005.⁸⁹ As stated previously, this date signifies the official start of the negotiations. It was the culmination of around fifty years of EU-Turkish cooperation and partnership on a number of mutually important issues. Though the shared objective is accession, the negotiations are considered to be an open ended process, i.e. the results whether accession or privileged partnership cannot be guaranteed beforehand. All is dependent on Turkey's implementation of the reforms requested by the EU, as well as the pace of executing the reforms. In case of a serious and persistent breach of the framework, the negotiations are to be stopped. The EU demands can be summarized as follows:

⁸⁹ The original full text of the Negotiating Framework can be accessed on http://ec.europa.eu/enlargement/pdf/st20002_05_tr_framedoc_en.pdf

- Respect of the Copenhagen Criteria, which stress on the stability of institutions guaranteeing democracy, the rule of law, human rights, the respect for and protection of minorities, the existence of a functioning market economy, and the administrative capacity to effectively apply and implement the set of criteria.
- Turkey's unequivocal commitment to good neighborly relations, and its undertaking to resolve any outstanding border disputes in conformity with the principles of peaceful settlement of disputes in accordance with the United Nations Charter, including if necessary, jurisdiction of the International Court of Justice.
- Turkey's continued support for efforts to achieve a comprehensive settlement of the Cyprus problem within the United Nations framework and in line with the principles on which the Union is founded, including steps to contribute to favorable climate for a comprehensive settlement, and progress in the normalization of the bilateral relations between Turkey and all EU Member States, including the Republic of Cyprus.

In a separate paragraph, the Negotiating Framework stresses on

"while having full regard to all Copenhagen criteria, including the absorption capacity of the Union, if Turkey is not in a position to assume in full all the obligations of membership, it must be ensured that Turkey is fully anchored in the European structures through the strongest possible bond".

At a first glance, the road to full accession seems long, complex, and troublesome.

Commenting on the last paragraph, Fabrizio Tassinari⁹⁰ states that,

⁹⁰ Tassinari is a senior researcher at the Danish Institute of International Studies in Copenhagen and an Associate Fellow at the Center of European Policy Studies in Brussels.

"These open formulations leave room for various interpretations and have generated in recent years alternative options to full EU membership, especially within conservative circles in Germany, France and Austria that most vehemently oppose Turkey's EU integration".⁹¹

While having full regard of the reforms done in Turkey, there remain a lot of challenges that might push the Europeans to consider other options short of full membership like the Privileged Partnership option.⁹²

As regards to the Armenian Question, which is the main concern of this paper, the negotiating framework does not mention it in a concrete manner. In abstract though, there is a point for Armenia. The framework asks Turkey to peacefully settle border disputes in line with the European Neighborhood Policy (ENP). The borders between Armenia and Turkey are closed on the unilateral initiative of the latter since the outbreak of the war between Armenia and Azerbaijan in 1993 over the disputed territories of Nagorno-Karabakh. Therefore, Turkey is obliged to settle its border dispute with its eastern neighbor if it ever wishes to join the EU. Added to this, the EU asks Ankara to have "unequivocal commitment to good neighborly relations". This statement is rather ambiguous, and makes way to a number of contradicting interpretations. What do "good neighborly relations" encompass? There is not a clear set of criteria to define when the Armenian-Turkish bilateral relations can be considered "good" or not. Is it when the borders are open? Is it when there are embassies in both countries? Armenians would rather say that relations can be "good" if Turkey recognizes the genocide, something that seems to be real only in Armenian imagination, at least so far.

⁹¹ Fabrizio Tassinari, *The Variable Geometries of Turkey's European Integration*, <http://www.wilsoncenter.org/topics/docs/Variable%20Geometries%20of%20Turkey's%20European%20Integration.doc>

⁹² The negotiating framework seems to have taken note of these challenges in the statement: "if Turkey is not in a position to assume in full all the obligations of membership, it must be ensured that Turkey is fully anchored in the European structures through the strongest possible bond".

The ambiguity and vagueness with which the framework refer to the Armenian Question makes way for objective doubts on the commitment of the EU towards that issue. This leads us to question how important is the Armenian Question in the European Union? A comprehensive study becomes necessary. As it will be shown below, there are several important documents issued by the EU before and after October 2005 – the official starting date of the negotiations - that mention the proper wording of the Armenian Genocide in official EU reports.

How important is the Armenian Genocide in the European Union?

As shown above, no mention of the Armenian Question is found in the Negotiating Framework. Indeed, elevating the concept of genocide recognition to the level of precondition on the part of Turkey for EU accession seems to be gloomy. Furthermore, one may argue that whatever “pro-Armenian” documents one may find behind the official curtains, ratified treaties remain the main important papers. At the end of the day, treaties alone have binding power and hence, they alone are or should be respected. This is what the legal principle “Pacta Sunt Servanda” means.⁹³ Nevertheless, in real-politics there is no room for pessimism, rather there is constant motion and the treaties that seem “divine” today can be amended tomorrow. One shall give consideration to the active debate going around in Europe concerning the Armenian Question.

⁹³ “Pacta Sunt Servanda” is the Latin for “Agreements must be kept”, further elaborate definition can be found, in particular, on http://en.wikipedia.org/wiki/Pacta_sunt_servanda

Going back some twenty years, the European Parliament adopted in June 1987, just before Turkey officially applied for membership, an important resolution which stated, among other things, three major points:

First: *"The European Parliament believes that the tragic events in 1915-1917 involving the Armenians living in the territory of the Ottoman Empire constitute genocide within the meaning of the convention on the prevention and the punishment of the crime of genocide adopted by the UN General Assembly on 9 December 1948."*

Second: *"Recognizes however, that the present Turkey cannot be held responsible for the tragedy experienced by the Armenians of the Ottoman Empire and stresses that neither political nor legal or material claims against present-day Turkey can be derived from the recognition of this historical event as an act of genocide."*

Third: *"The refusal by the present Turkish Government to acknowledge the genocide against the Armenian people committed by the Young Turk government, its reluctance to apply the principles of international law to its differences of opinion with Greece, the maintenance of Turkish occupation forces in Cyprus and the denial of existence of the Kurdish question, together with the lack of true parliamentary democracy and the failure to respect individual and collective freedoms, in particular freedom of religion, in that country are insurmountable obstacles to consideration of the possibility of Turkey's accession to the [European] Community".⁹⁴*

In other words, the resolution points out that what happened to the Armenian community in Ottoman Empire can only be described as genocide. Turkey has to recognize this fact if it ever wishes to join the EU (recognition as precondition for accession), but the recognition will not lead to any types of compensation to Armenians.

