DISSERTATION

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„Allegation and Denial. Argument and Meaning in the Armenian Genocide.“

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# Allegation and Denial

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Preface

It is a peculiar feeling to flip through the text in front of me. I have devoted a considerable amount of time and energy, by my standards at least, to this work over the last few years, yet I it is still easy to identify a number of elements which would merit further efforts. I “happened” to run into this topic, the ongoing debate between the Republic of Armenia and the Republic of Turkey about the events of 1915, the (alleged) Armenian Genocide, without much prior knowledge. I had a vague impression where I stood, but then the more I worked on this project the more I discovered how ungrounded this position was, quite expectedly. Somewhat more surprisingly I noted during my work how frequently I continued to change my mind. Gradually opinions, yes, even convictions, evolved, changed, perished, resurfaced, going round and round in circles. Some of the suggestions and conclusions I am proposing here would have troubled me in the beginning, and some of the views I nurtured back then seem disturbing now. What is worse, I cannot silence the apprehension (or is it hope?) that my thoughts would change even further if I was to delay the completion of this thesis by a few more weeks. Particularly some of the ideas which emerged only towards the end of the writing process still arouse suspicion. I guess it is therefore favorable that at some point higher, institutional forces require me to make a clear cut and stand up to exactly where I am at this point – and that can be a valuable hub to start out afresh. In the end, all this ambiguity might be, on a personal level, extremely precious too, at least in the sense of keeping some mental doors open.

These precursory remarks are not to immunize myself against criticism, or at least not only, I believe. It should not obscure that I am equally confident in a number of propositions, at least for now – though I am not going to disclose which these are, nor which ones I feel ambivalent about. What these remarks in fact are, mostly, is a reflection of two notions I hold about this topic itself: (a) first, I am convinced it is a very difficult matter. That pertains certainly to many issues, and possibly not by coincidence especially to those about which we argue and fight. It is certainly not my intention at this place to somehow vainly measure and compare complexity (or importance, by the way) between disparate social and political affairs. In my experience this experienced complexity is not (only) a function of this topic in its own right or in relation to other topics, but instead of the depth to which I engaged in it.

What makes this specific riddle a difficult one, I believe, is that no academic discipline could provide us some clear answer how to resolve it. On the surface level the fields
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considered include notably history and law. However, I believe there is much more to it. For instance, it is (as a factual statement) also a political issue because it obviously entails political repercussions, even if we bluntly declare it a matter for historians only. Moreover, if we extend our view to include also its relevance to themes such as identity, we can yet again add a few more disciplines. Thus, I would think it deserves attention, or, put differently, it must not be excluded from investigations in morality, political science, sociology, psychology, and philosophy too, to name but a few. Eventually I do not think the larger discussion and any eventual resolution could or should (now as a normative statement) be dictated by only one of them.

But that certainly applies again to a wide range of topics. What adds yet another layer of complexity, at least within the social-scientific approach I am pursuing here, is for instance that a psychologically relevant concern, questions about resentments and identity and our very own history, phenomena to which we all individually have different and very personal relations, that this concern becomes a social and political matter or even conflict. It is pretty difficult to find one (“the right”) solution to the variety of our needs and aspirations in this regard. Nevertheless, I believe that is exactly why we must not just brush the matter off from our political agenda – this is exactly the task of the polity, even though it may seem to propose an intractable conundrum. And that is why “the solution” might better remain somehow flexible and open, allowing for adaptation to these our different needs. At least as far as it appears (socially, politically, historically, legally, morally, psychologically) acceptable, and this “somehow” is exactly what needs to be discussed.

By the same token this topic is not only difficult but also (b) very sensitive. Certainly to varying degrees, but for one or the other of the various stakeholders this issue is highly personal – revolving around nothing less than her identity. I am sure that for some it is by far more sensitive an issue than for me, and this might be where my cautious words above emanate from. On me personally the events of 1915 have admittedly very limited impact: I do have a genuine interest in this topic, and it grew while I pursued my work, but I have no doubt that it will not determine whether I will lead a happy and satisfying life or not. So, while it is pretty easy to accept criticism for my faults and deficiencies, I would like to use this evasive preface to make clear that the recklessness from which many of my thoughts undoubtedly originate and by which I present them at times is not a result of any intention to offend. At times I may (even deliberately) adopt a provocative position or formulation, but the (possibly missed) objective of such polemics is the evocation of further ideas and objections, not of hurt or fury.
Anyway, I am sure to a certain extent inflicting/taking offense with this sensitive matter cannot be avoided – be it as a result of my own incompetence or by the nature of this topic. But to derive some good from this as well: at least it might demonstrate to anyone who in any way takes offense that this is indeed a relevant matter to her, and that the outrage it may engender is maybe not only a matter of my own transgressions but possibly more of underlying sensitivities.

One way such offense could be caused is inadequate language. This applies particularly to issues such as this one, which virtually revolve around the most appropriate expressions: is it “genocide” or something else? Given my preoccupation with this kind of delicate phenomenon, I want to address at least this inevitable flaw upfront. I confess that I have not arrived at a conclusive solution how to designate the subject of my work without suggesting what I do not intend to suggest, and thus without pre-empting, perverting or depleting my own position. My point is basically that it is not me to suggest “the right” name. Honestly speaking, I do not want to. As I shall obsessively repeat in the pages which follow, I think what matters is the meaning we give to this event, and far less how we wrap it up. That comes closer to how we then present this meaning to others, how we advertise it, if you wish (now, that indeed might indeed have been offensive…). And as such its wrapping is relevant, no doubt, but it is not what I would want to think about for a few years of my life, and it is therefore not the primary subject of my thesis. Once we (or I, for that matter) have arrived at a viable solution what the most appropriate meaning is, then we should certainly debate in what terms to best capture and convey this meaning. But it might not make much sense to argue about the right wrapping if there is no consensus about its content.

For that reason I helplessly oscillated to and fro in this work, adopting numerous designations, without even putting them in quotation marks, sometimes resorting to “the events of 1915”, at other times “the Armenian Genocide”, and there might also be some “alleged Armenian Genocide”, not to speak of additional labels and euphemisms (my “subject” or “topic”). In the end it would be nice if I had produced some random distribution of these various labels, but I am pretty sure I also failed in that respect.

Moreover, there is of course an incredible amount of other denominations which are equally sensitive and important, many not directly related to this topic (think for instance of gender designations). For instance, are the (alleged) victims to be characterized as “Armenians”, or better “Ottoman Armenians”, “Western Armenians”, “(Armenian) Christians”? Or instead maybe best described simply as “victims”? And how about the people argumentatively defended by the Turkish government: are they “Turks”, or “Muslims”,
“Ottomans”, “Young Turks” and so forth – but what about “Kurds” and a number of other social groups? Obviously none of these labels is irrelevant or neutral either, first for various contemporary political issues (such as the Kurdish question in the Republic of Turkey), and second because they also shape the subject studied here: they draw the line of (alleged) offenders and victims differently, and by extension also shape the structure of the divide today. Is it “Muslims” versus “(Armenian) Christians”, or rather “Turks” versus “Armenians”? And was it “Kurdish tribes” who were responsible for a vast number of massacres back then? And to what extent would each of those accounts be “true” or “false”? These are all dimensions I cannot do justice here, nor can I help jumping from one such trap right into the next. Eventually I am concerned not so much with an accurate or “true” account of what happened in 1915, but instead how we today refer to the past and how history thus draws boundaries in the present and thereby perpetuates group conflict. Therefore whatever naming convention(s) I shall adopt in the course of this paper shall not be misunderstood as a historical representation of the past, or as a conscious disregard for its immanent complexity. Instead these inevitable terms shall help to illustrate how we deal with historical responsibility, and how it affects collective identity and intergroup conflict in the present.

Finally, one last shortcoming I wanted to apologize for in this preface is the unsatisfactory way in which I managed to live up to the generous support I have encountered at many stages of this work. There are a number of people who provided valuable assistance way beyond expressing great encouragement: they provided some ground where I could test some theses of mine in an amiable discussion, the ideas they offered proved highly informative and gave rise to crucial further thoughts on my part. Inadvertently I may all but too frequently have distorted their ideas and perverted their intentions as they continued to evolve in my mind. Therefore this paper owes a great deal to all of them both in terms of quantity and quality of ideas, while the blame for any eventual inconsistencies and inaccuracies falls on my side since I remain responsible for their eventual formulation and presentation here. Whatever I wrote here does not necessarily reflect their opinions and positions, and some of my thoughts would most certainly not find their approval.

In no other than chronological order, these people are Cengiz Günay, senior fellow at the Austrian Institute for International Politics; a representative of the Armenian embassy at Vienna; Salpi Ghazarian, director of the Civilitas Foundation (Yerevan); Hayk Demoyan, director of the Armenian Genocide Museum Institute (Yerevan); and a representative of the Armenian Church in Vienna. Apparently this list appears flagrantly partisan, numerically dominated by persons who might be assumed to endorse the claims of genocide. I thence
would like to add that I also approached the Turkish embassy in Vienna and tried to facilitate meetings with a few relevant persons when I happened to travel to Turkey twice – to no avail, unfortunately none of my requests for a personal encounter was met with acceptance. That, of course, might simply be a matter of the issue’s sensitivity, or for pragmatic reasons (such as the language barrier), and not intended to hinder any work on this topic or evade it in the first place. And on the other side, Turkish newspapers and various texts from the homepage of the Turkish Ministry of Foreign Affairs had ample time to brainwash me just as well.

Closer to the completion of my work, my brother Georg deserves great credits for taking the pains of reading through a crude draft of this paper, only to find it not very sensible or informative. Especially readers friendly to orthography and punctuation will remain indebted to him. Finally, at the beginning and the end of this work stood my supervisors who endured my questions and extravagances with formidable patience: John Bunzl initially set me on my way, suggesting this very topic and helping me to find just any direction through it until other reasons forced an end to our collaboration; and Otmar Höll kindly accepted to accompany me for the rest of my journey, giving me the guidance to eventually even arrive somewhere, someday.

Vienna, January 2012
1. Introduction.

This paper is about a protracted conflict in international relations: the debate around the experiences of the Ottoman Armenian population during World War I. At first glance this appears to be a topic for historical research rather than for political science. However, this issue still heavily affects the relations between the Republic of Armenia and the Republic of Turkey, just as their relations to third countries and of course the lives of Armenians and Turks. With that being said I shall deliberately refrain from providing a historical account of what has or may have happened: there is considerable amount of devoted and sophisticated historians of Turkish, Armenian and other background who have produced more comprehensive and well-founded chronicles than I ever could, and with myself not being a historian I could only reproduce their narrations rather than reveal any new historical insights. Particularly since there seems to be wide dissens among historians themselves. Instead, this thesis is designed as a political analysis, and in light of the discrepant positions it appeared commendable to me to abstain from any historical presuppositions: the historical facts shall be considered extra-political context, whereas the historical accounts which are offered to represent these facts shall be considered in their political dimension, i.e. as materials for political analysis. Therefore I thought it best not to provide any introduction to the historical background of the events under scrutiny.

Instead it appears indicated to offer some overview about the current relationship between the Republic of Armenia and the Republic of Turkey, and the role this topic assumes in their bilateral relations as well as those with third countries. This should first of all give an impression of the current state of affairs, and thereby if or to what extent this subject is really worthwhile drawing political attention, and second explicate the framework in which this controversy is taking place.

1.1. Armenian-Turkish Relations.

The relations between Armenia and Turkey are strained for a long period of time now. Usually two reasons are offered as an explanation for this tension, the first one being the conflict about the region of Nagorno-Karabakh. Essentially this dispute is primarily one between Armenia and Azerbaijan, but in light of the close relationship between Azerbaijan
and Turkey\textsuperscript{1} it has also burdened the contacts between Armenia and Turkey, being the main reason why the Republic of Turkey in 1993 terminated diplomatic relations with the Republic of Armenia. For years already there are efforts to mediate in this conflict by the so-called Minsk Group, under the umbrella of the Organization for Security and Cooperation in Europe (OSCE), but a settlement is not in sight yet.

This more recent tension emerged against the backdrop of another conflict which directly involves Armenia and Turkey as the primary agents: their prolonged and disparate assessment about the fate of the Ottoman Armenians at the demise of the Ottoman Empire. This may appear a curious brawl, given that these events occurred almost a century ago\textsuperscript{2} and presumably very few people with a personal memory about them are still alive. At least it appears pretty safe to assume that the primary actors of the dispute \textit{today} did not personally play any role \textit{back then} – and in most cases I would think that their grandparents might be the closest connection for today’s agents.

Actually the time right after these events did not see a lot of quarreling about this episode: in Turkey the War of Independence took place, followed by the founding of the Republic of Turkey and the ensuing social upheaval. In Armenia the aspirations for national independence were subdued and eventually Soviets took hold and the country became a Socialist Republic. In these cataclysmic times between the First and the Second World War, little attention was paid to this past conflict. It was only in the second half of the 20\textsuperscript{th} century that it became re-activated, especially during its last two decades. Among the reasons for this revived interest are, apart from a possibly revived role of history in politics in general, also various other events of horrific mass violence, such as the crimes committed during the Nazi epoch in Europe, those of Cambodia or Rwanda, as well as a number of political transitions, as for instance in South America, Eastern Europe, and South Africa. These developments, among others, led to an intensified social and political interest in how to deal with tragic events of the past, as well as further developments in international law, human rights and so forth.\textsuperscript{3}

\textsuperscript{1} There is a frequently quoted dictum describing the relationship between Turkey and Azerbaijan as “one nation with two states”, also used by leading politicians such as Turkish Prime Minister Recep Tayyip Erdoğan (quoted in \textit{Today’s Zaman} on May 14, 2009).

\textsuperscript{2} Depending on the perspective and focus any historical account resumes, the events contested here are usually assumed to commence in late 1914 or early 1915, lasting throughout World War I or even until the foundation of the Republic of Turkey in 1923. The date most often referenced to locate these events is April 24, 1915, when more than two hundred Armenians were apprehended in Constantinople by Ottoman authorities. It is also the day on which the Republic of Armenia and Armenian communities in the diaspora nowadays commemorate this past episode. For the sake of conciseness, I shall simply refer to this entire episode as the events of 1915, since 1915 is often presented as its symbolical climax (or maybe better: its nadir).

\textsuperscript{3} See also Özyurek (2007); Kieser (2006): 44-46; İğsız (2007): 186.
More specific to the case studied here, an important drive bringing it back to the agenda were certainly a series of attacks staged by the Armenian Secret Army for the Liberation of Armenia (ASALA) and other organizations such as the Justice Commandos against Armenian Genocide (JCAG) in the 1970s and 1980s. In that period more than 200 attacks against Turkish targets occurred, aimed primarily at Turkish officials and institutions abroad, eventually killing 58 people, among them 34 Turkish diplomats.

At the dissolution of the Soviet Union the Republic of Armenia declared independence on August 23, 1991, and the Republic of Turkey was among the first countries recognizing Armenian independence on November 27, 1991, and a fresh start for relations appeared possible. However, the already mentioned conflict around Nagorno-Karabakh quickly triggered a deterioration in this relationship, and in 1993 the Republic of Turkey disrupted these dawning diplomatic relations with Armenia and closed the common border.

For a number of years there appears to have been little official movement among the political establishment of both countries, at least among their higher levels. This appears to have changed somewhat over the last few years. On April 10, 2005, Prime Minister Recep Tayyip Erdoğan sent a letter to the Armenian President Robert Kocharian, suggesting “to establish a joint group consisting of historians and other experts from our two countries to study the developments and events of 1915 not only in the archives of Turkey and Armenia but also in the archives of all relevant third countries and to share their findings with the international community”. However, he received a deflecting response from the Armenian President, who held that

“[t]here are neighbouring countries, particularly on the European continent, who have had a difficult past, about which they differ. However, that has not stopped them from having open borders, normal relations, diplomatic ties, representatives in each other’s capitals, even as they continue to discuss that which divides them.

Your suggestion to address the past cannot be effective if it deflects from addressing the present and the future. In order to engage in a useful dialog, we need to create the appropriate and conducive political environment. It is the responsibility of governments to develop bilateral relations and we do not have the right to delegate

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5 The number of casualties is not consistent throughout the literature. The numbers given here are taken from Phillips (2005): 21f. According to the Hürriyet Daily News (April 24, 2010) the number of slain Turkish diplomats amounted to 42 deaths; Gust (1993: 304f) puts it at 46 deaths, Today’s Zaman (December 17, 2008) at 70, and Source 14 (see section 7.1, Appendix A) as high 71 casualties. For a list of such attacks see Center for Strategic Research (2007; Source 29): 49-62.
6 European Stability Initiative (2009a): 7f. Then Foreign Minister Abdullah Gül in a speech at the Turkish Grand National Assembly on April 13, 2005, mentions a slightly different date that the Republic of Turkey recognized Armenian independence, i.e. December 16, 1993 (Source 4).
7 Quoted in European Stability Initiative (2009a): 28. The Turkish Grand National Assembly supported this move in a declaration on April 13, 2005 (Source 2).
that responsibility to historians. That is why we have proposed and propose again that, without pre-conditions, we establish normal relations between our countries.\(^8\)

And indeed other assertions by political leaders shed some doubt on the chances such a historical commission would be able to settle the conflict about the past. As Prime Minister Erdoğan explained only half a year later in a speech at the London School of Economics in October 2005:

„Unsere Haltung ist klar. Wir haben unsere Archive geöffnet, nun sollen auch die Armenier die ihren öffnen. Falls es in unserer Geschichte etwas zu erörtern geben sollte, so sind wir dazu bereit. Aber jeder soll wissen, dass die Geschichte der Türkei niemals eine Geschichte des Völkermordes ist.“\(^9\)

Paradoxically, Erdoğan here first invites to a joint study of the past, and at the same time proclaims the ultimate and only possible outcome of this study. I do not intend to depreciate any efforts for further historical research, but it seems questionable what sense there is in any such research if its results are pre-determined by its political sponsors and customers anyway? The move to establish such a joint study then appears more as a purely symbolic move, but not an indication of an open effort for dialogue or consensus. Also on the Armenian side similar forestallings of the only acceptable outcome have been declared, with the marginal difference being that is of course just the opposite to Erdoğan’s. And therefore in my opinion the prospects of finding a resolution for the historical conflict first and then improving relations seem slim; which is not to suggest that it necessarily needs to go the other way around\(^10\) – maybe historical and political reconciliation may indeed be better envisioned as a parallel and complementary process.

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\(^8\) Quoted in European Stability Initiative (2009a): 28. It should be noted that this is not a position peculiar to President Kocharian, but widely shared among the Armenian political establishment. Of the three presidents the Republic of Armenia has seen to date, all remained skeptical at the idea of a joint commission to examine the past events. The country’s first president, Levon Ter Petrossian, stated: “The well-known offer to form a commission of Armenian and Turkish historians is unacceptable and offensive to us, first, because it casts doubt on what is for us a national conviction, and secondly, because the fact that the Genocide has been recognized by the legislature of a number of countries makes the establishment of such a commission irrelevant and obsolete.” (quoted in European Stability Initiative (2009a): 69). I have just reprinted the response by the second president, Robert Kocharian, in the text above. And the country’s third and current president, Serzh Sargsyan, explains: “The Turkish side offers to form a commission that would study historical facts. We don’t oppose the creation of such a commission, but when the border between the states are open. Otherwise, it could become a matter of delaying the issue for years and a means of abuse.” (quoted in European Stability Initiative (2009a): 73). However, other pro-genocide authors appear to be more open to this idea, such as Taner Akçam (2004: 243), who himself promotes a similar suggestion.


\(^10\) See for instance Miller (2002: 140), who argues for a completely different case study about the Soviet past in Russia, that solutions to historical differences depend on good relations in the present, rather than the other way around.
Anyway, on September 6, 2008, an impressive because highly debated event occurred when Turkish President Abdullah Gül accepted an invitation to Yerevan by his Armenian counterpart Serzh Sargsyan to watch a game between the Armenian and the Turkish national football teams in the qualifications for the world championship. This visit was then reciprocated by the Armenian President on October 14, 2009, for the second leg of the qualification. That development gave rise to speculations the two governments were working behind the scenes on some “soccer diplomacy” toward a reconciliation, a perception reinforced by statements of high level politicians that they expected progress and developments soon which could eventually result in a re-opening of the borders.

As Turkish Foreign Minister Ali Babacan on July 18, 2008, confirmed, in parallel to these developments secret negotiations indeed took place under Swiss mediation, until on April 22, 2009, representatives of Turkey and Armenia declared they had agreed on a roadmap towards normalization of bilateral ties. This led to harsh reactions among some circles in both countries, instigating for instance that the Dashnaksutiun party, representing three ministers and sixteen out of 131 deputies to the Armenian parliament, quit the Armenian government. In late summer 2009 then two protocols were made public which outlined an official roadmap to normalize relations between the two countries. Again public interest was remarkably high, and also strong protest and criticism was voiced. After a period of internal consultation and reconcilement, including a tour by Armenian President Serzh Sargsyan abroad to address the concerns among the Armenian diaspora in countries like France, the United States of America, Russia and Lebanon, it was agreed that both foreign ministers should sign these protocols on October 10, 2009 in Zurich – just days before Serzh Sargsyan visited Turkey for the return match of the football qualifications. This was indeed realized in presence of the foreign ministers of France, Russia, the United States, but only after further wrangle about the speeches to be given at the ceremony. In the end, after some last minute

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11 Just as a curious side note: the Armenian football federation even modified its emblem just days before the match against Turkey took place in 2008: it removed the highly symbolic Mount Ararat, located on Turkish territory and therefore frequently raising fears among some Turkish circles its usage as a national symbol in Armenia would amount to territorial demands, and replaced it by a lion. The football federation nevertheless denied this move was in any way related to the game against Turkey, still the emblem was switched back to Mount Ararat a few days after the match had taken place (Today’s Zaman, September 4 and November 1, 2008).
12 For instance Armenian Foreign Minister Edward Nalbandian on February 21, 2009, claimed they were “very close to normalizing Armenian-Turkish relations” (Hürriyet Daily News, February 23, 2009), reciprocating an earlier statement by Turkish Foreign Minister Ali Babacan who said normalization has “never been closer” and a breakthrough was possible still in 2009 (Hürriyet Daily News, January 17, 2009).
14 Today’s Zaman, April 28, 2009; European Stability Initiative (2009a): 45.
15 Today’s Zaman, April 28, 2009. As regards Turkey, it should be noted that both major opposition parties, the CHP and the MHP, opposed the two protocols and the rapprochement envisioned in these.
mediation particularly by US Secretary of State Hillary Clinton, no address was given at all by the foreign ministers. With regard to the topic I am studying here it is noteworthy that these protocols also sought to “implement a dialogue on the historical dimension with the aim to restore mutual confidence between the two nations, including an impartial scientific examination of the historical records and archives to define existing problems and formulate recommendations”.  

Anyway, also this process came to a deadlock soon after the signing ceremony since both countries’ parliaments failed to ratify them, and due to this non-ratification they were lately even nullified in the Turkish parliament. Till today both sides rather accuse the other of digressing from the agreed procedure: what strikes some actors on the Armenian side is the repeatedly stressed connection by Turkish governing politicians between Turkish-Armenian reconciliation and progress in finding a solution to the Nagorno-Karabakh conflict, sometimes even considered a pre-condition for Turkish-Armenian reconciliation; and on the Turkish side offense was taken when the Armenian Constitutional Court on January 12, 2010, ruled that the two protocols were not in violation of the Armenian Constitution, but in its grounds of decision stated that the protocols could not be applied in a way which was in contradiction to Article 11 of the Armenian Declaration of Independence. This article in turn reads: “The Republic of Armenia stands in support of the task of achieving international recognition of the 1915 Genocide in Ottoman Turkey and Western Armenia.” Disregarding the reference to the Armenian Genocide for now, the terminology of “Western Armenia” is considered by some Turkish observers as representing territorial claims to Turkish territory, and therefore the ruling according to some analysts was to be understood as a renewal of that call and therefore contradicting the spirit of the two protocols. As a result, Armenian-Turkish relations are still as strained as they were years ago, without diplomatic relations and with their borders shut. As these few lines should have suggested, the quarrel about the past is an important dimension in this political controversy, complicating not only the bilateral ties 

16 Today’s Zaman, October 11 and 12, 2009.
17 Protocol on Development of Relations Between The Republic of Turkey and The Republic of Armenia, October 10, 2009.
20 Today’s Zaman, January 20, 2010. It may be noteworthy that this unfavorable reading of the court’s ruling was not shared by other parties, such as United States Assistant Secretary of State for European and Eurasian Affairs Philipp H. Gordon: “We view the court decision as a positive step forward in the ratification process of the normalization protocols between Turkey and Armenia. The court decision permits the protocols, as they were negotiated and signed, to move forward towards parliamentary ratification and does not appear to limit or qualify them in any way.” (Today’s Zaman, January 27, 2010)
themselves but also spilling over into other regional tensions and thereby compromising the fragile peace (which might indeed be more of a ceasefire).

Of course the formal and official political level is just one dimension of bilateral relations. Another one, and for a sustainable peaceful coexistence no less relevant, is the social tier. There appears to be far more dynamic involved here, even though it receives less media coverage. One process which engaged some prominent figures of Turkish and Armenian society and therefore in fact did attract quite some attention was the Turkish-Armenian Reconciliation Commission (TARC), initiated in 2001 under the auspices of David Phillips. However, this commission was deliberately not designed as an official diplomatic endeavor but rather as what Phillips called “track two diplomacy”, i.e. an unofficial, private enterprise to develop joint strategies for problem solving. Anyway, unfortunately the TARC confronted severe tensions precisely when the matter of the events of 1915 and their evaluation surfaced, and the commission eventually dissolved again in 2004 without major progress being made.21

However, besides this more prominent example there are also persistent efforts by several civil society organizations,22 yet few if any of them focus exclusively or even primarily on the incidents of World War I. By contrast, this issue was explicitly the main topic addressed by an initiative of some Turkish citizens who created a website encouraging Turkish citizens to register and thereby electronically sign a statement of apology for the “great catastrophe” and the “injustice” of 1915.23 The campaign started in mid-December 2008 and after three days some 6.500 people had already signed online,24 14.000 after five days,25 and by early February 2009 more than 30.000.26 However, soon thereafter the public appeal of the initiative considerably cooled down again. Of course the whole effort created a strong backlash among some Turkish circles, raising attention again to some of the arguments I shall discuss in this paper27 as well as some political activism going beyond discursive acts. For instance some persons, in an effort to discredit the move, signed the initiative under the names of diplomats who had been killed by ASALA in previous years, and one person signed under the name of the Adalet ve Kalkınma Partisi (AKP) deputy Süreyya Sadi Bilgiç, allegedly with the intention to corrupt her political reputation. Also allegations of multiple voting were...

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21 For more on this enterprise see Philipps (2005).
22 For an overview of some of the relevant think tanks and NGOs who actively engage in Turkish-Armenian relations, see European Stability Initiative (2011).
24 Today’s Zaman, December 18, 2008.
27 Among the critics of the initiative were also Turkish Foreign Minister Ali Babacan, Parliament Speaker Köksal Toptan, and Prime Minister Recep Tayyip Erdoğan (Hürriyet Daily News, December 19, 2008).
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raised. On the other side, the entire project drew ire from people generally favorable toward the Armenian cause, rejecting the initiative for deliberately avoiding the term “genocide”, or because it might hamper Armenian-Turkish reconciliation, or by arguing that what was required was rather an official apology from the Turkish state instead of individual citizens.\textsuperscript{28}

Understandably, also the contemporary Turkish and Armenian economy suffer from this protracted affair. Subjected to the political decision to close the borders, bilateral trade is significantly impeded, which is of course a heavy setback for the two national economies. With Armenian relations also strained with Azerbaijan, this leaves the landlocked country with open borders only towards its two remaining neighbors, Georgia and Iran – both of them in turn in delicate positions in international politics. The Turkish economy certainly is less dependent upon trade with the Armenian neighbor since its size grants it more resilience, yet the welfare of the comparatively poor eastern regions of Turkey too are affected by these political constraints on economic activities.\textsuperscript{29} There is some indirect trade between Turkish and Armenian businesses going on, mostly via Georgia and to a lesser degree also Iran. Its magnitude is of course hard to grasp, as the following figures suggest: there are estimates that up to 25\% of total Armenian imports stem from Turkey, amounting to a trade volume of up to 65 million US-$ annually.\textsuperscript{30} Other estimations claim the volume of bilateral trade came to 150 million US-$ in 2008, with a potential to rise up to 400 million US-$ within the first six months after the borders are opened.\textsuperscript{31} For 2009, the Turkish-Armenian Business Development Council suggested trade amounted to 150 million US-$, the World Bank came up with 200 million US-$, and the Armenian Chamber of Commerce even suggested 300 million US-$.\textsuperscript{32} An estimate by the World Bank optimistically projected that an opening of the borders with both Turkey and Azerbaijan would increase the Armenian gross domestic

\textsuperscript{28} For an overview and discussion, see for instance Today’s Zaman and Hürriyet Daily News on December 20, 2008.

\textsuperscript{29} It should also be noted that a considerable amount of transport between Turkey and Azerbaijan is conducted by sidestepping Armenian territory, and major transportation projects are or were recently built bypassing Armenian territory. These include most notably the already completed 1.768 km long Baku-Tbilisi-Ceyhan oil pipeline, the South Caucasus gas pipeline (Baku-Tbilisi-Erzurum), or the Baku-Tbilisi-Kars railway, currently still under construction. Of course all these projects imply longer transportation routes by going all the way around Armenia, and they exclude the State of Armenia in important regional developments.

\textsuperscript{30} Today’s Zaman, November 26, 2008.

\textsuperscript{31} Turkish Daily News, September 13, 2008.

product by ten percent, while more conservative estimates put the number at three to four percent.  

Whatever the real numbers may be, it seems there is a considerable potential for improvement of the comparatively poor economic situations of Armenia as well as eastern Turkey.

It would be naïve to assume these political tensions and the interruption of transboundary interactions would not reflect in the social lives and attitudes of the people living in Turkey or Armenia. According to a study conducted by the Genar research company at the end of April 2009, 67.7% of the Turkish population opposed an opening of the borders to Armenia, leaving only 32.3% in favor. Likewise, according to a 2008 study of the Armenia Center for National and Strategic Research, 64% of the respondents considered Turkey an enemy country which must be dealt with carefully, and only 24% believed normalization of bilateral relations was possible. More worrisome are of course violent activities, such as the attacks and assassinations by ASALA and like-minded groups. On the Turkish part, most prominent and with grave legal ramifications until today, there is the murder of Armenian author and editor of the Armenian newspaper Agos, Hrant Dink, shot by a Turkish youth in Istanbul on January 19, 2007.

Finally, it appears still a conceivable political strategy in Turkey to discredit political opponents by spreading the word they were of Armenian origin. For instance, at the time of the online petition already mentioned above, President Abdullah Gül, unlike many other prominent Turkish politicians refrained from an outright condemnation of the campaign and instead called to view the matter also from a perspective of freedom of speech. This, in turn, drew criticism from the deputy Canan Arıtman of the main opposition party Cumhuriyet Halk Partisi (CHP), alleging President Gül retained such a reserved position because of his mother’s ethnicity – referring to rumors President Gül was of Armenian descent. Probably more notable to me is President Gül’s reaction: he filed a lawsuit against Deputy Arıtman, citing in the petition that “[t]he defendant’s claim, which is based on racism and discrimination, is a heavy assault on the client’s personal and family values, honor and

33 *Today’s Zaman*, November 26, 2008.
34 *Today’s Zaman*, May 9, 2009. This is of course not automatically an indicator of any kind of nationalist or racist attitude. There may be good reasons to keep one’s borders closed. The point is simply that there is considerable resentment between the two states, which is also reproduced among the population.
36 The trial against the assassin is still ongoing, and its potentially wider repercussions can be demonstrated by the prosecutor recent decision to raise indictments also against thirty other state officials for aiding and abetting the murder. See *Today’s Zaman*, November 17, 2011.
reputation.38 While Deputy Arıtman’s claim could somehow be read as a crude allegation that the president was not impartial in this matter, President Gül’s reaction and particularly the wording of the charge clearly demonstrated it was understood as an insult and as an attempt to discredit him – although hopefully that was not the intention of the lawsuit. In that sense it could even be seen as unfortunate that President Gül won the trial and received one Turkish Lira as a token compensation.39 A similar case unfolded during the preparation for the general elections of June 12, 2011, when a book printed under the pseudonym Süleyman Yeşilyurt was distributed to deputies of the Turkish Grand National Assembly, claiming that the chairman of the CHP, Kemal Kılıçdaroğlu had previously collaborated with the Partiya Karkari Kurdistan (PKK) and was of Armenian descent.40

Ultimately, I think it would be reductionist to see the political, economic, and the social dimension as separate entities – and so are could other areas be included as well in this introduction, such as culture, education, sports etc. They are of course closely intertwined, with each of them having significant impacts on the others. My differentiation of these forms was done exclusively for analytical purposes, and I hold that any sustainable reconciliation between Turks and Armenians would eventually and ideally involve all these dimensions. So even if this work is focused exclusively on the issue about the evaluation of the events of 1915, and even if it is located in the political realm, it must be put in its proper place by keeping in mind that good relations certainly encompass far more than that.

