

## **EUROPE, TURKEY, AND THE ARMENIAN GENOCIDE** **(London, January 20, 2005)**

Europe and Turkey look back to a long relationship: Their common history covers at least 150 years of European pressure for Turkish reforms, of European half-heartedness and Turkish delays and evasiveness. As early as 1904 the French author A. Schopell compiled a documentation under the title "The reforms and the protection of Christians in Turkey during 1673 until 1904". It contained 645 decrees of the Sultan, treaties, agreements, notes and circulars, which had been signed for the protection of the Christian minorities. But all of them remained unrealised. And not only that. The very fact that Europe had interfered in Turkey's domestic affairs on behalf of minority rights and on behalf of the protection of Christians made those Ottoman Christians even more hated and suspect by the ruling Turks as well as by Turkish dissidents and opposition parties.

1913 was the year when the Turkish government, after 30 years of delay, finally agreed to a European project of the realisation of article 61 of the Berlin Treaty, signed by defeated Turkey in 1878. This article contained the promise of reforms, including regional administrative autonomy and security for the Ottoman Armenians. But instead of improvements, legal inferiority and occasional local persecution were soon followed by nation-wide deportation and extermination. Under the guise of WW1, more than the half of estimated two and a half million Ottoman Armenians perished, most men during massacres, and most women, children and aged people from starvation and exhaustion during death marches and the subsequent liquidation of concentration camps.

After the Turkish capitulation, the Ottoman parliament, followed by the government, started inquiries on the crimes of the nationalist war regime; special military courts sentenced the politically main responsible and the most notorious henchmen, although many of the first in absentia. The opposition nationalist regime of Mustafa Kemal in Ankara, however, not only stopped the legal prosecution of the perpetrators in the Armenian genocide, but also integrated many of the escaped accused into the political apparatus of the new establishment. After an initial period of plain justification of the annihilation of - what was then called - enemies of the fatherland, the following Turkish governments kept silence over the genocide of Armenians and other Christian ethnic groups in the Ottoman Empire. Confronted with the Armenian claim for the recognition of historic facts, Turkey reacted eventually with denial, although in a contradictory way: There was no genocide at all, but if there were victims, they were on both sides, as a result of allegedly mutual killing and civic war, due to Armenian attempt of rebellion. "Until 1980, Turkish school textbooks quite simply didn't mention the Armenian massacres", explained Fabio Salomoni, author of a book on the Turkish education system. "With the first acknowledgements of 'genocide' by Western governments and the increasing number of attacks by ASALA (an Armenian activist organisation), a paragraph was then added excluding all Turkish responsibility for the death of Armenians, explaining the context of a war..."<sup>1</sup> This official Turkish version of denial or

minimisation is comparable to a wound, artificially kept gaping.

While Armenia, governed by the Soviets, was compelled to keep her mouth shut over the genocide, the Armenian Diaspora started to confront international institutions and national governments of their corresponding countries of residence with the claim for recognition. The European Parliament reacted in 1987 with its "Resolution on a Political solution of the Armenian Question", despite years of Turkish interventions to prevent such a decision. With Turkey as a candidate for the admission into the EU, Armenian Diaspora NGOs in Europe started to lobby in order to make the recognition of the Armenian genocide a pre-condition for Turkey's admission. They achieved further resolutions by the European parliament in 2000, 2002 and 2004, but failed in making the recognition of the Armenian genocide an integral part of the Copenhagen Criteria of 1998. At no point of Turkey's progress towards the EU did the European Commission demand Turkey's recognition of the Armenian genocide. This attitude is, however, not at all exceptional. Differently from the European parliament, genocide awareness or a critical approach towards history is not on the Commission's agenda. Croatia, for example, will become a member state despite the genocide, committed by Croatia during 1941 until 1945. This genocide resulted in the death of nearly one million Serbs, Jews and Roma. If the numeric relation between population and the figure of victims is considered, the genocide by the Croatian Ustasha regime is even the most intense during WW2, for nearly every sixth inhabitant perished.