On September 28, 2005, just a week before the official start of the negotiations, the European Parliament passed a resolution reaffirming its previous decisions on the Armenian issue. The resolution clearly called Turkey to recognize the Armenian

⁹⁴ The full text of the resolution can be accessed on http://www.europarl.europa.eu/intcoop/euro/pcc/aag/pcc_meeting/resolutions/1987_07_20.pdf

Genocide, and asserted that this recognition is a prerequisite for Turkey's candidacy.⁹⁵ Nevertheless, there is a lack of consistency in the different bodies of the EU. Having said about this resolution, surprisingly or ironically, the Negotiating Framework neither mentions the recognition matter, nor the Armenian Question in a concrete structure. It is a pity that the official Negotiating Framework loses the previous tone. Yet, a few weeks after the official start of negotiations, the President of the European Parliament Josep Borrell and the EU foreign policy chief Javier Solana met with the then Armenian President Robert Kocharian. Both European officials emphasized the need for Armenia and Turkey to peacefully settle their border dispute as a precondition for Turkey's potential EU membership, and they also focused on the need for Ankara to recognize the mass killings of Armenians as genocide.⁹⁶

To discuss the issue in more contemporary terms, on September 04 2006, the European Parliament foreign affairs committee on Turkey's progress in the accession negotiations clearly expressed that Ankara should recognize the Armenian Genocide as a precondition for accession. Shortly thereafter, 261 European civil society associations joined forces and made a common declaration on October 6 2006, asking the European Parliament to recap what it had previously decided on the Armenian Question, and that any amendment of the "recognition as precondition" formula will result in a serious denial of the Parliament's own principles. The joint declaration took note of the pressures exerted by the Turkish authorities to remove some "offending" clauses from the

⁹⁵ The full text of the resolution can be accessed on <http://www.europarl.europa.eu/oeil/file.jsp?id=5258032¬iceType=null&language=en>

⁹⁶ EurActiv, October 21, 2005, <http://www.euractiv.com/en/enlargement/eu-seeks-neighbourhood-policy-deal-armenia/article-146276>

committee's report.⁹⁷ Clearly, the discussions about Turkey in the EU circles highlighted a number of differences in opinion. Nevertheless, as the debate came to a close, the foreign affairs committee seems to have failed in convincing its fellow members of the European Parliament (MEP) in backing its position and in not changing the previous language of this same legislative institution. The MEPs have succumbed to Turkish pressure. Eventually, the European Parliament rejected a provision that would have otherwise called the acknowledgement of the Armenian Genocide a precondition for Turkey's accession. However, it stressed that

*"A country on the road to membership has to come to terms with and recognize its past – which means facilitating researchers, intellectuals and academics working on this question, ensuring them the access to the historical archives and providing them with relevant documents".*⁹⁸

In sum, the EU parliament softened its stance towards Turkey; i.e. it does not more elevate the recognition to the level of precondition for accession. In other words, Europe does not want itself to be an arbiter of history. It does not want to dictate the past. However, it wants from both Armenians and Turks to undergo an effective historical scholarly dialogue to reach a common ground between the two sides of the story. On March 12 2009, the EP renewed its previous position vis-à-vis the Armenian Question, and asked both concerned parties to start a process of reconciliation.⁹⁹ An important question arises: Taking into account the Turkish legal and penal obstacles mentioned in

⁹⁷ The full text of the declaration and the list of organizations that signed it can be accessed on <http://eafjd.eu/spip.php?article301>.

⁹⁸ The full text of the resolution can be accessed on <http://www.europarl.europa.eu/oeil/file.jsp?id=5347852>

⁹⁹ The full text of the EP resolution can be accessed on <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P6-TA-2009-0134+0+DOC+XML+V0//EN>

the second part of this thesis, to what degree is Turkey ready for this kind of dialogue? As shown earlier, the results so far are not promising.

In the efforts aiming at further European recognition, it is interesting to state the private bill presented before the French National Assembly in May 18th 2006 criminalizing the denial of the Armenian Genocide. It created a wave of reactions by the Turks, pressuring the French authorities not to consider passing the bill. Ankara recalled its Ambassador to France and called for a boycott of French products. The Turks have also rallied in France against this law, placed advertisements in various French newspapers against the proposed bill, and sent teams of politicians, trade union officials and businessmen to Paris to dissuade the French Parliament from such action.¹⁰⁰ Both Turkey's Prime and Foreign Ministers met with their French counterparts, urging them to prevent their Parliament from considering such a law. In addition, European Enlargement Commissioner Olli Rehn expressed his concern that this bill, if ratified, may damage dialogue and relations with Turkey, and that it was necessary to achieve reconciliation in this context.¹⁰¹ Eventually, the bill, which was ratified by Parliament in early October, was not adopted by the French government for the reasons explained by Catherine Colonna, Minister Delegate for European Affairs. In her speech to the National Assembly on October 12, 2006, Mrs. Colonna stressed that the bill was not in the interest neither of the EU-Turkish relations, nor in the interest of the Armenian-Turkish relations, and even

¹⁰⁰ For further reading about the Turkish response, visit, in particular, <http://arama.hurriyet.com.tr/arsivnews.aspx?id=-578102> and <http://arama.hurriyet.com.tr/arsivnews.aspx?id=-578450>

¹⁰¹ *BBC News*, October 9, 2006, <http://news.bbc.co.uk/2/hi/europe/6033713.stm>

more so not in the interest of some Turkish intellectuals who are against the policy of denial by Ankara.¹⁰²

Thus the French view became in line with the European position of leaving “historical disputes” settled by historians. Nevertheless, this incident created a wave of debates among scholars and intellectuals on the subject matter. Some considered that criminalizing denial can have bad repercussions on human rights, including the freedom of expression, while other considered that there were precedents in history when laws were enacted to criminalize denial of certain historical verities.¹⁰³ Among the first group we can mention, in particular, George Shirinian, executive director of the International Institute for Genocide and Human Rights Studies.¹⁰⁴ Shirinian commented on the French bill criminalizing denial as follows:

*“In the French case, there has been extensive public debate on whether such action resolves in an effective way the problem of denial, and if so, whether this legislation is, in a liberal democracy, a legitimate restriction on citizens’ freedom of expression”.*¹⁰⁵

Among the second group, we can mention Harut Sassounian who is the publisher of *The California Courier* newspaper and the President of the United Armenian Fund. Sassounian considers that it is ironic that Turks give lessons of freedom of expression to Europeans. Sassounian recalls that indeed there are precedents in many European countries in which there exist laws, for instance, that specifically criminalize the denial of

¹⁰² The full speech of Catherine Colonna can be accessed on <http://www.ambafrance-uk.org/Catherine-Colonna-explains.html>

¹⁰³ A conference was organized for this purpose by the Zoryan Institute on December 03-04, 2006 in New York City. The institute defines itself as the first non-profit, international center devoted to the research and documentation of contemporary issues with a focus on Armenian social, political and cultural life, with the concern for the human rights of all. More details on the conference can be obtained on http://www.zoryaninstitute.org/Announcements/Criminalization_Genocide_Denial.htm

¹⁰⁴ The International Institute for Genocide and Human Rights Studies is a division of the Zoryan Institute.

¹⁰⁵ *Nouvelles D'Armenie*, November 26, 2006, http://www.armenews.com/article.php3?id_article=27000

the Jewish Holocaust. Such restrictions have not only been sanctioned by national laws, but by the European Court for Human Rights (ECHR). Therefore, not supporting the French bill will result in a serious double-standard position by the E.U.¹⁰⁶

Some intellectuals argue that the European Commission is not being a fair referee in the Armenian-Turkish dispute, i.e. it is pro-Turkey in a manner that undermines the efforts on the part of Armenian organizations in Europe. In the words of Laurent Leylekian, executive director of the European Armenian Federation,

*“Its high degree of commitment progressively led the commission to depart from its role of fair assessor for the accession process to become the ardent ambassador of Turkey within the union against European public opinion, to which it is supposed to be accountable.”*¹⁰⁷

A small comparison between the Turkish and the Serbian cases is useful in this context. Following the Bosnian War of 1992-1995, the siege of Sarajevo and the ensuing massacres of thousands of Muslim Bosnians by the Bosnian Serbs backed by neighboring Serbia (then called Union Republic of Serbia and Montenegro, the remnants of former Yugoslavia), the European Union refused to officially accept Serbia's candidacy to the EU as long as it does not carry on to arrest and transfer to the War Crimes Tribunal in The Hague, General Ratko Mladic who is accused of leading the massacres and who is thought of hiding in the Serbian Republic to date. The European Commission had called-off the negotiations with Serbia in 2006, and strictly asks for full Serbian cooperation with the ICTY (International Criminal Tribunal for the Former Yugoslavia), i.e. to locate, arrest, and transfer Mladic to The Hague, as a precondition for

¹⁰⁶ *Armeniapedia*, October 14, 2006, http://www.armeniapedia.org/index.php?title=Turkey_Declares_Diplomatic_War_On_France_on_Armenian_Genocide_Law

¹⁰⁷ *EU Observer*, October 18, 2006, <http://euobserver.com/9/22661/?rk=1>

the resumption of negotiations.¹⁰⁸ While there is a number of politicians in the caliber of French Ex-Foreign Minister Bernard Kouchner who are enthusiastic of having Serbia as an EU member state though on the condition of respecting EU demands,¹⁰⁹ it is noticeable that the European position vis-à-vis Serbia's candidacy has been very sharp. The EU is not willing to compromise on a brutal human rights violation as happened in Sarajevo during the Bosnian War of 1992-1995.

It is true that there exist some differences between the Turkish and Serbian cases. The Armenian Genocide, though recognized by the European Parliament, differs from the Bosnian massacres in time and space. The Armenian Genocide took place 94 years ago; there is international disagreement on the scope of the massacres, their context, and the identity of the perpetrators. Whereas in the Bosnian case there is no discussion on the identity of the "architect", the magnitude of the killings, and the context in which they took place. Second, some might consider that Armenia is not a European country, and as a result, the defense of the Armenian cause is not necessarily a European responsibility, whereas, in the latter case, the victims and the perpetrators are Europeans. This is not to say that a comparison between both instances is invalid. The essence of both cases is a matter of great importance in European dialect and politics, i.e. the prevention and punishment of the crime of genocide. If Europe is to abide by this pillar, then this should logically create troubles to Turkey much more than that caused to Serbia. It should not be forgotten that Serbia is not being accused of committing genocide; rather, it is accused of

¹⁰⁸ For the EU-Serbia relations, see, in particular,
http://ec.europa.eu/enlargement/serbia/eu_serbia_and_montenegro_relations_en.htm

¹⁰⁹ *Times Online*, March 12, 2008,
http://www.timesonline.co.uk/tol/comment/columnists/guest_contributors/article3533101.ece

not doing enough efforts to arrest Gen. Mladic, who is, as mentioned earlier, thought of taking refuge in Serbia. On the other extreme, Turkey is asked to recognize its responsibility of the Armenian Genocide, but ironically, has an official EU candidate status.

This might further lead us to think that the subject is not of high priority for the EU as would most Armenians like it to see. There is a sense of double standards in EU enlargement policies. Should this comparison inevitably lead one to conclude that the Armenian Question is of no humanitarian weight in EU politics would be a matter of premature judgment. What prevails so far is uncertainty.

New Dimensions: Freedom of Expression, Free Trade, and the Fight against Racism and Xenophobia.