1.2. Multilateral Relations.

So much for a brief introduction about the current state of the Turkish-Armenian relationship. Yet this precarious issue for a variety of reasons is also a political matter in many other countries. Among the reasons often provided is on the one side the large amount of people of Armenian or Turkish background living in third countries. Such numbers are of course highly controversial, as demonstrated for instance by the numbers given for the United States: an unofficial website of the Armenian Diaspora estimates that 1,4 million Armenians live in the USA,41 whereas Yair Auron puts the number at 800,000,42 Wolfgang Gust at

38 Today’s Zaman, December 23 and 25, 2008.
41 See http://www.armeniadiaspora.com/population.html, accessed on January 31, 2011. The same number was given by Today’s Zaman in an article on October 5, 2009.
600,000,\textsuperscript{43} and the American Census in 2000 counted 385,488 Armenians.\textsuperscript{44} To compare this to the number of Turks living in the USA, the same American Census spoke of 117,575 Turks, while a Turkish newspaper in 2008 offered some 250,000.\textsuperscript{45} Depending on the favored numbers especially Armenians may be considered a significant pool of potential voters or donors, particularly in states with high numbers, most notably California. But it would be too simple to explain policies and positions simply by references to voters and donors of presumably Armenian or Turkish background. Of course politicians also need to appeal to their wider constituency just as well, and a morally sensitive topic like this is in my opinion well-suited to attract public attention, be it in the form of support or resistance. Going beyond the quest for voters, politicians may also feel inclined to embrace this issue for other motivations, such as personal convictions, trade-offs in negotiations, or discrediting political opponents (e.g., by describing the other as a friend of a genocide offender).\textsuperscript{46}

But on the other hand this is not a simple matter to increase one’s stake at home or abroad, since both parties are very sensitive to the issue and may take great offense when third parties side with the opposing camp. Thus whatever stand politicians take in this controversy, they risk to receive a strong backlash from either the Republic of Armenia or ever more so the Republic of Turkey. This in turn may jeopardize economic relations, translating again into jobs and money and thus votes at home, and it may imply losing that country’s support in the arena of international politics, including military support. With that being said, I would first like to illustrate that this past episode indeed plays a role in third countries as well, and then proceed with demonstrating the reactions in Turkey.

To limit myself to the case of the United States of America, there is a long history of whether these events should officially be recognized as genocide. As already indicated, there is a considerable number of US citizens who are considered of Armenian ethnicity, and who allegedly have an interest in this matter. This topic therefore even made it into the 2008 presidential campaign. On the Democrat side, Barack Obama on January 19, 2008, and also Hillary Rodham Clinton only a few days thereafter on January 25, 2008, pledged to recognize

\textsuperscript{43} Gust (1993): 305.
\textsuperscript{44} See \url{http://factfinder.census.gov/servlet/QTTable?_bm=y&-geo_id=01000US&-qr_name=DEC_2000_SF3_U&QTP13=&-ds_name=DEC_2000_SF3_U&-lang=en&-sse=on}, accessed on January 31, 2011.
\textsuperscript{45} \textit{Today's Zaman}, August 13, 2008.
\textsuperscript{46} Somehow related to this, the sponsor of House Resolution 106, which in 2007 sought recognition of the Armenian Genocide by the US House of Representatives, Democrat Adam Schiff, argued that adopting this stance was seminal to remain credible and effective in the fight against genocide in Darfur (\textit{The New Anatolian}, October 4, 2007).
the “Armenian Genocide” if elected president. By contrast, Republican nominee John McCain refrained from any conclusive statements, yet diaspora organizations identified him as having a record of voting against a resolution recognizing the Armenian Genocide in the Senate in 1990. Out of the vast array of aspects which could be used to determine political preferences, this one was eventually crucial for the largest Armenian interest group in the USA, the Armenian National Committee of America (ANCA) to officially endorse Barack Obama. Of course it must be kept in mind that this does not necessarily tell us if or to what extent ethnic Armenians ultimately voted in favor of Barack Obama in the elections.

Yet the 2008 presidential campaign is far from being the first time this became an issue in US politics. On April 8, 1975, Joint House Resolution 148 was adopted, resolving “that April 24, 1975, is hereby designated as the »National Day of Remembrance of Man’s Inhumanity to Man«, and the President of the United States is authorized and requested to issue a proclamation calling upon the people of the United States to observe such a day of remembrance for all the victims of genocide, especially those of Armenian ancestry.”

Since then presidents of the USA every year on April 24 celebrate “Remembrance Day”, offering a proclamation in which they traditionally also refer to the killings of Armenians in the Ottoman Empire. It was this message which the 2008 presidential candidates had alluded to when promising to finally recognize the Armenian Genocide, since former presidents at the same occasion had refrained from doing so. For instance outgoing President George W. Bush, Jr., on April 24, 2008, preferred to call these events “one of the greatest tragedies” and “mass killings and forced exile”, which drew him heavy criticism for “anti-Armenian policies” from ANCA. Therefore expectations were high both among ANCA and another notable Armenian diaspora organization, the Armenian Assembly of America (AAA), that Barack Obama would eventually be the first president of the USA to recognize the Armenian Genocide, but after several cautions and warnings he refrained from using the term.

47 Turkish Daily News, January 23 and 26, 2008. Whereas Clinton sent her announcement to the Armenian Committee of America (ANCA) and the Armenian Assembly of America (AAA) for them to disperse the information among their constituency (see Turkish Daily News, February 1, 2008), the following statement was posted on Obama’s website: “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.” (quoted in European Stability Initiative (2009a): 99).
48 Turkish Daily News, February 1, 2008; Today’s Zaman, October 25, 2008.
49 Turkish Daily News, February 1, 2008. The failure of both hopeful Republican candidates, John McCain as well as Mitt Romney, also led ANCA to recommend voting Democrat rather than Republican. See Turkish Daily News, February 5, 2008.
51 Turkish Daily News, April 26, 2008; Today’s Zaman, April 24, 2008.
52 Indeed, as far as I know no US president ever used the term “genocide” for the events of 1915 in any commemorative speech. However, on April 22, 1981, President Ronald Reagan while talking about the
“genocide” just as well in his address on April 24, 2009. Instead he used the Armenian term for this event: “meds yeghern”, translated into “the great calamity” or “the great catastrophe”. The move obviously provoked disappointment and disapproval both at ANCA and AAA, but also on the official Turkish side, with Turkish President Abdullah Gül lamenting that President Obama had not addressed the “hundreds of thousands of Turks and Muslims who lost their lives in 1915”, and the Turkish Foreign Ministry even issuing a statement declaring that “[w]e consider some expressions in that statement and the perception of history it contains regarding the events of 1915, as unacceptable” eventually even summoning American Ambassador James Jeffrey to the Foreign Ministry in Ankara. Eventually, also in 2010 and 2011 President Obama adhered to the same terminology, and so also the stakeholders followed similar pathways in their reactions.

But recognition of genocide certainly is not only a matter for the president. Also the US Congress repeatedly dealt with resolutions seeking such recognition. If chances hinted that they would receive majority support and thus pass Congress, the then-acting presidents interfered in order to prevent the resolution from coming to vote to begin with, as happened for instance in October 2000 with President Bill Clinton, and in 2005 with President George

Holocaust appears to have indirectly acknowledged the Armenian Genocide when he stated: “Like the genocide of the Armenians before it, and the genocide of the Cambodians which followed it – and like too many other such persecutions of too many other peoples – the lessons of the Holocaust must never be forgotten.” (quoted in European Stability Initiative (2009a): 98).


Hürriyet Daily News, April 25, 2009. Also Prime Minister Recep Tayyip Erdoğan expressed the view the statement was “an unacceptable interpretation of history that does not reflect the realities” (Today’s Zaman, April 26, 2009).

Today’s Zaman, April 28, 2009.

See Hürriyet Daily News, April 25, 2010, and Today’s Zaman. However, it would be wrong to reduce Obama’s speech to the question whether or not he used the term “genocide”. To quote his 2010 address at more length: “On this solemn day of remembrance, we pause to recall that ninety-five years ago one of the worst atrocities of the 20th century began. In that dark moment of history, 1.5 million Armenians were massacred or marched to their death in the final days of the Ottoman Empire. Today is a day to reflect upon and draw lessons from these terrible events. I have consistently stated my own view of what occurred in 1915, and my view of that history has not changed. It is in all of our interest to see the achievement a full, frank and just acknowledgement of the facts.” So, while he clearly avoided the term “genocide”, he seems to have positioned himself pretty frankly, particularly if one recalls his past campaign declaration.

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W. Bush, Jr.\textsuperscript{58} In 2007 there was again excitement when House Resolution 106 was accepted by the Foreign Affairs Committee of the House of Representatives and was anticipated to be put to the floor for voting in October 2007. Turkish newspapers (at least those in English language) were full of reports about Turkey’s political efforts to prevent the adoption of this resolution, including no less than a delegation of high ranking Turkish deputies from all major political parties for lobbying activities in Washington.\textsuperscript{59} In addition, the Assembly of Turkish American Associations (ATAA) claimed to have visited all 437 [sic] Congressional offices to explain why the events of 1915 do not amount to genocide,\textsuperscript{60} and various warnings and objections were delivered from high-ranking Turkish officials, including from Prime Minister Recep Tayyip Erdoğan to US President George W. Bush, Jr., and from Parliament Speaker Köksal Toptan to House Speaker Nancy Pelosi.\textsuperscript{61} The objections voiced against the adoption of the resolution included warnings it would invariably “harm the strategic partnership” of Turkey and the United States of America,\textsuperscript{62} fears it would put American citizens in Turkey at risk,\textsuperscript{63} and the Turkish Chief of General Staff, General Yaşar Büyükanıt, warned military relations would never be the same again if Resolution 106 was adopted.\textsuperscript{64}

As some concrete steps which should demonstrate that the Turkish government was taking these warnings seriously, a conference by the Foreign Economic Relations Council of Turkey (DEİK) and the Turkish-US Business Council (TAİK) along with a trip of Trade Minister Kürşad Tüzmen were cancelled, Turkey recalled its ambassador Nabi Şensoy, and the US Ambassador to Turkey, Ross Wilson, was summoned to the Turkish Foreign Ministry.\textsuperscript{65} Eventually President George W. Bush, Jr., and his administration voiced deep concern about the resolution and it was never put to vote.\textsuperscript{66}

\textsuperscript{58} Turkish Daily News, October 11, 2007. Already his father, George W. Bush, Sr., had successfully boycotted a Senate bill which marked April 24 as national day of commemoration of the “Armenian Genocide” (see Auron (2003a): 103f).

\textsuperscript{59} The New Anatolian, October 8, 2007.

\textsuperscript{60} Turkish Daily News, April 9, 2008.

\textsuperscript{61} See numerous articles on a daily basis in The New Anatolian, Today’s Zaman, and Turkish Daily News in October 2007.

\textsuperscript{62} Prime Minister Recep Tayyip Erdoğan quoted in The New Anatolian, October 8, 2007.

\textsuperscript{63} Indeed, the USA embassy in Ankara even alerted its citizens residing in Turkey of potential retaliations, recommending to avoid crowds. See Turkish Daily News, October 11 and 12, 2007.

\textsuperscript{64} Turkish Daily News, October 15, 2007. Military consequences are noteworthy not only because Turkey is indeed an important member of NATO, but also because Turkey’s Incirlik air base is crucial for supplying US troops in Iraq and allegedly hosting also several nuclear bombs. See also Turkish Daily News, October 11 and 16, 2007, The New Anatolian, October 11, 2007. The threat that the USA would not be able to use the Incirlik air base in case Congress recognized the Armenian Genocide was already expressed by Ambassador Gündüz Aktan at the House Committee on International Relations on September 14, 2000 (Source 7).

\textsuperscript{65} Turkish Daily News, October 12 and 15, 2007.

\textsuperscript{66} However, the value of this omission may be seriously questioned. When asked why the US government refused to recognize these events as genocide, Assistant Secretary of State for European and Eurasian Affairs
This drama seems to be repeated every few years. The last time (so far), occurred when on March 4, 2010, the Foreign Affairs Committee of the US House of Representatives by a margin of 23 votes in favor against 22 opposing adopted a resolution recognizing the events as genocide. The game unfolded with identical patterns: the Turkish Ambassador to the USA, Namık Tan, was called back to Ankara, and Turkish politicians from all major parties and up to the highest echelons voiced their disapproval and warnings about bilateral ties, sometimes even taken the shape of muted threats. And again they did so successfully: they achieved that US Secretary of State Hillary Rodham Clinton, Secretary of Defense Robert Gates, and President Barack Obama intervened against the adoption of the resolution, and it was eventually never put to the floor for voting.

What I wanted to demonstrate here is that apparently the evaluation of these events is far from being a historical matter. The Turkish government repeatedly ventures into great diplomatic efforts to stop such a non-binding resolution from being adopted, willing to risk relations with the United States of America. Likewise, American lawmakers are ready to jeopardize the relationship with a key strategic and military ally. A question forces its way through: and all of this for the evaluation of a past event?

Moreover, this is not a peculiarity of Turkish-American relations. A significant number of legislative or executive bodies in other countries have already adopted the genocide terminology to describe these events. I think it is noteworthy that there is nothing like an international consensus on this topic. For instance, whereas the European Parliament on June 18, 1987, recognized the Armenian Genocide, a few but far from all member states to date adopted this terminology. These discrepancies extend into national legislation just as well:

Dan Fried replied that “[w]e don’t use the term because we do not think that the use of that term would contribute to a reconciliation between Armenia and Turkey, nor would it contribute to Turkey’s examination of the dark spots in its own history.” So, clearly the motivation is not based on an agreement with or even support for the position of the Republic of Turkey, but purely political considerations restrain them from such recognition. I wonder if this is a very satisfactory position for the Turkish government.

At least I believe Prime Ministers Erdoğan words could be interpreted as such, when he stated at a summit of Turkish businessmen: “The decision of the Foreign Affairs Committee will not hurt Turkey, but it will greatly harm bilateral relations, interests and vision. Turkey will not be the one who loses” (Today’s Zaman, March 7, 2010).

See various articles in March 2010 in Today’s Zaman. It should be noted that in December 2010 there were again efforts to bring the same resolution to a vote before the House was taken over by a Republican majority – and again Turkish diplomacy achieved that it never happened. See Today’s Zaman, December 22 to 24, 2010.


Among the countries whose legislative bodies have adopted resolutions recognizing the Armenian Genocide are for instance Sweden and France. However, the national assemblies in some countries, for instance Denmark
to give a very recent example, the Swedish Parliament on March 11, 2010, voted with 131 to 130 cast votes in favor of a resolution describing these events as genocide (with 88 deputies being absent). Right after the vote Swedish Foreign Minister Carl Bildt distanced himself from the vote, and Prime Minister Fredrik Reinfeldt called Prime Minister Erdoğan to express regret and disappointment over the vote. \(^{72}\) And not even two years before, in June 2008, the Swedish Parliament with a vast majority had rejected a resolution to assert the Armenian Genocide. \(^{73}\)

And the experiences of countries which did recognize the Armenian Genocide demonstrate that such a move indeed carries consequences. For instance, on January 29, 2001, the French National Assembly and the Senate adopted a law recognizing the Armenian Genocide. \(^{74}\) In reaction, the Turkish government withdrew its ambassador, cancelled a contract with a French firm for a spy satellite (worth US-$ 259 mio.), and considered excluding French companies from ten other projects (among them the production of 1,000 combat tanks through state-owned arms maker Giat, worth US-$ 2 billion). \(^{75}\) And when the French National Assembly in October 2006 went even further and passed a law punishing the denial of the Armenian Genocide, \(^{76}\) the Turkish military in return excluded French companies from defense procurement tenders, closed its airspace to French military aircraft, \(^{77}\) and the Turkish gas company BOTAS blocked the participation of Gaz de France in the Nabucco

\(^{72}\) Today’s Zaman, March 13 and 14, 2010.
\(^{73}\) Today’s Zaman, June 14 and July 14, 2008. It should be noted that this was still one and the same set of Swedish delegates, the next parliament elections in Sweden occurred only on September 19, 2010. A cynic might point to the peculiar velocity at which our evaluations of events almost one hundred years ago can change, and dwell on the likelihood this change of mind came about by any radically new historical insight produced between 2008 and 2010. At least this case demonstrates the fragility of such political resolutions, the fragility of their reliability and longevity. If it is said that X political agents (countries, legislatures etc.) have already recognized the Armenian Genocide (or refused to do so), that reflects a longitudinal summary, but not necessarily their current position – not to speak of any diverging statements in the past, present, and future.
\(^{75}\) Auron (2003a): 121.
\(^{76}\) However, it must be added that the law never went into force as confirmation from the Senate was pending for years, and eventually in May 2011 the Senate even voted against this law (Today’s Zaman and Hurriyet Daily News, May 4, 2011).
pipeline project. On October 6, 2011, French President Nicolas Sarkozy at a visit to Armenia urged Turkey to “revisit its history” over the events of 1915, prompting a strong rejection from the Turkish Foreign Ministry, and Turkish energy minister Taner Yıldız rejected a collaboration with France on the building of Turkey’s second nuclear power plant, arguing that

“[Cooperation in the nuclear energy field] with Sarkozy would be troublesome. We are dealing with a large project that cannot be detached from international relations. I cannot ignore politics. I cannot not remain deaf to Sarkozy’s allegations on the so-called Armenian genocide. Nuclear relations cannot stand such politics.”

Soon afterwards the French National Assembly on December 22, 2011, again adopted a law which criminalized denial of the Armenian Genocide with up to one year in prison and a fine of 45,000 euros. The Turkish reactions were vehement again too: the Turkish ambassador to France was recalled, all political consultations suspended, bilateral economic and military cooperation as well as joint military exercises were cancelled, and collective permits for French military aircraft to pass Turkish airspace and for French military ships to visit Turkish ports were annulled.

As the French example demonstrates, matters do not stop with resolutions; they spill over into juridical matters as well, and France is not the only country where efforts exist to punish

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78 The New Anatolian, October 8, 2007; Today’s Zaman, February 7, 2008. Nevertheless, Martin Bitschnau (2007: 37) argues that economic sanctions are not as tough as often portrayed: for instance, the French Parliament (National Assembly and Senate) recognized the genocide on January 29, 2001. However, French exports to Turkey increased after 2002 by 184%. By comparison, Austria did not recognize the Armenian Genocide, but its exports to Turkey rose over the same time by “only” 104%. I think these numbers alone do not refute the claim that recognizing the Armenian Genocide does not impair trade relations with the Republic of Turkey, because first they obviously depend on the level which both countries had reached in their foreign trade in 2002. Furthermore, they cannot disprove that French exports would have surged far more if recognition had not occurred. Nevertheless, my very subjective impression still concurs with Bitschnau that trade restrictions, although they apparently do occur, seem overrated in their extent and longevity by some observers – trade is certainly never fully cut off, and France remained one of Turkey’s most important trading partners. According to an article by Ceren Kumova (Today's Zaman, January 29, 2012), after the French senate adopted this law, French exports to Turkey declined by almost 40%, but this lasted only briefly and trade quickly rose again.

79 Hürriyet Daily News and Today’s Zaman, October 7, 2011.

80 Hürriyet Daily News, November 4, 2011. Of course such differences must not be reduced to the events of 1915 only, as French-Turkish relations are also strained by a number of other issues, most notably Sarkozy’s opposition to a Turkish EU membership.

81 See Today’s Zaman, December 22, 2001, Hürriyet Daily News, December 23, 2011. More accurately, the French law this time provided for a penalty for the denial of any genocide which was recognized by the French legislature. To the best of my knowledge this has only been done for two events so far: the Holocaust (which is already punishable by a separate law) and the Armenian Genocide. For that reason it must not come as a big surprise that in Turkish media and in statements from public officials this new law was consistently described as punishing particularly the denial of the Armenian Genocide. Which in turn of course also facilitated a discourse in which France could be portrayed as specifically and discriminatorily targeting Turkey. For the text of the French law, see http://www.assemblee-nationale.fr/13/ta/ta0813.asp (accessed on December 29, 2011). The law was confirmed by the French Senate on January 23, 2012, and at the time I conclude writing this paper is pending the signature of President Nicolas Sarkozy in order to become effective.
the denial of the Armenian Genocide. In non-EU member Switzerland the leader of the Turkish Workers’ Party (İşçi Partisi, İP) Doğu Perinçek and three other Turkish citizens in March 2007 were already convicted for denying the Armenian Genocide. The verdict was not based on a specific law recognizing the Armenian Genocide but rather punishing the denial of any instance of genocide or crimes against humanity, punishable by article 261 of the Swiss Penal Code, and the court in its verdict acknowledged the killings in Anatolia in the late Ottoman Empire are widely recognized as a classical example of genocide in the relevant literature.82

This, apparently, is at odds with the legal situation in the Republic of Turkey, where people may in turn be prosecuted for recognizing the Armenian Genocide. The article on which these prosecutions are grounded prohibits insulting “Turkishness”. Until 2005, this was based on article 159 of the Turkish Penal Code (TCK), but was replaced in June 2005 by article 301, with the main difference being that prosecutors could now even probe defendants without obtaining prior permission from the Ministry of Justice.83 Article 301 was then again revised by Prime Minister Erdoğan’s AKP government on April 29, 2008, going into effect on May 8, 2008, and now prosecution required again permission from the Ministry of Justice, and sanctioned insulting “the Turkish nation” rather than “Turkishness”.84 While this did contribute to a decline in the number of cases actually going to court as well as actual convictions, it did not abolish these trials.85 And with regard to my topic here, also after the revision became effective for instance Turkish publisher Ragıp Zarakoğlu received a five

82 For this specific case see Today’s Zaman on December 20, 2007, October 23, 2008, and November 12, 2008; Turkish Daily News, December 20, 24 and 28, 2007. For more about article 261 in the Swiss Penal Code see Niggli (1998). I think it is very interesting to contrast the two laws banning genocide denial in France and Switzerland. Both essentially punish denial of any genocide; however, while article 261 in Switzerland does not provide any guidance which events constitute genocide and thereby puts the burden on the courts, the French draft law prohibits denial of genocides recognized as such by the French legislature. Right at the peak of all the turmoil about the French draft law, it was therefore possible for Swiss Foreign Minister and President of the Swiss Federation, Micheline Calmy-Rey, to visit Turkey, affirm that “there is no rule in Switzerland that would recognize the specific situation as genocide”, and explain that she rejects laws as the one debated in Paris because it was up to historians to handle this matter (Hürriyet Daily News, December 27, 2011). To be cynical once more, it makes me wonder (a) what then the rationale and value for Swiss Penal Code article 261 is – only to elegantly defer the matter directly to the judiciary, allowing political agents to stay clean and rightly claim to meet each side’s demands? And (b) if Calmy-Rey thereby passed the threshold of genocide denial in her own country? At least she certainly contradicted the ruling of the Swiss court…

83 Today’s Zaman, June 26, 2008.


85 According to an annual report on human rights by the US State Department, in 2009 a total of 424 petitions to open a trial based on article 301 were filed with the Ministry of Justice. Of these, 358 were rejected, 55 remained under consideration, and only (or: even?) four were granted. By contrast, the same report but for the year 2008 claimed after the revision of article 301 going into effect, the Ministry of Justice received further 519 applications to start a trial, of which 70 were granted permission to proceed (Today’s Zaman, March 13, 2010). Among the convicts under article 301 because of the Armenian issue are also, by the way, renown figures like Nobel laureate Orhan Pamuk or journalist and writer Hrant Dink.
month prison sentence under article 301 for publishing George Jerijan’s “The Truth Will Set Us Free” about the Armenian Genocide.\footnote{Which in turn caused protest by the International PEN association, the OSCE, and the Council of Europe, see Today’s Zaman, June 19, 21, and 28, 2008. However, I also need to add that I do not know if there were any further convictions under this article and for this offense.} Considering a potential accession of the Republic of Turkey to the European Union, this might cause peculiar legal situations, where a government or legislative body of one member state promotes a position which is punished in another one, and where individuals in one member state are punished for recognizing these events as genocide, while being punished in another member state for not recognizing it as genocide.

1.3. The Academic Dimension.

The point I wanted to bring to the fore here is simply that this issue matters in a political dimension: it has diplomatic, military, economic and legal consequences, to name but a few, both on a national as well as an international level.\footnote{Which is in fundamental contradiction to the position of Fritz (2006: 13), who asserts that „[h]eute ist die »Armenische Frage« nur noch eine rein historische Fragestellung ohne eigentliche realpolitische Bedeutung.”} For that reason I believe it is appropriate to turn it into a subject also for political analysis. However, there is also another ingredient which renders it a tempting subject for an analysis in political science. Eventually the entire discordance is peculiar also in the sense that it is to a significant extent staged in an academic context as well, notably in the field of humanities. It thus is not only of relevance for political science because it does have factual political consequences, but also because it is still controversial also in a scholarly environment, and because the scholars are playing an active role in this conflict. And thereby the entire issue also offers an opportunity for reflection on the role of science in politics.

There is a wide range of authors who consider the events of 1915 genocide, and some other scholars who strongly reject this label. Since neither side can be reduced to Armenian or Turkish scientists but indeed includes a number of prominent academics from third countries just as well, and because there are of course also “dissidents” among all groups, I will simply label them as the “pro-” and “contra-genocide” camp. With some authors the debate has grown pretty heated, with mutual accusations of choosing one’s side in order to acquire grants and scholarships (and for that matter, of something like scientific corruption), of pursuing a purely political agenda, and even of producing outright lies. There are frequent allegations that the other side is (perhaps even deliberately) using wrong, i.e. faked, sources while (again deliberately) ignoring sources which disprove their position. Indeed even scholarly works...
have been published whose subject were not the controversial events themselves but instead the personalities of the opposing side, exposing their scholarly careers, their financial aids, and their affiliations with governmental or otherwise presumably partisan institutions.88

Even more, this scholarly controversy is also closely intertwined with the political dispute as well, and the arrow of influence interestingly works in both ways. As an example for academic intervention in a political process, on May 19, 1985, a large number of American scholars published an open letter in the *New York Times* in which they objected to House Joint Resolution 192 which sought to recognize the Armenian Genocide by the United States’ legislature.89 But on the other side the interference also goes the other way around, for instance when in September 2005 a conference at Istanbul’s Bilgi University under the title of “Ottoman Armenians during the demise of the Empire: Issues of democracy and scientific responsibility” could take place only against strong opposition and even attempts to prohibit it, with Minister of Justice Cemil Çiçek declaring that this conference would be tantamount to “stabbing the Turkish nation in the back”.90 And of course also the penal codes punishing denial of the Armenian Genocide (or more exactly denigrating the Turkish nation) may interfere with the academic process.

To summarize, what makes this topic so confusing and somehow also tempting to me is (a) that it is a still a highly sensitive topic despite occurring almost a century ago; (b) the close interrelation of scientific and political dispute; and (c) the apparent and significant gap between the positions, even among experts and despite all the decades of research and debate that have already taken place. So, after some initial hesitations to dabble in this topic, given my limited historical knowledge, I nevertheless considered it appropriate to tackle it from a vantage point of social science. And I need to confess that the more I immersed into it, the more I experienced it as a personally rewarding effort.

1.4. **On the Structure of this Paper.**

The ensuing presentation of my work does not reflect the chronological sequence in which I worked or took decisions, but appeared best suited to culminate in the conclusions I finally drew. In a first step I think it is important to outline some theoretical premises which have guided my understanding of this topic – obviously any rejection of them might cause the dependent parts to crumble. Basically I have tried to utilize a constructionist approach, simply

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88 See as an example Charny (2001).
89 The statement is reprinted for instance in Source 30.
because of my previous experiences with this stream of thought, and its alluring ability to reveal curious thoughts on many a controversial discussion. To clarify the relevance of this issue in a socio-political sense I shall then elaborate a little on the relationship between history and politics, suggesting for the purpose of this work to use the concept of historical narratives as the arbitrating broker between these two. And since it is an essential constituent of this discussion, also the concept of genocide shall receive a brief presentation, which of course is doomed to remain cursory given the substantial amount of discussions already surrounding it.

The following section shall then outline my own research. Here I want to explain why I decided to design this work as an analysis of argumentation and where I took my sources from. Ultimately my own perspective, which corresponds to what I would somehow vaguely describe as a social psychological approach within political science, shall also be put in its proper place by emphasizing that it is of course only one among many, and I want to at least briefly mention how a different one, such as a realist paradigm of international relations, could tackle this matter instead.

The next part shall be a lengthy discussion of the arguments themselves. All the arguments understood in a non-historical manner shall be briefly presented and then discussed at appropriate length with regard to their premises, implications and consequences. The primary aim of this section is to identify where these disparate arguments actually come from and what their relevance for the historical narrative of these events is.

The final section shall then forge a bridge back to the nexus of historical narrative and politics, elaborating how this particular way of arguing indicates and also fosters a particular political mentality. I shall then discuss my assumption that the predominant dissens about the historical narrative can in part be attributed to a divergence of the very paradigms by which these events are evaluated. And eventually also the concept of genocide shall be assessed and subjected to some critical remarks, not so much with regard to its conceptual dilemmata but rather the pragmatic consequences its so-being risks to facilitate, among them socio-political conflicts such as this one.
2. Theoretical Considerations.


In this chapter I want to outline the theoretical background framing my approach to the conflict discussed here. Basically, the paradigm I am following here is an interpretive one, or more precisely what is often described as “constructionism”.\textsuperscript{91} Just to avoid ambiguity from the very beginning, I would like to point out what this label in my understanding does not designate: it does not attempt to express that whatever we think is happening might indeed only be happening in our minds, rather than “out there” in real life. This notion in my understanding may be better regarded as part of the philosophical school of solipsism, rather than of social scientific constructionism.

What the interpretive approach in social science indeed does assume is that how we come to think of any particular event happening in the “ontologische Wirklichkeit”,\textsuperscript{92} is not a mirror image or a simple function of that event but instead involves some agency on our end as well. This is not only a reference to selective perception or to the awareness that all our thoughts are based on some physiological, i.e. neuronal, basis. In the interpretive paradigm the emphasis rests more on the stipulation that we experience this reality only by making some sense of it, or, in other words, by attaching some meaning to it.\textsuperscript{93}

That is, we are not living in and with the world as it is, but rather the only way we can cognitively process the information we receive is by interpretation, and this interpretation therefore determines also how we perceive of this world and how we decide to act in it. This process of interpreting the world should neither be understood as a conscious effort nor as a strictly logical or reasonable one. How we come to think of something relies heavily on our previous experiences, on our habitual way of generating meaning within and of this world. In my opinion, and also of paramount significance in the context of this work here, one of the pivotal devices utilized by us to generate meaning is categorization. We would be ineffably overstrained if we had to face every single phenomenon we come across as a phenomenon all by itself. To relieve our mental endeavors and thereby remain capable to act, we revert to categorization to make sense of something, to “know” what it is, what it means.

\textsuperscript{91} For a general overview of interpretive paradigms see for instance Richter (2002), for constructionism see Glasersfeld (1997).
\textsuperscript{92} Glasersfeld (1997): 97.
\textsuperscript{93} Lueger (2000: 36) differentiated between “Realität” as the world of the physical objects, and “Wirklichkeit” as the world as we experience it, the world as it is represented in our heads. “Realität ist immer Realitätsbeschreibung”, as Richter (2002: 117) claimed.
To illustrate this by a quite trivial example: it would be tremendously difficult for us to survive, not to speak of navigating, in our daily urban traffic without any pre-existing knowledge about it. We know (a) what we need to look out for, i.e. what is relevant in this context, such as a red traffic light; we know (b) where to look for it; and upon spotting it, we know (c) how to interpret it and how to react on it: stop.\textsuperscript{94} To highlight an important point: to know how to act upon something we need not (only) recognize this something in its own right, but also \textit{as} something. This has been called the “Als-Struktur der Erkenntnis”\textsuperscript{95} and is what makes any specific object a sign.\textsuperscript{96} Therefore, recognition of any given thing is always twofold: we recognize it (a) as itself, as the specific object we are dealing with in a specific situation; and (b) as something else, i.e. as a representative of a broader category of objects. And because of this second feature we are capable of drawing some inferences about this object, enlarging our presumed knowledge about the object and how to deal with it.