The possible reason for the abandonment of genocide awareness by the European Commission and other EU institutions lies, to my understanding, in the circumstance, that the European Union is a union of national states, most of whom were, to a higher or lesser degree, involved in crimes against humanity or even in genocide, in particular in combination with their colonial or imperialist past. Belgium and Congo, Germany and Namibia, France and Britain in the Near East and South Asia - there are dark aspects in most of the European member states' history. And the representatives of these states are not too keen to demand genocide awareness from candidate countries in order to avoid any questioning of their own past.

This, of course, has nothing to do with the question, whether Turkey is a part of Europe or whether it should or could become a part of it. As we have seen, there is no really convincing definition of Europe, neither geographical, nor historical, cultural or religious. If we apply historical definitions, we have to admit that Europe was and is an ever changing entity, including at Roman times recent Syria, Lebanon and Israel, whereas Ireland was not part of the Imperium Romanum, and Britain only in its South. Both countries remained during that age very much at the fringe of Europe. Similarly, the entire North and most parts of central Europe stayed outside the civilised European, that is Roman world. In other words, Syria and Israel were more European - or Roman - than the west of recent insular Europe. Culturally, Europe was split by different factors, as the dichotomy of Byzantine and Rome, Protest or Catholic Europe. Religion? Europe was never, as the favourite Turkish reproach has it, a mere "Christian club". This point of view ignores centuries of Muslim presence in Spain, the Balkans or at the Eastern fringes of Europe.

What else then is Europe? My favourite definition until recently was the suggestion, that Europe is a community of shared ethical values, among them the ability of a critical approach towards history. But as we have seen, when it comes to state crimes in the past, the attitude of most EU members does not meet these high ethical standards. Modern, ethically mature Europe, it seems, is rather a certain entity still to come into being, and the question whether Turkey should or could be part of it, is not to be answered with a simple yes or no, but with a clear definition and setting of pre-conditions.

The public debate in Germany on Turkey's candidacy or even its membership was combined with many fears, some of them social, some of them cultural and some political. The debate intensified before the background of a set of so called social and economic reforms, recently imposed on Germany's population with the result, that many in my country are now poorer and socially more insecure than they were before. At the same time, we realised, that we failed in properly integrating our migrant minority, most of its members being ethnic Turks or people of different ethnic background from Turkey. For decades, decision-makers in Germany had mentally refused to acknowledge the fact that Germany had become a country of immigration, and that the immigrants were not here just for a season, but for life. Our liberal middle-class liked the simplistic idea of "multi-kulti", of a colourful multi-ethnic diversity, but failed to realise the imposition on working class areas, dominated by migrants from pre-industrial, pre-modern societies. Most of our intellectual opinion-leaders turned a blind eye to problems resulting from the pre-industrial ethics of Turkish or Kurdish migrants, in particular, if women were concerned. Compulsive marriages of young girls, rape and violence of girls and women in Muslim families were perceived as integral part of an alien culture, whose members were allegedly entitled to other rights and laws than the majority population. Misled by wrong liberalism, judges failed to punish perpetrators for the murder of women, if the perpetrators claimed to have killed for the family honour. With a past of racist motivated state crimes, Germans were probably more than other nations prone for the trap of misunderstood political correctness. And once we understood that we lived with our Turkish neighbours in one country, but not in one society, many began to fear that the admission of Turkey to the EU would increase and multiply the problems, we already had with a Turkish population of approximately two millions.

What most of us did not realise were the fears, many Turks feel in expectation of Europe. The average expectation seems to be that Europe will change nearly everything. As a young couple of students from Istanbul recently told a friend: "Europe will make regulations on everything. Even the mullahs will no longer have the right to cry as loud as they used to do. They will have to reduce their voice. And the bells of Christians churches will get the right to ring louder."