Freedom of Expression

As previously stated in the events following the French National Assembly law proposal, there was resistance by Paris not to be placed in a position to dictate history. In the more general sense of the word, Europe does not want to order a certain version of history, as Norman Stone puts it, "*Whatever the case, they should not be in the business of telling historians what to say.*"¹¹⁰ On the other hand, Europe certainly wants Turkey to permit and even sponsor an open, transparent, and constructive dialogue on the Armenian Question. It craves to see a culture of freedoms materializing in this candidate

¹¹⁰ Norman Stone, *The EU and Turkey: a Glittering Prize or a Millstone?*, The Federal Trust, London, 2005, p. 177.

country. If the Turks fail to do so, which has been relatively the case so far, then they will have dishonored the Copenhagen criteria of the freedom of expression, and as a result, be prevented access to the EU. This is an important side of the story. It is true that the Negotiating Framework does not mention the Armenian Question in concrete forms, but it does state the obligation of the Turks, as part of the reforms needed, to respect the culture of fundamental freedoms and liberties in widespread practice in Europe. The lack of a transparent dialogue on the Armenian issue in Turkey will be a major shortcoming prohibiting the prospect of full membership.¹¹¹

Fight against Racism and Xenophobia

On April 19, 2007, the EU council of Justice Ministers reached an agreement, after six years of negotiations, on common criminal provisions against racism and xenophobia. The aim of this framework decision is the enactment of standardized and harmonized laws in the EU member states to criminalize cases in which individuals promote racism and xenophobia, deny the occurrence of genocide with a racist and xenophobic motive. In the words of Brigitte Zypries, Chair of the EU Council of Justice Ministers and Federal Minister for Justice in Germany,

*“Public incitement to violence and hatred, as well as the denial or gross trivialization of genocide out of racist or xenophobic motives, will be sanctioned across Europe. With this, we are sending a clear signal against racism and intolerance”.*¹¹²

¹¹¹ *Inside Europe*, Turkey's Accession to the EU: Where Armenian Fit In. December 2006, http://www.insideeurope.org/fileadmin/user_upload/Pdf_files/061201-Turquie-en.pdf.pdf

¹¹² German Ministry of Justice, press release, April 19, 2007, <https://ssl.bmj.de/media/archive/2061.pdf>

The decision was finally adopted by the Council of the European Union on November 28, 2008.¹¹³

The criminal prosecution in this context of genocide denial is not in contrast with the freedom of expression, since the denier is not expressing his right, but rather, he is inciting hatred against the victims of the genocide.¹¹⁴ Going back to the French case of 2006 (discussed in the previous chapter) in which the law criminalizing denial of the Armenian Genocide was put off by the French government on the grounds that it, among other things, limited the freedom of expression of the French people, this new framework decision cancels out the earlier French explanation since the denial of the Armenian Genocide by the Turkish government, its anti-Armenian rhetoric, with its resulting effect on new generations and their perception of the Armenians as the “bad guys”, the hatred that is being propagated against the Armenians, all together constitute a breach of this framework decision. All the prerequisites of a criminal prosecution seem to be present in the context of the Armenian Genocide and the Turkish response to it.¹¹⁵

¹¹³ Council of the European Union, November 28, 2008, http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/jha/104584.pdf, in addition, the full Framework Decision against racism and xenophobia can be accessed on <http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:328:0055:01:EN:HTML>

¹¹⁴“In order to address the tension that exists between this prohibition and freedom of expression, the member states will be permitted to make criminal liability dependent on whether the incitement or statements simultaneously amount to threats, verbal abuse or insults, or whether the conduct in question is apt to disturb the public peace”. German Ministry of Justice, press release, April 19, 2007, <https://ssl.bmj.de/media/archive/2061.pdf>, p.2

¹¹⁵ It should not be forgotten that the EU parliament adopted in 1987 a resolution that recognized the Armenian Genocide.

Free Trade

The Armenian question poses itself on the EU-Turkey negotiations from an additional dimension, that is, free trade. This facet of the story has been seriously raised so far neither by the Armenian Diaspora, nor by European diplomats in their talks with their Turkish counterparts. In this regard, it is important to shed light on this element for it will soon represent a new dilemma for Turkey, and a new “obstacle” if it wishes to enter the EU without settling its disputes with its eastern neighbor.

The European Union and the Republic of Armenia have signed in 1999 the Partnership and Cooperation Agreement. The agreement provides basis for collaboration between the EU and Armenia as it offers the opportunity for both parties to take advanced measures in economic, political, and cultural integration. The agreement states that both parties shall

*“accord to one another most-favored-nation treatment in all areas in respect of custom duties and charges applied to imports and exports”, and adds that there should be “advantages granted with the aim of creating a customs union or a free-trade area.”*¹¹⁶

The relevance of this issue in the EU-Turkish talks is that the Turks should lift their economic blockade on Armenia if they wish to join the EU. The current 27 European states have common rules and procedures that apply in dealing with third parties like, in the case being raised, Armenia. The potential Turkish member will have to abide by the rules and procedures already in practice. The Armenian-Turkish border has

¹¹⁶ The full text of the Partnership and Cooperation Agreement can be accessed on <http://ec.europa.eu/world/agreements/downloadFile.do?fullText=yes&treatyTransId=627>

been closed since 1993 on official Ankara's initiative. Turkey sets a number of preconditions for establishing relations with Yerevan, particularly urging Armenia to give up the policy of the international recognition of the Armenian genocide as well as acknowledgment of the current Turkish borders. Nevertheless, when Turkey becomes a member, though it is still too early, it will be forced to open up its borders with Armenia without preconditions in order to keep itself in line with European legislations and treaties.¹¹⁷ Added to this, the Negotiating Framework, as discussed in the previous chapter, asks Turkey to construct "*good neighborly relations and its undertaking to resolve any outstanding border disputes*".¹¹⁸

European civil society and the Armenian Genocide: The role of the Armenian Diaspora.

In this part, focus is made on the ethnographic approach to the problem being raised. In other words, attention is given on how an ethnic community like the Armenians in Europe can alter, or more precisely, try to alter regional integration efforts, to obtain recognition of its own version of the Armenian Question, i.e. the Armenian Genocide, and see how this ethnographic approach materialize in real politics. It is somehow ethnography opposed to international integration, human rights versus real politics.