To give another example which might be less obvious yet no less trivial: a table. When entering a room, we visually spot an object, and again we recognize it not only as the object that it indisputably is, but \textit{as something}: a table. This being a table is not something inherent in the object itself, but is an active attribution of our own. In other words: meaning does not reside in the objects themselves, but is attributed to them by an agent.\textsuperscript{97} Again we “know” what the relevant traits are which we need to look for (four legs, a plate on top etc.), while disregarding those we “know” to be irrelevant in this case (the material it is made of, its exact height, if its shape is round or square etc.).\textsuperscript{98} And this knowledge of the relevant criteria is on the one side a result of previous experiences with tables, experiences which taught us under what circumstances an object might successfully be described as a table: “successful” denoting here that our attributions were confirmed by the developments and outcomes of the situation, which roughly corresponded to our expectations; and on the other hand an

\textsuperscript{94} This is of course not to state that any particular sign unavoidably triggers a particular behavioral response. There is obviously more than one sign present in any situation, and there is the choice on the side of the agent which signs are the relevant ones and how to interpret them (in a wider sense, not only as a deliberate decision). But the crucial matter is that we can identify the object as a sign and know how to interpret it, and that this interpretation shapes how we think of that situation we are in.

\textsuperscript{95} See Keller (1989): 121.

\textsuperscript{96} Or symbol, if you prefer. For the purposes of this study, (I hope) it is not necessary to distinguish between these two.

\textsuperscript{97} As already emphasized by Alfred Schütz, see Miller (1998): 187. As Nichanian (1998: 262) put it: “\textit{Meaning} does not wait in the heart of events in the moment when they take place. It can occur only as the result of an interpretation, that is, of a labor directed against other interpretations or the lack of interpretation.”

\textsuperscript{98} For the concept and significance of “relevance” in constructing meaning, see Schütz (1960; 1972). The importance of relevance in classifying and establishing meaning may be quite tellingly illustrated by how quickly the relevant criteria may change for the classification of our fellow human beings. Just a couple of decades ago in Austria it was of paramount relevance of what color of skin people were, or the shape of their nose etc., while today this does not seem to be acceptable anymore – at least officially...
interdependent relationship with the situational context. By knowing in what kind of situation we are in at present, we are also able to develop certain expectations about what we might encounter in this situation – respectively what might be expected from us. And the relationship between object and situation is interdependent since the recognition of the object also facilitates the recognition of the situation. And ultimately, this classification allows us to activate some meanings we learned in the past about this kind of object/situation, and by adapting it to some present particularities we may develop the meaning of this situation, which in turn is the basis for our present thinking and acting.

To exhaust the example even further, by identifying that table and some other objects in this room, we know we are presently standing in a dining room. Together with recognizing the face on the other side of the table as the face of a particular person (another sign, pointing to common interests to talk about, shared experiences etc.), and with recognizing the contortions of her face as a smile (another sign, pointing to friendliness, an invitation to feel at ease and chat) and various other signs, we make an interpretation of the entire situation to finally arrive at a “right” conclusion in what kind of situation we are in, and how to “adequately” (and thus “successfully”) act in it. With regard to the table, our insight might prompt us to put our plate on it, rather than our shoes, or instead of sitting on it, turning it upside down etc. Going beyond recognition and knowledge, I would like to think of meaning not only as what it is, but also how it is evaluated. Just like a category evokes certain roles or scripts or associations, so is every symbol already carrying certain value judgments and emotions.99 This might be less obvious in the example of a table, which might be pretty neutral with regard to emotions, but more apparent in the recognition of a facial expression as a smile or of a verbal expression as an offense, where the interpretation may also carry strong emotional components.

Another important point I would like to emphasize is that the meaning of an object is always relational. By virtue of being a symbol, an object always relates to something else, but equally important as already Ferdinand de Saussure worked out, it also decisively does not relate to some specific other meanings. Symbols are always embedded in extensive symbolic systems in which they are deeply intertwined.100 To illustrate this again by the example above: the object we recognized as table involved certain meanings and guidance for action, such as putting my plate on it, and excluded the meaning of a laundry rack, which is why I refused to put my wet clothes on it. And it referred to the broader, situational meaning of a

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nice dinner with a friend, prompting me to engage in certain modes of interaction, such as small talk, while refraining from others, such as wrestling.

All these processes involve agency, and that is what in my opinion the term “constructionism” best emphasizes: that neither the classification we apply on the particular object nor the meaning we eventually attribute to the object are received passively by our sensual perception, imposed on us by the object. Instead they are actively and incessantly construed by us, based on former experiences, the expectations we had before entering this situation and so forth. Therefore, in a constructionist paradigm, to explain the thoughts and actions of an agent in a particular situation, it would be less important to examine what was “really” happening but rather to try to find out how the agent interpreted the situation, what meaning she attached to it. The focus of attention shifts from an analysis of the event itself and the circumstances under which it developed to an analysis of the assumptions, interpretations, the stream of thoughts the agent followed in that situation. An analysis of the circumstances alone fails to provide an adequate basis for understanding why the agent behaved in a particular manner, because it fails to take into account the crucial medium that translates these circumstances into these actions: the agent herself.\footnote{And this is certainly not a call to disregard the situation itself. Depending on the specific insight which is of interest it may be important to learn for instance what situations are interpreted by the relevant agents in this particular way. In the end we have very little direct influence on how other people interpret the world, and at times an intervention into the situation may be easier than into the interpretation itself – but certainly not always!}

Furthermore, symbols and their meaning are not only relational to other symbols and meanings, but also to the specific person nourishing them. To make another blunt postulation, in my understanding of constructionism, meaning is not an attribute of a symbol or object, but it is relative and dependent on the agent (re-) producing it.\footnote{For a discussion on this, see for instance Herkner (2001): 140ff; Keller (1989): 85ff.} There can be no meaning without someone interpreting the symbol at hand. Accepting this premise emphasizes again the necessity to study how human beings generate and deal with meaning, in order to understand what is happening in our social lives, and why it is happening.

All of this does not imply the meaning we construe is completely arbitrary or voluntary, invented out of the blue. As its relational quality already suggests, meaning can only be built out of the cognitive resources at our disposition, and these in turn are dependent on our past experiences.\footnote{As Miller (1998: 187) mentions, for Alfred Schütz meaning is generated by (a) the sedimentation of past experiences, and (b) our intentionality toward the future.} That in my opinion may explain why meanings can remain astonishingly stable over time, at least on a more superficial level. And this also clarifies why they cannot be imposed on others by means of policies, courts, legislatures, or hierarchical power in
general. All these influences play decisive roles in shaping our social lives and experiences and therefore our mental frames, but the relationship between them and our generation of meaning is not determinative, simply because the recipient of these influences is not passive but herself an active generator of meaning, using these influences as one (albeit important) input among others.

This brings me to another point that needs to be stressed, i.e. the attribute “social” I habitually put in front of “constructionism”. It is as trivial as it is important to note that obviously we do not develop all these processes as some secluded monads (Gottfried Wilhelm Leibniz), but in constant interaction with the social world around us. I did not come up with the category “table” myself (even though retrospectively I would stand in awe of myself if I had done so), but developed it by observing, eavesdropping, imitating other people. Even though I cannot for the life of me remember anybody ever explaining the concept of “table” to me, I ultimately developed a concept of “table” which is sufficiently similar to those which other people in my surroundings sustain, to allow us considering our concepts as equivalent. We believe our concepts of table are identical (or at least equivalent) and we hardly ever come across situations in which we are forced to realize they are not, and that is why the concept of “table” “works” for us. By virtue of such implicit “convention”, a concept has become socially shared symbol, what George Herbert Mead designated “signifikante Symbole”.104 We verify that our interpretations of objects and situations are the “right” ones because others behave in the very same manner towards these objects and situations, thereby confirming our expectations about their behavior – they become “successful” interpretations and expectations.105 Thus, our interpretations evolve into “sozial gebilligtes Wissen” and ultimately “natürliche Weltkonzepte”.106 Apparently, there are other concepts which fall far behind from working so smoothly, either because they are less well established, or they are more complex, or they are of sufficient significance to force us into minute and highly personal discussions and far reaching actions, or for some other reason. One of these concepts, I think, is the concept of genocide.

What makes constructionists in some eyes particularly suspicious is a tendency to apply the very same critique also to scientific examinations. Even though not deploying an explicit

105 See for instance Berger and Luckmann (1986); Keller (1989).
106 Schütz (1972): 98 and 86. It should be noted that of course our concepts will never be literally identical, a certain amount of individuality and interpersonal deviation will always remain. They must merely be similar enough for us to be able to anticipate or at least retrospectively understand the other’s behavior based on our own interpretation of reality. That alone can already confirm that we have both deployed sufficiently similar interpretation and conception of the present. For more on this, see also Glasersfeld (1997): 220ff.
constructionist approach himself, this may be illustrated with a quotation from the foreword of Markus Dreßler:

„Wissenschaft, ob philologisch oder vergleichend-historisch, liefert Interpretationen der »realen Welt«. Es geht dabei nicht um »Wahrheitsfindung«, um den Anspruch, einen Ausschnitt der »Wirklichkeit« »wahrheitsgetreu« abzubilden beziehungsweise zu erfassen, sondern darum, daß Erscheinungen, auf die man in der »Wirklichkeit« stößt, in nachvollziehbarer Art und Weise beschrieben und in »sinnvolle« logische Zusammenhänge eingeordnet werden. Wir konstruieren also »sinnvolle Zusammenhänge«, um Ausschnitte aus der »realen Welt« individuell zu verstehen und anderen verständlich zu machen – ohne jedoch den Anspruch zu haben, »Wirklichkeit« im Sinne einer absoluten Kategorie zu erfassen.“107

Finally, I think the case study here merits pinpointing one additional feature in the process of socially constructing meaning: language. Probably one of the most powerful devices for classification and conveying meaning is language. First of all, it should be noted that terminology is itself already classification: words are labels for abstract concepts, pointing at an infinite amount of objects which may potentially be subsumed in this category. They do not relate to any specific object itself, but to the general category. Thus, whenever we communicate in and about this world, we are doing so with reference to abstract concepts.

Even more, the causal relationship between language and reality is still debated. It may be a truism that the environment of a group shapes its language,108 but as some authors argue, the arrow from cause to consequence works also the other way: language offers neither a natural or “the correct” representation of the world, nor is it invented by its every speaker herself in a process of a deliberate preoccupation with her environment; rather it is learned from early ages onwards, and thereby certain concepts, i.e. words, are accommodated. Thus a person learns from very young age onwards certain distinctions (such as between table and chair), but others she does not (such as distinguishing between different kinds of tables by virtue of their being of different material). In other words: by learning categories via language, we also learn which are the relevant criteria and categories in our social world. And this, in turn, affects the way we perceive and think of the world:

„Welche Eigenschaften wir jedoch bemerken, als Eigenschaften fassen, worauf wir also aufmerksam werden und wie die Welt strukturiert ist, hängt von der Sprache, und zwar von der jeweiligen Sprache ab. Insofern baut jede Sprache ihre eigene Welt.

108 Think for instance of the classical example that Inuit dispose of a large vocabulary with regard to snow, whereas peoples inhabiting sand deserts possess a broader terminology to identify and distinguish different kinds of sand. This leads to a fascinating experience we sometimes come across, of learning to take a different perspective on some phenomena as when we learn to get hold of them in another language. For more on this, see for instance Holocher (1996): 119ff; Keller (1989): 128f.
Allegation and Denial

[...] Unterschiede, die die Sprache nicht vorsieht, werden auch in der Beobachtung meist übersehen.”

This is also one of the reasons why discourse analysis has become so prominent in political research as well over the last couple of years, and why agenda setting is such an important moment in the political process. By our categorial language system we are able to define a problem, and thereby to assign it to a certain frame which in turn shapes our abilities and options for resolving this very issue, as well as the criteria by which we can later on evaluate a policy. That is why an examination of public discourse is so important, particular in democratic systems, because to identify who is dominating a certain discourse also reveals a lot about potential power and a timely re-framing of an issue may put the entire cause on a different track.

To take this one step further, language presumably not only influences our categorizations but also our evaluations. Just as language is again a medium through which we express attitudes and emotions, so language also affects them. A rather vague or amorphous feeling becomes more tangible if we put it in concrete terminology; our judgments become more definite and precise once we have found the right words to capture them. As mentioned above, for instance the classification of an event as “genocide” carries a very strong impact on our emotions and evaluations, and these will presumably be quite different if we opt to call these very same events “civil strife”. Thus, subsuming a particular event into the category of genocide is already enough to pre-dispose our judgments, without knowing anything about the event itself.

To summarize the idea that language is not just a function of reality but also shapes our perception and understanding of reality, I would like to quote at length the person most intimately associated with it, Benjamin Lee Whorf, who dubbed it the principle of “linguistic relativity”:

„Man fand, daß das linguistische System [...] jeder Sprache nicht nur ein reproduktives Instrument zum Ausdruck von Gedanken ist, sondern vielmehr selbst die Gedanken formt. [...] Die Kategorien und Typen, die wir aus der phänomenalen Welt herausheben, finden wir nicht einfach in ihr – etwa weil sie jedem Beobachter

109 Keller (1989): 126f. Alfred Korzybski dubbed this capability of language, i.e. this pre-structuring of our perceptions and knowledge by language, the “linguistische Unbewusste”, see Holocher (1996): 53. For more on this topic see also Berger and Luckmann (1986): 39ff; Schlieben-Lange (1991).

110 The concept of „framing“ is again widely used in social sciences. To give at least one definition of a frame to account for its further usage in this work, I will offer the one found in Rein and Schön (1993: 146): “In our use of the term, framing is a way of selecting, organizing, interpreting, and making sense of a complex reality to provide guideposts for knowing, analyzing, persuading, and acting. A frame is a perspective from which an amorphous, ill-defined, problematic situation can be made sense of and acted on.”

111 See also Matouschek et al. (1995): 212.

112 See also Cameron and Kulick (2003); Langenmayr (1997): 199.
in the eyes spring; ganz im Gegenteil präsentiert sich die Welt in einem kaleidoskopartigen Strom von Eindrücken, der durch unseren Geist organisiert werden muß – das aber heißt weitgehend: von dem linguistischen System in unserem Geist: Wir die Natur aufgliedern, sie in Begriffen organisieren und ihnen Bedeutungen zuschreiben, das ist weitgehend davon bestimmt, daß wir an einem Abkommen beteiligt sind, die Tatsache, die in dieser Weise zu organisieren – in einer Weise, das für unsere ganze Sprachgemeinschaft gilt und in den Strukturen unserer Sprache kodifiziert ist.

And he concludes:

„Aus der Tatsache der Strukturverschiedenheit der Sprachen folgt, was ich das ›linguistische Relativitätsprinzip‹ genannt habe. Es besagt, grob gesprochen, folgendes: Menschen, die Sprachen mit sehr verschiedenen Grammatiken benützen, werden durch diese Grammatiken zu typisch verschiedenen Beobachtungen und verschiedenen Bewertungen äußerlich ähnlicher Beobachtungen geführt. Sie sind daher als Beobachter einander nicht äquivalent, sondern gelangen zu irgendwie verschiedenen Ansichten von der Welt.“

To summarize: in constructionist theory as I understand it, the important points for the topic I am trying to cover are (a) the object is understood (or interpreted) to be a table, but that is different from asserting it is a table: “table” is but one way of describing and making sense of an object, and it is far from being an exhaustive description or understanding of it; (b) this our understanding depends to a large degree upon classification of the respective phenomenon, supplemented by situational variables such as aspirations; (c) classification is based on (not) meeting certain criteria; (d) these criteria are not self-evident or natural, but are

113 Whorf (1963): 12.
114 Whorf (1963): 20. It should be noted that this should not be misunderstood as language determining our sense of the world; as more recent experimental research indicates, it seems more appropriate to speak of an influence rather than a determination which languages exercises on us. Whorf’s works emerged already in the first half of the twentieth century, which may suggest they are already pretty outdated. Obviously a lot of research has been done with regard to language and cognitive psychology over the last decades, and I am unfortunately not capable of proficiently represent this work here. However, it appears to me that while numerous modifications have been made, the important principle that language also shapes our thinking of the world still is widely accepted these days. Finally, it should again be stressed that I am not proclaiming a reversion of the causal mechanism, i.e. denying that language is also shaped by our social lives. Rather, I think it might be appropriate to conceptualize it as a mutual interdependency. See also Keller (1989): 160f; Langenmayr (1997): 223f; Schlieben-Lange (1991): 15ff.

Finally, I would like to add that in order to emphasize the importance of language in our thinking of the world, some authors argue that not only our terminology but even syntax is of importance. However, for the purpose of this study this idea is of less significance and I will not pursue it here any further.
socially determined as being the relevant ones; (e) therefore, just as our social worlds and the
contexts we are living in change, so do our notions of what is relevant in a specific situation
and therefore our categories and our classifications; (f) by its abstract and taxonomical nature,
language is an important device in shaping our classification as it offers and thereby creates
many categories for us; (g) this classification by itself already carries certain meanings and
influences on our behavior by invoking certain roles or scripts, respectively under
consideration of other categories which it is not it excludes other meanings and behaviors; (h)
supplemented by situational aspects such as our current desires and fears, the specific
meaning we attach to a particular phenomenon in this particular situation is derived. And this
is then the basis for our ultimate evaluation, emotion, further cognition and action in the face
of this phenomenon.

Now, admittedly, all of this might be quite trivial or on the other side maybe confusing,
but I think it is important to keep in mind when we encounter quarrels which are immanently
about differing interpretations and meanings. Obviously there are a number of instances
where we argue every day how to classify and evaluate a certain phenomenon, respectively
what a certain category “really” means, such as (social) justice, war, freedom, home, welfare,
prosperity, economic growth, integration, equality, friendship, family, the other/alien,
affection, sexuality, power, oppression, sustainability, tolerance, religion, or the matter
discussed here: genocide.

After this general background of my own approach pursued here, I think it is appropriate
to elaborate a bit on some more specific concepts which are of relevance in the affair
discussed here. Generally speaking, my understanding of all of them is based on this
constructionist approach, and I shall now try to explain what this understanding holds in store
for these phenomena, as there are: the trias of history, memory and the past; their relationship
to the political realm; the notion of collective identity and collective guilt; and the relevance
of historical narratives, respectively: myths.

2.2. History, Memory, and the Past.

Just as I claimed above for our thinking of the real world, so our thinking of the past can
be conceptualized from a constructionist approach too. In this understanding history is not,

115 Concepts such as role, script, frame, or scheme, were most importantly elaborated by Erving Goffman. See

116 What makes the constructionist approach so universal and for many of its critics so void and generic, is, as
also Lederach (1998: 7-9) puts it, that meaning in this paradigm is at the heart of every social conflict, and not
only of those which already at the surface level revolve around definition and classification.
and can never be, an account which simply mirrors the past but instead an actively constructed cognition about the past. In contemporary literature on history and memory there is frequently a distinction drawn between (a) history on the one side, understood as the scholarly examination and description of the past by professional historians, and (b) memory, understood as the myths, stories, personal memories and so forth which are found in our personal and communal lives.\textsuperscript{117} However, while some important qualities that differ between these two approaches towards the past are not to be dismissed,\textsuperscript{118} the assertion is nowadays quite accepted that both of them, history just like memory, are not mirror-like representations but creative attempts to reconstruct the past against the background of a particular present context.\textsuperscript{119} Anyway, to keep concepts separate I shall use the term “past” to refer to past events as they have actually taken place, what in the philosophy of historical science is often expressed as \textit{res gestae}. In contradistinction, \textit{historia rerum gestarum}, or the account of what has actually happened, shall run under the labels of “memory” where it refers to personal and collective memory, or “history” where scientific accounts of the past are denoted. Since for the purpose of this paper there is no imperative to distinguish between history and memory, I shall for the sake of brevity use only the term “history” to indicate any account of the past, be it scientific or lay, private or public, personal or collective. Where such differences do happen to matter, I shall try to make these distinctions explicit at the corresponding place of concern.

It may be appropriate to briefly support the postulation that history and memory are creations of the presence rather than reproductions of the past by a cluster of stipulations. The first few of them refer to the imperfection of perception and storage, while the later indicate how this imperfection forces or better \textit{allows} us construct history as we inevitably do. (a) As noted above when the discussing how structures of relevance shape our perception (see section 2.1), already our attention to things we witness in our daily lives is highly selective. We become aware of some things while ignoring others. Therefore, already what we potentially could remember is limited. Likewise, also professional historians studying \textit{a selection} of historical sources will be \textit{further selective} about what they extract from these sources.

(b) This selectivity extends to our memories: we store only a certain amount of the things we notice (just as we probably store some of the things we do not consciously notice), while


\textsuperscript{118} Which sound pretty much like general differences between “scientific” and “everyday” knowledge, for instance with history following explicit methods, reflective of its own interests and assumptions, thus conscious of its perspectivity, open to falsification, and more exact and complete than memory – at least by postulation. See for instance Könö (2008): 16, 125ff.

we forget about others, at least in the sense that we cannot proactively and consciously recall them later on. (c) This is not just a matter of storage capacity, but maybe also due to the way memory operates, at least if Astrid Erll’s suggestion is accurate that we facilitate our work of remembering by abstracting from a specific situation and storing some general scheme rather than the unmitigated impression of the situation. According to her, such schemes represent general memories applicable to various situations, and they comprise some blank spaces which can be filled with a few characteristics of the particular situation being stored. To give an example, I would suggest it requires far less mental resources to remember that there was “a table” in the room than remembering “this table”; storing the information that there was a table, possibly amended by a few specific, relevant features such as color or shape, is easier than remembering the entirety of this particular table. However, by consequence we might remember visually that there was an object with four legs and a plate in the room, possibly that it was black and located next to the window, but we may not remember its material. Anyway, what we retain from the past appears to be necessarily incomplete and occasionally requires stuffing to cover up these white spots.

It should be noted that these points are not restricted to the storage in our personal memory but extend to written or oral testimonies we produce about what we have experienced, or what we heard others have experienced – and therefore these points also pose limitations to the accuracy and comprehensiveness of collective memories such as myths, as well as professional studies about the past (which in turn rely on the accounts and other materials produced by contemporary witnesses).

Now, as elaborated in the preceding section with regard to our general thinking, so are these processes highly dependent upon pre-existing mental concepts. For instance, the notions of relevance I have mentioned above will navigate our attention/storage to those objects we (also unconsciously) consider worthwhile of our attention and memory, dismissing objects not deemed relevant enough.

However, and most crucially, also (d) the activation of memories just like the confrontation with historical sources involves cognitive processes a critical analyst may describe as “distortions”. Obviously, memories are retrieved in certain situations, thus their activation is embedded in specific contexts. Just like new perceptions in the present, memories and other sources are thus viewed in light of this current context, i.e. framed in the

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121 With pre-existing not in the sense of being there before birth, or being a primordial given which is pre-defined by some external entity, or being immune to change, but instead simply meaning that there exist some concepts which we already bring with us into any present situation.
knowledge and interests and affects we harbor in this specific situation. Considering memories hence as basically another kind of stimulus in the present, memories need to be made sense of, they need to be interpreted and given meaning – just like any other phenomenon we encounter in the actual moment. And that meaning by assumption is generated each time anew when a memory is retrieved. However, of course also the meanings we have attached to a phenomenon in the past are stored, indeed I would suggest they are an essential component of the memory about the entire phenomenon itself, and are retrieved when we re-activate the memory of the phenomenon. And therefore the meaning we attach to a phenomenon may be astonishingly stable over time, which is supplemented by a relative stability also of our cognitive dispositions, such as our classificatory systems. This contributes to our propensity to evaluate phenomena, which we perceive as identical or at least similar, in the same or at least in similar ways – though we certainly also deviate from this tendency, which is then curiously branded as “inconsistency”. Anyway, that should not distract us from the idea that the meaning we currently attach to a phenomenon is still a current production, not a re-activation of a past meaning.

In that sense, it is accurate that history and memory (unlike the past) are per se rooted in the present. „[v]ielmehr entsteht die Vergangenheit erst durch die soziale Konstruktion in Form des Erzählens, Dokumentierens und Deutens.“122 To prove the persistency of my constructionist bias, I want to recall one of the in my opinion most telling maxims of constructionist theory: just like a judgment on a work of art tells me probably more about the judge than about the piece of art itself, so does any discourse about the past reveal probably more about the interlocutors than about the past itself. At the very least, I would add, I can deduce something about the past/art after I know something about the interlocutor. In the words of Taner Akçam:

“In other words, the only reality is today, and history ends up being a representation of present-day perceptions of the past. […] We think, when we are talking with each other, that we are discussing history, but what we are actually doing, more often than not, is discussing our present.”123

To emphasize this point: already the questions we raise about the past are driven by certain modes of thinking and interests which in turn are rooted in the present. And so are the

122 Arenhövel (2000): 11. See also for instance Bruner (1998): 52; Erll (2005): 7; König (2008): 14f; Polkinghorne (1998): 24f. This suggested characteristic of the very nature of memory may contribute also to the explanation of “Deckerinnerungen” (Erll (2005): 47; Assmann (2006a): 261) or “Scheinerinnerungen” (Erll (2005): 85), i.e. thoughts we have and which we experience as memories, without there being any corresponding past events.
methods we choose to examine the past and to find answers to these questions, including our selection of sources.

(e) Most importantly the way we then process these gathered data and the conclusions we draw is based on interpretation: to make sense of what happened, and to understand why it happened, we need to apply theoretical concepts which we borrow from contemporary theories. For instance, to understand why certain historical agents acted in a specific manner, historians (and everybody else who indulges in historical discussion) retrospectively apply some more or less explicit models supposed to explain why the historical agent chose this very behavior. For instance, oedipal complex, a lust for power (with “power” being defined and understood in present terms), religious identity (with present understandings of religion and what it implies for identity), ideology, class, gender and so forth are invoked to account for the agent’s motivation, presupposing that such motivations remain a constant factor throughout human history, some sort of an anthropological constant.124

Finally, (f) as far as history is verbalized, becoming an oral or written account of the past, singular entities are pressed into the tight corsets of abstract notions, i.e. words, and this process again involves an awful lot of interpretation – being a feature inherent in language per se (see section 2.1).

All of this contributes to the plurality of histories and memories for one and the same event, in diachronic (multiple histories occurring at different points in time) and synchronic (multiple histories occurring at the very same time) perspective.125 It also explains that history/memory may change, as already George Herbert Mead observed: “We speak of the past as final and irrevocable. There is nothing that is less so [...] the past (or some meaningful structure of the past) is as hypothetical as the future.”126

Yet this should not be misunderstood as a plea for an arbitrariness in history and a relativization of historical accounts. Quite obviously some theories about the past lose their credibility where they cannot be aligned with the historical evidence available – what Reinhart Koselleck described as a source’s right to veto.127 Furthermore, different models of the past can be compared with regard to their plausibility and explanatory power. Other

124 The approach of understanding past events by present theories was called “Präsentismus” by Wagner (1998: 70). Obviously many theories which attempt to explain human behavior and social processes by their very nature already presume universal application. I am definitely not in the position to reject these assumptions, and I suspect this should rather be done on a case-by-case basis anyway, here I just wanted to indicate that this is not only very ambitious but also far from being self-evident and in many instances sustainable only by virtue of the underlying assumptions being immune to verification and falsification to begin with.
126 Quoted in Blustein (2008): 68.
principles employed in scientific research or everyday interaction, such as Ockham’s Razor, may be applied to decide which explanation to give preference. The conclusion to be drawn from constructionism in my opinion is by no way complete arbitrariness or relativity. Rather, it is primarily an epistemological suspicion against any claims for ultimate truth, next to an imperative demand for humility and openness to alternative explanations and conceptions.\(^{128}\)

In sum, historical analysis based on various models and assumptions does provide important insights and is anyway the best we can do to address the questions we have about the past; yet we should remain aware that such research is based on present paradigms and rests on massive interpretative efforts, and therefore ultimately does not represent the past “as it was” but instead an active reproduction of the narrator.\(^{129}\)

2.3. History and Politics.

In this work I am following the presumption of history not being simply a matter for those with a curiosity for the past, but as being of salient political significance. There are certain features about history inherent in our daily social lives which render it also highly relevant for the political realm. It is more than appropriate that quite a number of political scientists have thrown a great deal of thought into the manifold ways in which the past affects contemporary politics.\(^{130}\) A substantial amount of these political analyses deal with more tangible questions of “transitional justice”, which embraces complex topics such as restitution, lustration, reparation, criminal prosecution and so forth. To my perception and for obvious reasons there seems quite some scholarly work devoted to these questions in German language (although with rather limited contribution from Austria), which has resulted in some German designations being adopted also in other languages, such as “Vergangenheitspolitik” or “Geschichtspolitik”, or in a less political context also the notorious „Vergangenheitsbewältigung“. Moreover, a significant amount of research focuses less on policies which seek to remedy the past, but instead on such policies which interfere with the collective or public memory, i.e. the predominant narratives we develop about our past within our society. These are sometimes described as “Erinnerungspolitik”, “Gedächtnispolitik”, or “Erinnerungsmanagement”. In this work, I will deal exclusively with this second branch.

\(^{128}\) See also Blustein (2008): 178.
\(^{129}\) See for instance Erll (2005); König (2008): 112-114.
\(^{130}\) See for instance, for German and other contributions König et al. (1998); Landkammer et al. (2006); Frei et al. (2000); Bock and Wolfrum (1999); Elster (2004); Krieg and Frei (2000); König (2008); König et al. (2008); Schneider and Jochem (1999); Smith and Margalit (1997); Arenhövel (2000); Flacke (1998); Schwan (1997a); Wodak et al. (1990, 1994, 1998).
More precisely, for the purpose of this study I would like to emphasize two seminal and interrelated functions which history serves in any given polity: (a) the motivation and legitimization of policies, and (b) the construction of social groups.131

(a) To begin with a quite obvious ascertainment, all our actions connect to previous events, and not only in the sense that due to the continuity of time any action is of course not just an entity of its own but instead embedded in the constant temporal flux of activity. Rather, present action, and particularly political action, is driven by motivation and requires legitimacy. And these motivations and legitimations too are not merely functions of the present but instead rely heavily on the past, or, more accurately, history and memory. For the purpose of this study, I shall restrict myself to the legitimatory dimension.

For instance, if a government seeks the relocation of a certain group, it must offer a convincing rationale to legitimze this very policy. There could be non-historical reasons to do so, such as the anticipation of a major earthquake, or the need to move human workforce closer to industrial centers. Yet frequently it is historical reasons which are invoked, for instance by referring to ethnic violence which more or less recently occurred in this area, and relocating the concerned people is defended either as a punishment and/or a prevention of similar episodes of violence.

Such events may be historical in a narrower sense, i.e. events we know of primarily through tradition and/or historical research but not through personal experience. Returning to the political realm, a well-known example of historical reference to prepare, motivate, or legitimize certain policies is the notorious speech given by then President of the Socialist Republic of Serbia, Slobodan Milošević, at Gazimestan on June 28, 1989. Recalling the Battle of Kosovo Polje some 600 years before, this public address reflected and served to enhance Serbian nationalism, paving the way for the nationalist policies to come.132 Another interesting point are territorial claims, which quite often are vested either in ethnic (“this is our land because we pose the majority of the population”) or historical cloak (“this is our land because we came here a long time ago”, that is, before any potential rival).

However, for the context of this paper I would prefer to consider history in a broader sense, i.e. as any representation of the past, regardless of the temporal distance concerned. Therefore, it would also be a historical rationale to promote actions which are responses to

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131 See also Erll (2005): 27.
132 For a more detailed account and examination on this see Volkan (1999): 85-95.
events which took place just the day before. The essential point in defining history, i.e. distinguishing it from other cognitions, is thus not its temporal distance but its being an interpretation of past events, thereby framing them in the wider context of the world, making sense of them, giving them a meaning which in turn may stimulate further (re-) action.