The original and main motive of official Turkey for its application for membership is financial and economical. In summer 2002, Turkey's bankruptcy seemed to be a question of few months. With the massive help of the EU, Turkey recovered. But the fear is widespread, that the political prize for this economical salvation is too high. On the evening of December 16, 2004, just one night before the

European leadership's decision on Turkey's candidacy, a law expert of the Turkish Bilkent University explained in a TV interview at length all reasons against a membership in the EU. The EU, he explained not without a point, is economically declining, since it integrated eight new member states. The Turkish professor warned his audience: Although Europe has financially less and less to offer, it will politically demand more and more and interfere at every occasion possible into domestic affairs of Turkey. In this context the expert mentioned, as it is officially called in Turkey, the Armenian and the Cyprus question. The expert continued in saying, that a model of privileged partnership is much more favourable to Turkey than a full membership in the EU. Interestingly, this coincides with the proposals of the conservatives in Germany. Their idea is to keep Turkey out of Europe by compensating it with a so-called privileged partnership.

This leads us to the beneficiaries of Turkey's admission. These are mainly three groups in Turkey, and one interested side outside: In Turkey, the probable beneficiaries are the democrats, the Kurds and the ethnic or religious minorities. Unlike the Armenian Diaspora in Europe, in particular in France, the Armenian community of Turkey welcome Turkey's membership in the EU, hoping of course for an improvement of their situation as a despised and discriminated minority of only 60,000 people. In all, there are less than 142,000 Non-Muslim citizens in Turkey left, among them 22,000 Jews. In addition to them, there live further 200,000 Christians in Turkey, most of them Russian and Georgian Orthodox. They came as migrant workers, but the Georgian Orthodox Church claims that since 1985 the resident Georgian minority of Turkey is re-converting to their native church, after they had been forcibly islamised some centuries ago. Outside Turkey, it is Armenia as Turkey's vulnerable neighbour who would benefit from a direct neighbourhood with the EU, both economically and politically.

Whereas Turkish economical and financial expectations towards the EU can be met with both models - an EU-membership or a privileged partnership - the needs and hopes of these three groups are only fulfilled, if Turkey gets the full attention and support of Europe in its democratisation process. However, a full membership in the EU is not on top of the political agenda of Turkey's nationalists, be they leftist, rightist or Kemalist mainstream nationalists. In particular Kemalists fear the intervention of European institutions on behalf of Christian minorities.

The EU institutions do control the annual progress of applicants for membership. Since 1998, an annual report on Turkey's progress had been issued by the European commission, which is regularly discussed in the European Parliament's Commission for Foreign Affairs, Human rights and other matters, before it passes first the parliamentary commission and then, after further debates in the plenum, the European parliament. The debates and voting of 2004 brought the decision on the beginning of negotiations on Turkey's membership, which will start on October 3, this year. About ten thousand Armenians, most of them citizens of France, demonstrated in Brussels on December 17, 2004, in protest against the EU's readiness to start negotiations without Turkey's recognition of the Armenian genocide. Could a country, whose opinion-leaders and decision-makers ignore until today the state crimes, committed during the transition from the multiethnic Ottoman Empire to a mono-ethnic repub-

lic genuinely improve its human rights situation without revising its history?

Armenian Diaspora organisations normally focus only on the recognition issue. They want Turkey to admit the crime, committed 90 years ago, and to apologise. This is an entirely legitimate and logical demand, as far as Armenian communities are concerned. But the political consequences of Turkish denial concern not only the descendants of genocide survivors. First of all, the Turkish society itself has become victim of the all too close link between the war regime of genocide perpetrators and the founders of the Turkish republic. The integration of first and second-rate perpetrators into the Kemalist establishment has caused a continuity of crime, which Kemalist ideologists and opinion-leaders try to justify, persist and cover up until this day. The few Turkish human rights defenders and scholars of genocide, who dared despite the threat of legal prosecution to study this continuity, point out to the fact that the stubbornly denied genocide created an increasing black hole in Turkish historiography, and established state violence as an unquestioned and alleged patriotic tool to deal with political opponents and dissenters.