The Armenian Diaspora population is estimated to be around 8 million worldwide. The bulk of them are found in Russia, the United States, and France. Some Diaspora communities date back to 2000 years, but the bulk of the forced exodus was

¹¹⁷ *Inside Europe*, Turkey's Accession to the EU: Where Armenian Fit In. December 2006, http://www.insideeurope.org/fileadmin/user_upload/Pdf_files/061201-Turquie-en.pdf.pdf

¹¹⁸ The Negotiating Framework, p.3, http://ec.europa.eu/enlargement/pdf/st20002_05_tr_framedoc_en.pdf

during the horrible events of 1915. Around 3.2 million Armenians currently live in the Republic of Armenia. Situated on the Caucasian high-plateau, the Republic is hit by poverty. After the 1992 independence and the rapid and uncontrolled transition to market economy, most citizens have found themselves overwhelmed by their day-to-day needs and worries, and, as a result, lacked the resources and funds to make their case better heard internationally.¹¹⁹ It is worth of remark that the Soviet Armenians commemorated the genocide for the first time in 1965. On the 50th anniversary of the horrible events, the Bolshevik leadership had, at last, permitted the organization of a remembrance ceremony in Yerevan. The crowds were bigger than expected and the long repressed emotions were suddenly unleashed. Razmig Panossian comments on this event as being a turning point in nationalism in Armenia and beyond, as it awakened the nationalistic feelings, and became the catalyst for movements in later years.¹²⁰

In contrast to the misfortune of the Soviet Armenians, the Diaspora has succeeded in advancing the socio-economic scale in their respective host countries or “new nations”. Some Armenians reached high levels in the political, art and business spheres. Among the brilliant Armenians in the Diaspora, one can recall Patrick Devedjian who has been appointed in 2008 minister for economic recovery plan, a special ministerial post created for two years after the late worldwide financial crisis. Mr. Devedjian is a close adviser to President Sarkozy since the early 1990s. The famous singer Charles Aznavour, whose songs have inspired millions, also comes automatically to mind. Last but not least, one

¹¹⁹ United Nations Development Program, *Growth Inequality and Poverty in Armenia*, 2002, Chapter 7

¹²⁰ “This drive and enthusiasm stayed with Armenians and was expressed in many ways in subsequent years. Of course the outburst was denounced by the Soviet authorities and the First Secretary of Armenia, Yakov Zarobian, was dismissed a year later for failing to curb such a public and disorderly expression of national sentiments”, in Razmik Panossian, *The Armenians: From Kings and Priests to Merchants and Commissars*, p. 321

can recall the billionaire, businessman, and philanthropist Kirk Kirkorian, who has made tremendous charitable donations for the relief of poor Armenians, and whose name has been linked to Las Vegas via his multi-billion investments and his share in MGM Mirage and Mandalay Bay Resorts.¹²¹ Today, it's mainly the Diaspora who strives for international recognition of the genocide, though with the moral support of the Republic.¹²²

Around one million Armenians currently live in Europe; roughly half of them live in France. The Diaspora in Europe, as in other places, can be divided into three main working elements: First, the Armenian Apostolic and Catholic Churches and their derivative associations and brotherhoods, second, the Armenian political parties, mainly the Tashnaq, Hanshaq, and Ramgavar, and third, the Armenian NGOs. The main objective of the three groups is to organize the European citizens of Armenian descent, and promote awareness of the Armenian cause; i.e. recognition of the Armenian Genocide. The bloody history of the Armenians and their sense of being the victim create a strong romantic bond attaching them under a unified banner. The Genocide is the cornerstone of modern Armenian identity, particularly in the Diaspora. According to Panossian,

*"it is a defining moment, which on the one hand acts as a fundamental break with the past and the historic homeland, while on the other it serves as a prism through which national identity is seen, politics interpreted, and culture redefined".*¹²³

¹²¹ Important Armenian figures in Armenia and in Diaspora can be found on <http://www.persons.am/en/>

¹²² As a way of strengthening the bridges between the citizens of Armenia and the Diaspora and of providing new sources of revenues to its poor economy, Armenia's parliament passed the dual citizenship bill on February 26 2007, which allows granting citizenship to people from Armenian descent, *BBC*, <http://news.bbc.co.uk/2/hi/europe/6382703.stm>, in addition, the full text of the dual citizenship act in Armenian language can be accessed on <http://armeniaforeignministry.com/perspectives/dualcitizenship-arm.pdf>

¹²³ Razmik Panossian, *The Armenians: From Kings and Priests, to Merchants and Commissars*, p. 228.

There are a large number of Armenian NGOs in Europe. Their role varies from one organization to the other. A considerable number of them deal with welfare and cultural concerns, i.e. administering orphanages, houses for the elderly, youth clubs, and schools. Preserving and teaching the Armenian language, literature and folk dance is also of their primary concerns. Others deal with political matters, i.e. promoting awareness and demanding recognition of the Armenian Genocide.

The role of the Armenian Diaspora in Europe is constantly growing. Its momentum was speeded up with the previously discussed 1987 resolution of the European Parliament recognizing the Armenian Genocide. It gave the activists a sense of confidence that something can be achieved, and that geopolitics do not always supersede morality and justice.

In the purpose of facilitating cooperation among the different types of Armenian NGOs in Europe, the Forum of Armenian Associations in Europe was established in the year 1998, and thereafter meets on a yearly basis to follow up and synchronize the work of the organizations under its umbrella. Chaired by Tigran Grigorian, the forum has a representative office in Brussels to keep EU officials informed of matters of Armenian interest.

The Armenian Diaspora in Europe is working on several fronts and in almost all of the EU countries to push forward the issue of the genocide. Efforts of the Armenian organizations, institutions, individuals gave fruit to a number of official recognitions on the part of the international organizations and countries. In the broader sense of the cause, to date, there are 21 countries worldwide that recognized the horrible events of 1915 as genocide. The recognizing countries, besides the Republic of Armenia and the Republic

of Nagorno-Karabakh, are Argentina, Belgium, Canada, Chile, Cyprus, France, Germany, Greece, Italy, Lithuania, Lebanon, Netherlands, Poland, Russia, Slovakia, Sweden, Switzerland, Uruguay, Vatican City, and Venezuela. Eleven of the twenty one recognizing countries are EU member states. Added to them, there are the important recognitions of the Permanent People's Tribunal (1984), the UN sub-commission on prevention of discrimination and the protection of minorities which recognized the Armenian Genocide (1985), the European Parliament (1987), and the International Association of Genocide Scholars (1997).

Among the political type of NGOs, one can recall the European Armenian Federation for Justice and Democracy (EAFJD). Chaired by Mrs. Hilda Tchoboian and headquartered in Brussels as well, this organization is among the most important Armenian "think tank" organizations in Europe, constantly organizing workshops and seminars, sometimes with MEP participation, promoting reflection of the important issues at stake for the European citizens at large. The EAFJD, as it is abbreviated, is affiliated to the Armenian National Committee of America (ANCA), the largest and most influential Armenian-American grassroots political organization.