Already for this reason alone history is an important element in politics, and the selection of the “right” narrative, the right version of the past, a critical political question. And therefore any polity actively does and indeed cannot avoid engaging in the writing and promotion of particular narratives, because obviously and for good reasons education, research, cultural policies, participation in public discourse etc. are also political tasks. And thereby the political realm is one agent amongst many who shape our history (not the past), and thereby also the background for the meanings we generate and the actions we pursue. This must not necessarily be conceived as an instrumental or determinant role politics may resume in this sphere, but rather, as Helmut König in reference to Jürgen Habermas put it, that this political process of deciding on questions about remembering „laufen […] unterhalb der Schwelle politischer Entscheidungsprozesse ab: sie nehmen aber direkt Einfluß auf das politische System, weil sie den normativen Rahmen der politischen Entscheidungen verändern.“

(b) The second aspect of the historico-political relationship I want to elaborate on is the generation and preservation of social groups. These are, within my understanding of a constructionist paradigm, not primordial or natural entities. Rather, they are created by taxonomic processes: certain criteria are established as being the relevant ones, and by application to real persons these are classified into more or less distinct social groups. Examples for such relevant criteria include kinship, citizenship, race, class, religion, ethnicity, nationhood, culture, gender, sexual orientation, lifestyle, ideology, musical preferences, and so forth. For the political realm, this way of analyzing groups primarily in constructionist terms is renown under Benedict Anderson’s “imagined communities”. The concept of collective identity is crucial for the way I suggest to understand the conflict at hand, and therefore I would like to elaborate a little on it before turning to its political dimension.

133 In that sense, also our system of justice rests on a “historical” rationale: criminals being punished and victims being compensated not because of their current situation but based upon historical events (mitigated notably by other considerations about the present). It would be interesting to consider the relationship between the very concepts of justice and history: the retrospective paradigm inherent in justice, how far back in time justice extends, and the like. Unfortunately, questions as these are way beyond the scope of my capabilities, and, fortunately, beyond the scope of this work.


2.3.1. Collective Identity.

Generally speaking, I believe the evaluation of the events of 1915 remain a hot topic until today. With all the time having elapsed since then, the obvious question is: why? And the response to this legitimate question certainly is manifold again, and I cannot offer an exhaustive explanation at this point. However, a comprehensive response in my opinion would in some way need to take into account that this evaluation carries strong implications for what may be called “collective identity”. Since collective identity at least to me seems a frequently used but highly ambiguous concept, it appears appropriate to shed a little light how I would suggest to think of it for the purposes of this paper, and how it relates to this very topic and to constructionist theory.

When it comes to identity in general, first there is a basic differentiation suggested by Jeffrey Blustein between (a) “diachronic identity”, which reflects the “numeric identity over time”, as I understand it the fact that one specific entity remains the very same entity over time (my left hand today is the same left hand I had yesterday), and (b) “biographical identity”, which denotes all the characteristics which make up the person one is or considers oneself to be. It is this later understanding which I am concerned with.

I would like to assume at this point that we for various reasons tend to develop something I bluntly call “identity”, an understanding of who and how we are. Identity, I think, is a relational concept, establishing not only sameness but also difference by comparison to other entities (you, them), and beyond that in a temporal distance also to the self (me, us). It involves first of all determining how, i.e. by what traits identity can be ascertained, and by consequence then second which entities are essentially identical and which are alien. It therefore provides us with (or rather: it is) a relational tool to sort our social world into distinct compartments like me and you, us and them, including further subdivisions as we see fit. Beyond that, if we want to think of these compartments not as something arbitrary and fluctuating but rather as a stable or even as a natural world order, we may also idealize these traits as exhibiting our “true” self, thereby offering some guidance how to think and act so as to remain loyal to this true self.

Therefore identity is relevant as it offers us orientation in this world – it reduces complexity in the sense of reducing the number of potential orientations we may reasonably use to adjust our thoughts and lives. For instance, if we know who and how we really are, it is far easier to arrive at some conclusions about what is important in our lives, which the right

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and best choices for us are, why we acted and reacted in particular ways in the past, where we are going and so forth.

It should be recalled at this point that Blustein’s definition of biographical identity allows for two fundamentally different understandings of identity: (a) in an essentialist conception identity may be understood as some true self of the individual. Thus, an individual “discovers” who and how she really is. Identity here is some primordial, natural, a priori given. (b) Another understanding of identity may postulate that these particular qualities which are said to make up the individual surface only because the individual believes they are true, constructs a notion of her true and inner self. And because of this her identity, she obtains a particular orientation in life and pursues certain interests and activities, thereby in turn affirming and enforcing her “true” characteristics up to the point where they eventually seem or become true. As I understand it, both these concepts of identity share the notion that an individual’s identity is constituted by certain characteristics. The sole difference lies in the origin or mode by which these characteristics come into effect: in an essentialist understanding these qualities unfold their powers beyond our control and we are advised to discover them in order to find suitable ways to deal with (for instance by adhering to these qualities’ imperatives in order to stay true to ourselves). By contrast, in the second, more constructionist understanding, these qualities may or may not be a priori given, but what eventually determines the constitution of any identity are not these qualities per se but rather the belief in the existence and effectiveness of these qualities. And based on my constructionist premises, I guess it would be tantamount to heresy if I was not to stick to the second concept.

Now, this is not the place to offer a conclusive theory of collective identity, not to speak of my incapacity to do so anyway, but unfortunately I believe that talking of collectives and collective identity will be a central aspect of this work. Loosely speaking, I believe there are three ways how the idea of collective identity is frequently interpreted, pointing to three different dimensions all of which justify the usage of the term “identity”: (a) first there is the process of identifying a group itself, of generating the idea that there exists an entity, a collective, which is not exhaustively described as “only” a random accumulation of arbitrary individuals; instead, this entity is constituted by some quality which all its members share and which is presumably well suited to describe also its members in a relevant way. In more determined versions the group itself becomes a distinct phenomenon, endowed with a number of attributes which exceed the sum of the attributes of its individual members. I would suggest that this first notion of collective identity is essentially a description of a group itself.
(b) Building upon the first dimension but going beyond it, there is also an identification of the individual member with the other members of the group, not necessarily as a genuine sameness but as a significant similarity which may render her relationship with them different from her other relationships. This is often perceived as an experience of unity, of human bonds, and an important source of loyalty and solidarity, and it may be important to stress with regard to my topic here that it is not restricted to synchronic relationships but may extend far back in time (or forth, for that matter). Ultimately, I think this understanding of collective identity therefore is a description of our relationships with other members of our group (and by implication of our relationships with non-members as well).

(c) And finally there is a notion that an individual’s membership to a group reveals something important about her personal self. In other words, the characteristics which distinguish this group are also her own characteristics, and therefore there is an overlap and interdependency between her self and the group she presumably is part of. Likewise, if the group changes so will its individual members (unless this change results in an exclusion of the individual) – and the other way around. Here collective identity refers to a description of the personal self, it is a part of the broader personal identity of an individual.137

So I believe there are three different dimensions which may be confounded in the concept of collective identity, i.e. the description of a group, of interhuman relations, and of individual people. Anyway, it seems to me that while in some discussions of collective identity only one of these dimensions is actually at stake, but more often any mixture of them, and that certainly contributes to the continued discussions about this topic – and also to its appeal. Ultimately, I believe these three dimensions of collective identity are interrelated and while a theoretical separation may be possible and in some instances also beneficial, for the purpose of this work I would like to understand collective identity as the combination of all three of them, even though that may admittedly leave the concept somehow vague.

To add further complexity, I believe these dimensions can be inflated by a few further differentiations: first, by who is making these descriptions. Basically I would claim they can be made with regard to the other or to the self. In other words, I personally can make a

137 Even though other authors conceptualize collective and personal identity as different entities within an individual, I would rather consider them as part of one and the same element of an individual’s personality (I understand also Akçam (2004: 41) this way, with national identity being an “integral part” of individual identity). In this very personality, various elements may compete or even contradict each other, but eventually it is the sum of all their identifications which makes up what a person considers to be her true self. This understanding is in my opinion compatible with Margalit’s (1997: 202) assertion that a collective identity may threaten or enrich someone’s personal identity – even though he may have derived it from a very different concept, and intended it in a very different way.
description as a more or usually rather less independent observer, describing the essential qualities of another group, of the relations among its members, and/or of its individual members. This may range from a refined sociological analysis all the way to the crudest racial prejudice. And on the other hand these descriptions can refer to the self, i.e. as a description of my own group, my own relationships, and my own personal self in light of this group identity. I believe this second sense is the one most commonly understood by collective identity, and it is here where we derive substantial orientation and comfort from for our daily lives.

And second, what I suggested above with regard to identity in general applies also to the notion of collective identity: it can be conceptualized in an essentialist way, alluding to some true inner core of this group, or its social relations, or my personal identity; or it may be conceived as a mental construction, where its ontological reality is situated nowhere else but in an individual’s mind. In practice I believe that most of those who generate such a description of a collective identity will consider it a combination of these two, with some qualities beyond human agency, but some others, maybe less deeply ingrained in the described collective, as being more subject to reflection and active change.

It may not come as a big surprise that I tentatively subscribe to the constructionist understanding of collective identity. I guess there are a few caveats usually brought forward against this paradigm I would better pre-empt at this point. First, it should be emphasized that this constructionist understanding does not deny that people “objectively” share respectively differ in certain characteristics. As already noted, an independent observer may discern specific groups, depending on the quality of the criterion deployed. However, the crucial point about constructionism is that these criteria and these groups become socially relevant only by human cognitive agency, i.e. by recognizing these particular similarities/differences as relevant for our social conduct and hence the resulting cleavages as appropriately reflecting human communalities. As I understand it, this is not to say anything about the group being “false”, whatever that would mean, but only to direct attention to the point that they too are created, rather than representing an independtly given beyond human agency.138 It may be worthwhile considering an illustration given by Ian Hacking, who distinguishes between the construction of an idea (in this case the idea of a group), and the construction of an object (the group itself).139 What constructionist theory at least in my understanding should denote in this

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138 See also Özkırımlı (2000): 144f.
work is primarily the construction of the idea, it does not make any claims about the object itself, its ontological reality or how it comes into being.\textsuperscript{140}

Second, understanding collective identity as a social construction rather than a primordial given does not necessarily mean it is any less real or effective.\textsuperscript{141} Constructionism as understood here alludes only to the way things are created, their composition and therefore also their potential for change. By consequence group identity as a social construction may generate group cohesion and solidarity, or inspire its members’ personal identities just as if it was a natural thing. However, at the same time I would blindly and without any evidence concede that these functions may tend to be stronger in an essentialist paradigm, simply because establishing the essential qualities as being beyond our control, as being something true and unchangeable, will render them less volatile and more compelling. Anyway, by the same token and third, collective identity in a constructionist paradigm is not without sense or purpose, since creating this solidarity may very well be described as an essential component of our social lives. Finally, collective identity is not arbitrary. As was already explained for constructionist theory in general, we do not develop our ideas in a social void. We learn our taxonomies and meanings from very young age, and they are confirmed by our social environment on a daily basis. They therefore assume quasi-primordial qualities, become naturalized. That is why they are capable to persist, sometimes even astonishingly stable, over long periods of time. And that is also why collective identities cannot be created, modified or eradicated just by an act of political will. There is only a finite number of collective identities we are capable of maintaining and processing, otherwise it gets all too complex to make sense of the world and ourselves, and also feelings of unity may lose their specialness if they extend too far. Therefore if an imaginary leader wants to establish a new collective identity, she must compete with those identities which already exist. If it does not resonate with the people who are supposed to accept and incorporate it, this identity will not succeed to become effective and “real”. She must therefore persuade her audience and its future holders that it is a relevant, “true” identity, possibly even truer than the existing ones. This is apparently very difficult, considering that the other identities may have been around as long as we can think,

\textsuperscript{140} This hopefully complies largely with the notions uttered in Volkan (1999): 34-38. See also Blustein (2008): 121; Giesen (1999); Hall (1996); Wagner (1998): 45. A harsh critique of the “Plastikwort” “collective identity” can be found in Niethammer (1995), who argues for its total renunciation. However, in my understanding he arrives at this critique because he himself considers it a constructed phenomenon, and then criticizes its essentialist pretensions. If this understanding is accurate, then I think it is not in conflict with the suggestions here, and I would also argue that it is still useful to retain the notion of collective identity: not as an essentialist entity, but to describe the cognitive content of human minds.

\textsuperscript{141} See also Özkırımlı (2000): 222
and have been incessantly confirmed by our social environment. It may sometimes work to introduce new collective identities about the other, although also this is hardly ever a matter of planning and wilfull control only, and it is certainly even more difficult to alter the collective identity of the self, i.e. modifying my own perception of who and what my group really is. In the end, changing my collective identity resonates in my personal identity and is therefore likely to evoke resistance.

Now, how does all of this relate to the events of 1915 and the ongoing debate? If I want to approach this question from the angle of collective identity, I first need to postulate that those people who engage in the contemporary controversy of how to evaluate these events experience a bond of collective identity with the agents back then. By virtue of what qualities is a matter for another dissertation (at least), but it may be something like notions of shared nationhood, ethnicity, culture, religion, heritage, kinship, history and so forth. Therefore, these allegations evoke resistance today because of the solidarity and loyalty which the current actors feel with those back then. Moreover, without any proof I dare to claim that some of the contemporary agents experience this entire affair as an accusation against the group as a whole rather than the actual perpetrators themselves: first by a perception that the allegations are directed against the collective itself; and second by a perception that the guilt of the actual perpetrators extends to the entire group. And thereby these accusations do not only degrade the actual perpetrators, but also those who share their group membership, thereby debasing the collective component of their own personal identity. So I believe that the concept of collective identity may be used to account for the heated debate today by inducing guilt.

2.3.2. Collective Guilt.

To begin with, in any dispute the notion of collective guilt may be used as an allegation in two ways: in the obvious and primary sense by accusing a collective of having committed some offense, and second and at this point more importantly, as a challenge to an accuser by portraying her accusations as indiscriminate, prejudiced and stereotypical. For instance, at least to my perception it used to be and to certain extent still is a common strategy in Austria to travesty criticism about the role of Austria and/or Austrians in the Holocaust into a hyperbolic accusation of “collective guilt”, implying that alien, ignorant know-it-alls are raising generalized and simplified accusations against each and every Austrian, utterly
disregarding their actual individual thoughts and comportments.\textsuperscript{142} This facilitates an indignant rejection of the initial criticism, which according to Birgit Rommelspacher hampers a genuine confrontation of the past wrongdoing.\textsuperscript{143} Indeed, since the same case could be made for the case studied here, it could have been included in the arguments discussed later on (see section 4). However, I did not come across this counter-allegation in the sources I reviewed – in my opinion a highly interesting phenomenon, given its frequency in the Austrian context, and thence either a honorable case for the contra-genocide literature, or maybe nothing but a consequence from the Republic of Turkey’s persistent denial of any kind of guilt, thereby not even getting to the point where the idea of “collective guilt” could enter the discussion. Thus I would like to prepone the discussion of this aspect already to this section, first of all because I believe it is of theoretical relevance and second because it constitutes a caveat with the potential to arise in the future.

Notions of collective guilt certainly were not invented only after the Holocaust. Indeed they can be traced back to age-old ideas such as liability and vengeance based on kinship.\textsuperscript{144} So it comes as no surprise that also accusations against the Ottoman Empire, respectively the Republic of Turkey, about the horrible fate of the Ottoman Armenians at times implied or at least resembled something akin to collective guilt. A politically prominent case in time is a declaration by the Supreme Council, or Council of Ten, at the Paris peace negotiations:

“The Turkish people have, by murdering the Armenians without any cause, descended into a condition of guilt. Therefore, the responsibility shall be met entirely by the Turkish people.”\textsuperscript{145}

As explained above, I hold that one of the reasons why many Turks today react very sensitive to these continued genocide allegations is because they are perceived to imply that their collective identity becomes afflicted by a stain that may generically be called “collective guilt”. Quite clearly this rejection of collective guilt was articulated by the new Minister of the Interior immediately after World War I, Mustafa Arif Bey, in a discussion in the post-war parliament on December 12, 1918:

“Your Honourable Assembly, together with the Government, confirms that some events linked to this matter did take place. Nobody asserts that these did not happen. But I think that if,
among millions of Turks, we go as far as admitting that 100,000 were implicated, it is not acceptable to consider the entire race responsible for the misdeeds that they committed.\(^{146}\)

And in a similar vein the postwar Grand Vizier Damat Ferid Paşa held that the real culprits were

“those three missing people: Talât, Enver and Cemal, who had fled to Germany in October 1918. There are also a handful of secondary accomplices. […] the innocent Turkish nation [was] free of the stain of injustice […] the whole blame rested squarely on the few leaders of the CUP, who, through their alliance with Germany and their control of the army, had terrorized the rest of Turkey into submission."\(^{147}\)

After having alleviated the absoluteness of “collective identity” a little in the previous section, re-framing it from an essentialist to a more constructionist concept, it may hence be worthwhile now to approach also the idea of collective guilt in a similar vein. Eventually this may help us to identify more clearly what exactly it is that is claimed here, and against whom these allegations are directed – and, by inversion, what is not alleged and who is not charged.

What I would like to begin with is the assertion that in my understanding guilt for a certain event presupposes responsibility for this event, and this responsibility in turn requires retaining a certain degree of control over or within this event. However, control in this context here must be understood in a very broad sense, i.e. not only as the power to determine the occurrence or outcome of the respective event. Rather, control in a narrower sense is already given if the agent has the freedom and capability to control her own role in this event, and be it to a very limited degree. I think this understanding complies with a decision of the German Bundesgerichtshof from March 18, 1952:

„Mit dem Unwerturteil der Schuld wird dem Täter vorgeworfen, daß er sich nicht rechtmäßig verhalten, daß er sich für das Unrecht entschieden hat, obwohl er sich rechtmäßig verhalten, sich für das Recht hätte entscheiden können. Der innere Grund des Schuldvorwurfs liegt darin, daß der Mensch auf freie, verantwortliche, sittliche Selbstbestimmung angelegt und deshalb befähigt ist, sich für das Recht und gegen das Unrecht zu entscheiden, sein Verhalten nach Normen des rechtlichen Sollens einzurichten und das rechtlich Verbotene zu vermeiden...“\(^{148}\)

It appears to me that this understanding of guilt is in opposition to the very concept of collective guilt. As it is often used in daily interaction, a person that is said to be afflicted with collective guilt is not necessarily guilty for any action of her own, not even a situation she participated in or was somehow personally involved in any other way. Instead, collective guilt seems to imply nothing else than a person being guilty by virtue of her membership to a

\(^{146}\) Quoted in Kévorkian (2006): 12.

\(^{147}\) Quoted in Akçağ (2006): 217f.

\(^{148}\) BGH St. 2, 194ff, quoted in Rotherspieler (1987): 254. According to Schlink (2007: 11), guilt presupposes that a person is capable (a) to appreciate rightful conduct, and (b) to act according to this appreciation.
particular group. In other words: a collectivity in its entirety is blamed for a particular viciousness – by virtue of whatever grounds, that shall be discussed below – and therefore any single member of this collectivity acquires some share of the blame, irrespective of her personal responsibility in the reprehensible event. Now, there appears to be a certain discrepancy between guilt on the one side, which involves a person’s choice, responsibility and agency (respectively chosen inactivity), and collective guilt on the other side, which appears to be independent of all these traits, resting on ascribed group membership only.\textsuperscript{149} Apparently collective guilt is therefore fundamentally different from the concept of personal guilt as I have outlined its basic premises above – it is not just an extension of personal guilt. They rest on different notions of guilt. As Carl Gustav Jung tried to explain, in a legal, moral, intellectual sense guilt could only be individual; however, there was also an irrational, psychological idea of guilt which could be extended to groups and collectives, a kind of “magic impurity”.\textsuperscript{150} It therefore merits examining the very nature of collective guilt in a little more detail.

2.3.2.1. On the Origins of Collective Guilt.

The first question about collective guilt I would like to tackle is about its very origin. Just like an evil act constitutes the source of personal guilt, we may ask what kind of events, acts, and other phenomena may bring collective guilt into existence. This might also provide us with a deeper understanding of what collective guilt essentially is. I would like to start out by describing two notions which in my opinion do not provide a convincing basis for collective guilt.

First, I would like to discard the somewhat meager notion of collective guilt describing it is a transcendent one-to-one transferrence of our “normal” personal guilt from one person to another by virtue of some special bonds, be it family, blood, ethnicity, nationality, religion or whatever. At least I am not capable of seeing a sound reason to assume one person should be

\textsuperscript{149} See also Barkan (2004): 313f. With regard to the previous distinction between essentialist and constructionist conceptions of collective identity, I believe accusations of collective guilt could be raised in both scenarios: on the one side the interhuman bonds seem stronger and more “essential” in an essentialist account, yet on the other side a constructionist approach could allow for the idea that an individual willingly opted to join a group responsible for an immoral act.

\textsuperscript{150} See Rotherspieler (1982): 21. The same has been suggested more recently when Rensmann (2004: 170) claimed there was no collective guilt in a moral or legal sense, but only a feeling of collective guilt. Note that there may also be different understandings of collective guilt, as for instance mentioned by Jeffrey Blustein (2008: 126-128), who identifies genuine collective guilt if the particular guilt could be ascribed to virtually all persons of that group. However, as Blustein himself noted, there remain some further issues, for instance that the ascription of guilt to a person assumes that this person remains the same over time – yet how can this be presumed for a collectivity? I shall not adopt this model of collective guilt mentioned by Blustein, but rather use the vague but more widely resonating understanding of Jung and Rensmann.
Allegation and Denial

guilty of murder because her sister killed another person. Moreover, it appears somewhat arbitrary what kinds of bonds are strong and important enough to pass such guilt on. Similarly, there seems to be some arbitrariness in how far such collective guilt extends. It does not appear to be a cogent case that someone should be guilty of her sister’s murder, but not for the murder of the granddaughter of her mother-in-law’s cousin. Or should all social bonds matter, and without limit? Would we then be guilty for every crime committed anywhere? Unless there is some good reason coming up for why and how personal guilt should be transferred by affiliation, and why by a particular type of bonds and how far these transfers reach, I do not see a reason to sustain this notion.

The second idea I deem better kept at bay is based on what Taner Akçam described as the “individualization” of collectives, i.e. the use of analogies which are appropriate in the description of an individual but become applied to groups as well, thereby tacitly equipping collectivities with individual traits. These include for instance a body, a will, agency, its own problems – and guilt. Here the transference of guilt is not from person to person, but rather from one member of a group to the group as a whole. However, since at least in a constructionist understanding a collective can only exist, act, or assume responsibility in a metaphorical sense, to me it is not clear how the inference works by which guilt is attributed to a group as a whole, and what it should mean if a group is responsible or guilty. In the words of Karl Jaspers:

„Ein Volk als Ganzes gibt es nicht. Alle Abgrenzungen, die wir vornehmen, um es zu bestimmen, werden durch Tatbestände überschnitten. Die Sprache, die Staatsbürgerschaft, die Kultur, die gemeinsamen Schicksale – alles dies koinzidiert nicht, sondern überschneidet sich. Volk und Staat fallen nicht zusammen, auch nicht Sprache und gemeinsame Schicksale und Kultur. Ein Volk kann nicht zu einem Individuum gemacht werden. Ein Volk kann nicht heroisch untergehen, nicht Verbrecher sein, nicht sittlich oder unsittlich handeln, sondern immer nur der einzelne aus ihm. Ein Volk als Ganzes kann nicht schuldig und nicht unschuldig sein, weder im kriminellen, noch im politischen (hier haften nur die Bürger eines Staates), noch im moralischen Sinn.”

What he rejected here was essentially the paradigm which Roger Brubaker described as “groupism”, as “the tendency to treat ethnic groups, nations, and races as substantial entities to which interests and agency can be attributed”, to regard them as “internally homogeneous, external bounded groups, even unitary collective actors with common purposes”. Nevertheless, Jaspers did not unequivocally reject a certain understanding of collective guilt in his praised work “Die Schuldfrage”. He developed a more comprehensive model which

discriminated four types of guilt – criminal, political, moral, and metaphysical guilt – and being guilty in one of these dimensions does not necessarily imply guilt in another one. Now, of interest for the discussion here is the idea political guilt, which in his proposal reminds of collective guilt by resulting from the responsibility of a citizen for the actions of her state.¹⁵⁴ This version of political guilt can also be found in an early statement of the Allied Powers vis-à-vis the Ottoman Empire, according to which the Turkish people “are guilty of murdering Armenians without any justification. Therefore the Turkish people must bear the whole responsibility. [...] a nation must be judged by the Government which rules it.”¹⁵⁵

I do think there is some merit in this idea, even though it definitely requires further discussion and elaboration of which I am simply not capable.¹⁵⁶ But what seems to me of great importance is that in Jaspers’ conception this political guilt was separated from moral and criminal guilt. In other words, the fact that citizens are guilty of the misdeeds of their government does not imply they are guilty in a moral or criminal sense. What it indicated, according to Jaspers’ description, was that all citizens of the guilty state were liable for the wrongs committed by their government, i.e., responsible for compensation and restitution; but this was different from being obliged to feel guilty in front of their own conscience (moral guilt) or being found guilty in court (criminal guilt).¹⁵⁷ And it was this political perspective alone in which for him it made sense to speak of collective guilt.¹⁵⁸

Another etiology of collective guilt may be developed following Bernhard Schlink. In his model collective guilt, as a form of guilt which people acquire exclusively by virtue of group membership, because others in their group have committed a wrong, may have two reasonable origins: (a) on the one side they too may profit from these wrongs, for instance by inheriting wealth or better chances in life from their criminal progenitors, endowments the descendants of the alleged victims are deprived of; (b) and on the other side because they continue to act in solidarity with the perpetrators, despite their knowledge about the wrongdoing.¹⁵⁹ I think that Schlink as well as Jaspers point to something very important in the discourse on collective guilt, which I would like to discuss within the framework of an alternative concept, only for

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¹⁵⁴ Jaspers (1946): 10-16.
¹⁵⁷ This also seems to concur with the concept of „Kollektivhaftung“ as developed by Rotherspieler (1982: 19). He discriminates „Kollektivhaftung“ from „Kollektivschuld“, and understands it as the collectivity’s obligation to compensate victims for the wrongs committed by its rulers.
¹⁵⁸ Jaspers (1946): 10-20
the sake of discriminating it from collective guilt in the senses I have rejected above: collective responsibility.

2.3.2.2. Collective Responsibility.

First I would like to point out that I am chiefly interested in here is guilt in a moral sense, not guilt as understood for instance in a legal or religious context. With that being said, I would like to summarize the concepts of Jaspers’ and Schlink’s guilt into a more general model of responsibility. Basically I think both depart from the notion that we are not only responsible for our own acts. First, we also carry responsibility for acts which are performed on behalf of us or from which we directly or indirectly profit. That is one way to read Jaspers’ political guilt: if some people acquire a certain extent of power by virtue of our support for them, and they abuse that power for a morally reprehensible action, then we are to a certain extent also responsible for this wrong, because it was our support which enabled them to perform the wrong in the first place.\(^{160}\) Therefore, as a citizen we carry the responsibility to object to policies we consider wrong, particularly if they are conducted in our name. This responsibility in turn certainly varies with the nature and degree of the wrong and our support for its facilitation or its implementers. Similarly, our objection to the wrong may range from cautiously voiced discontent and dissent all the way to civil disobedience and active resistance.

Whereas the political guilt of Jaspers is still a guilt acquired by the contemporaries of the wrongdoers, the first source of collective guilt by Bernhard Schlink already encompasses any descendants who definitely did not have a chance to interfere at the time the wrong was committed: if we discover that some of the prerogatives or material benefits we inherited from our progenitors were obtained through injustice, it appears to be morally questionable if we simply decide to ignore this information and thereby accept this injustice as part of our lives, as lying beyond our reach.\(^{161}\) I think the point where Schlink is headed is that in fact we can do something about it: we can at least attempt to rectify the past wrong by our present action. Popular examples are for instance restitution, reparation, affirmative action programs and so forth. And by the fact that we benefit from the past wrong we also acquire the responsibility to rectify rather than just ignore it. By contrast, if we argue that this responsibility decreases

\(^{160}\) This is rather obvious in a democratic regime where politicians obtain power by popular vote. However, support also involves elements like paying taxes or simply being a citizen of that political community, since also sheer population figures are often powerful tools in political struggles.

\(^{161}\) Apparently from a more socialist perspective it could be objected how any inherited prerogative or material advantage could be considered just, but that is not the issue of this paper. Here I shall confine myself to our predominant capitalist ethics, which is already complicated enough for me.
with temporal distance, maybe even to the point where it fully disappears, we are at least required to provide an explanation about the gradient of this decrease and how far in time responsibility would eventually extend – and of course a justification for these assumptions.\textsuperscript{162} This has been summarized by Raphael Gross under the term of a “integenerationelle Ethik”, which is brought about by our “inheriting” historical deeds which we did not commit ourselves, but which nevertheless refuse to expire or dissolve, like the victim’s misfortune and the victor’s benefit do not expire or dissolve just like that.\textsuperscript{163}

So, in my understanding there is a sense in which responsibility exists not only for our own direct actions, but also for events we are “merely” related to. If we want to cherish justice as a universal value, independent of agent and situation, then we are not to turn a blind eye to injustice that is happening without our direct contribution but nevertheless extends its reach into our own lives. This leads to me farther on to my interpretation of Schlink’s point about guilt by solidarity: we are not personally responsible for what other people do or fail to do, but we are very well responsible for how we design our relationships with them. If a person commits a wrong but we keep cherishing and supporting her, are we not to a certain degree re-confirming and rewarding her, thereby indirectly supporting the wrong she committed?\textsuperscript{164}

As Gesine Schwan summarized the essence in Jaspers’ elaboration of guilt, to her understanding his model guides us into a prohibition of indifference, thoughtlessness and moral laziness.\textsuperscript{165} I believe this can be seen as some kind of a meta-moral responsibility, that is, as the responsibility to endorse and live up to moral principles.\textsuperscript{166}

So, what this responsibility I want to suggest essentially embraces is the willingness (a) to examine various allegations and evaluate their appropriateness, and (b) to resume the responsibility we have in our present lives and draw the appropriate consequences from these our examinations and evaluations:

\textsuperscript{162} To give another stupid example – if a woman stole a ring and gave it to her girlfriend, would we not expect the girlfriend to hand back the ring? But if the woman killed a neighbor to take possession of her house, and later on her daughter inherited that house, would we expect the daughter to return the house? Of course all the various dilemmas of historical justice and reconciliation would need to be taken into account here (can a past wrong be simply rectified without committing another wrong in the present?), but at least the principal question of responsibility remains the same.

\textsuperscript{163} Gross (2000): 170f.

\textsuperscript{164} As Lickel et al. (2004: 50f) conclude in their empirical study on collective guilt and collective shame, intergroup conflicts may be attenuated if members of a group clearly distance themselves from the wrongdoers within their own group, since this reduces the chances that collective guilt is attributed to them.

\textsuperscript{165} Schwan (1997a): 50f.

