



# Literature Review:

## The role of civil society in managing memories of disputed territories

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**Part 7 of 7: How civil society can correct ‘historical mistakes’ and organize a dialogue: some case studies from Armenia – Ani Lecrivain**

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**How civil society can correct ‘historical mistakes’ and organize a dialogue: some case studies from Armenia – Ani Lecrivain**

## HOW CIVIL SOCIETY CAN CORRECT ‘HISTORICAL MISTAKES’ AND ORGANIZE A DIALOGUE: SOME CASE STUDIES FROM ARMENIA -Ani Lecrivain

Ani Lecrivain, from the NGO E&C Bridges, is a translator, legal expert and also works with young people through a variety of informal educational projects. This section continues the discussion on civil society by exploring the broad range of tactics used - from violence to lobbying governments - for international recognition. Ani also utilises her legal expertise to set out how future generations of Armenians have used the legal system to fight for reparations and reclaim lost land following the genocide.

*Memory would be particularly important not to evoke mourning, but to avoid further mourning.*

*Alfred GROSSER, **Crime and Memory***

The 21st century has been marked by several genocides. Historical studies show that, after the violence, the survivors from the Armenian genocide of 1915 dispersed into diaspora throughout the world (Tonybee 1916; Kévorian 2006; Chaliand, Ternon 2002; Toroyan, Nichanian 2013), especially in France, the United States, Lebanon and Syria. After the Ottoman Empire surrendered in 1918, its newly organized government, led by Ahmed Izzet Pasha, decided to try the leaders of the Young Turks and the members of the Union and Progress Committee (CUP) for involving the Ottoman Empire in the First World War and for having organized the massacre of the Armenians. The first verdict of ‘trial of the Unionists’ against the Young Turks was pronounced on July 5, 1919. Those condemned to death in absentia were: the Minister of the Interior Talaat Pasha, the Grand Vizier and the head of the CUP; the Minister of War Enver Pasha, the Minister of the Navy and the Commander of the 4th Turkish army in Syria during the First World War; the member of the Central Committee of Teshqilat Mahsuse, Djemal Pasha; and the Minister of National Education, Doctor Nazim. However, the sentences could not be implement as the accused had fled to Berlin, Rome and Tbilisi. This lead several Armenian avengers

(Salomon Teilirian, Arshavir Shirakian, Aram Erkanian, Petros Ter Boghossian, Artashes Gevorgjian) to carry out the verdict of the trial and kill the leaders identified as responsible (Ternon, 1977).

Several studies exploring the formation of the Turkish Republic in 1923 are critical of its formation for being built on the mass displacement of Christians and other peoples of the Ottoman Empire (Del Valle 2001, Bruneau 2015) and on the appropriation of holdings and confiscated properties from Armenians, Assyrian-Chaldeans, Pontic Greeks, Jews and Syriacs (Poatel, Üngör 2012). To build a new nation-state and thus, a new history, it was essential to transform the framework, both temporal and spatial, of memory (Keropyan 2015). The construction of the new Republican Turkey within Mustafa Kemal's government and ideology, required the revision of the country's past and the memory of war and genocide. This revision of the past is also argued to be accompanied by an attack on the memory of the space in which non-Turks lived (Üngör 2009). Thus, as several researchers note, the destruction of the Armenian patrimony continued throughout the 20th century (Mucci 2015).

The 'activation' of civil society

The entry of the term 'genocide' into the legal vocabulary in 1944 (Schabas, 2010; Irvin-Erickson, 2017), the Nuremberg trial and the parallels drawn between the genocides incurred by Armenians and Jews (Ternon, 2003) gave legitimacy to Armenians to openly speak about the violence in 1915 that had hitherto been called 'the great catastrophe' (Marian, 2015). Even more so, Stalin's colonial claims towards Turkey after World War II raised once again the 'Armenian question' and hope among Armenians to regain their lost land (Suny, 1993). In 1965, with the commemoration of the fiftieth anniversary of the genocide, when mass protests took place in Yerevan and across the diaspora, another major political claim appeared in civil society: the international recognition of the Armenian Genocide as

a means of compelling Turkey to acknowledge its crime and pay compensation for losses, but also the return of Armenian historical lands (Cheterian 2010).

In the 1970s, the problem of Armenian memory and the international recognition of the 1915 genocide took extreme forms in civil society, characterized by terrorist acts (Dugan 2009). The overlapping aims of the two main Armenian terrorist groups (ASALA and JCAAG) were to create an autonomous Armenian political entity in Turkey and to obtain retrospective recognition of the existence of genocide by the current Turkish government (Grosser 1989). Curiously, ASALA's 'advertising' terrorist campaign (Chaliand 1980) succeeded to mobilize a whole new generation of young Armenians, and in giving a new impetus to political mobilization within the diaspora (Cheterian 2010). Research published in the 1980s by researchers from outside Armenia, and the intensification of the work of Armenian activists, enabled more than twenty countries (such as most of Latin America, Canada, Russia, Lebanon, France, Greece and Italy) to recognize the 'great catastrophe' in 1915 as genocide (Chabot, Kasparian, Thiérait, 2008; Masseret 2002). A key driver cited by civil society in campaigning for the wider international recognition of the genocide is to prevent its repetition (Duclert 2015). According to historian [Ph. Videlier \(2005\)](#), the fact that this memory has been given international acknowledgement has given Armenian society and the diaspora renewed purpose. Particularly in the US, the strong Armenian diaspora (through organisations such as the Armenian National Committee of America) had campaigned and lobbied the government since the 1960s to recognise the violence and the deportations in 1915 as genocide. Numerous researchers have also given much attention to the issue of recognition and the impact of economic, political and diplomatic factors (Zarifian 2013). Against the position of President Trump, by the end of 2019, both the US Senate and House of Representatives had voted in favor of recognising the Armenian genocide.