"As European institutions evolved and grew stronger over the years, our organization expanded, as well, to become a Europe-wide network of activists, working as early as 1987 for the proper recognition of the Armenian Genocide by the European Parliament, and later by the National Parliaments" Stresses Tchoboian.¹²⁴

Recently, the organization wrote an open letter to President Obama, asking him to live up to his promise of recognize the Armenian Genocide in as soon as he assumes

¹²⁴ Armenian National Committee of America, *Press Release*, http://www.anca.org/press_releases/press_releases.php?prid=217

office.¹²⁵ On March 17 2009, a new resolution was presented to the US House of Representatives aiming at recognizing the atrocities perpetrated by the Ottomans during the First World War as a clear act of Genocide. The open letter to President Obama was signed by as many as 400 European Armenian organizations from 22 countries.¹²⁶ Gregory Stanton, president of the IAGS sent a similar letter to President Obama.¹²⁷ The Stanton letter refers to strong objective sources, including references to statements declared by Obama himself, to show in reality that the massacres are in fact an act of genocide. During his presidential campaign back in January 2008, Obama had declared:

"The Armenian Genocide is not an allegation, a personal opinion, or a point of view, but rather a widely documented fact supported by an overwhelming body of historical evidence... An official policy that calls on diplomats to distort the historical facts is an untenable policy."

Some Turkish writers take note on the lobbying efforts of the Armenian community in Europe and the US. Burak Akcapar, among others, considers that,

*"the partnership [between the US and Turkey] was built on the purview of security and foreign policy elites, and it remained under the negative influence of anachronistic ethnic Armenian and Greek lobbies in Congress, which demonstrated zero regard for the strong mutual interests inherent in U.S.-Turkish relations."*¹²⁸

In response to this bill, the TUSIAD, which is the leading Turkish business association, sent a counter letter to President Obama advising him to consider the repercussions of adopting such an initiative.¹²⁹ Eventually, during his important State visit to Turkey in April 2009, President Obama raised the Armenian issue only in a soft

¹²⁵ EAFJD, April 2, 2009, <http://eafjd.eu/spip.php?article525>

¹²⁶ EAFJD, April 18, 2009, <http://eafjd.eu/spip.php?article533>

¹²⁷ The full text of the open letter can be accessed on http://www.genocidescholars.org/images/IAGS_Obama_Letter.pdf

¹²⁸ Burak Akcapar, *Turkey's New European Era: Foreign Policy on the Road to EU Membership*, p. 152

¹²⁹ The TUSIAD letter to President Obama can be accessed on <http://arama.hurriyet.com.tr/arsivnews.aspx?id=11289545>

manner, refraining from using the word genocide, from naming the perpetrators, and assuming on the other hand that Turkey and Armenia had made progress in bilateral talks and that the international community should encourage these “positive” steps. As it was expected, the Armenian communities in the United States and Europe expressed their sorrow for dishonoring, at least till now, a public pledge to recognize the genocide. The issue of the Armenian Genocide clearly puts the credibility of President Obama at stake. Some fear that the Armenian Genocide is being used as a pressure tool on Turkey to reach more strategic goals. Turkey can help the U.S. in their new exit strategy from Iraq, help defrost relations with Iran, and play an active role in the Syrian-Israeli indirect peace talks. In other words, Turkey is a regional need, a provider of stability, a bridge to the Islamic world, and a big market for Western exports. Facing these de facto givens, what is the rationale in upsetting the Turks with “second class” Armenian issues? Every time there is an effort by Armenian organizations to push forward the idea of recognition and to present a bill for that purpose to the legislative body of a certain country, the Turkish lobby responds with the same usual set of “threats”. In a considerable number of cases these reaction were productive and the bills were dropped down. But in other revealing instances, the Turkish “threats” proved futile and failed to halt resolutions recognizing the genocide. This was the case in practically all the countries that recognized the Armenian Genocide. In France for example, as soon as the Armenian Genocide recognition bill was ratified, the Turkish ambassador to Paris was withdrawn, a boycott of French product in Turkey was applied, and protests were organized in front of French institutions in Ankara and Istanbul. Nevertheless, after six months the relations between

the two countries was put back into its normal course, without affecting France's earlier resolution. As Balakian puts it,

*"The French had made clear: ethics and international diplomacy could coexist. The governments of the world, like individuals at the scene of a crime, are bystanders with ethical roles to play, roles that make a difference. The perpetrators should not be privileged but rather ostracized until its policy changes."*¹³⁰

Recently, on January 21st 2009, the European Armenian Federation organized a conference on the Framework Decision against racism and xenophobia adopted by the Council of the EU on November 28, 2008. The conference was held in Brussels, with the indicative presence of Martine Roure, vice-president of the EU Parliament.¹³¹ As discussed earlier, the framework decision is an important document for the Armenian cause, as its primary objective is to ban the denial of proven genocides. Since the EU parliament recognizes the Armenian Genocide in its 1987 resolution, then this decision will be a new point of reference for the Armenian Lobby in Europe. The State directed policy of denial adopted by Turkey is therefore, in line with this resolution, a breach of EU regulations.¹³² As a candidate for EU membership, Turkey seems to have a long check list to comply itself with.

The Diaspora convenes from time to time to discuss matters at stake for the Armenian people. Until now, there have been three major international joint conferences for the Diaspora and the citizens of the Republic to discuss, analyze and examine the Armenia-Diaspora relations, as well as exploring prospects for future developments.¹³³ It

¹³⁰ Peter Balakian, *The Burning Tigris*, p. 390.

¹³¹ EAFJD, January 19, 2009, <http://eafjd.eu/spip.php?article516>

¹³² The full framework decision against racism and xenophobia can be accessed on <http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2008:328:0055:01:EN:HTML>

¹³³ The three conferences so far were held in 1999, 2002, and in 2006 respectively.

is an incentive for the individual Diaspora members to collectively engage in the help of Armenia on a higher and more complex level. During these conferences, the attendants focus, among other things, on the international recognition of the genocide, and on the news of the EU-Turkey negotiations. More profoundly, the participants discuss the needs of the Republic, and encourage adopting means of helping the needy Armenians. For example, the 2002 conference adopted resolutions ranging from computerization of schools in Armenia and the Republic of Nagorno-Karabakh, creation of a center for Genocide studies to assimilate the researches and synchronize the efforts of the Armenian intellectuals, promote Armenian studies and e-learning, and the creation of Diaspora Museum to form a repository of artifacts, icons, and narrative of the life of the communities.¹³⁴ Similarly, the 2006 conference gathered around 2000 participants from 40 countries. The attendants focused this time on rural poverty eradication and the role of the Diaspora in Armenia's sustainable development efforts, and to this end, decided to create a council instructed with the role of supervising the undergoing projects.