\textsuperscript{166} And just as another straying thought: maybe the failure to consistently exercise this basic responsibility lies at the ground of any allegation about hypocrisy.
“Furthermore, although it may be unfair to blame a group for wrongs done in the past, we may be justified in blaming that group for failing to collectively exercise its capacity to determine what its influence and significance will be and for failing to fulfill its duties of response.”167

If we fail to do so, we acquire guilt – but the important point I wish to make is that this is not the guilt earned by the initial perpetrator, nor is it a simple or even necessary extension of it. Instead it is a new and to a certain degree independent kind of guilt, for it originates only in the responsibility I just described. It is independent from the perpetrator’s guilt in the sense that we could have avoided our own guilt despite the wrong having occurred, had we only resumed our responsibility. It is therefore a very different type of guilt, because it is rooted in a different wrong and a different responsibility. Just consider another feature of guilt, the confession of guilt: what could such a confession be like for someone who acquired collective guilt, without any personal guilt? What could she relate other than what she had learned by hearsay? It therefore cannot and should not substitute for or be mixed up with the individual guilt acquired by the initial perpetrator.168 It is the awareness of this difference, I think, why it is usually treated in the German context under the label of the “Zweite Schuld”.169

What makes this second type a distinctly collective phenomenon nevertheless is that the underlying responsibility is based on our interhuman relations and the solidarity we (fortunately, sometimes) display in those. Departing from the idea that moral principles should apply universally to all people, irrespective of their group affiliations, also the emerging responsibility should extend to our entire environment, not only our own tiny and personal microcosm. This holds true more than ever for the collective we identify with, and the actions that are thus taken on behalf of this collective and ourselves.170 And in this sense I think it is therefore appropriate to treat this phenomenon under the label of “collective responsibility”, but not “collective guilt”, since in my proposal here it is responsibility which includes some collective elements.171 Out of this responsibility guilt may possibly but not necessarily emerge. Yet the important point to be borne in mind is that this guilt is in turn (a) personal, depending on personal choices and must not automatically extend to everyone who

168 To give another historical reference: according to Rotherspieler (1987: 101) the importance of keeping collective and personal guilt clearly separate, particularly in the conscience of the German people, also led US Secretary of War Henry L. Stimson and Secretary of State Cordell Hull to oppose policies of collective punishment in the aftermath of World War II.
170 I think it is worthwhile recalling a peculiar observation mentioned also by McGarty and Bliuc (2004: 114): that it is as common to feel proud as it is rejected to feel responsible for things one has not personally done.
171 Also the „political guilt“ of Jaspers in my opinion may be better understood as a responsibility, or, in hindsight, as a liability. See also Barkan (2001: 341) who follows historian Ali Mazrui in his assertion that guilt is not transmitted, but rights and responsibilities are.
carries the same responsibility, and (b) that is of an essentially different kind than the guilt of the perpetrator.\textsuperscript{172} It is the guilt of how we are dealing with the actualized injustice, its perpetrator and its victim, rather than the guilt of bringing this injustice about in the first place. And finally, and most importantly for the discussion I am examining here, the responsibility of the successors is not confined to material restitution and compensation, it may even be totally devoid from them – indeed, it also involves how we choose to remember the injustice:

\begin{quote}
\textit{“Of course, the young people of today – including Turkish youth – are not responsible for what happened then. But we are collectively responsible for what will become of the genocide in their historical memory and consciousness and in ours.”}\textsuperscript{173}
\end{quote}

And this brings me to the seminal question of the “right” memory, which I personally believe is best expressed in the concept of historical narrative.

\subsection*{2.3.3. Historical Narratives.}

So, I suppose the main point so far was to postulate (unfortunately with quite some repetitiveness) that collectives just like collective identities are mental constructions. To relate this to the main interest of this work, it is now important to emphasize that history is an important element in the creation and preservation of collectives. This is far from being a very innovative or provocative idea, as it was already quite elaborately explicated by Friedrich Nietzsche in 1874.\textsuperscript{174} However, to reflect it in a less philosophical framework, I will try to embed it within the growing amount of literature analyzing the connection between history and identity under the paradigm of “narratives”.\textsuperscript{175}

In the framework of this broader psycho-historical paradigm, both history and memory (and not the past itself!) are understood as incorporating and transmitting meaning, and they do so by episodic modality – in short, they maintain and deliver meaning in the form of narrative. In order to extract meaning out of the incessant flow of events as they happen, i.e. to understand and make sense of them, the person trying to do so (the narrator) identifies a certain chain of presumably interconnected events. By linking them according to a certain storyline, a narrative emerges: (a) the narrator establishes the beginning of the story: everything prior is negligible, everything of relevance for this story happens at this point or

\begin{footnotesize}
\begin{itemize}
\item This also seems to match with Bloxham’s (2005: 18) assertion that moral and historical responsibility for the massacres of the Armenians extends to the great powers and their conduct at that time, while the criminal responsibility lies with the Ottoman government.
\item Auron (2003a): 137.
\item On narratives in general, see for instance White (1990); Straub (1998).
\end{itemize}
\end{footnotesize}
thereafter; (b) she selects particular events occurring over a certain period of time, out of a theoretically infinite number of events which occurred in this period – these are the events of the story; (c) she puts them in relation to one another, most notably temporal and causal relations; (d) ultimately, by reverting to certain general rules and values, she arrives at a conclusion about the story, its meaning.\footnote{I have compiled this enumeration of generative steps of any narrative somehow arbitrarily and eclectically. For alternative suggestions which provided the basis for my suggestion, see Polkinghorne (1998): 18; Gergen (1998): 172-176; Erll (2005): 145; Kaplan (1993); Throgmorton (1993): 122.}

Obviously, the creation of a narrative involves a number of subjective elements, and therefore there is not just a single meaning in a past episode, as human agency is involved in the creation of its narrative and thence meaning by selective processes starting with the story’s (non-) elements and ending at the rules and paradigms by which the story is assessed in the end. To give a most blunt example: the story of my alarm clock not working, my morning coffee spilling over, and missing the bus ultimately explains not only my being late at work, but the same story with different references and under a different context and paradigm could be used to account for my bad mood, as a plea not to go on my nerves today, as a justification for going home earlier at night, as an excuse for being a bit absent minded, and so forth.

Two more curious aspects about narratives deserve mention: First, narratives strive to be what I would dub “persuasive narratives”, narratives succeeding to persuade their audience that their offered meaning is the “right” one, both in the sense of being right as regards veracity (this particular meaning is in accordance with the story, while other meanings which conflict with the one currently offered are not) and as regards the situational context: since any story may have several meanings, also the one most appropriate for the present situation needs to be selected. For instance, depending upon the present context, rather than the story itself, the story of a battle can offer meanings about the morality of warfare, the performance of specific weapon systems, human nature (such as heroism and recreance), how minor decisions may determine the fate of human lives and so forth.

In order to persuade their audiences, narrators deploy certain narrative techniques to smooth down their stories, as Donald Polkinghorne pointed out: (a) they condense their stories, bypassing or only briefly touching parts that do not support their intended meaning, or even may contradict it; at the same time (b) they exaggerate and elaborate other parts which emphasize their aspired meaning; and importantly (c) they are also rationalizing, i.e.
essentially offering interpretations to make a story more consistent and guide the audience to the “right”, the intended meaning. 177

Second, narratives are not created out of the blue. Rather, there are specific templates or “plots” available for narratives, acting as some kind of schemes which need to be crammed with the concrete contents of the concrete story to tell. 178 This allows many stories to look very much alike even though their content is drastically different, turning them into some loci communes. This allows for an easier recognition by the audience and thereby also of its meaning, such as an excuse, a justification, or an allegation, and on the other side these schemes usually reflect a narrative/meaning nexus which is already widely established and considered proven, thereby facilitating also the rapid acceptance by the audience. 179

Maybe it is worthwhile now to attempt incorporating this theory of narrative in the constructionist paradigm I have outlined above. First, it should be pointed out that narratives are highly influenced by the very orientations and cognitive structures we use in our daily lives. For instance, our values, our structures of relevance, and our mental concepts determine what stories we consider worthwhile telling, what aspects and events of the past we (do not) include, how we assess and evaluate it, and thereby ultimately what meaning we would like to and indeed do deliver. In that sense, narratives are created along the guiding principles provided by our cognitive structures and mental concepts, and therefore an analysis of these narratives might allow for some inferences about the cognitive elements beneath them. 180

On the other hand, given that these cognitive structures are inherent in narrative, narratives become a device for the transmission of these very cognitive structures. By their illustrative character, narratives provide templates and exemplify how these can be applied. Thereby narratives serve the reproduction of cognitive elements such as meanings, values, structures of relevance, mental concepts etc.

178 See Polkinghorne (1998): 18, 24-26. It should be noted that the entire terminology I am deploying here is of course not sanctioned. Other authors such as Thomas Kaplan (1993) use for instance the term “plot” to denote a story with causal relations, and Stanley Cohen (2001) seems to use a very similar model, albeit focused on justifying and denying responsibility, under the label of “accounts” rather than “narratives”.
179 This somehow resembles the argument that the genre of a particular narrative (respectively a plot) plays a pivotal role in its eventual meaning. In other words, not only the “hard facts” determine the meaning of a story, but obviously also its narrative mode, such as romance, comedy, tragedy, or satire. See for instance Bruner (1998): 65-67; Gergen (1998): 177-180; Straub (1998): 105-112; Erll (2005): 146. There is nothing I could add to this, yet I have to confess that I am a bit cautious of overrating the importance of genre. Not only because genre to me seems already a very high level of abstraction, possibly disregarding the multiple meanings available within one story, but also because any actual story may indeed use elements from various genres. But that second point certainly also applies to my postulated narrative schemes.
180 By the way, in my understanding this is also a fundamental premise of discourse analysis.
To give two examples of such elements of “cognitive structures” that I have mentioned above and which shall become important again later on in the discussion of genocide: (a) structures of relevance which determine selections: by getting to know others’ narratives we also learn the selections they performed. We learn what elements are socially relevant and apt to explain past episodes, and what elements are irrelevant – and we are free to emulate these same selections ourselves once we get to account for present and future episodes in our own lives.

Maybe even more obvious is the case for (b) definitions (or mental concepts in general): On the one hand we need to harbor a particular notion of genocide, however vague, in order to meaningfully employ it in a story. Furthermore, this concept we nourish carries certain meanings, and by applying this concept also these meanings enter our story. On the other hand, our story at least implicitly also represents a rationale why we decided to classify this episode as genocide: the way we tell our story must corroborate our decision to evaluate the underlying event as genocide – at least it must certainly not contradict it. It thereby also extends our general notion of genocide by adding yet another specific example. And at the same time it may add a few nuances to this our general notion and shape its meaning a little further.

To summarize this point: because narratives are construed along the guiding paradigms predominant in a social group, these paradigms are inherent features of the resulting narrative, they are reproduced in it. And because these narratives are passed on to our fellow human beings, these same paradigms are passed on to this audience, even if they are slightly modified by some individual “noise”. Hence the tautological trap of constructionism: narratives are shaped by dominant cognitive structures, and they contribute to their creation (or more accurately: reproduction) and dissemination. Thus, within a constructionist paradigm narratives may be understood as contributing to our thinking of and our orientation in the world. 181

To comment on this tautological reasoning, I would suggest it does not make much sense to ask what of these came first, which of them is ultimately the cause and which is the consequence – cognitive structure or narrative. I would rather consider these two, as being fundamentally co-generative and interdependent, thus co-evolutionary, one existing only in dependency of the other. Apparently, there cannot be a narrative without underlying cognitive structures: by the very virtue of the fact that a narrative is based on selections, mental

concepts, meanings etc., there cannot be a narrative without cognitive structure. On the other hand, narratives are among the most important devices that enable the existence and social sharing of cognitive structures. Attempts for linguistic expressions, in our daily lives very often in the form of narratives, supports these structures’ conscious identification and elaboration; by narratives we can express these cognitive structures in the face of others and hence disseminate them; and finally in the sense that it is in the form of narratives that meaning of past events is ultimately captured and enunciated, narratives contribute to the reproduction and modification of our cognitive structures.  

At the risk of running into a currently popular topos instead of providing a genuine explanation, I would suggest to think of these two as complementary and mutually dependent rather than as two distinct entities.

I am obviously unable to empirically or logically demonstrate that all our dissemination and discussion of the past is essentially in narrative format; however, I hope not to overstretch patience towards all my suppositions by claiming that the vast majority of our historical knowledge is acquired, sustained, and propagated via narratives. With that being said, a point made above about both history and memory may be extended to narratives: they do not only encapsulate historical fact or truth, but also meaning, as present in any narrative. By virtue of its narrative form hence also non-historical elements, meaning transgressing the sheer awareness of fact and truth, such as political or moral meaning, enters our knowing and thinking about the past.

To conclude, historical narratives, in the shape of memory and history, contribute to the gratification of a rather basic human need. I would not go as far as claiming it as an anthropological constant, but I hope not to overstep the mark by describing the desire to give things a past, to see and understand them in light of their past, as being, uhm, pretty widespread. This may also originate in our consequentialist and temporal patterns of cognition: narratives explain why things came about, and why they are as they are. Furthermore, in so far as they are historical they allow aligning things in a broader temporal

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182 I think that this also applies for scientific concepts: even if they are ultimately expressed (conceptualized) in abstract definitions, they are founded in real world events which were narrated before we came to think about such a definition. Wodak et al. (1990: 258) mentioned that narratives provide examples to prove, justify, and rationalize prejudice – I would think that the sample applies mutatis mutandis to academic idealtypes.

183 My explications cover mostly historical knowledge passed on to us, i.e. concerning events we have not personally witnessed, since this is essentially what is relevant for this issue I am working on. It may be, even though I am not sure, that the role of narratives is different with regard to the memory of personally witnessed events. Yet I personally tend to believe that narratives are also important for what we remember of our personal lives (see also Assmann (2006a): 128-134). Anyway, pursuing a constructionist paradigm, I am less interested in the content of history/memory, the facts and truths, than in their meaning. And with regard to meaning I believe narratives are equally relevant for personal or second-hand memories.
perspective, locating them on a temporal continuum and hence within the temporal and consequential world order at large. Thereby, they ultimately also cater certain expressivist functions, such as creating bonds and providing an origin (a “home”).

Thus, there are important narratives which recount the past of a group, giving us a number of seminal elements to form a collective which we may positively identify with: (a) as the term “identity” already suggests, it is important to establish sameness of the disparate elements attributed to this identical entity. These elements can be different in a temporal, spatial, material, and/or social sense, at the least. If we want to reasonably talk of “the Armenians” or “the Turks”, treat them as distinct entities, then we must somehow be able to account for their identities. Historical narratives, I suggest, play a key role in this respect, since they offer us intelligible stories about the origins and history of our community. They thereby tell us something about “its” accomplishments, age, historical highs and lows, ultimately, how it came to be what it presently is. And since this collective identity is part of our own personal identity, it thereby tells us something about us as well, staffing us with historical roots and a history just as well. Paraphrasing Burkhard Liebsch, we need the past to supply the future with a provenance.

As a consequence of this, (b) these narratives provide episodical illustrations of what we typically are like, hence who we “really” are – and who we are not. Thereby they provide examples how we should behave (and how we always used to behave) as cherished members of our collective, thence establishing the typical attributes of our group. It may be argued that this applies primarily for rather traditional communities in which role models are drawn from idealized images in the past – but interestingly this objection may become inverted by pointing to the emergence of modern nation states, which heavily rely on national myths (see below) and also rest much more on national homogeneity than previous multicultural empires.

(c) Furthermore, by offering rationales for our current situation, historical narratives provide two decisive elements for our contemporary being: on the one side the historical motivations and legitimizations for future actions mentioned above; and on the other side they

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184 And is it not curious that we ascribe “age” to a community? As if the age of my community was somehow related to my own, as if the historical roots of any human being were different from someone else’s – as if she were having a missing link somewhere in time, a gap without progenitors, just because we today think her group had not existed back then, but mine had, or as if her group had changed meanwhile while mine had remained static. And this age is even presented as an achievement, a source of collective pride. Here age itself becomes an accomplishment, next to or sometimes even more cherished than the achievements we are currently struggling with. And most interestingly this past accomplishment is appropriated by myself and experienced as my own.


186 For this last point, see König (2008): 18, 382.
frame our knowledge of the world, the context we use to make sense of our current (and future) situations and actions, the meaning we find for them.

Finally and most significantly, (d) narratives contribute to the creation of in- and outgroups to begin with. As Walther Zimmerli and Joachim Landkammer put it: narratives create the very “we” that the narrative is always presupposing. By virtue of the features mentioned above, they not only inform us about our current relations, about the present in-and outgroups; rather they project these very same groups also back in time, making them antagonists or allies already ages ago. And most importantly, they establish these groups as stable over time: we have our progenitors, they have theirs, and by creating a “fictive genealogy” under the tacit assumption that these collectives have not changed over time, a conflict becomes not just a contemporary issue but one persisting for long and thus for good reasons. The present conflict thus becomes either a mere prolongation of past problems or at least further complicated by the presumed continuation of the adversarial relations our ancestors had with their ancestors. It is this principle of historical continuity of collectives which also facilitates claims of entitlement, for instance a certain territory to be ours because it used to be ours long ago, for such a long time.

2.3.4. Historical Narratives and Politics: Myths.

With regard to their political function such narratives are often described under the heading of “myth”. This is not to postulate a clear divide between myths and narratives in general, but rather to highlight the political implications of narratives by their strong normative and group-formative functions and the orientation we extract from them. In my

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187 See for instance Erll (2005: 179) who argues that identity and alterity are established by narratives. For the importance of alterity, an other, to establish identity, see for instance Niethammer’s interpretation of Freud (2000: 251f). See also McIver (2003).


189 For instance, by tracing the “roots” of Austria back to 996, by virtue of a document with the analogue name Ostarrîchi.

190 See, also for the quoted “fictive genealogy”, Akçam (2004): 244-249.

191 There are of course some caveats to the simplifications I am asserting here, and therefore a few qualifications are imperative: apparently there is not a single narrative for any particular group, nor do the multiple existing narratives always amount to such a Manichaean portrayal of them and us. More accurately, a large amount of narratives tell of switching relational status from friend to foe (or vice versa): just recall the paramount importance of stories about treason. Furthermore, of course our stories about today sometimes, when they allow for a bit more complexity, do acknowledge the boundaries between groups and hence the groups themselves were different at previous times. However, the main point is that these narratives, especially where used for political ends, tend to render simplified pictures of the past, and are ultimately more expressions of present thinking than past events anyway.

192 Following the definition of myths in Erll (2005: 116): „Mythos ist eine Geschichte, die man sich erzählt, um sich über sich selbst und die Welt zu orientieren, eine Wahrheit höherer Ordnung, die nicht einfach nur stimmt, sondern darüber hinaus auch normative Ansprüche stellt und formative Kraft besitzt.“ Similarly in Assmann (2006a: 39f), and I think it also coincides with Blustein (2008: 179-203). A narrower definition is given by
opinion the term “myth” re-emphasizes the imaginative and constructionist nature of the narrative itself. Furthermore, another interesting feature of “myth” is its close relation to the religious realm, underlining that myths sometimes adopt some religion-like qualities, increasing their potential to foster a sense of community and shared meaning.193

These characteristics have given rise to a significant amount of academic attention being paid to concepts such as “collective memory”, “cultural memory”, “social memory”, “communicative memory” and the like.194 Indeed, there are some collectives whose composition rests to a significant degree on the notion of a shared history. Whereas they may tend to describe themselves more as “Schicksalsgemeinschaften”, communities who are united by sharing the same fate, in line with what I said above they are increasingly described as “Erinnerungsgemeinschaften”195 or “Gedächtnisgemeinschaften”196 since what unites them is more a communal remembering of a past event, a consensus about what is worthwhile to preserve by communal remembrance. Resorting to my constructionist bias I would go a step further and claim it is not so much their joint remembrance of a past event but rather their joint interpretation of that past event – which of course presupposes its remembrance. In that sense, I think also the label “Interpretationsgemeinschaften” is quite pertinent.197

One very special community and/or collective identity which often rests heavily on such constitutive myths and which attracted an extensive amount of scholarly research is the national community. In 1861 John Stuart Mill held:

„Man kann sagen, eine Gruppe von Menschen konstituiere eine Nation, wenn diese Menschen untereinander durch gegenseitige Sympathien verbunden sind, die zwischen ihnen und irgendwelchen anderen nicht bestehen. […] Ein solches Gefühl der nationalen Zusammengehörigkeit kann aus den verschiedensten Ursachen entstanden sein. […] Am stärksten in diesem Sinne wirkt […] eine gemeinsame politische Vergangenheit: der Besitz einer nationalen Geschichte und die sich daraus ergebenden Gemeinsamkeit der Erinnerungen: kollektive Gefühle des Stolzes und der Scham, der Freude und des Leides, die sich an die nämlichen Ereignisse der Vergangenheit knüpfen.“198

König (2008: 385), who claims myths would encompass episodes which date back to ancient times. Nevertheless, also for him myths essentially serve purposes of identity formation.

193 See König (2008: 112f) who is following Friedrich Wilhelm Graf in claiming these characteristics for collective memory. I dared to pass these qualities on to the concept of narrative/myth instead.

194 See for instance Halbwachs (1967); Assmann and Harth (1991); Assmann and Fries (1998); Assmann (2006a, 2007); Platt and Dabag (1995); Loewy and Moltmann (1996); Straub (1998); Esposito (2002); Erll (2005); König et al. (2008).


196 For instance König (2008): 64.

197 According to Erll (2005: 153), Stanley Fish actually coined the term in 1980 in order to describe communities which emerged out of a shared interpretation of a written text.

And probably the author most frequently quoted with regard to the constitutive importance of history in the formation of nations, *Ernest Renan*, in 1882 stated:

„Eine Nation ist eine Seele, ein geistiges Prinzip. Zwei Dinge, die in Wahrheit nur eins sind, machen diese Seele, dieses geistige Prinzip aus. Eins davon gehört der Vergangenheit an, das andere der Gegenwart. Das eine ist der gemeinsame Besitz eines reichen Erbes an Erinnerungen, das andere das gegenwärtige Einvernehmen, der Wunsch, zusammenzuleben.“

More recently highly intriguing studies emerged about historical narratives or myths and their political relevance, and I believe it is this paradigm, the study of national communities in light of historical narratives, which provides a stimulating field of inquiry for political science as well. Towards the end of this paper I shall thus return again to this matter and try to put this topic in a discussion of some alleged Turkish nationalism (see section 5.1). But before, a few more general words about myth and its political relevance for identity formation may be beneficial.

Above I argued in circular reasoning for an interdependent understanding of narrative and meaning, and at this point I would like to include identity in this vicious tautology: also the relationship between identity formation and its maintenance on the one hand, and the generation and communication of historical narratives on the other hand is best conceived of as interrelated and procedural in nature. While I have so far focused on how narrative influences identity, it should at least briefly be noted that also identity and group formation are part of the wider frame determining how we perceive of reality, including the past, and how we hence fabricate our historical narratives.

Given all these inherent qualities of history, it is not surprising that historical questions quite frequently attain seminal status in political conflicts. Going beyond the distinction of past/history/memory which I have presented above, historian *Bernard Lewis* hence distinguished between “remembered history” as some form of collective memory; “recovered history” as the attempt by professional historians to reconstruct what collective memory has already forgotten; and “invented history” as that version of the past which is created in order to achieve new political ends. Meticulously sticking to the constructionist approach I have

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200 See for instance Flacke (1998); Hobsbawm and Ranger (1996); Wodak et al. (1998); with regard to Turkey also Özyürek (2007).
201 This thought leads way back to the origins of the mémoire collective by Maurice Halbwachs (1967). See also Assmann (2006a): 150-158.
202 For more on the relation of memory and politics see especially the articles in Bock and Wolfrum (1999); König (2008).
203 See Erll (2005): 44.
pledged to pursue here, it may hence be concluded that “history” is a social construction, and so is “us” a social construction, and ever more so “our history”. As Peter Wagner summarized it:


To conclude, historical narratives are important devices to generate and express meaning of historical events, including our very own actions, and identity. Esra Özyürek stipulated that “in contemporary Turkey representations of the past have become metaphors through which individuals and groups define their cultural identity and political position.”205 However, for these identities and meanings to be viable it requires also that they are accepted by others. It is tremendously difficult to sustain certain beliefs, meanings, stories, identities etc. when they are incessantly described as wrong, maybe even as outright lies. Even worse, not only may they themselves be denounced as erroneous, there may also be competing narratives circulating which follow an entirely different direction than the one we ourselves favor.

I take it here as a given that the majority of human beings, and hence of human collectives, favors identities and hence narratives beneficial to them.206 By consequence, if an

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205 Özyürek (2007): 2. See also König (2008): 624. For Hahn (1996: 164), the Shoah as a pars pro toto for the cruelties committed by the Nazis served as the foundation for a fundamental consensus, facilitating community as well as providing a basis from which moral conflicts could be tackled. A quite illustrative example of current politics is an article by Maen Rashid Areikat, chief representative of the Palestinian Liberation Organization to the USA, published on December 28, 2011, in the Washington Post. Presumably in order to back the at this time intensively promoted aspirations for a Palestinian state, he wishes to present to the American audience “what the Palestinians, as a people, are all about” – which he does by an excursion in history, going back as far as 10.000 B.C. to the town of Jericho, which in turn is the foundation of a political myth to support the Palestinian identity and its deep roots to its historic homeland.
206 See the various articles in Branscombe and Doosje (2004). However, I think it would be inappropriate to describe any given identity as per se positive or negative – it depends very much on the context, for it is the context which may alter the meaning of a particular identity. For instance, a victim identity may be experienced as something utterly negative, not so much because of the past experience itself, but because it may convey a sense of helplessness, dependency, weakness – in relation to the perpetrator, whose identity may express agency, power, autonomy. On the other hand, the same victim identity may also imply positive features, for instance
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opposing movement develops an antagonistic narrative portraying us as a bad individual/collective, this will most probably engender resistance. Ultimately this alternative narrative may devalue our identity in the eyes of others as well as ourselves. It may cause a need to revise and reconfigure our identity, or even to develop a new one. Even more, considering that the narratives we harbor were so far used to understand our social lives and to motivate and legitimize the actions we took, contesting these narratives suddenly amounts to questioning our worldview as well as our behavior. It would of course be an inexcusable overstatement to claim any competitive narrative would shake the foundations of our identity. Maybe it should be better conceived of as an impetus to reframe specific aspects or dimensions of our general cognitions. For instance, certain narratives for sure are momentous for our moral stance, including the moral status we assign ourselves – in a sense, our “moral identity”. Contradicting narratives may now put into question our evaluation of others, our own moral identity, or ultimately even the moral categories which have guided us so far.207 And that is why I believe conflicts about historical interpretations may arouse such strong resistance, because they may challenge those narratives which are substantial for our sense of our identity and the world.

2.4. Genocide.

An outstanding element in the controversy studied here is the concept of genocide, and I believe it is essential to get a better grip of what genocide is or seems to be in order to better comprehend the entire row about it. I shall therefore just briefly touch upon some of the most controversial elements in the idea of genocide, most of which we will encounter again at other places of this paper. As a starting point I believe the definition offered by the United Nations is the best to begin with, given that it is still the most authoritative available.


The term “genocide” was introduced in 1943 in “The Axis Rule in Occupied Europe” by Raphael Lemkin, a Polish Jew who had escaped from Nazi persecution to the United States of America.208 The United Nations (UN) adopted the concept and worked to its wider

when it is associated with a high moral status, a claim for attention and recognition (see also section 4.5) – again in relation to the perpetrator with an identity potentially of brutality, selfishness, of being anti-social. 207 For the nexus between narrative and moral identity, see Gergen (1998): 201.
208 Chaumont (2001: 175) notes that the German synonym for genocide, “Völkermord”, was already used to describe massacres in World War I. The term “Genozid” by contrast was a literal translation of the English neologism “genocide”, and thus newly introduced with Lemkin’s work.
international recognition. In a first step the United Nations General Assembly adopted resolution 96(I) on December 11, 1946, offering a first definition of genocide and stipulating the intention of preparing a convention (a process which involved various UN bodies and member states, and also Lemkin himself happened to resume a consulting role). The ultimate outcome represents the most prevalent definition of genocide till today, codified in the “Convention on the Prevention and Punishment of the Crime of Genocide” (UNGC).\(^{209}\) It was approved by the United Nations General Assembly as resolution 260 A (III) on December 9, 1948, and went into force on January 12, 1951. Until today it has never been revised or updated by the UN and still serves as the legal basis for the crime of genocide as prosecuted for instance by the International Criminal Court (ICC) in The Hague, respectively the International Criminal Tribunals for Yugoslavia (ICTY) and Rwanda (ICTR). Currently there are 141 parties to this convention, including the five permanent members of the United Nations Security Council as well as the two immediate stakeholders in the debate which is my subject here: the Republic of Armenia accessed the convention on June 23, 1993, and the Republic of Turkey on July 31, 1950.\(^{210}\)

Genocide itself is explained in article 2 of the convention as follows:

“In the present Convention, 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.”\(^{211}\)

To get a better feeling for this definition and the concept of genocide generally, it may be beneficial to discuss some of its pivotal or most controversial features in a little more detail. Actually there was a lot of debate around the UNGC respectively the definition of genocide at the time it was issued, and diverging views are still widely uttered.\(^{212}\) As the benchmarks I mentioned just above already indicate, the UNGC raises quite a number of questions. One might say that these are very theoretical and academic debates, but I believe it is highly instructing that we will find them again when we turn to to discuss the arguments about the

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209 For the full text see also section 7.2: Appendix B.


212 For some details about the preparation of the UNGC and further discussions on the definition it entails see for example Schabas (2000); Kuper (1981); Dabag and Platt (1998); Chorbajian and Shirinian (1999); Fein (1993); Van Schaack (1997); Aurora (2003a): 46; Chaumont (2001): 177-179.
events of 1915. It may be true that (some of) these appear very theoretical questions, but since
the concept of genocide has practical consequences (and note that this case study hopes to
demonstrate, we need not allude to its legal but have already ample ground by turning to its
social consequences) also any problems and inconsistencies in this concept include practical
consequences.

First, there is the issue about “the intent to destroy”. Apparently the crime of genocide
does not only consist in the genocidal act alone, but needs to be supplemented by a genocidal
intent in order to qualify as genocide. This not only raises some questions about the
difficulties of proving the intention to destroy a group, but also about how to consider trickier
cases involving for instance order and subordination, aides to genocidaires who in turn lack
this intent, and so forth. Moreover, there is also the issue that if we are not assessing if a
specific individual is guilty of the crime of genocide, but instead if an entire event (which, in
fact, is a series of events)\textsuperscript{213} amounts to genocide or if a collective has committed genocide,
then this also requires us to determine whose intention it is that matters. Does everyone
involved in these events need to harbor genocidal intent? Or just anyone? Or some curious
“qualified majority”? Or does it make a difference if it were (only? including?) those who
committed the actual killings, or those who ordered them, or those who organized them, or…? And would they need to have this intent from the very outset, and/or at any time during its
execution, and/or at (or even until) the very end? Either way, I shall come back to the question
of intent again in a later chapter (see section 4.12).

Second, there is the clause about “in whole or in part”. Apparently a perpetrator according
to the UNGC does not necessarily need to seek destruction of the entire group. That rather
encompassing and wide definition might stir some objections, with some advocating that
genocide should really be reserved for cases where really all of the group should be destroyed.
Anyway, there is no qualification of this in part, neither in quantitative nor in qualitative
terms. And if it is understood in numeric terms, would it be a relative or an absolute number?
This too is a matter we will face again when we turn to the specific case study here (see
section 4.5.3).

Maybe the point of criticism most often voiced is the enumeration of the persecuted
groups. Many have argued that this (exhaustive rather than indicative) list fails to offer
protection to some groups which deserve being covered just as well, such as groups of

\textsuperscript{213} I guess this alludes also to the very interesting question how we can summarize a tremendous series of events
into one single episode. I have no idea about the philosophical dimensions of this question, but in my head it
brings a few bells to ring the tune of narratives discussed above.
sexuality or sexual orientation, disability, socio-economic status, culture, and most notably also political alignment. Already at the drafting deliberations of this convention, some argued that the typology of groups should be widened to include for instance also political and socio-economic groups. The initial resolution 96(I), adopted on December 11, 1946, defined genocide as an act committed on “religious, racial, political or any other grounds”, thereby not only including political but also “other” groups. However, the calls to include political groups faced objections by disparate countries such as the Soviet Union, Poland, Iran, the United Kingdom, or neoterist Raphael Lemkin himself on grounds of the deficient stability of these groups and their lack of characteristic properties.²¹⁴ According to Helen Fein, it was a major drive why some members in the US Senate for forty years successfully opposed the ratification of the UNGC.²¹⁵ Until today many consider this the major flaw in the UNGC, demanding even that the United Nations account for this shortcoming by drafting another convention to prosecute the crime of “politicide”.²¹⁶ On the other side there are scholars who would like to see the concept of genocide even more restrictive about the target groups. For instance Yehuda Bauer suggests that genocide should really be confined to the attempt to destroy a genos, i.e. a group constituted by hereditary features which cannot be chosen freely. He argues this would limit the potential victim groups to national, ethnical, and racial groups.²¹⁷ Anyway, we will come across this issue again in sections 4.9 and 5.3.