Future directions and campaigns

At present, Armenian civil society, including the diaspora, is divided on future actions to be taken. Some advocate the intensified continuation of the struggle for international political recognition of the genocide and the Republic of Armenia. This relies heavily on the role of diplomacy, but, according to the researchers, can hold unconvincing objectives from a strategic point of view in terms of strengthening prevention obligations.

Others focus on financial compensations requests (Collectif 2015, association Earth and Culture). The first individual or group claims for compensation were filed in the United States courts by the heirs of Armenians who had taken out life insurance policies before 1915 with American, French, German and English insurers on the territory of Ottoman Turkey. The New York Life insurance (Saltzman, Neuwirth, 2011) and Axa Insurance cases have led to arbitrations negotiated between insurance companies and claimants. It should be stressed that these cases did not involve directly the responsibility of the Turkish State.

Other cases, in particular Harry Arzoumanian and others (Demirdjian 2015), who argued for political recognition of the genocide by the State of California, saw the course of the proceedings thwarted by the US Federal Court. The decision of the 9th Circuit Court of Appeal, confirmed by a decision of the United States Supreme Court in May 2013, argued that the judgment in favor of the applicants by the California courts was likely to affect US foreign policy and diplomatic relations between the US government and Turkey, and that in this case the US Executive's right of pre-emption on this case was justified.

The most recent initiatives for individual complaints have taken place in Turkey. These interesting cases to observe and follow take place in the domestic courts. They concern expropriation cases or confiscation of property. The applicants hold property titles (which is not the case for the vast majority of Armenians descended from victims or survivors of the genocide). Zvart Sudjian (an American citizen with

title deeds in the Diyarbakir region) is represented and defended by an Istanbul law firm (Theriault 2015). The basis of the claims are claims for restitution or compensation for confiscated property. The legal grounds raised are the protection of the right of ownership, respect for the right of access to cadastral archives, and the obligation of the Turkish State to control the identification of beneficial owners before disposing of land or property, currently registered as State property.

The third category of activists proposes to focus efforts on discussion and exchanges with Turkish civil society; to have a greater presence on the ground in Turkey. In France and in Northern America, there is an increasing number of organizations that want to educate and exchange perspectives with Turkish civil society. They hope for recognition throughout the reconciliation of civil societies, unavoidable with the development of knowledge, and thus hope for compensation.

#### Opportunities for DisTerrMem

On the Turkish side, the work of memory, according to Turkish political scientists and writer Cenzig Aktar, began with societal work, after the murder in Istanbul of the Turkish journalist and writer of Armenian origin, Hrant Dink. Turkish society decided for simple reasons, 'an amnesic society could not be cured by a state that lobotomized it. We should not wait for the State to decide one day to talk about Armenian, Greek, Chaldean genocides, we had to mobilize.'<sup>1</sup> It is no longer only intellectuals who mobilize, as in 2008, when Ahmet Insel, Baskin Oran, Ali Bayramoglu and Cenzig Aktar called for 'forgiveness. Turks address to Armenians' (CNRS 2010) which was signed by 32.000 people, but members of civil society mobilizing for this acknowledgment. The publication of numerous books on the Armenian genocide, works that highlight the Armenian-Turkish dialogue (Neyzi, Kharatyan 2010, Marian Insel, 2009), the organization of exhibitions, conferences,

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<sup>1</sup> See (Aktar, *The engagement of Turkish civil society in the recognition of the Armenian genocide*, [www.senat.fr](http://www.senat.fr/ga/ga146/ga1462.html) (<http://www.senat.fr/ga/ga146/ga1462.html>).

some restitutions of Armenian properties to foundations, the renovation of some churches and monuments, the discovery by many Turks that have an Armenian ancestor who converted to Islam to escape genocide, the growing contact between Turks and Armenian tourists from the diaspora who come in the footsteps of their ancestors and finally the mobility of students between the two countries are certainly first small but very important steps in the path of recognition of the Armenian genocide. Thus, in Turkey, on recent years, the gap between society and politics has profoundly widened, between on the one hand, Turkish civil society which has some interesting initiatives working on memory and reconciliation across the border of the two nation states, and on the other hand, politics in Ankara which continues to deny the Armenian genocide and to discriminate against the Armenian population in Turkey today (Kalfayan 2006).

Bernard Bruneteau (2019) in 'Génocides: usages et mésusages d'un concept', underlines a very important point, that we must not neglect the growing weight of what appears more and more as *an international civil society* as a relay of a public opinion sensitized and indignant in real time by the images and testimonies broadcasted by the media of conflict and violence. The efforts of Armenian civil society, and particularly through diaspora organisations at an international level, have been to promote recognition of the past and prevent future atrocities through international law based on a shared humanity that defies national boundaries. Such an approach is understood through a cosmopolitan frame. DisTerrMem therefore provides an opportunity to further explore the potential of agonistic practices at a more grass roots level in developing understanding and dialogue which permeates across border to move beyond conflictual memories of the past that shape relationships in the present.



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