Despite the three international conferences organized by the Republic so far, and despite the additional enthusiasm they created among the Diaspora, there remains an important missing point; the absence of a transnational institution that organize the collective work of the individual NGOs. Without such a permanent body, grand achievements cannot be expected from the Diaspora, at least in the context of

¹³⁴ The 2002 Armenia-Diaspora conference decisions can be accessed on http://www.armeniadiaspora.com/conference2002/htms/decisions_eng.htm

philanthropic aid to Armenia. There is the urgent need to organize and synchronize the work of all the NGOs.¹³⁵

¹³⁵ Onnig Beylerian, Professor of Political Sciences at UQAM, proposed some advices for the enhancement of Armenia-Diaspora relations, and to optimize the potential of individual Armenian efforts by the creation of an international permanent institution to administer the collective work of the Diaspora. His view points, which are shared by many fellow Armenians, are expressed in *Crucial directions in Armenia-Diaspora relations*, http://www.gab-ibn.com/IMG/pdf/Ar16- Crucial_Directions_In_Armenia-Diaspora_Relations.pdf

Conclusion

When separated from law and justice man is the worst of all animals.

*Aristotle*¹³⁶

The Armenians were the victims of the first genocide of the 20th century. In the process, some 1.5 million lives had been taken away. A great deal has been said and written on this subject. A considerable number of European and American scholars, historians, diplomats, public figures, NGOs, as well as a number of international bodies and countries have recognized the Armenian Genocide. At the other end of the spectrum, most of the Turks and a moderate number of non-Turks deny this fact. My main job has not been to thoroughly study genocide *per se*, but to give background information on the massacres, their historical context, their scope, and try to give preliminary proof that their execution was pre-planned and orchestrated by the Ottoman State. Added to this, I aimed to describe the current EU-Turkey membership negotiations in light of what happened to the Armenians of Anatolia under Ottoman rule. Through this ethnographic approach, I sought to show how an ethnic issue can become, in certain cases, a problem to regional integration. Nevertheless my main concern is the repercussion of the Turkish state-policy of denial and the European quasi blind eye on this subject, on the overall humanistic façade of the EU, and on the prospect of democratization and liberalization in Turkey.

¹³⁶ Aristotle, *Politics*, Book. 1, chapter 2, p. 6

It is true that the Armenian Question is almost a century old. But do realities cease to be realities with time? Do they have an expiry date? Should one forget what happened just for the mere fact that it occurred a century ago? Faced with the Turkish denial on the one hand, and the considerations of the European "raison d'Etat" on the other, the Armenian Diaspora is nevertheless lobbying in the EU member countries, and in the United States to press for the recognition of the genocide. So far, twenty one countries and a number of international bodies have recognized it. However, the Armenian Diaspora in Europe somehow failed in elevating the recognition of the genocide as a precondition for Turkey's accession to the EU. The subject was not included in the Negotiating Framework of 2005 which governs, at least theoretically, the EU-Turkish talks. As for the Diaspora in the United States, it has so far failed to get Congress pass a resolution recognizing the genocide. In other words, my concern is aggravated with the pessimistic conclusion I have reached which shows the supremacy of power politics over human rights concerns, and the preeminence of regional integration processes over ethnic historical grievances. The Armenian Diaspora has failed in persuading the EU of the threats posed by admitting Turkey without insisting first that it undergoes significant reforms especially as far as human rights are concerned, with a more nuanced picture of its past and present treatment of the small Armenian minority and the larger Kurdish minority in Turkey.

As it has been shown, there are many elements that make Turkey's accession to the EU a complex matter, and subsequently, there are numerous windows of opportunities for the Armenian organizations in Europe in their "struggle" to make their case better heard. As expressed earlier, I am not optimistic in the general sense of the

word; nevertheless, I believe that chances will be better if the Armenian Diaspora takes its case into new dimensions. Having in mind the current geopolitical importance of Turkey, it is not enough to ask for mere recognition of the genocide; that will not reach favorable results, as the experience with the EU so far demonstrates. There should be growing efforts to convince the European intelligentsia and policy makers that the issue is bigger than envisaged by them. It is not a mere historical issue to be discussed among historians in closed rooms or in fruitless conferences. It is not a secondary, bilateral, and a sheer ethnic dispute between Armenia and Turkey. The Armenian Genocide should not be an issue just for the Armenians. A proven genocide should be a matter of concern for humanity as a whole.

For the Armenians, there are some benefits to be derived from Turkey's accession to the EU. To start with, Turkey's accession to the EU will force Turkey to open up its closed borders with the landlocked Republic of Armenia, lift its economic blockade of that state, and allow it some breathing space. Therefore, one should not be led to believe that Armenians categorically refuse Turkey's membership in the EU and are bent on sabotaging the EU-Turkish negotiations. Even Cypriots might find it in their interest to have Turkey in; their problems with Ankara would be easily solved in the EU context. In a broader sense, failure in the accession negotiations will bring out a world that is divided along sharp religious lines, with subsequent fundamental regional and global implications. But this is not to say that Turkey should be permitted access without undertaking radical reforms. There exists an essential human rights concern. Denying such an atrocity is being culprit in dehumanizing the victim. The credibility of the Western ideals, the respect of human rights, the international efforts for preventing and

punishing the crime of genocide, the fight against racism and xenophobia, are all at stake. If the international community fails to press the perpetrators to recognize, and if the EU accepts the membership of the Turks without finding an appropriate mechanism to address these issues, then the whole human rights establishment will be shaken to its roots. This why I assert that the issue is not solely an issue for the Armenians; As Vahakn Dadrian, who is the most prominent scholar on the Armenian Genocide, puts it,

*"There is a need to restrain human behavior under a system of sanctions or legal consequences. In the absence of such legal sanctions, however, the concept of criminal behavior is bound to be diluted in the minds of offenders."*¹³⁷

Impunity serves the perpetrators; this has been and will always be the case. There should be no triumph of political "bazaar" over fundamental principles of justice, which are pillars of Western civilization and of the EU Copenhagen criteria.