²¹⁴ For more on the history of the UNGC see Schabas (2000); Kuper (1981); Fein (1993). With special respect to the exclusion of these political groups see Van Schaack (1997); Chalk and Jonassohn (1998): 295. However, it should also be added that some countries, among them the Soviet Union, wanted to follow Lemkin’s initial suggestion to explicitly include also forms of “cultural genocide”, such as restrictions to use a particular language, religion, literature and other cultural institutions. This, too, did not assemble sufficient support among the other UN member states. See Schabas (2000); Kuper (1981): 30f.
²¹⁵ Fein (1993): 11. By contrast Kuper (1981: 29f) claims that the USA failed for long to ratify the UNGC because they objected most of all to the right to foreign intervention.
²¹⁶ Fein (1993): 11. A strong advocant is for instance Van Schaack (1997). As the delegation from Ecuador explained during the drafting process, one fear was that “if the convention did not extend its protection to political groups, those who committed the crime of genocide might use the pretext of the political opinions of a racial or religious group to persecute and destroy it, without becoming liable to international sanctions” (quoted in Schabas (2000): 138).
And Frank Chalk and Kurt Jonassohn (1998: 295-300) pointed out that the United Nations Convention on the Status of Refugees acknowledges persons who are persecuted because they belong to a political group as refugees. Hence, people fleeing persecution for this reason to another country are protected by the United Nations by granting them refugee status, while those who remain in the country and are killed for the very same reason are not protected by the UNGC. However, I believe this critique must be alleviated since the UNGC is not the only device in international law to inhibit politically motivated prosecution, thinking for instance of human rights. Anyway, there seems to be some inconsistency, overlap and gap, in international law which groups should be protected from what offenses. For instance, the offense of “crime against humanity”, as defined in the Statute of the International Criminal Tribunal for Rwanda (2007, article 3) prohibits acts “against any civilian population on national, political, ethnic, racial or religious grounds”. Note that these categories are congruent with those in the UNGC, except that political motives are included. By contrast, article 2, defining the crime of genocide, adheres to the definition in the UNGC, hence excluding political groups again.
²¹⁷ Bauer (1999): 34f. Apparently this seems to imply that in Bauer’s understanding national and ethnic groups are not defined by cultural features but by hereditary ones instead, which I believe is not at all self-evident.
Another point of contestion, which I think is also related to the question of intent, is who can be considered the perpetrator of genocide. The UNGC stipulates in article 4:

„Persons committing genocide or any of the other acts enumerated in article III shall be punished, whether they are constitutionally responsible rulers, public officials or private individuals.”

But that too is far from being self-evident, and during the deliberations within the UN bodies some states questioned whether rulers or public officials should be prosecuted by this convention, whereas others instead saw genocide as essentially a state crime and wanted to charge primarily if not exclusively these rulers and public officials. Helen Fein criticized that according to the UNGC definition, even individuals or smaller terrorist groups could be accused of genocide if they killed their individual targets because of their membership in a particular collective. To contrast this from the crime of genocide she envisions, she preferred to label this “collective terror”. And as some of the alternative definitions which I will discuss below demonstrate, it appears that most authors agree with her that genocide is not “just” the crime of an individual but a concerted effort, possibly even requiring state authority.

One last point I would like to mention is less controversial but still important to emphasize because I believe it is in contrast to most popular notions of genocide: to identify an event as genocide does not require that all of the acts listed in article 2 are committed; nor does it require that a particular type of these acts, such as murder, is included in these events. Instead it is sufficient if any of them is committed. So, in theory genocide may also occur without any killings at all, it may be confined for instance to transferring of children to another group, or to causing serious mental harm.

2.4.2. Some Alternative Propositions.

In view of all these predicaments a number of scholars have tried come up with alternative concepts of genocide. I think it merits offering some of them, just to give a better contrast for the UNGC and deepen the sensibility for the concept of genocide before engaging with all the arguments about genocide in the context investigated here.

Frank Chalk and Kurt Jonassohn understand genocide as “a form of one-sided mass killing in which a state or other authority intends to destroy a group, as that group and

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221 For a review see Chalk and Jonassohn (1998); Fein (1993).
membership in it are defined by the perpetrators.”222 So, whereas they extend the UNGC with respect to the kinds of protected groups (any group, however it is defined by the perpetrator), they reduce the actions which constitute genocide to those of actually killing members of the victim group. They do not include a clause such as “in part”, which could be interpreted that genocide occurs only if effort is made to destroy the entire group. However, as they go on to elaborate, a group does not need to be annihilated in its entirety, what is essential yet is the presence of intent to destroy that group.223 Interestingly, they also include a specification of the perpetrator of genocide, limiting it to a state or another authority. What they do not address is by virtue of whose actions or decisions or intentions a state or authority may be said to enact genocide. Finally, as Helen Fein in my opinion rightly pointed out, the insertion that the killings must be “one-sided” is quite troublesome too:224 would then for instance the engagement of a number of Jews in the resistance movement invalidate the position that the Nazis engaged in genocide? Maybe this can still be discarded by declaring it measures of self-defense, which only defers the issue to the establishment of offense and defense, challenging in its own right but especially when the assumed agents are human collectives. And even if they were not self-defense, and even if the Nazi mania of a Jewish world conspiracy would have been true, would that have given them the right to persecute and slaughter all of them? Would that not constitute genocide anymore?

Another scholar who deserves great credits for the advancement of our interest and understanding of genocide is Vahakn N. Dadrian. Already back in 1974 he offered the following definition for genocide:

“Genocide is the successful attempt by a dominant group, vested with formal authority and with preponderant access to the overall resources of power, to reduce by coercion or lethal violence the number of a minority group whose ultimate extermination is held desirable and useful and whose respective vulnerability is a major factor contributing to the decision for genocide.”225

Just like Chalk and Jonassohn he relates genocide to a political authority, as an ideal type presumably envisioning some state authorities. However, in his definition the perpetrator is explicitly a “group”, which of course raises interesting questions about individual responsibility. Moreover, also the insertion of “dominant group” could be problematic, since it excludes genocidal attempts between largely equal groups or groups which both have access to power. Therefore genocidal events between two minority groups within one single state

222 Chalk and Jonassohn (1990): 23.
would potentially not be genocide. And how would we evaluate the same actions if they occur between two dominant majority groups in different states? In line with the UNGC but in contrast to Chalk and Jonassohn, he does not make any claim about the comportment of the victim group, such as provocation or resistance. Yet he deviates from the UNGC in not specifying the nature of the potential victim groups, except that they must be in the minority. One point which is noteworthy in my view is that in this definition there is no specification of genocide as being a crime against a collective, or including an intent to destroy the target collective. The purpose of genocide is “only” to reduce the number of the victim group. I confess that this seems quite appealing to me, for reasons I shall explicate toward the end of this paper (see section 5.3).

Another political scientist who engaged for a long time in research on genocide is Robert Melson, offering the following definition:

“Genocide is defined here as a public policy mainly carried out by the state whose intent is the destruction in whole or in part of a social collectivity or category, usually a communal group, a class, or a political faction.”226

I think where this definition clearly diverges from Dadrian is in identifying the state as the main perpetrator, by contrast to a dominant group in Dadrian’s definition. Here the state harbors the intent to destroy, and also acts as the main agent in its implementation. Melson retains some core features of the UNGC, such as the intention of the perpetrator to destroy a group, and even the clause of “in whole or in part”. However, as for the other two definitions already discussed, Melson does not restrict the kind of groups which are subjected to genocide, even though he contends what these “usually” are, citing, interestingly, economic and political groups as usual instances of genocide – two groups which were deliberately not included in the UNGC.

There is one last definition which I would like to touch upon, and again it comes from another distinguished genocide scholar. Helen Fein suggested that

“Genocide is sustained and purposeful action by a perpetrator to physically destroy a collectivity directly or indirectly, through interdiction of the biological and social reproduction of group members, sustained regardless of the surrender or lack of threat offered by the victim.”227

The first apparent feature this definition includes is that single actions do not constitute genocide. It also clearly addresses the question about the victims’ resistance, although it rather points out that genocide is constituted by acts sustained even though the victim has already

surrendered or does not represent a threat. That is, it neither explicitly excludes nor includes victims who in fact do offer resistance or pose a threat. As in the two previous definitions I referenced, also Fein does not specify the nature of the victim groups. Nor does she include any qualification about the perpetrator, i.e., any restriction that genocide could be enacted only by state authorities, or majority groups. However, for her, genocide is again a crime against a collectivity, most notably the physical dimension (its body?) of the collectivity, and that it can be destroyed by an assault against the social reproduction of its members.

The conclusion I wish to draw here is that a number of scholars have contributed immensely to the study of genocide. They have emphasized a number of critical points and offered suggestions how to improve them. Nevertheless, it appears that not one definition has yet succeeded to convince the community of genocide researchers. Actually I believe the differences remain substantial. As I tried to show, there is dissension about (a) the nature of the perpetrator, (b) the actions which constitute genocide, and (c) the nature of the victim. These differences, apparently, are fundamental. Disregarding other inevitable causes, such as political interests, this certainly also explains why the UNGC has not been revised to date. And I am not aware of any serious or promising attempts to do so. This of course also opens the risk that the engaged disciplines follow diverging paths in their preoccupation with genocide. That is, the legal realm may end up nurturing a quite different idea of genocide than the one which is deployed for instance in social sciences. On the one hand this may also be reasonable since different disciplines pursue different paradigms and different focuses. On the other hand, it may produce curious outcomes, for instance if the prospective warning systems developed mostly in social sciences are tuned towards a different phenomenon than the one retrospectively prosecuted within the legal realm. Of course it would be naïve and even counterproductive to demand that alternative concepts be inhibited all along – they are beyond doubt the main drive for the improvement of our concept of genocide, rather than an impediment. What appears imperative nevertheless is that a certain feedback loop is built into the process by which the ultimate concepts are eventually developed in politics and jurisdiction, to ensure they are in line with the research and investigations which are conducted in the academic arena. I think it is therefore appropriate to return to the concept of genocide toward the end of this paper (see section 5.3).

3.1. Analysis of Argumentation.

Over the last decades discourse analysis, as broad as the term may be understood, has become a very popular means for the description, analysis, and/or critique of social and political issues, culminating in a proclaimed “linguistic turn” in social sciences.\textsuperscript{228} In the field of political science this resulted in endeavors to analyze certain “policy discourses”.\textsuperscript{229} In the light of what I have written above about narrative and meaning, I confess it appeared tempting to me to resort to that approach in this particular case examined here as well. However, this temptation was neither very promising nor realistic to begin with, given that I am lacking even basic language skills in both Armenian and Turkish, and the sheer volume of the discourse on the Armenian Genocide would render such a venture well beyond my capability anyway. Yet in recent years another strand emerged in relation to the linguistic turn in policy analysis which concentrates but on a specific aspect of discourse: the “argumentative turn”,\textsuperscript{230} attempting to shift attention primarily to the analysis of arguments.\textsuperscript{231}

As an eminent promoter of such a paradigm, Frank Fischer claims that the focus on arguments emerged with a shift towards elitist technocratic rule, in which think tanks, consulting firms, and other institutions such as universities increased their influence in political decision making, eventually resulting in a “politics of expertise”.\textsuperscript{232} Given that, next to the realm of jurisprudence, science and politics are two social systems fundamentally grounded in argument, these have correspondingly warranted and indeed attracted various analyses.\textsuperscript{233} Apparently there is a multitude of arguments floating around in the debate about the events of 1915, being staged to a significant degree in a scientific and political context – I believe it may even be said that the conflict consists primarily in scientific and political

\textsuperscript{228} For instance Hajer (1993): 45.
\textsuperscript{229} “Policy discourse” is from Rein and Schön (1993: 145), who define it as “the interactions of individuals, interest groups, social movements, and institutions through which problematic situations are converted to policy problems, agendas are set, decisions are made, and actions are taken.”
\textsuperscript{230} The “argumentative turn” in policy analysis is a quotation from the title of Fischer and Forester (1993): “The Argumentative Turn in Policy Analysis and Planning”; see also Saretzki (2003).
\textsuperscript{231} However, argumentation analysis is certainly far from being an innovation of political science, being already widely known for instance in linguistics and legal studies. For argumentation analysis in general see for instance the various articles in Eemeren et al. (1986); Eemeren et al. (1996); Eemeren and Grootendorst (2004); Eemeren and Houtlosser (2005).
\textsuperscript{232} Fischer (1993: 22-24) does not fail to mention also some adverse effects of these developments, such as troubling questions about representational politics, or the inversed direction of influence, the “politicization of expertise”, i.e. the intentional funding, consulting, promoting of particular experts by political actors according to political interests. See also Saretzki (2003).
\textsuperscript{233} See for instance the various articles in the anthologies by Fischer and Forrester (1993), or Eemeren et al. (1986).
argumentation. I therefore decided to opt for an analysis of all these arguments. Moreover, approaching this topic as a layperson, I felt incapable of judging which of the many, many arguments were right, which were wrong. I simply did not have the means or the historical capacity to falsify any of them. However, what I could do was consider these arguments from a rational and social scientific point of view, assessing their applicability, premises, plausibility, and consequences.

By the same token I think it is imperative not to reject an argument merely on grounds of the (alleged) intentions of the interlocutor forwarding these arguments. This is not to say that her intentions are not important – they most certainly are, but for reasons other than the assessment if an argument is “true”, i.e. convincing, or not. I am very often not clear about my own motivations, but that does not discourage me from a certain action if I believe there is good reason beyond my own motivation to pursue it. At some point I shall drop some remarks about the potential intentions behind specific arguments, however, that must not be read as a rejection of the argument even if I should run into the lapse of presenting it as such. Instead I believe an understanding of the intentions of a speaker often help to grasp an argument better and see what further inferences may be drawn from it. And ultimately it must be kept in mind that this remains highly speculative since I am in no position to make a reasonable assessment about anyone’s intentions anyway.

More specifically I have decided to tackle the current dispute between the group of people I dub pro-genociders and their antagonistic contra-genociders by an analysis of the arguments opposing the genocide allegations. To do so in my opinion required to take their historical accuracy at face value. I think this is an important point to make: the work presented here does not aspire to reflect anything about the past itself, nor about the veracity of the accounts offered by pro- as well as contra-genocide authors. It is only intended as an assessment of the arguments supporting these claims beyond their historical dimension, i.e. in light of their political implications.

Again, I am afraid also this choice of focusing on argumentation needs to be justified in a little more detail. By explicating I hope to facilitate an adequate evaluation concerning this paper’s limited scope and moderate significance with regard to the understanding, prevention, and resolution of the controversy at large.

3.1.1. Argument and Reason.

Simply put, I believe arguments are of importance only if brought forward in a discourse that is bound by reason, at least to a certain extent. If reason does not play an important role in
any given dispute then an analysis of the arguments used will not contribute an awful lot as arguments will not determine its course or resolution. However, I assert at this point that it is important to presume that arguments are indeed of relevance in this particular discourse.

(1) First, in the sense that the major parties involved concur in their appeal to reason as one of the fundamental principles which should guide political decision making and action, and therefore arguments indeed do matter. Frankly speaking, this assertion of politics being to a significant degree determined by reason may undoubtedly be a remarkably naïve understanding of mine. I guess it is a platitude to claim that political actors may often only feign adherence to values and give arguments only as fig leaves to cover up their choices which in fact are determined by sheer interests. Even when they do not, another commonplace claims our values are not a simple function of contemplation and reason, even if we honestly and vehemently strive them to be and do our best. Instead, they are but again heavily influenced by interests in the first place. Therefore, even where politicians themselves believe to arrive at their decisions and actions by reason alone, without paying heed to their own interests, these decisions will unconsciously be determined by their interests – which applies of course just as well to their critics and analysts. Hence, would it not be more accurate to describe this entire issue in more realist terms of interests, power, resources, arbitrariness and so forth?

While I absolutely acknowledge the legitimacy of this claim, I would qualify it does not render the full picture for at least two reasons: (1a) as naïve as it may be, I think the determination is not simply unidirectional, i.e. interests determining an agent into a position from where she pursues her activities; also our interests are not a primordial and unalterable given. Instead I would suggest to consider them too as subject to an array of influences, among them our own thoughts and thus values and reasons. If they were not, what sense would there be in any argument in the first place? As limited as the power of arguments may be, I guess it makes sense to retain a little faith in their power just for the sake of sustaining the utopian ideal of reasoned decision making. This applies ever more when we consider that in this debate “agents” are not exclusively political actors in a narrow sense, but include also civil society and academic research which may have to rely much less on power and much more on persuasion in order to enforce their interests. Excluding the possibility of a politics oriented by reason would be as reductionist as considering reason the sole determinant of politics – and hence maybe less, yet still naïve…

Furthermore, (1b) in the current predominant mode of political regimen where I assume that global interconnectedness and democracy at least nominally thrive, in the long run elites ideally should find it increasingly difficult to remain in power merely by an open pursuit of their own interests. Therefore, whatever the “real” motives for decisions are, decisions also need to be legitimate, both on a national and increasingly also on an international level. In other words, they must risk neither the loyalty of their own citizens nor international endorsement. Basically I would assert legitimacy is ensured by adherence to certain appreciated procedures of decision making, such as democratic and legal ones, often leaving these as values of their own. Yet another source for legitimacy not to omit is reason: “Through its serious, rationalistic tone, conventional policy discourse projects an implicit image of itself as necessary and normal, something all right-thinking people – i.e. all but the weak minded and emotional – will take for granted.” The only explanation I can offer for this phenomenon is simply that the political decision makers need to convince those on whom they depend to maintain their system and rule. They need to convince them that the policies they pursue are right – whatever that may be. And this process of persuasion is not plainly imposed from above in a top-down direction, as important and unequal as the balances of power in any discourse may be. Even if for instance control of the media etc. may be a pivotal part in this process, it will run into difficulties to “resonate” among the recipients if it does not align with their knowledge and values – the basis for what they consider a reasoned choice. Thus, at least superficially arguments appealing to reason and values are still important in international politics since they provide legitimacy to particular policies.

(2) The same applies even more for the academic realm. Here legal or democratic processes, or appeals to national interests decide even less about the success of a particular theory. Certainly here too contacts and networking are not to disregard, but it is hard to imagine a successful theory which does not comply with two critical components: empirical findings and reason. Now, I would suggest to consider the points of view “it was genocide” and “it was not genocide” as scientific evaluations: they are voiced by scholars, appeal to scientific concepts (genocide), and claim to be solvable by evidence and rational argument. Hence my contention that this conflict is not only a social and political but also an academic one, and these scientific arguments warrant discussion just as well. To the extent that this entire conflict is indeed only one enacted on the grounds of reason, arguments become

235 Another important value to legitimize decisions and actions in this context is national interest. However, as I mentioned decisions need not only be legitimate in the national context but also internationally, and that imposes certain constraints on the legitimate pursuit of national interests.

essential and definitely merit analysis to see to what extent they forestall or facilitate any resolution.  

(3) Now, merging the relevance for politics and science, arguments are not only of relevance for decision making agents in politics or scholars engaged in theoretical quarrels, but particularly also for political scientists. If an analyst wishes to contribute to certain policies, steering them in whatever direction she espouses, then she must offer not only a descriptive account of the current state of affairs but also a critical one, exposing the faults she identifies, and ideally how these can be overcome or avoided. In that sense, arguments are not either the object of research or its output only, but both: arguments are analyzed with the intention to eventually come about with arguments of a higher quality. Even if a scientist refrains from explicit evaluation and recommendation, providing a critical review of the reasons given for a certain policy could contribute to the work of any ideal rational judge. In that sense, policy analysis can be understood with Robert Hoppe as applied political philosophy which produces political judgments.

(4) As will hopefully become apparent in later chapters, this particular conflict is not just about reason and/or facts but also, at least implicitly, about values. There is some healthy skepticism about the possibility of evaluating values rationally. However, the arguments, premises and implications that emerge from these values and interests may very well be scrutinized with regard to their consistency and compatibility with the underlying values. And also values are subject to arguments, given that we have to weigh values against each other every day to make a reasoned choice, just as we have to weigh interests every day, and all of this is done not only by power but also by reason. And therefore an examination of arguments may also startle our values and interests, open them to reflection and critique just as well.

3.1.2. Argument and Narrative.

To recapitulate, I am not going to approach this topic as a dispute about the most accurate legal categorization (“genocide”) or material compensation, but instead as one about the right historical narrative, the most adequate representation and evaluation of the past. Nevertheless I just stated that my method is an analysis of argumentation, rather than narrative itself. This is basically because narrative, like for instance discourse, is a deliberately vague and vast

237 See also Eemeren (2004: 95f) for a similar interest in studying arguments.
238 Saretzki (2003): 400f.
241 See also Schäfer (1998: 112) claiming that an examination of arguments may enable us to expose certain values as irrational.
term. A closer examination of “the” narrative of the Republic of Turkey appeared simply beyond my capabilities. On the other side, I naïvely imagined that the quarrel about the right narrative would ideally be driven by recurrence to argument and reason, and therefore that the crucial differences, the weaknesses and strengths of either narrative would be exposed in the exchange of arguments. So I believed that the essence of this dispute could be condensed in the tiny pivot where the competing arguments contend. And since an analysis of argumentation appeared much more practicable to me, that is how I decided to set about this issue.

But it should be born in mind that the relationship between argument and narrative is not simply that arguments are instruments in defending a particular narrative, in making it persuasive to an audience. I would claim that arguments are immanent in many a narrative, especially where they claim to represent some official truth, such as in myth. That is simply because a narrative, where it aims to deliver the one (and possibly only) true version of a past event, needs to exclude other, alternative and contradicting interpretations and versions. This presumes obviously a broad understanding of arguments. It includes roughly speaking every expression which at least implicitly relates to another utterance, and either rejects or supports it by appeal to evidence and reason. Narratives therefore, I believe, include many arguments in disguise, i.e. expressions which serve an argumentative function without necessarily assuming an argumentative form. For instance, without expressing their premises or conclusions, or without making visible the position which they are trying to refute, they occur in the context of a wider dispute in which they clearly take one position and subvert another one. And that justifies perceiving of them as arguments – so I believe.

This directs me to some other features in the relationship between arguments and narrative which are beyond the scope of this work here. For instance, the notion that such arguments in disguise may indeed be extremely powerful precisely because their argumentative and partisan nature remains concealed, because they may appear as uncontested, innocent, objective facts and thereby elude the critical reception which arguments usually (and rightly) undergo. Furthermore, since narratives are a pivotal way to represent our ontological reality, they provide the frame for arguments by defining a problem, how to perceive and interpret it, thereby outlining which arguments are of relevance in the first place.242 And by the same token they are the ultimate test of every argument too, supplying the reality (not the ontological but the social and discursive reality) against which we can weigh this argument.

242 See also Saretzki (2003): 402-404.

Having established the rationales why I do consider an examination of the arguments circulating in this discourse worthwhile a critical reflection, it seems imperative to clarify another limitation of my work by explaining what it is I am not examining about these arguments. Basically I would suggest there are at least two approaches in the study of arguments which are absolutely appropriate fields of political science inquiry but not pursued any further in this work: (a) in a realist understanding, arguments regardless of their theoretical validity do exercise persuasive power, for instance by the authority of the speaker, or by catering the interests of the audience. Examining arguments under this perspective would involve for instance a closer look at who asserts and who receives the argument, how these two relate to each other, what devices and strategies are used to support the argument, the reaction on the antagonistic side, what role other, non-argumentative elements such as power or interests play, and so forth. Lacking a more apt expression, I would consider this the pragmatic or empirical dimension of arguments. Assessing this empirical status of the discourse was unfortunately out of scope for me: it would have required extensive research in Turkey and/or Armenia, proficient language skills etc.

(b) In a more idealist approach, arguments may be analyzed with regard to their theoretical aspects in a strict version of argument analysis. Again, this may be reproached as an irrelevant or academic undertaking, given that the relevance of arguments for real politics rests in their persuasiveness, and this is better captured in the pragmatist paradigm I just outlined. However, as already stated above, if participants in a certain discourse indeed attempt to arrive at the “best” resolution, and with “best” being defined as the most reasonable one, arguments are important beyond their empirical persuasive force. Wherever political science is concerned not only with a description of the empirical force of an argument but also strives to contribute to the accomplishment of such a “best” resolution, it needs to analyze arguments as well with regard to their validity and cogency. In other words: I somewhat insolently hold that it is important for political analysis to also consider the theoretical and idealist dimension of arguments, and be it only because this is essentially the only way to endorse the utopia of a reasonable decision-making process. If we cease to pay heed to this dimension as well, we subvert the role of public discourse and reason in political decision-making, respectively how political science could conduce to such a process. Anyway, this is what classical analysis of arguments has done: examining the validity of an argument in terms
of argumentative scheme and structure, fallacies, logical consistency, and so forth.\textsuperscript{243} However, I believe such an analysis still falls short of what is ultimately needed: for a thorough evaluation if a position is \textit{politically} worthy of support, also its relations to values, actual policies, other discourses, the legal framework, chances for implementation etc. need to be taken into account.

In my opinion there are at least four elements which may be challenged in order to cast doubt upon any particular position: (a) the broader paradigm it rests upon (including its underlying values); (b) the logical consistency of the theory itself; (c) the method it uses to produce data for its support; (d) the data themselves as gained from this method, i.e. by producing different data which do not fit the challenged theory. With regard to this issue here, I believe the aspects about method and data may best be judged by professional historians and lawyers, but the question of paradigm and logics is one that is open to other disciplines as well. Therefore, it is these points which I ultimately will put at test in the context of this paper.


In general the approach I have outlined so far admittedly appears very idealist and abstract, in the sense of being in disregard of hard facts, political interests and realities, resting instead on ambiguous ideas such as identities, narratives, mindsets, cognitive constructions, arguments. This disregard is certainly the fundamental deficiency of the work I am presenting here and therefore deserves brief mention as well, also to put my work in a broader picture what else should be taken into account. There are certainly a few very real and pragmatic rationales for representatives of the Turkish government to reject the genocide allegations, including (a) the fear this would oblige the Republic of Turkey to fulfill compensatory claims, most notably territorial ones, and (b) that such an acknowledgment would hamper Turkey’s stand in international relations, thus impeding efforts to realize Turkish interests. Such very real, hard interest may certainly limit the importance of any appeals to reason or arguments, thereby obviously reducing the sense of an analysis of arguments in the first place. It may therefore be beneficial to outline at least these two very realist points, and how they interrelate with the idealist endeavor I shall pursue here.

3.1.4.1. Genocide Recognition and Restitution.

A point frequently encountered is that the calls for genocide are nothing but a first step, with more to come once this initial step has been taken. In other words, if the Republic of

\textsuperscript{243} See for instance Eemeren and Grotenhorst (2004).
Turkey gave in to these allegations and acknowledged that what happened in 1915 indeed amounted to genocide, then further calls would arise to compensate the victims of this genocide. This, in turn, could include financial or otherwise material compensation. At this point, I would like to elaborate on this a little by focusing on the issue of potential claims for territorial compensation since these appear to be the most prominent ones.244

To begin with, it may be worthwhile to trace back where these fears may originate from. Apparently, before the said events there was indeed a significant Armenian presence in the lands of what is today eastern Turkey, though the precise numbers of course remain contested and are a popular ingredient in the charges against the respective antagonistic position. For a variety of reasons it is already a precarious task to quantify ethnic groups in our contemporary world, and it presumably applies more than ever for the Ottoman Empire of the late 19th or early 20th century. Maybe exactly with the intention of pre-empting territorial claims it is a frequently encountered assertion by contra-genocide authors that Armenians did not pose the majority in the eastern Ottoman provinces (vilayets),245 which may again be countered by some pro-genocide commentators arguing that in some specific regions Armenians indeed constituted the majority; anyway, what seems widely acknowledged is that Ottoman Armenians made up a recognizable portion of the population in (or at least in some of) the eastern provinces of the Ottoman Empire. And it is also quite obvious that by today the proportion of Armenians in eastern Turkey is marginal,246 and presumably the contested events discussed here play a major role in this development. By the same token, the Armenians of today live either among what is called the Armenian “diaspora”, particularly in the United States of America, Russia, France, and Lebanon, or within the boundaries of the Republic of Armenia, which covers a territory much smaller than the area on which Armenians had been spread out at the eve of World War I. And if indeed the cause of this

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244 Being present for instance in Sources 24, 28, 29.
245 For instance Sources 5, 10, 20, 28, 30.
246 For instance Hosfeld (2005: 311) puts the number of Armenians in contemporary Turkey at 600,000, whereas Kuper (1980: 113) only at 32,500, and the web page http://www.armeniadiaspora.com/population.html goes as high as roughly 2 million (accessed on May 4, 2008). According to a report on minorities in Turkey, prepared by the Turkish Foreign Ministry, there are 60,000 Armenians living in Turkey (Hürriyet Daily News, December 13, 2008). To these of course a number of illegal immigrants must be added, which ranges again between 12,000 (estimated by the Eurasia Partnership Foundation, as quoted in Today’s Zaman, March 18, 2010), and 100,000, as suggested by Prime Minister Erdoğan in an interview with the BBC in March 2010 (which was later explained by a Turkish Armenian as his own misinformation to the Prime Minister, correcting the number down to 20,000 – see Today’s Zaman, March 27, 2010; Hürriyet Daily News, April 1, 2010), with the former President of the Turkish Historical Society (TTK), Yusuf Halaçoğlu, putting the number of illegal Armenians at 70,000 (quoted in Turkish Daily News, July 24, 2008). Obviously, such estimates involve the question marks imperative to all such guesses, maybe even more so in a country like Turkey where ethnic minorities are a delicate issue to begin with.
change was a deep injustice in the past, then claims for territorial restitution of course may be
the first thought that leaps to the eye in order to rectify this past wrong.

And certainly there are some clues which may raise suspicion about Armenian aspirations
for Turkish soil, for instance the already mentioned Armenian Declaration of Independence
which speaks of the “1915 Genocide in Ottoman Turkey and Western Armenia” (Article 11),
by imputation describing currently Turkish territory as Armenian land. Moreover, there are
some political factions in Armenia as well as among the Armenian diaspora who openly
demand material and/or territorial compensation for quite a while already, most notably the
Armenian Revolutionary Federation (ARF, Dashnaksutiun), a party represented in the
Armenian parliament and until recently also in the government, next to some other prominent voices: for instance the director of the strategic research institute Ararat, Armen Ayvazian, in a parliamentary hearing on December 20, 2007, raised the same claims, and three Armenian diaspora organizations in the United States of America in 1975 submitted a demand to the UN for the “return of Turkish-held Armenian territories to their rightful owner – the Armenian people”.

In the official Turkish argumentation which I take as the empirical basis for my work here
(see also below in section 4), this is translated into projections such as those of Professor Justin McCarthy, who asserts in a presentation given in the Turkish Grand National Assembly on March 24, 2005:

“History teaches that the Armenian Nationalists will not stop their claims if the Turks forget the truth and say there was an Armenian Genocide. They will not cease to claim Erzurum and Van because the Turks have apologized for a crime they did not commit. No. They will increase their efforts. They will say, »The Turks have admitted they did it. Now they must pay for their crimes.« The same critics who now say the Turks should admit genocide will say the Turks should pay reparations. Then they will demand the Turks give Erzurum and Van and Elazığ and Sivas and Bitlis and Trabzon to Armenia.”

As this warning already implies, the sensibleness of such territorial claims may be
questioned. However, and unlike those allegations suggest, I think also the seriousness and political viability of such claims is open to debate. From a demographic point of view, it appears to be a rather ridiculous enterprise. As already mentioned, regardless what form the

248 Today’s Zaman, April 28, 2009.
250 McCarthy (2005; Source 5). In 2001 he had brought the same allegation more to the point: “Does any rational analyst deny that the ultimate intent of the Armenian nationalists is to first gain reparations, then claim Eastern Anatolia as their own?” (Source 6). For similar admonitions see also Center for Strategic Research (2007): 46 (Source 29).
potential border shift could take, Armenians make up only a marginal fraction of the population in Turkey’s east. Therefore an adjustment of borders would bring millions of Turks under Armenian rule, and depending of the extent of such a shift this could eventually even transform the Republic of Armenia into a country with a Turkish majority. Therefore I think this scenario should appeal very much neither to the Republic of Turkey nor the Republic of Armenia. But McCarthy also presents how Armenia would resolve this problem:

“There the population of the new »Armenia« would be less than one-fourth Armenian at best. Could such a state long exist? Yes, it could exist, but only if the Turks were expelled. That was the policy of the Armenian Nationalists in 1915. It would be their policy tomorrow.”