It is frightening, to which degree official Turkey, despite its approach towards Europe, continues the Kemalist policy of denial. It is more frightening, if genocide denial, combined with the discrimination of ethnic and religious minorities, is initiated and fostered by one of the country's most important and responsible opinion-leading institutions, the Ministry for National Education. In its circular letter No. 23, as well as in a decree of April 21, 2003 the Ministry's Commission for Teaching and Education ordered the implementation of a set of "counter actions" to the claim for recognition of the Armenian genocide. Circular letter 2003/23 relates to earlier decisions of June 6, 2002, which provided propaganda also against the "alleged genocide claims" by Armenians, Pontian Greeks and Syriac Orthodox Christians into instructions of school classes 5 and 7 and in secondary schools during lessons on the history of the Turkish Republic and Kemalism, starting with the beginning of school year 2002/2003.

Part and parcel of this campaign in 2003 was a competition of school essay writing on the subject "Uprising and activities of Armenians during World War I" and an award for the "nation-wide best" of these essays. Furthermore, local and regional school authorities were requested to organise instructions for teachers of history and social studies, and also for inspectors of secondary schools. Schools of religious minorities such as those of the Armenian and Greek minority of the Republic of Turkey were compelled to participate.

Despite the fact, that six teachers had been prosecuted because they dared to ask questions during instructions, Turkish citizens articulated protest against the decrees of Education Minister Dr. Hüseyin Celik that the Turkish Teachers' Union criticised as "racist and chauvinist". On October 4, 2003 an initiative called *Baris için Tarih* ("History for Peace") published a statement of protest that had been signed by more than 400 prominent citizens of Turkey. This NGO pointed out at the fact that in new editions of Turkish textbooks Armenians, Pontian Greeks and Syrian Orthodox Christians had been repeatedly called "spies", "traitors", "barbarians", whereas synagogues, churches and also schools of

minorities had been branded as „noxious communities“. In the same dehumanising language the perpetrators of the genocide of Ottoman Armenians and Greeks had denounced their future victims. It took the Turkish lawmaker nearly a year to react to this incredible scandal. According to the European Commission's report on Turkey's progress towards the EU, issued in October 2004, Turkey's Grand Assembly issued a law in March 2004, which prohibits any future minority discrimination in Turkish textbooks. According to the report, the law relates to ethnic, religious, racial, sexual and social minorities. However, for the time being we have no information whether this new regulation is already realised and whether there are safeguards that editions of textbooks, which contain already discriminatory language and contents are no longer used in lessons.

Particularly worrying is the confusion caused by the reasoning of article 306 (305) in the draft of Turkey's amended Penal Code. In the context of this penal law, the mentioning of the Armenian genocide or criticism of Turkey's military occupation of North Cyprus were cited as examples for the application of article 306; this article became article 305 in the final version of the Penal Code, issued in late summer 2004 by the Grand Assembly of Turkey, but not yet signed by the president. The background of this law and its reasoning are telling. Such a law came into existence first in autumn 2000, when the Turkish legislature started to consider a draft bill, crafted under the pressure of the Turkish General Staff. This legislative initiative coincided with the debate of a resolution on the Armenian genocide by the United States House of Representatives. The Turkish General Staff intended, under the term of article 359 of the then Turkish Penal Code, to treat the very use of the word "genocide" (*soykırım* in Turkish) in connection with the World War I fate of Ottoman Armenians hence forth as a criminal offence. Although the bill did not receive the ultimate approval, it survived in the reasoning of article 306 (305) of the recent amendments of the Turkish Penal Code, despite the fact, that it contradicts the Human Rights Treaty Convention of the Council of Europe. The reasoning of article 305 provoked the protest of numerous NGOs inside and outside the European Union and caused a warning by the EU. The fact, that the possibility of such a reasoning existed despite Turkey's candidacy for membership in the EU is in itself indicative for the obstinacy with which the Turkish military authorities, together with radical nationalists and the tacit agreement of Turkey's recent rulers are pursuing the goal of suppressing any serious debate on the topic of the Armenian genocide or the ongoing military occupation of North Cyprus. Such obstinacy, however, causes serious doubts about Turkey's decision for willingness to introduce reforms.