I consider this to be a Turkish Question rather than an Armenian one. It is a fundamental problem of a candidate country breaching the principles of freedom of expression in its own country, and at the meantime, deny this right for other countries as well; i.e. the Turks have a number of predetermined warnings or "threats" that sometimes succeed in diverting a country from recognizing the Armenian Genocide. Religious intolerance, ethnic discrimination, and subsequently, injustice, also come to light.

So far, Turkey lacks a culture of freedom of expression. As this paper has shown, the Armenian Genocide is still a taboo subject in Turkey. The great majority of the Armenian minority in Turkey do not dare to openly discuss this subject. Hrant Dink was an exception. He challenged the status quo, and as a result, he was shot dead by an ultra-nationalist Turk two years ago. Until today, the court did not reach a proper verdict.

¹³⁷ Vahakn Dadrian, *The History of the Armenian Genocide: Ethnic Conflict from the Balkans to Anatolia to the Caucasus*, p. 420.

Impunity seems to continue.¹³⁸ Added to this, there is always the threat of the article 301 of the Turkish penal code that criminalizes any action that might be considered as an insult to the Turkish nation. Not surprisingly, the discussion of the Armenian Genocide is, along this line of thought, an insult to the Turkish nation.

The EU membership dream is a major catalyst for reform, democracy, and stability in modern Turkey but it is still easy to detect numerous examples of ethnic discrimination against Kurds and Armenians. As shown in this thesis, Armenians are faced with a number of legal, administrative, and bureaucratic complexities that make it difficult, for instance, to maintain a healthy private schooling system. The aim of these restrictions is to gradually dilute or assimilate the Armenians into the bigger Turkish society.¹³⁹ The government has a say even in the appointment of high ranking clergymen. Political discourse on Armenians, along with school textbooks and media reporting, picture the Armenian as the “bad guy” not worth of respect and trust. As for the Kurds, their situation is, without a doubt better than that of Armenians, yet they are still faced with a number of discriminatory practices in the bureaucracy. Perhaps an important example would be the prohibition to use their native language inside the Turkish parliament.

Faced with all these legal restraints and undemocratic practices, the EU is pushing Ankara to implement a serious reform strategy. So far, only piecemeal reforms have been realized.

¹³⁸ *New York Times*, July 13, 2007, http://www.nytimes.com/2007/07/03/world/europe/03turkey.html?_r=1

¹³⁹ Tessa Hofmann, *Armenians in Turkey Today: A critical assessment of the situation of the Armenian minority in the Turkish Republic*, Forum of Armenian Associations in Europe, 2002, p. 6

The future prospect of negotiations remains unclear. France and Germany remain staunch opponents to Turkish accession. There are extensive and long negotiations going on between the two concerned parties for membership. But having in mind the role of demographics in shaping up the European public opinion, and the stress that the seventy million Muslim Turks can drastically change the demographic and sectarian composition of the European Union, and that most new comers will be of inferior standards of living, care should be given to the fact that the whole process can be turned upside down if, the French and German voters for instance, express their refusal of Turkish accession in the future elections of the European Parliament. Such refusal may indefinitely postpone Turkey's accession to the EU. But whatever the Europeans might say, the Armenians should focus on three main facts.

First, one shall not forget that modern Turkey adopted the western legal-political system since the creation of the Republic. Though there are shortcomings in the application of this system, nevertheless, the progress done by Turkey is noteworthy. The huge gap that existed between secular Europe – one that is characterized by the subordination of the religious dogmas to the legal principle – and the theocratic rule that prevailed in the Ottoman Empire was drastically reduced by Atatürk, the founder of modern Turkey. However, there exist serious shortcomings in the application of the rule of law. Turkey lacks a culture of human rights akin to the one enshrined in the European model. The various political, economic and social forces that ended up in creating a unified “European identity” have not been in operation in Turkey; whose human rights record, and on-going discrimination against its different minorities (and most notably the Armenian minority) stand in sharp contrast to what is found in Europe. I do not intend to

highlight how the differences between Europe and Turkey can be articulated in terms of “modernity” and “backwardness”, that is not a matter of concern to me, but I intend to show that this difference, the European common political heritage as opposed to the Turkish one, is an obstacle for political and social integration. The Armenian Diaspora should be mindful that the juxtaposition between political culture of Europe and Turkey should not be misinterpreted as juxtaposition between Christianity and Islam. The problem, in the context of this thesis, is not a religious one; though as I have mentioned in the introduction, the European public opinion is greatly affected by this religious divide, and perceive, or misperceive, that Turkey’s mix of ethnicity, culture, and religion, is incompatible with the European model in general. But the “exploitation” of this perception will not be helpful for the Armenian cause, since it will be interpreted as an encouragement to racism and xenophobia.

Second, the Turks deny their responsibility of the Armenian Genocide for a number of reasons and motives including racism and xenophobia, which is, in line with the recently adopted framework-decision by the Council of the European Union, a criminal offense in Europe. Armenians shall stress on raising the following question: How can a candidate country disrespect an important framework decision and still hold high hopes for accession?

Third, the open discussion of the Armenian Genocide in Turkey should not be considered as an insult to the Turkish nation, and therefore, it should not be under the jurisdiction of article 301 of the penal code. In addition, there should be a common strategy to make the above mentioned three goals more efficiently realized. There should be increased number of conferences (with EU policy-makers participation), peaceful

protests (not limited to the 24th of April), fund raising, and advertisements in the European media that sheds light on this important issue and sends a clear message to the Europeans arguing that Turkey has, in no case, a similar culture of human rights. Armenian NGOs should further synchronize their efforts and create a unified pan-Armenian (for the Diaspora and the citizens of the Republic) permanent council to organize the collective work of the individual Armenian associations and to increase their potential and efficiency, and to have a weight in this complex global system.

One final word; while violence sometimes serves as a political solution, impunity serves to dehumanize the victim camp, and bears the risks of recurrent genocides in the future. Yes, somewhere and somehow life goes on, and somewhere, somehow, and sometime, the Armenians and the Turks will have to sit together and open a new page; a page that breaks the sad memories of the past. Armenians will be encouraged to forgive if Turkey admits its responsibility of the genocide. After all, it is the essence of their faith to forgive. There is a moral responsibility for the international community and for the European Union to press Ankara for recognition of the Armenian genocide. As Turkey applies to EU membership, Europe in its turn has a share of the responsibility. Human rights are at stake. In this sharp divide between ethnicity and human rights on the one hand, and geopolitics on the other, the former should necessarily prevail.

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