At this point, it would be pretentious to rule the scenario drafted by Professor McCarthy. However, whereas he presents it as a rather obvious and reasonable prediction, I confess that this it does not seem very convincing to me. Accepting his numbers, such a policy would mean that the Armenian government would decide to expel a group of people three times its own population by means of force. That alone might already be a challenge for the Armenian state. Moreover, the group subjected to this violent policy would be closely affiliated to the Turkish state, which is more than twenty times as large as Armenia in terms of citizens, not to speak of economic and military force. I cannot believe the Republic of Turkey would accept such a policy (and rightly so) or that Armenian leaders could be so misguided in this. At the same time, these expulsions would clearly violate the international regime of human rights, thereby not only discrediting the Republic of Armenia in the international arena but at the same time subjecting it to various sanctions and possibly even military intervention.

Furthermore – all of that while Armenia forces are still heavily occupied with the conflict about Nagorno Karabakh? Taking this analogy even farther – and arguing by analogy is always simplifying and dangerous, so beware! – just recall the problems Armenia has because of and about this region of Nagorno Karabakh. Here the current population is described as being in the majority Armenian, already before the outbreak of the war in the early 1990s; the foe (Azerbaijan) has by far less military and economic potential than Turkey, not to speak of international influence and affiliations; the population to be expelled is much smaller; and I would even believe that chances for an international intervention are presumably much smaller than in they would be in the case of expulsions from eastern Turkey, and be it merely because Armenia would now constitute a “repeat offender”. So, considering the experiences the Republic of Armenia made with Nagorno Karabakh, it seems a bit hard to imagine that

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251 McCarthy (2005; Source 5).
Armenia would act as envisioned by McCarthy, particularly as long as the conflict about Nagorno Karabakh is far from being resolved anyway and I cannot imagine how Armenian forces should handle both conflicts at the same time.

Anyway, it would be unsound to outrightly reject McCarthy’s projection. My point is simply that it does not sound very convincing to me. But even if it does not come into being, I agree with him that such a cession of territory includes a considerable risk of perpetuating or rather re-generating tensions in this region. And certainly (or: hopefully) not only the Republics of Armenia and Turkey but also the international community is well aware of this risk in this already volatile and unstable region with its already existing protracted tensions.

And therefore those voices within Armenia or among the Armenian diaspora which demand such territorial compensation do not appear very reasonable or promising to me, and it seems this is also how they are received in the international realm. Many of those third parties who acceded that what occurred in 1915 amounted to genocide at the same time added that this does not imply any territorial rights of Armenia against Turkey. For instance, in the already mentioned resolution which the Parliament of the European Union adopted on June 18, 1987, it also stated that it “[r]ecognizes, 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”. Likewise, when the International Center for Transitional Justice published a legal analysis about the applicability of the UNGC with regard to the events of 1915, it also found that “no legal, financial, or territorial claim arising out of the Events could successfully be made against any individual or state under the Convention [i.e., the UNGC]”, simply because these events occurred before the UNGC came into being. And then US Assistant Secretary of State for European and Eurasian Affairs Dan Fried in a hearing at the House Foreign Affairs Committee made clear the position of the US administration by stating that “Armenia must be ready to [...] disavow any claim on the territory of modern Turkey.”

252 Note that McCarthy’s account could be understood as a twofold projection: first, in a temporal manner as a speculation about the future. And second, in a psychological way because in a presentation about expulsions of Ottoman Armenians, he inverts the accusation and blames the Armenian government of future expulsion of its future Turkish subjects.


255 Quoted in Turkish Daily News, June 20, 2008.
daily *Today’s Zaman*, Diba Nigar Göksel and Gerald Knaus of the European Stability Initiative hold that „nobody – not the German Parliament, not the French Parliament, not the European Parliament, not America – actually believes that Armenian genocide recognition will lead to restitution, compensation or territorial claims.“256

Also in Armenia there are numerous and important voices indicating that a return of Turkish territory is *not* imperative: to date, every Armenian government has been in favor of establishing diplomatic relations and normalizing relations without any preconditions;257 Armenian Foreign Minister, Vartan Oskanian, at a speech at the European Parliament’s Foreign Affairs Committee on October 9, 2007, denied any territorial claims of his country;258 Armenia’s first President Levon Ter Petrossian told the Turkish Ambassador in Moscow in 1991 that “Armenia has no territorial claims towards Turkey”;259 the current President, Serzh Sargsyan, stated that “[n]ever has a representative of Armenia made territorial demands” 260 And Armenia’s second President Robert Kocharian in an interview with Turkish journalist Ali Birand on January 29, 2001, did not deny such claims, but explained why in his opinion they should not affect the recognition of genocide:

“For Turkey, recognition of the Armenian Genocide will not necessarily lead to legal consequences regarding the Republic of Armenia […] The Republic of Armenia will not have the legal basis for making such demands. The question is not whether we do or don’t desire to raise this issue, or whether I do or don’t have such a desire. The issue is that Genocide recognition does not create the legal bases to allow Armenia to present certain demands before Turkey. I am surprised that Turkish attorneys themselves have not provided the Turkish government with such counsel and such an assessment. Political parties, including influential ones, can have such demands in their programs, but I repeat, it is not Turkey’s recognition of the Genocide that will create legal consequences – in this case, the consequences being demands by Armenia. It is another matter whether the descendants of the victims of the Genocide can attempt to resolve compensation issues, in certain matters, through the courts. But I repeat, they can do that today as well. It is not the recognition of the Genocide that will lead to such consequences. The problem is that those events have taken place in Turkey, and the Republic of Armenia did not exist at that time, and today’s Republic of Armenia is not the heir of those lands. I don’t know under what system I can present a complaint, saying that »certain events transpired there, and you must give us those lands«. I can’t imagine how I am to make that formulation.”261

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257 Which certainly does not preclude that Armenia would raise such claims at a later stage...
260 Quoted in *Today’s Zaman*, 08. April 2010
261 Quoted in European Stability Initiative (2009a): 84.
The point he makes is simply that the legal framework does not allow the Republic of Armenia to file a lawsuit against the Republic of Turkey and therefore could not become an official state policy of the Republic of Armenia – only its individual citizens could attempt to do so. Rather, such cases against the Republic of Turkey could be filed only after Turkey adopted corresponding national legislation, and could be filed at Turkish courts only – but this could occur or be forborne independently of any official genocide recognition.\textsuperscript{262} That is also why lawsuits for compensation of Armenian victims against private companies allegedly inculced in the events of 1915 (but to the best of my knowledge not against the Republic of Turkey) have already been raised in national courts of a few other countries, but again: this does not depend on whether that country has recognized the Armenian Genocide.\textsuperscript{263}

Anyway, obviously all these Armenian statements remain descriptive and non-committal rather than normative and definitive. In the end not one of them dared to give any assurances that such claims would not be raised in the future even if that would be a purely symbolic move.\textsuperscript{264} And that I believe is a pity since it might matter a great deal to the representatives of the Republic of Turkey, and might give the reconciliation between these two states a considerable boost. Instead the Armenian leaders quoted above have opted for an indeterminate position, which might facilitate political survival at home but certainly at the cost of protracting the issue and of enabling their opponents to enhance suspicion.

To conclude, in my opinion it appears questionable if territorial claims by the Republic of Armenia against the Republic of Turkey are very reasonable: they do not seem to be very promising with regard to success for purely pragmatic reasons, they would most likely impede the region’s stability, and their realization would possibly only create more injustice rather than rectifying past wrongs. And I assume this position is also widely reflected in the international community: as mentioned, a couple of resolutions exist which request a recognition of genocide but at the same time affirm that this does trigger any territorial

\textsuperscript{262} European Stability Initiative (2009a): 83f. As William Schabas (2000: 443-446) explains, since the victims were all Ottoman subjects the Republic of Turkey as successor state of the Ottoman Empire would also be the only state entitled to sue for compensation at the International Court of Justice.

\textsuperscript{263} As far as I know there have already been cases filed against insurance companies in some other countries. The New York Life Insurance Co. has been successfully sued in 2000 in California, yet the court decision was later annulled. However, New York Life reached a settlement with the litigants paying 20 million US-$ to the heirs of the victims. And likewise a settlement was reached with the French AXA for another 17 million US-$ (see \textit{Turkish Daily News} on February 6, 2008; \textit{Today’s Zaman} on August 22, 2009; July 30, 2010; December 13, 2010).

\textsuperscript{264} Indeed Armenian President Serzh Sargsyan only recently proposed just the opposite, at least in the eyes of Turkish observers, when he explained that it was the task of future Armenian generations to reclaim Western Armenia (see \textit{Today’s Zaman} and \textit{Turkish Daily News}, July 27 and 28, 2011). The Armenian Deputy Foreign Minister Shavarsh Kocharyan dismissed the strong reactions from Ankara as an interpretation „out of context“ (\textit{Today’s Zaman}, July 28, 2011), but that is very unlikely to assuage Turkish suspicions.
entitlements. So, from a political point of view, I do not think there is much to worry about on the Turkish side. Moreover, without myself being competent to make a proficient assessment here, it appears that also in a legal dimension the Republic of Armenia could not simply file a lawsuit against the Republic of Turkey, other than at a Turkish court anyway. Given the demographic composition of the controversial territories, the injustice inflicted onto the people currently living there may exceed the presumed benefits of restoring historical justice. If restitution shall be an element in the process of reconciling Armenia and Turkey, then in my opinion it seems indicated to revert to other means and ways than trading off territory and thereby imposing another burden on those people who currently inhabit those areas.

Anyway but most notably, these thought experiments are independent of the question whether the Republic of Turkey ought to recognize the Armenian Genocide or not – such recognition may increase the chances for the success of such a claim (if it was ever made), but it must not affect the evaluation. It must not be forgotten that restitution is a consequence of our evaluation, and not the other way around. That would pervert moral reasoning and acting. Therefore the fear of claims for Turkish territory must not be confused with a reasonable argument that the events of 1915 do not constitute genocide.\textsuperscript{265} Ideally, these should be two separate cases: the first one to evaluate the events themselves, and then a second one to assess the consequences which need to be drawn from this evaluation. It does not appear to be an intellectually honest or reasonable position to reject a certain insight because by normative inference it could carry some consequences which run contrary to our interests. If that is the case, I believe we should work on the consequences, but not on the position which cause them. Rejecting the application of the term “genocide” for this reason would indicate primarily a poor understanding of accountability and intellectual integrity.

My point is that ideally there is first a discussion about the evaluation of these past events (do they constitute an injustice?), and only after this would follow another, independent evaluation if (respectively which and how) restitution appears appropriate. At the risk of being provocative once again, I would claim that the fear of such territorial claims or the subsequent expulsions of Turks from these areas is first of all an expression of a deep mistrust against the Republic of Armenia. And such mistrust is certainly not the best basis for reconciliation and the establishment of good neighborly relations. It exemplifies why

\textsuperscript{265} That is also the reason why I did not specifically incorporate this point in the contra-genocide arguments I shall discuss in this paper. It is a purely political argument declaring that for the sake of interests these events should not be recognized as genocide – it is not an argument at all that these events are not genocide. And unlike the other arguments I shall discuss in more detail, it is one which by itself could hardly defend the contra-genocide position.
confidence building measures are so imperative at this stage of reconciliation, and not only at some later points. As long as the Turkish public can be persuaded to believe that Armenians would raise territorial claims after recognition, so long politicians will have a difficult stance to recognize genocide. By contrast, if the Turkish public can generate the trust that Armenians will not raise such demands, then politicians lose another strong argument for disavowing such recognition. Demanding a commitment not to raise any territorial claims is not an expression of confidence building in my opinion, because it only tries to obtain security by shifting the weight of confidence to the other side: that would require Armenia to make the first concession and to rely on Turkey to reciprocate this step by recognizing genocide out of a safe haven afterwards. That is why confidence building must be a mutual process and ideally free of blunt political demands, and I would even argue that for these two agents, the Republic of Turkey appears to be in the stronger position, i.e., being politically, militarily and economically stronger and at the same time in less urgent need for reconciliation, and therefore might be more apt to venture into some trust.

Moreover, the call by the Republic of Turkey for Armenia to recognize the Treaty of Kars (signed on October 13, 1921) and thereby the contemporary borders also expresses an inability to understand the symbolic importance this treaty holds for Armenia. In the end, if the Republic of Armenia would recognize this accord, it would also symbolically recognize the legitimacy of how the borders were established, i.e., the power relations and the policies of the time. But this is exactly what the Republic of Armenia is fighting, the idea that what occurred in those years was right and just. If the Turkish government wants to persuade the Armenian one that this notion is indeed true, then we are back at exactly the argument of which I am hoping to make an analysis of: how to evaluate the events of 1915.

Finally, let me assume that Armenian claims for compensation may arise after a potential recognition and that their chances for success increase given that it is politically recognized as an injustice. So there is a chance (but not a certainty or automatism) that some material costs are involved in genocide recognition. However, weighing this against the amounts of money currently spent by the Republic of Turkey to prevent international recognition, plus the

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266 Eventually, also the description of Turkish soil as „Western Armenia“ is not necessarily a call to hand over this territory to Armenia – it may just as well be the establishment of a symbolic affiliation with a territory for historical reasons, or worse a symbolic challenge to the legitimacy of Turkish sovereignty over this land, a question how it came to be Turkish soil in the first place.

267 Estimates are most likely to be taken with a deep breath of circumspection, but to give an impression of the numbers circulating in the literature: on June 5, 1996, the US House of Representatives adopted an amendment to House Bill 3540 to reduce aid to the Republic of Turkey by three million US-$ until the Turkish government acknowledges the Armenian Genocide and takes steps to honor the memory of its victims – and these three million US-$ were based on an estimate of the amount of money spent by Turkey for lobbying against the bill.
potential for economic growth if the borders to Armenia could eventually be reopened, I do not think material considerations are a reasonable argument against genocide recognition – they may paradoxically even speak in favor of recognition and compensation.

3.1.4.2. Genocide Recognition and Moral Capital.

Another paradigm under which the Turkish position (and of course also Armenia’s) could be analyzed is less materialist but nevertheless realist: here the assumption is again that the position of the Turkish government is again a plain function of its interests, but in this version not for a fear of material loss. Instead, what is at stake is its standing in the international community. Because of the stigma which is commonly attributed to any genocidal offender, genocide recognition would presumably harm Turkey’s moral status and thereby complicate its efforts to realize its interests in international politics. In other words, a recognition of genocide would translate into a loss of “moral capital” (Edward Alexander) in international relations and thereby in a loss of power.

Again, this point certainly holds true to a certain extent, but calls for a few qualifications. I accept the basic connection between an evaluation of the past and one’s positioning in international politics, and the further consequences for one’s interests. I even believe this nexus between judgments on the past and legitimacy and justification in the present are a pivotal reason why history has become an important factor in international politics. However, I do not think it is for certain that the Turkish government fares better with its current policy in terms of acquiring international respectability. In the end, Turkey periodically faces numerous diplomatic rows, challenges by civil society organizations etc., because of these disparate interpretations of history, which hardly contributes to an improved position either. Moreover – but note this is pure insinuation on my part – it appears that the

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268 Estimates about the current trade volume between Turkey and Armenia are obviously even more different than those about expenses for lobbying, given that the borders are closed and any trade is either illegal or via third countries, most notably Georgia. One estimate is that the current trade volume is at 150 million US-$ per year, and would increase with an opening of the borders to 400 million US-$ within the first six months after opening the borders (Turkish Daily News, September 13, 2008). Other numbers for the current trade volume between the two countries are given for 2009 by the Armenian Chamber of Commerce (300 mio. US-$) and the Turkish-Armenian Business Development Council (150 mio. US-$) (Today’s Zaman, February 3, 2010) and would therefore most likely produce different projected growth rates.


270 See for instance Barkan (2000: 33, 360), who asserts that moral considerations are becoming more and more important in various conflicts, and a useful tool in international relations.

271 Tatiana Zhurzhenko (2007) transformed this nicely into realpolitik terminology, expressing quarrels such as the one I am examining here as “geopolitics of memory”. As Maier (2002: 35f) notes history and memory are a seminal resource and part of political strategies in the formulation of claims in the presence.
general impression at least in European countries and the USA portrays the Ottoman Empire as the perpetrator, and the contemporary Republic of Turkey as being in denial of this guilt. So it is not only the perpetration of the act, but also the act of denial which in turn may subvert Turkey’s position. By contrast, possibly the stereotypical perpetrator state in Western thought is Nazi Germany – yet contemporary Germany is today among the highest esteemed countries worldwide, and in my opinion this is partially because it acknowledged the Shoah, not in spite of it. It is admittedly crude speculation, but I would suggest Germany’s position, internationally but also internally, would be far more precarious if it had continued to deny or belittle its responsibility.272

Ultimately, I believe the point about raising one’s moral capital is indeed an excellent reason to scrutinize this argumentation from a moral angle. Because if it is one of the tasks for political science to assess policies and evaluate if they are appropriate and reasonable, then it seems to me political science also needs to examine these arguments by which these policies are justified and interests are realized.

3.1.4.3. The Moral Dimension.

Anyway, I happily concede that the two motivations just mentioned, plus some more on top of them, may easily determine the positions of the relevant agents far more than dialogic exchange and appeals to reason. Nonetheless I hold that an analysis of the relevant arguments in a moral framework may prove rewarding. First because I believe that both the potential interests I have mentioned are actually grounded in moral evaluations. Both material compensation and the loss of moral capital depend on the insight that a wrong has been inflicted, otherwise there would be no point in fearing such insight might impede any interests. So there is a moral framework presupposed by a paradigm based on interests, and it is appropriate, in my opinion, to take a closer look at this moral framework just as well, rather than just accepting it as a primordial and unalterable precondition.

272 I believe three caveats are needed to these simplifications: first, also in Germany public acknowledgment was a long and difficult process which continues even today, and this (a) procedural character, (b) continuous effort, and (c) difficulty may also be an intrinsic and indeed precious feature of any such dramatic revision of one’s own past behavior and acknowledgment of injustice. Second, obviously the constellation about Germany was possibly well-suited for such recognition: the horrendousness of the crimes and the wide consensus they were unjustifiable, the undeniable of the accountability of the Nazi regime (with more discussions about the accountability of the German people, but such discussions are an essential point in recognition), Germany’s being a conquered and occupied country after World War II, leaving it thus more prone to foreign pressure – denial of guilt could hardly be sustainable, even though in some circles it apparently is. Third, the assertion Germany’s status would be different had it not acknowledged the Shoah is obviously highly speculative. Just consider the official policy of denial maintained by the Republic of Austria for decades, and the international respect it nevertheless enjoyed over all these years.
But the question remains if the influence of morality *itself* on politics should be taken into account in political analysis (and possibly promoted in policy making), or if we should simply presume its translation into interests, emotions, and other motivations as a given and instead describe politics under these terms, especially since they are certainly influenced by farther elements just as well. The obvious choice I made here is in the affirmative. First of all, if political science wants to assess events also from a moral perspective, and if it wants this perspective to be of any relevance in politics, then it is of course indicated to revert to it and use it for analytical purposes.\(^{273}\) I think it is important to bear in mind that since political observers, understood as the public at large and thereby voters, apply moral criteria in order to judge their political leaders, and therefore the political agents themselves need to invoke moral arguments to corroborate their positions. This might be what *Michael Walzer* had in mind when he wrote of “the tribute that vice pays to virtue”:\(^{274}\) even when sheer interests are pursued, they need to be dressed and defended as right and just and good. That is another reason why morality is an essential ingredient even of a realist paradigm, and even if it often may be nothing but a superficial cloak of instrumental value, that does not fully address its role and significance in policy making. I think it is therefore appropriate to examine and evaluate these policies by the very moral foundations they (at least outwardly) profess. This should or at least could reveal to what extent these affirmations of values are but a cloak for other values or interests.\(^{275}\) To retain the dichotomy by *Walzer*, I would suggest that this tribute is important not only because it includes an affirmation of virtue, but also because it presents an opportunity to identify and expose vice.

So, I have outlined two mechanisms by which this issue is transformed from a purely moral to a political matter, i.e. moral capital and restitutive justice. But here I want to pursue another approach. More in line with the theoretical background outlined above I want to focus in this work on the idea of identity, understood as being formed by historical narratives, and the evaluative dimension inherent in them stemming from their moral components:

> “In any final analysis, these justifications [i.e., those which are brought forward by contra-genocide authors to refute the genocide allegations] are not simply or even primarily historical but, rather, moral arguments. They have been offered to show that certain acts were right. They warrant evaluation as moral arguments.”\(^{276}\)

\(^{273}\) Of course the role granted to morality in politics varies a great deal, reaching from an explicit aspiration of an “international moral community” (Elder (1998): 161) to others who would rather keep it at bay as far as possible – yet the last position appears a bit like disavowal, at least if the assumption is accepted that all actions are guided by certain values anyway.


\(^{275}\) See also *Walzer* (1977): 20, 291.

\(^{276}\) *Guroian* (1988): 141, emphasis in original.
Within the boundaries of a constructionist approach, and although Turkish politicians often suggest the opposite, recognition of genocide is by no means necessarily an insult to or even an offense against the Turkish people or the Turkish nation. I actually believe that most people who support such recognition do not do so because they seek to insult or offend the Turkish nation. It is perceived as such, that is obvious, but that presumes a number of further mental operations, including the following: first of all, that genocide is a derogatory category; second, that hence classifying these events implies a reprobation of the actions which caused or shaped these events; third, that the reprobation of these actions is then transferred onto the people who performed these actions; and fourth, that the Turkish people of today are in a way associated with these past agents that the debasement extends not only from the events to its immediate authors, but stretches in time and between people all the way to their contemporary descendants. Simply put, I insolently dare the presumption at this point that some Turkish people react quite harshly because they perceive it as a challenge against their national identity, and this in turn warrants the strong reactions we can observe in international politics. However, I think that some of these inferences are far from being self-evident or natural inferences, and I shall repeatedly challenge some of them in the course of this paper.

Therefore at least for the purpose of this study, I shall perceive of this conflict to be essentially a symbolic one. That is, it is one primarily about emotions, mental concepts, communication etc. This distinguishes it from other conflicts which are more closely linked to matters such as material interests, scarce resources, or security. Moreover, to further circumscribe the description of the problem as I want to follow it here, I would like to think of it as one about ideas and ideals, rather than the acquisition or maintenance of sheer power.

Therefore I dared to sustain what I would pathetically dub an “idealist” approach, based on vague notions of morality, identity, reason and argument, and all of them embedded in a constructionist paradigm. Maybe it is worthwhile to stress that it is ultimately not a work about morality and cognition itself, and as of yet I am not even an amateur in the philosophy and psychology of morality. Maybe I can withdraw and hide behind the comforting position proposed by Michael Walzer, assuming some “practical morality” whose substructures are

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277 See Branscombe et al. (2004) who examine in various empirical studies how negative events in the past threaten the moral status of a group. However, as this group status is by way of social identity intertwined with personal identity, this results in a threat to the personal identity of these individuals.

278 Following a distinction by Fein (1990: 33) between material and symbolic conflicts.
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beyond my reach here. \textsuperscript{279} What I am attempting is an examination of the politics of moral arguments, or, if you prefer, how arguments are used in moral politics.

3.2. Aim of the analysis.

Therefore, the first task for me to do was to distill the arguments deployed in this dispute. In that respect this work presented here is empirical as it is rooted in the actual argument going on between the involved actors. However, in light of what I have mentioned before, my further work was theoretical in the sense that it neglected the pragmatic force of arguments and concentrated on its theoretical implications, in a wider, more socio-political than philosophical/logical/rhetorical sense. It is a review and discussion of these arguments with regard to their normative and political premises and consequences. Thereby I wish to contribute to what I would dub their “political validity”, which I understand as an extension of a logical or rhetorical validity and would define with a quotation from Frank Fischer: “The validity of a political argument is determined by its ability to withstand the widest possible range of objections and criticisms in an open, clear and candid exchange between the relevant participants.”\textsuperscript{280}

And to repeat my point, basically I perceive of this entire argumentation as one about the right evaluation of this past event, being staged by a contest about the right narrative which includes and conveys this evaluation. The application of the term “genocide” acquires a pivotal position in this dispute since it is a highly charged concept which by itself already determines the direction of this evaluation and narrative. There certainly are further aspects in any narrative about this episode, but I believe that this dispute culminates in the fierce opposition about the question of genocide, and this opposition absorbs or overlays all other dissensions. Therefore this analysis is intended to produce some conclusions not only about the individual arguments themselves, but also about the narrative and evaluation of the event, and possibly even about the concept of genocide.

3.3. Selection of Sources.

Before abandoning all this soul-searching of my more or less reasonable and volitional assumptions and choices and finally commencing with the actual content of my work, I

\textsuperscript{279} Walzer (1977): xv. This is not to diminish or undermine Walzer’s work, only to stress that I am basing my own paper here on some unexpressed and probably coarse social norms.

\textsuperscript{280} Quoted in Hoppe (1993): 80.
believe a description and justification of my selection of sources is indispensable, given that it is from these sources I have identified and extracted the arguments which presumably represent this conflict here. As already mentioned, I had decided to focus on only one side of the argument, i.e. those arguments intended to refute the genocide allegations, the “contra-genocide” position. That is definitely not because I consider the other side or any intermediate positions any less deserving of a critical review. The choice was primarily determined by pragmatic factors: (a) the sheer volume of the debate required focusing on one side only; (b) at least in my perception those fending off the genocide allegations are more interesting from an argumentative point of view, because their propositions on the face of it seemed to me more substantive and diverse with regard to content, and by their promoting “destructive arguments” (i.e. destroying the concept of genocide, in this case) they promised more insights on the weaknesses of the concept of genocide in general; and unfortunately of high importance for my decision were beyond doubt (c) personal preferences and prejudices. Regardless of that choice, it should be noted that obviously arguments do not just exist in limbo but are created to counter certain arguments and are in turn confronted with additional counter-arguments. Therefore, any discussion of the contra-genocide arguments also needs to pay heed to the pro-genocide positions to which they react, and to the responses of the pro-genociders. Yet the guiding principle of my work and its depiction here was the systematic analysis of the arguments opposing these genocide allegations.

The next selection concerned the sources from which to collect these arguments. Since by virtue of my approach the political sphere appeared of particular interest to me, and since this is ultimately a work in the field of political science, I wanted to give political sources a prominent position. Hence I have examined the numerous texts available on the homepage of the Turkish Foreign Ministry which specifically address this issue, apparently intending to refute the genocide allegations (for an inventory see section 7.1). Even though not all of them were directly written by or at least on behalf of Turkish officials, I hold that the decision to disseminate those texts on this official homepage indicates that they are representing the position of the Foreign Ministry, particularly as not a single pro-genocide text was available on the same webpage. So there seems no way to interpret the ministry’s intention behind this

281 Under these personal reasons I would subsume for instance my specific interest in the Republic of Turkey and its potential accession to the European Union, which led me to this topic in the first place. Another, somewhat less intentional reason originated in my initial ignorance about this topic (which is in itself already another interesting point), making it more appealing to reflect and by consequence almost unavoidably criticize the position of the perpetrator of the evil; doing the same to the victim seemed far more delicate to begin with, not so much because it raised the chances of opposition by whoever I argued with, but because it posed a threat to my own moral identity.
homepage as an attempt to offer a broad range of views or an illumination of the state of the debate; instead it appears a very partisan propagation of one position. This is not to say that such partisanship would be illegitimate, but it allows for inferences about the position of the ministry, and opens it up to all the criticism which this position draws. I therefore argue that the amalgamation of the texts on this homepage reflect the position of the Turkish Foreign Ministry, and together with some statements of Turkish ambassadors and members of Turkish government express what I designate as Turkish “official” argumentation. This “officialdom” should not only allude to a revelation about the position of the representatives of the Republic of Turkey, but also that these sources are thereby vested with the authority of the state.

The decision for the prominent placing of political sources was taken because for one thing (a) they are obviously the first to consider if one attempts to understand the position of the Republic of Turkey in this dispute, and hence the reactions of the Turkish government in international debates. If this work wanted to somehow relate to the field of international politics, it could not have plausibly circumvented these sources. For another thing, (b) these “official” texts are also important in a social dimension, given that of course the Turkish government disposes of vast resources to promote its version of history, just thinking of the production of teaching materials, the arrangement of public ceremonies, the financial and social capital to disseminate its narrative for instance via television, staging them in public debates (e.g. in parliament) etc. Furthermore, (c) even without such penetrating capabilities to influence public opinion and thinking, the position of the Republic of Turkey would be of high importance for any audience. First of all for persons who strongly identify with this nation, for whom it represents a high authority demanding obedience and respect.

However, also for subjects with a lesser identification the position of the Republic of Turkey is not just one opinion among many: individual citizens need to rely on “expertise”, and the state is assumed by a large amount of citizens to employ and consult all these experts, to provide them a forum for exchange and research, and ultimately to offer their wisdom to the public in condensed and objective reporting. That’s how the story goes. Finally and leaving aside the argumentative focus of this paper, just assuming for a second the genocide allegations were appropriate, it is (d) also the state who would be the foremost authority to recognize any such guilt and grievances, or to consider potential compensations.

It is therefore no surprise that the agent most participants in this discourse focus on is the Turkish government:

282 See Doosje et al. (2004): 112f.
“Both societies tend to see each other through the prism of this policy of denial [i.e., the Turkish government’s position about the past]. The relationship between the two communities is chained to the Turkish state policy. Both societies are essentially prisoners of this paradigm. The basic question here is how they can break free from this prison, because therein lies the basic obstacle to the reconciliation.”

However, political argumentation is just one dimension of this discourse, possibly being restricted in ideas, perspectives, or formulations. As I have outlined above (see section 1.3), the political debate is intersected with arguments from the academic realm, as apparent by the fact that many of the “official” sources I retrieved from the homepage of the Foreign Ministry are indeed texts or presentations by academics. In order to move this work beyond a description of the political argumentation and offer a broader discussion of the contra-genocide claims, I included also academic literature addressing this very issue, presuming that it would be within this kind of texts that the most comprehensive survey of arguments could be found – leaving aside arguments which had already been discarded or never accepted by the scientific community. Of course these texts cannot be considered Turkish official argumentation, but as secondary literature complemented and elaborated the argument, simultaneously providing also the background and counter-arguments to discuss the contra-genocide claims.

In order to clearly identify what I have dubbed the “official” position of Turkey and discriminate it from other positions I have encountered during my work, all the documents which were present on the homepage of the Turkish Foreign Ministry are identified as “Sources”. Since some of them are published on this webpage anonymously and/or without a date of creation, I have enumerated them all in Appendix A (see section 7.1) in a sequential order. Where reference is made to any of these sources, they shall be quoted by reverting to the corresponding sequence number of the particular source, as apparent in the appendix.

3.4. Research Deficiencies.

I would like to recapitulate and summarize my approach by enumerating not all but some of the most important caveats with regard to my methodology and materials – apart from any personal shortcomings in their collection and analysis. (a) I did examine the entire discourse itself systematically but only one specific aspect: arguments. Even though arguments are part of the larger narratives, and even though I could of course distill these arguments only by

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going through those various narratives, I cannot dare to claim a full analysis of “the” Turkish narrative – not even to speak of the entire discourse.

By focusing on arguments this work is (b) restricted to the reach of arguments. In so far as other, non-argumentative factors play a decisive role, it is of no value at all. (c) I have not considered what I have dubbed the pragmatic force of arguments, how they are actually received and read in the social world – my empirical research was restricted to an analysis of the expressive side, but the perceptive and interpretive side of the interaction was completely left out. (d) For various reasons I have restricted myself to a comparably small selection of sources, neglecting for instance oral sources, literary works, performing arts, public rituals etc. (e) The understanding and discussion of these arguments is driven by a particular paradigm, constructionism, and numerous other theoretical presuppositions (some of which are outlined in the various sections above), which in turn generate considerable biases just as well. (f) My own deficiencies, including my ignorance in logics, philosophy, history, psychology, rhetorics and whatever other disciplines might be useful for the purpose of this paper – including the social sciences.
4. The Arguments.