Although the EU issued a warning to Turkey on behalf of the reasoning of article 305, in legal practice this and similar restrictive articles of Turkish Penal Code are still applied. There is a court-case pending on the internationally prominent Turkish publisher Rağip Zarakolu of Istanbul, for his intention to publish the Turkish translation of a book by George Jerjian on Armenian and Turkish reconciliation; Jerjian's book was first published in London in April 2002 under the title "The Truth will set us Free". Important as the message of this politically balanced and moderate book may be, three pages from the Armenian author's preface had been named as a reason for the legal prosecution of the Turkish publisher, who is pursued under Article 159 of the Turkish Penal Code and the Law for Protecting Ata-

türk's Memory. The Prosecutor considers an insult to the Turkish Republic and her founder Mustafa Kemal ("Atatürk") to claim that there were some people around M. Kemal, who had responsibility for the 1915 Armenian Genocide.<sup>2</sup> For fear of being arrested, Mr Zarakolu did not dare to leave his homeland and travel to Frankfurt in order to meet an U.S. producer of documentaries on the Armenian Genocide for an interview.

For the year of the 90th commemoration of the Armenian genocide, 2005, the president of the Turkish Historical Society, Prof. Halacoğlu, announced a new offensive against, as he calls it, the alleged Armenian genocide; he appealed to Prime Minister Erdoğan to establish a commission which should run this new offensive. Despite the contrary of what is true, Halacoğlu declares that Turkey has nothing to fear of the Armenian genocide claim, for researches in foreign archives allegedly proved that the claim is unfounded. He also declares since 2001, that Turkey should try to achieve a new hearing of the known court case against Soghomon Tehleryan, the Armenian murderer of Mehmet Talat Paşa, previously the minister of the interior of the Ottoman Empire and one of the politically responsible for the Armenian genocide. A Berlin jury ruled on the 3rd of June 1921 that Tehleryan was not guilty. The German authorities of the time immediately released Tehleryan and expelled him, thus getting rid of any revision of the case, which was politically so inconvenient for Germany.

In face of the historic truth, one may consider such activities as ridiculous or cynical. They add to the wide spread perception of Turkey by Armenians, who see this country as never changing in its decision to offend the remainder of the Armenian nation. But as all things change, Turkey does, too. There is a slow progress even in regards to Turkey's largest taboo, the Armenian genocide, since the 1990ies. There are a few scholars of genocide and history in the Turkish Diaspora community and even in Turkey itself, who acknowledge the historic truth. There are some human rights defenders and publishers with tremendous courage, who despite all threats contribute to the support of genocide understanding in Turkey and the Turkish community. There are translations and publications in the Turkish language, which add to the understanding of the historic truth as well as to an increased knowledge about the Armenians and other nations, which are Turkey's neighbours and which also represent minority-made communities in Turkey itself. The proceedings of the Talat Paşa Court Case, for example have been published from German into Turkish and are available in Turkey as a book since 2003; in 2004, a second volume of comments and articles on the Talat Paşa Court Case appeared, including my own publications. In the light of a defamation campaign, started by Turkish media against me in the end of the year 2000, this is progress. Until a few years ago, scholars of genocide and human rights defenders, who were involved into the recognition of the Armenian genocide, were grossly insulted and defamed by Turkish media; in my case, I was declared to be head of the German intelligence and a representative of the „Super NATO“, in order to undermine my respect among Turkish intellectuals, many of them with suspicion towards intelligence services.

All this has not stopped overnight or disappeared entirely. There are still pro-Turkish websites, which serve the only purpose to offend and insult those scholars confirming the fact of the Armenian geno-

cide. But at the same time there are encouraging developments. We can support these developments in the framework of European institutions and the admission process. Naturally, a pre-condition for success is, that the European institutions, in particular the European Commission, realise their tremendous historic responsibility towards the peoples of Turkey and the neighbour states of Turkey, in particular Armenia, Greece and Cyprus. I return to my remarks in the beginning of my talk. The relationship between Europe and Turkey over the last 150 years reads as story of deception and betrayal, as far as Europe and the Christian minorities of Turkey were concerned, or like a story of sporadic and half-hearted reform appeals and interventions from the European side. In order to secure efficiency and consistency in the reform process, independent human and minority rights NGOs should not only observe, document and comment developments in Turkey, but also pressure in the corresponding EU institutions. For this purpose, an independent network of experts and representatives of the minorities concerned has been established, called *Monitoring Minority Rights (MMR)*, which is affiliated with the *Armenian Assembly of Europe*, the *Swiss-Armenian Society* and the *Working Group Recognition*, an international non-profit NGO, which I have the honour to chair.

As a conclusion, I answer some questions, which you may like to discuss more extensively in the following debate.

First question: Does Europe need Turkey?

My answer as a European: Not really. Europe is pre-occupied with the integration of new member-states in East and Southeast Europe, and the integration of Turkey is a financial, social and political challenge.

Second question: Does Turkey need Europe?

My answer: Undoubtedly yes. If the admission and integration process work, as described before, Turkey wins in all areas. Most of all, a full membership in the EU is Turkey's biggest chance for sustainable democratisation. As a European, I may decline from being enthusiastic about Turkey as a new member state. As a human right defender, I have no right to decline from a chance to improve a very bad human rights situation of my fellow-beings.

Third question: Is the admission of Turkey to the EU good or bad for the recognition of the Armenian genocide?

My answer: We all failed to make the recognition a pre-condition of Turkey's entry. At least we failed to do this in time and in a convincing way. Now we should not insist on further linking the admission issue with the recognition of the Armenian genocide, which is a task on its own rights. Provided that the democratisation process in Turkey is supported and encouraged by Europe, both on the informal and on the official level, there are better chances for a recognition with Turkey on its way to Europe than outside. Speaking as a citizen of Germany, I consider it a special challenge for Germany to give an example to Turkey by addressing to the bleak and unpleasant pages of our national history. Having said this, I do not mean the Shoah in the first place, which is studied and officially recognised in Ger-



many since the victorious allies of WW2 compelled Germany to do so. I rather mean Germany's recognition and complete apology for the first genocide of the 20th century, the genocide of ten thousand of Herero and Nama during the years 1904 until 1908. I also think about the German involvement into the Genocide of the Armenians, in particular as a knowing ally, who turned a blind eye for the sake of a military and strategic partnership. As a scholar of genocide, I consider comparative studies a necessity, for I know, as other scholars do, that the first genocide of the 20th century is linked with the genocide in the Ottoman Empire during WW1 and with the Shoah during WW2.

And the final question: Does this all mean that campaigns for the acknowledgements of the Armenian genocide are in general pointless?

My answer: No, not at all. This important human right defence work is to be continued, and the 90th year of commemoration offers ample opportunities to draw attention to the necessity of genocide acknowledgement. But as mentioned earlier, this is a task own its own rights and should not be linked to intensely with limited European or other Realpolitik. Otherwise genocide acknowledgement turns into a political tool of those who simply want to keep Turkey clear of the European Union under every circumstance.

<sup>1</sup> Quoted from: Cheviron, Nicolas: Turkish Community Revises History of Its Country. „Agence France Presse English Wire“, January 20, 2005

<sup>2</sup>

Toumajan, Mihran: Two New Legal Proceedings Against Publisher Ragip Zarakolu in Turkey. „Armenian News Network/Groong“, January 11, 2005