Maybe one more preparatory remark before I dive into the mayhem of allegation and refutation: as pointed out above, I am trying to approach this matter from a social scientific point of view. That is, since I am not capable of a historical evaluation of these arguments, this historical dimension is of no interest for this work. Obviously a significant discussion rotates about issues of historiographical relevance, most notably the veracity of the consulted sources. For instance, a large part of the debate about the actual numbers of victims and survivors, or about clues and evidence of genocidal intent revolve around disagreements which sources are the most reliable and which ones are presumably spurious.\(^{284}\)

In this paper I am not interested in a discussion of these questions. The dimension that matters to me in this debate is how the past should be interpreted, the meaning we attach to it, not what has actually happened. Of course this meaning would and should be based on the appropriate sources. However, it appears that both sides can resort to a wide range of sources, and obviously all of them stem from agents of the respective time, being in one way or another politically affiliated or motivated and therefore vulnerable to contemporary discredit – even though that by itself should not be considered as proof of forgery. It may be that further debates indeed arrive at conclusions that some sources are indeed “true” and some others are “false”, but given the large amount and wide range of sources both sides invoke on their behalf, plus the tremendous differences in their current positions, I cannot imagine this will be achieved in the near future, if at all. So for now the options to choose for a non-historian like myself are, simply put, either to follow one of the sides in blind faith, or to disregard the matter of “proof” or “disproof” of genocide. In the end I believe this second approach is warranted also for two further reasons:

1. When it comes to the question how we should interpret the past in hindsight, there is no way to “prove” any interpretation anyway. Historical sources may be quintessential for any interpretation, but they cannot (and should not!) perform the task of interpretation on our behalf. No source will ever be capable to tell us what the right narrative for this event is: I am convinced there would remain those who with good reasons would consider this episode genocide even if it was proven the Ottoman government did not want to commit genocide, just as I can imagine those who with good reasons would not classify these events as genocide even if the Ottoman government had evidently decided to commit genocide. Sources may be important to provide evidence for or against the legal concept of genocide, but understood in a

\(^{284}\) See for instance Sources 19, 20, 21, 22, 23, 26, 27, 28, 29.
constructionist manner “genocide” is most of all a carrier of meaning, and meaning is not a question of true or false, or of objective discovery, or of eternal truth. The relevant criterion is rather viability, which of course needs to be consistent with the “facts”, but definitely goes way beyond them. Facts do not generate meaning, people do.

(2) Another limitation of these debates about source veracity and proving genocide is that the overall assessment which is at stake is whether these events in total should be considered genocide, not whether any specific agent is guilty of genocide. But that can hardly be derived from any perpetrator’s or victim’s testimony, at least as long as we have clarified some further presuppositions beforehand: while it is of course interesting to know if a particular individual committed the crime of genocide, would that render the overall event an instance of genocide? Or would every in any way involved agent be a genocide offender if we decide to classify the entire event as genocide? I shall return to these questions when I happen to discuss the issue of genocidal intent (section 4.12).

Ultimately, I believe that despite the fierce opposition still to be found there is indeed consensus on a number of points which allow for a cautious interpretation of this past event. What this tentative meaning in my opinion might look like shall be explicated later in the conclusive section about the narrative for this event (section 5.2).

4.1. Leaving the Past Behind.

The most basic arguments against a thorough preoccupation with the past are obviously those which claim we should spend less or even no time and resources on it in the first place. Indeed, some authors complained about the absence in Turkish historical accounts of the events around 1915, sometimes at least implicitly interpreting this silence as a form of “denial”. To this, legal scholar Professor Mümtaz Soysal responded:

“Up to now the Turkish Republic preferred not to talk about these facts in the hope of forgetting the past and restoring peace and harmony on the Anatolian land, and in its relations with its neighbours. It is for this reason that in our schools we chose oblivion and the silence both in the subject of the suffering inflicted in the Turkish people by Armenians and Greeks, and in the subject of the human tragedies that all these people have lived through together.”

However, in case that is an accurate description of the Turkish position and motivation in the past, it must be added that in the contemporary official Turkish argumentation I reviewed this point, i.e. remaining silent about the past in order to promote peace and harmony today, is

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285 Soysal (1985; Source 28): 60.
hardly present. It can only be found as implication in a few of statements, such as Prime Minister Recep Tayyip Erdoğan’s comparatively innocent “[t]hose who stay in the past can never reach a bright future.”\textsuperscript{286} I can only speculate on the reasons for this absence, e.g. because indeed it was genuinely “forgotten”\textsuperscript{287} for quite some time before resurfacing again for reasons I laid out in the introduction. Anyway, it has been an important argument in other instances and keeps resurfacing in discourses about past conflicts, and might reappear also future in Turkish-Armenian reconciliation, and therefore I think it merits further discussion. I would suggest that there are several rationales to back this stance, and I humbly dare to separate them even though they are hardly ever clearly explicated and remain interconnected.

(a) In its most basic version, the claim is stipulated that we should leave the past behind in order not to divert our attention from any present or anticipated future problems. In times where resources are scarce and people are suffering in the present, there are more important things to do than engaging in endless discussions about historical wrongdoings.

(b) Even worse, obviously settling conflicts is a delicate and difficult task, and dwelling on past wrongs may rather serve to maintain or even generate new resentments instead of resolving them. This is indeed a very old argument and used to be a pretty common approach in conflict resolution for quite some time. For instance in the Peace of Westphalia (1648) it was stated: „Beiderseits soll das ewige vergessen und vergeben, alle Beleidigungen, Gewalttätigkeit, Schäden und Unkosten derart gänzlich abgetan sein, dass alles in ewiger Vergessenheit begraben sei.”\textsuperscript{288} In this understanding, dwelling on past troubles only protracts these problems for present and future generations and thereby augments the troubles we currently face.\textsuperscript{289} In this context it may be interesting to note that the United Nations Special Rapporteur on genocide, Nicodème Ruhashyankiko, in his final report in 1978 removed the reference to the Armenian Genocide still present in his draft version, and explained it happened in order “to maintain unity within the international community in regard to genocide, and because in many cases to delve into the past might re-open old wounds which were now healing”.\textsuperscript{290}

\textsuperscript{286} Quoted in \textit{Today’s Zaman}, March 19, 2010.
\textsuperscript{287} By „forgotten” I wish to express that it was not an issue of significant public attention, not that some mystic collective agent had banned it to its collective unconscious or the like.
\textsuperscript{288} Quoted in Meier (1998: 169).
\textsuperscript{289} For an empirical study affirming this see also Wohl (2004), who concludes from his findings that remembrance of past injustice may increase intergroup conflict and the attribution of collective guilt. He adds, however, that it does so only under specific conditions, while also diminishing hatred and rather contributing to forgiveness under other conditions, the most prominent variable of them being how the respective victim and perpetrator group are constructed.
\textsuperscript{290} Quoted in Schabas (2000): 465.
Besides, (c) trying to repair past misfortunes raises ethical questions in our contemporary social lives, and thereby again risks to create rather than settle tensions. Think, for example, of questions of restitution and reparation, rehabilitation, retroactive justice, statutes of limitation, victor’s justice and so forth. Our past problems can hardly be resolved to everybody’s satisfaction anyway, which theoretically means that if we decide to “work it out”, we will have to do so *ad infinitum*.

(d) This is further complicated in cases where the past injustice dates back a long time ago and the actual victims, bystanders and perpetrators have already perished. In these instances, there is nothing we can do to relieve their pain or do justice to any of the involved actors anyway. Therefore, any political action will indeed only affect people without any direct involvement in the events of concern, and thus relate questions about the “inheritance” of grief, rights and guilt. This sparks highly controversial concepts such as the one about collective guilt.

(e) Especially in times after a socio-political transition, ruminating past conflicts may pose an obstacle to the erection of the distance required to the past events, and thereby impair the stability of new political institutions and social identity.291

(f) Obliging perpetrators to work out their past from the outside may indeed harm the sincerity by which they are hoped to regret their misdeeds. In fact, it may even prompt them to revert to reflexive reactions warding these allegations off.292 Hence, only if it is left to their willful choice and voluntary scrutiny, without outside pressure, can suspected culprits honestly confront their past deeds and arrive at insight and remorse regarding their misdemeanor.293

(g) It appears questionable whether a judgment from the present to a distant past is appropriate: it must not be neglected that we cannot presuppose structural identity between past and present, and these structural differences put limits to our ability to draw analogies and judgements between different periods of time. Thus, neither should the past become a benchmark for the present,294 nor should we arrogate ourselves to judge the past by our present standards. As *Friedrich Nietzsche* stipulated this last point:

> „Als ob es auch die Aufgabe jeder Zeit wäre, gegen alles, was einmal war, gerecht sein zu müssen! Zeiten und Generationen haben sogar niemals Recht, Richter aller früheren Zeiten und Generationen zu sein: sondern immer nur einzeln und zwar den

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291 Which led Werner Bergmann (1998: 396f) to a principle he dubbed “Kommunikationslatenz als Strukturschutz” – in my own meager words: silencing past conflicts to ensure the stability of present structures.

292 See for instance Sen (2006: 88f) in the context of a preoccupation with the colonial legacy.

293 Schwan (1997b): 91-93.

seltener fällt einmal eine so unbequeme Mission zu. Wer zwingt euch denn zu richten? Und dann – prüft euch nur, ob ihr gerecht sein könntet, wenn ihr es wolltet! Als Richter müßtet ihr höher stehen als der zu Richtende; während ihr nur später gekommen seid.”

(h) A “post-modern” variation of this last point, being at least often deployed in the German discourse, claims events such as the Shoah completely elude our capacities of comprehension. Curiously, this point is to the best of my knowledge hardly contested in contemporary social sciences, where already claims to comprehensively understand any present other are put in great doubt. By contrast, this argument apparently departs from the (implicit) assumption that other events may very well be understood, but some or at least this one specific event evades our understanding. In order not to arrive at some inappropriate or outrightly false understanding of the past, some therefore extend this argument and derive from it an imperative not to examine, describe, interpret the past at all. For instance Martin Heidegger argued that since “seinsvergessenes Sprechen” was not capable of addressing these problems adequately, it was better to confine ourselves to “kommunikativem Schweigen”.

Now, given all these claims, what are we then to do with our past(s), respectively our need to understand the antecedents of present social conflicts? Instead of scrutinizing the past, it may be proposed to focus on the issues we are currently struggling with and whose resolution is imperative and indispensable right now anyway. Resources are limited, and rather than wasting them on past issues we should concentrate on the pressing problems of our time. This does obviously not imply a prohibition for historical research or debate, but it means the past is better conceived of as a private or scholarly matter. If individuals need a deeper understanding of their history, if they need to come to terms with past suffering or guilt, it is their personal project to do so. Likewise, historical research is not altogether rejected, but ideally it is done *sine ira et studio*, providing us with information concerning our past and our whereabouts, how we and our present society came to be just who we are in order to facilitate our meaningful and free lives – and not to sow the seeds of social cleavages and enmity. Thus, with regard to the public and political sphere, this should bear little or even no consequence at all. History should not be abused to stir any socio-political conflicts in the present.

297 In Australia a similar discussion revolves around offering an apology to Indigenous Australians, with Prime Minister John Howard eventually rejecting such an apology by endorsing „practical reconciliation“ instead, which focused more on the future rather than the present (see McGarty and Bluc (2004); Augoustinos and LeCouteur (2004)).
4.1.1. Discussion.

My personal opinion is that the arguments above do have their merits and they are worthwhile keeping in mind in order to save us from an excessive obsession with history. Nevertheless, I remain hesitant to accept this as a general principle in dealing with history. I do claim that settling past conflicts and “coming to terms with the past” to a certain degree is of importance for our present lives, and this “certain degree” is a function of the present consequences and repercussions of the past and therefore needs to be determined on a case by case basis. In general, and in this particular case as well, I would argue that forgetting about the past points in the wrong direction, and the damage done by forgetting may be even more detrimental. There are indeed several dimensions which vindicate remembering past wrongs and engaging in efforts to find an appropriate meaning for them.

4.1.1.1. Prevention of Recurrence

First, when the story to be forgotten is one of injustice, of perpetrator and victim, then forgetting about what has occurred essentially implies that the perpetrator succeeds, that her strategy to realize her ends was successful. To give a highly simplified example, Group A wants to eradicate all members of Group B from its territory, and they do so by pursuing genocidal policies. After all is done and Group A has largely achieved its aims, some survivors or third parties may rise up and lament that this had actually been an injustice and ask for justice and repair. However, Group A now admits that something bad has happened, but what matters now is that the present conflict is settled, which presupposes that we do not burden our present relation with that past. Instead we should rather forget about it in order to establish harmonious relations from scratch. Essentially, I think, this would mean the genocidal policy has proven to be the right to realize Group A’s goals: Group A’s territory is now (more or less) void of members of Group B, and this is exactly what inspired the genocidal policies in the first place. Therefore, I would argue, just covering everything up and pretending nothing ever happened would convey an inappropriate concept of social justice and fail to discourage from the repetition of similar events.298

Second, I believe there is also another sense in which our position with regard to the past is relevant to prevent the recurrence of similar events. While the one above is more targeting the cost-benefit calculation of potential offenders, i.e. when people are already inclined to

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298 I would like to emphasize that this point is not necessarily a case for punishment and restitution (though it probably leads that way), it is only about identifying and bringing to consciousness a wrong. If and what consequences should be drawn from this identification is another matter which ought to be decided by consideration of numerous other variables in every specific case, but I believe the important point is to identify the wrong and to have this discussion about the appropriate consequences.
pursue such actions, the examination of past misdeeds also may have a truly preventive character by engendering an educational momentum. That is to say that the investigation of past injustices may serve as some kind of “training camp” for moral thinking. It is in these kinds of events where we may reach certain moral conclusions about specific modes of behavior, and that by explicitly distancing ourselves from what has occurred and denunciating it we may lay the cognitive foundations to ensure these kind of acts do not recur: „Man darf nicht ungeprüft vergessen, damit es nicht bald wieder etwas zu vergessen gibt.”

**Excursion: Learning From History.**

I guess at this point it seems appropriate to digress a little and address the question whether we can, or should, learn something from history, and if so, what that would be. Maybe a basic distinction might help to explain my point: what exactly is it we want to learn from history? Is it (a) a pragmatic lesson, instructing us about the effects and effectiveness of certain activities, or is it (b) a moral lesson, telling us which activities are morally good or right?

To begin with the first option, I remain hesitant: to claim (un-)successful policies in previous situations would again prove (in-)effective or generate the same unintended consequences under present conditions implies the presupposition of a structural identity between the past and the current situation. As Helmut König observes, it would be inappropriate to base current decisions and policies on historical knowledge rather than consideration and deliberation of the actual situation at hand. With regard to the particularity of any specific situation this cannot be presumed in my opinion, inferring directives for contemporary comportment as “lessons learned” from history would be expecting too much from historiography.

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300 Here I am only considering what somehow positive lessons we might draw today from history, in this case the Armenian Genocide. I am therefore not contemplating how it might have served or will serve as an instruction for other events of violence. That is, I am not pursuing the thesis which claims the Armenian Genocide was a precursor or “prototype” (Melson (1996): 88, 97) or instigation (Dadrian (1996): 117) for other genocides; nor will I consider theories of desensitization, such as that committing cruel acts facilitates even more gruesome actions by reducing an agent’s sensitivity to other’s suffering, or that conducting one military coup establishes this as a political possibility, thereby setting stage for further military coups (see for instance Staub (1989)). Likewise, I am not concerned with other notions of “learning” from the past, such as the idea that knowing about the past tells us how the present came about and thereby about its composition and constitution.
303 Another point worth mentioning here is obviously the double meaning of “history”. In a first sense it refers to the actual past events (res gestae), and in another to the narrative through which we know about it (historia rerum gestarum) (Koselleck (1989): 47f, Burger (2004): 25-38). As discussed above, these two are not necessarily identical, but the only thing we can actually know is the account of the events, not the events themselves. Therefore, what we can learn from is the account and not the events themselves. Given the vast amount of possible accounts for one and the same event (just think of the subject under scrutiny here) and the
I remain also at a cautious distance about looking at the past to teach us about moral good and bad. I think it would be a misconception to claim we would be inevitably doomed to repeat the past if we did not know about it (Georges Santayana), or the other way around that we would not run into similar mistakes as in the past if we only knew history well enough.\(^{304}\) Indeed, I desperately hope it would be too pessimistic a picture of our mental and emotional capabilities to claim that without knowing about past massacres we would not be able to identify murder as something evil and would constantly pursue such actions.\(^{305}\) I think history may support moral lessons and facilitate our understanding by providing examples, empirical and practical cases which bring aspects into the spotlight which theory often neglects. But it should determine moral conclusions, what is wrong and what is right.

That does certainly not erase the significance of history altogether. Learning about past events and increasing one’s understanding of them may contribute to one’s sensibility for similar developments, for instance in order to detect them earlier on.\(^ {306}\) It may demonstrate that such stories, as inconceivable or distant as they may appear, are indeed very well possible. Especially in instances of macro criminality\(^ {307}\) history may thus illustrate the importance of maintaining a critical distance and perspective towards exactly those things which seem normal and self-evident, well established knowledge in one’s own society and personal thinking.\(^ {308}\) In that sense I think it is still appropriate to speak about “learning” from history, i.e. not to overstate that it instructs us what to do but rather to consider it as exemplary support for our deliberations and resolutions.

To draw from my own experience, the Holocaust as an extreme case could be used to educate me about the importance of a humane orientation, how easily it could erode and how devastating the consequences could be, way before I was (or am) capable of understanding the abstract principles of human rights or what is going on in other, distant places.\(^ {309}\) Furthermore, the argument is not just about simply inciting personal preoccupation with right

\(^{304}\) See also Adam Philips (2005): 2.

\(^{305}\) Or, as König (2008: 648) argues, we hopefully do not need something like the Holocaust to occur in order to tell us that genocide is wrong.


\(^{307}\) For a very interesting introduction into macro criminality, i.e. crimes committed by large groups, where the criminal activity thus corresponds to conformant rather than deviant behavior, see Jäger (1989).

\(^{308}\) For a critique of this normalism, see e.g. Liebsch (1998).

\(^{309}\) Which, again, is not to say that these should not be taught or considered in education as well. Quite to the contrary. Discussing concrete cases may support understanding and may even contribute to the enhancement of these universal norms and human rights. See e.g. Beck (2004: 342), or Alexander (2004b: 261f) who critically asks whether a society really needs to go through such events itself to draw the conclusion which have been drawn in Europe from the Holocaust, or if these insights may not rather be transferred across cultures.
and wrong, but also to enhance sensitivity for such matters on a societal level and thereby support prevention.\textsuperscript{310} This is why I have deployed the somewhat provocative term “training camp” above. A distancing from past wrongs reflects that our mindsets are not identical with those which brought about the wrong in the first place, and in that sense may prevent recurrence:

> “Thus, some people will always remember what happened, but if there are no collective efforts to remember, a society risks repeating its atrocities by failing to undo the dehumanization that laid the groundwork for them.”\textsuperscript{311}

Furthermore, our preoccupation with past wrong is not only relevant for enduring in reflections on right and wrong, but also about how to live with responsibility and guilt.\textsuperscript{312} Assuming responsibility and the willingness to amend for past wrong is probably the most convincing demonstration that adherence to certain values is not just a proclamation of intent but indeed a lived reality.\textsuperscript{313} As Taner Akçam put it:

> “To prevent the recurrence of such events, people must first consider their own responsibility, discuss it, debate it, and recognize it. In the absence of such honest consideration, there remains a high probability of such acts being repeated, since every group is inherently capable of violence; when the right conditions arise this potential may easily become reality, and on the slightest pretexts. There are no exceptions. Each and every society needs to take a self-critical approach, one that should be firmly institutionalized as a community’s moral tradition regardless of what others might have done to them. It is this that prevents renewed eruptions of violence.”\textsuperscript{314}

There is a constructionist dictum of Heinz von Foerster that making a judgement of something else tells us little (if at all) about the object of the judgement, but a lot about its speaker.\textsuperscript{315} Adapting it to this situation, I would say that the seminal feature of making judgments about the past is not because it is oh so important for the past and the persons back then, but because it is oh so important for us and we are acting in our present world.

\textsuperscript{310} The argument that learning about such events helps to understand the significance of injustice and serve their prevention has already become a commonplace. See for instance Stannard (1996): 197; Thomas (1997): 187-190; Staub (1989): 187; Cohen (2001): 226; Auron (2003a): 10f, 151. See also the notion that our perceptions of current suffering are incorporated in cognitive structures which we have developed during our previous confrontation with sufferings (Levy and Sznaider 2001: 39). In that sense, how we (do not) address previous suffering is of pivotal importance for how we are able to deal with present suffering.

\textsuperscript{311} Minow (2002): 16. As Liebsch (2001: 56) argues, our promises for future conduct become credible only by being affected in particular ways by those things which should never have happened.

\textsuperscript{312} Here I am not referring to a legal or moral understanding of guilt. Rather, what I have in mind is the emotional experience of feelings of guilt, which may result from guilt in a legal or moral sense, but not necessarily so. See Branscombe and Doosje (2004).

\textsuperscript{313} I extended this argument from Otto Luchterhand’s (2005: 102), who claimed that it is by its treatment of the Armenian Genocide and the contemporary Armenian diaspora within Turkey that Turkey can prove its adherence to European norms.

\textsuperscript{314} Akçam (2006): 2.

\textsuperscript{315} See Glaser (1999): 59.
However, my only concern is to overrate this learning experience. In the end, learning about the Holocaust does not mean that mass atrocities will not occur again, and denying past wrong will not make repetition a necessity. The foundations for our disposition towards violence and injustice, I believe, are generated from experiences other than “only” learning and observation. Instead these later ones may refine and enhance certain attitudes and sensitivities, and to demonstrate why they are important – and that is already an awful lot, and why they are rightly considered important elements in education and development. But their relevance should not be overvalued and there are numerous other social conditions which might play a more crucial role in fostering our position towards violence and injustice.

At the other extreme, this preventive aspect of examining the past is one of the reasons why the justification of a past offense can be highly problematic. By justification I do not refer to attempts to explain and understand the culprit, but rather in a narrower sense to describing the actions literally as justified, as being the right thing to do in that particular situation. Endorsing the view that previous comportment was appropriate back then increases the chances that we will repeat it under similar circumstances. It is an expression of the continuity of the mindsets which have brought about the wrong in the first place: „Abgesehen von wenigen Ausnahmen – wenn es die überhaupt gab – haben die Länder, die die schwerwiegenden Menschenrechtsverletzungen in ihrer Vergangenheit ignoriert haben, einen hohen Preis dafür bezahlt: Sie haben ihr Volk zu weiterer Gewalt in der Zukunft verurteilt.“

These points are often invoked in Germany to defend remembrance of the Holocaust and are summarized in the catchphrase of “Nie wieder”. Obviously, in the context of the Armenian Genocide this argument is put forward mostly by pro-genocide authors. For instance Levon Chorbajian states:

“The denial of genocide erases these possibilities [i.e. political and public actions and education for “mobilizing public awareness of genocide”] and builds momentum for future crimes against humanity. The Armenian Genocide is important in this regard because it is the subject of the most intense and well-financed of all programmes of genocide denial. […] When genocides remain unacknowledged, unpunished and denied, future leaders see genocide as a viable solution to seemingly intractable political problems.”

To conclude, from all what is said above it seems that a preoccupation with past wrongdoing is not necessarily something which is relevant only to the actual perpetrators and victims. Rather, for the very same reasons it may easily be adopted by subsequent generations just as well. To account for the occurrence of violence certainly a number of factors need to

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be considered; one of them, I claim, is how we think about violence.\textsuperscript{318} And since it is incredibly difficult to think about violence \textit{in abstracto}, and since fortunately personal experiences of mass violence are very infrequent in most countries, this thinking about violence manifests itself mostly in our contemplating events of violence which have occurred in the past, here or at other places. Therefore the decision \textit{not} to think about these cases is also a decision \textit{not} to use an important means against future violence. With regard to the question about learning, I would claim that it is an utter misconception to claim we could learn better or even only from our achievements. Quite to the contrary, it appears to be rather our failures which provide a great incentive and opportunity to reflect, draw various conclusions, and eventually prompt us to try for new ways. Innovation, or at least the potential for innovation, I suppose, lies more in failure than in success. That might be based on our peculiar approach of analyzing and assessing things that do not work much better than those which do work, but that would lead too far astray at this point…

\textbf{4.1.1.2. Reconciliation and Social Peace.}

Just like arguing the past should be left behind in order to achieve present reconciliation, it may also be claimed that to the contrary working through the past is an essential ingredient in reconciliation, even though it may be a painful process. First, assuming that there are certain cognitive structures underlying any conflict, such as prejudices and stereotypes, resentments, feelings for avenge etc., it would be naïve to assume they simply fade away once a conflict is “officially” settled. I think a distinction proposed by \textit{Arie Nadler} and \textit{Ido Liviatan} (2004) is quite useful here: while on the one hand there is “conflict resolution”, understood as “the process of ending a conflict by reaching an agreement on how to divide contested resources between two parties”, on the other hand there is “reconciliation”, which in turn concentrates on conflict-related emotions rather than contested resources. As they point out, these should not be conceived as two independent but instead interrelated and complementary processes.\textsuperscript{319} Moreover, they claim reconciliation comprises two aspects: (a) building trust between the adversaries, which is focused on overcoming resentment, trying to instigate trust by cooperation, and (b) socio-emotional reconciliation, which may be achieved by going through

\textsuperscript{318} This leads to another claim which could be made: here I have focused exclusively on the prevention of events which are identical or at least similar. But Minow (2002: 64) alleges that “[s]ocieties with chronic conditions of war and intergroup conflict also witness increases in family violence”. I would extend that thought by suggesting violent behavior in one realm may be a facilitator for other forms of violence, not only because it invokes Minow’s (2002) “cycle of hatred”, but also because people learn violence, i.e. they learn that violence is a mode of problem resolution, because it lowers their sensitivity and thus restraint of violent behavior and so forth.

\textsuperscript{319} Nadler and Liviatan (2004): 217.
an “apology-forgiveness cycle”, a concept they adopted from Nicholas Tavuchis, and which involves among other elements also a confrontation with the past.\textsuperscript{320}

As I interpret their proposal, conflict resolution reflects the \textit{political} dimension in ending a conflict. It appears to represent a way both parties can agree on, facilitating future coexistence without the risk of resorting to violence as another means to resolve a conflict – and that is already an awful lot. However, postulating that this reflects a genuine termination of a conflict neglects the perseverance of human resentments. It does not account for the \textit{socio-psychological} dimension in conflict. Political conflict resolution in the understanding discussed here relates to the relationship of each party towards the contested resource, but not or at least not adequately to the relationship between the parties. Here resentment may persist, and may erupt again at another occasion, caused by any other disagreements about resources or the like. In that sense, it may be said that a political conflict is new (a different quarrel about different resources) while the socio-psychological one may still be the same (the emotions, prejudices, suspicious attitudes etc. did not change), put very simply. Therefore, in order to ban the risk of future eruptions of violence between the two contesting entities, or even to go beyond a co-existence without violence and create collaboration and mutual respect between them, not only the immediate conflict itself needs to be resolved but also its underlying resentments.

The resolution of such resentments may require something I brazenly call forgiveness. However, is to forget really the same as to forgive, or does forgiving in turn not actually presuppose remembering?\textsuperscript{321} How can we forgive, if we do not really know what to forgive, and whom to forgive? If we only recollect a somehow distorted or incomplete image of the wrong as we experienced it (or were told about), if all that remains are underdetermined feelings of frustration or pain of which forgetting appears more like repression, then a more comprehensive understanding of this injustice and thereby a better integration into our identity and life story will be far more difficult. Thus, remembering and identifying the wrong and the wrongdoer may be seen as a prerequisite for actual forgiveness.\textsuperscript{322}

\textsuperscript{320} Nadler and Liviatan (2004).
\textsuperscript{321} For the concept of forgiveness Joanna North (1998: 20f) pointed out that it is not at all linked to forgetting, since forgiving is a conscious and active effort which keeps the injury in mind rather than merely banishing it from consciousness. I would suggest this applies not only to forgiveness but conflict resolution in general. If all we do to resolve a conflict is forgetting about it, then every reminder of the forgotten conflict risks to unleash it all over again.
\textsuperscript{322} See Günther (1997): 86; Margalit (1997): 204f; Blustein (2008): 262. Finally, to my understanding this is somewhat similar to what Helmut König (2008: 626-634) has in mind with stipulating “kathartisches Gedächtnis”: this dimension of memory remembers the past and acknowledges its immutability in order to be at peace with the world and retain the capability to act in it. He distinguishes this from „moralisches Gedächtnis“
As the case under scrutiny here demonstrates, an actual conflict itself (the events around 1915) may be perceived as something of the past, as final and settled, yet resentments and distrust may persist over generations. In order to overcome them it may ultimately be necessary to turn back to those events and examine how they came about in the first place,\textsuperscript{323} and how good reasons for discord back then may be separated from plain misperceptions and stereotypes. That, in turn, would allow to address the individual sources of resentment appropriately and ideally even to resolve or at least to find a way to live with them. Obviously bringing them into spotlight and consciously discussing them appears to be a precondition for such an endeavor. Similarly, also Susanne Buckley-Zistely concludes in her study on “chosen amnesia” in post-genocidal Rwanda that this amnesia “bears the danger of not challenging the social cleavages that rendered the genocide possible in the first place, and so obstructing their transformation in the future”.\textsuperscript{324}

Of course it would be wrong to suggest that by our decisions and actions today we could undo the past. But what we can do is changing our interpretation of the past, giving it a new meaning, taking a different position toward it. This ultimately does not alter the past itself, but it indicates a change in our present selves and thereby is an essential ingredient in the process of reconciliation.\textsuperscript{325}

Second, on an individual level, it may be suggested with my negligible understanding of psychoanalysis that past conflicts which we fail to work through might remain in our unconscious, nurturing the potential for future conflicts.\textsuperscript{326} Rather than really arranging ourselves with and thereby in a certain sense liberating ourselves from the past, we are indeed doomed to compulsively relapse into the old modes of behavior or transform it by various neurotic means of rationalization, projection etc.\textsuperscript{327} I do not want to indulge in somewhat contestable analogies between individual and collective agents at this point and stipulate some which remembers the past wrongs and thereby safeguards the persistence of moral values, thereby being closer to the point I made above about the moral value of remembering. His third type, “anamnetisches Gedächtnis”, is the detailed memory of what has happened, who were the perpetrators and victims, and what were the wrongs inflicted on them. This type should provide the victims with the dignity they are assumed to have lost due to the victimization.

\textsuperscript{323} Actually, I suppose it may be worthwhile or even necessary to go back even further in time. It would be misleading to believe that tensions between Turkey and Armenia commenced in 1915 as a result of these events. Rather, the events themselves are an expression of such tensions, and in this respect Richard Kévorkian (2006: 104) may have an important point when asserting that it is the very same cognitive structure which initially contributed to the realization of violence and continues to contribute to the rejection of any responsibility for it.

\textsuperscript{324} Buckley-Zistel (2006): 131. However, it must be added that her concept of “chosen amnesia” and the situation in Rwanda is of course different from the case studied here in several respects.


\textsuperscript{327} See for instance Schuster and Springer-Kremser (1997).
collective unconscious; however, I do accept the proposition that also collective conflicts need to be worked out by the participating individuals in order for the collective conflict to be considered resolved. And as far as individual liberation from resentment requires being at peace with the past, collective conflicts in my opinion merit being addressed as public issues. Otherwise it would result in the bizarre but all too familiar constellation of a political community going to war, and after its resolution leaving the soldiers on their own to cope with all the filth it involved.

When we talk about social “forgetting” or “amnesia” the analogy with individual forgetting is of course misleading anyway, since the agent is obviously a collective rather than the individual. Some members of that collective may actually forget, but others may not. Moreover, those who do manage to forget would always be exposed to the risk of being reminded by those who remember, not only of the forgotten event itself, but also of the act of forgetting – which is an essential prerequisite in genuine forgetting. Indeed, I would argue that what is at stake here is not so much “to forget” but “to keep silent”, to inhibit communication: it is better described as “Kommunikationslatenz”. It is not an act of forgetting which is hardly subject to volition anyway, but rather an act of declaring something socially and politically irrelevant – or, worse, prohibited. In the end, governmental agents are not the only steersmen of public discourse: in an open society they cannot determine what is relevant enough to become a matter of public communication. If we really wish to give credit to Mümtaz Soysal’s assertion that Turkey “chose” oblivion, this implicates the deliberate strategy to keep something from the agenda, both by not proactively raising it for

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328 See König (2008): 81. As Umberto Eco pointed out, this is a most curious aspect of the idea of an *ars oblivionis*: in semiotic understanding such art is self-contradictory since the symbols by which it is communicated must not create the symbolic presence of what they refer to, but rather its absence (see Weinrich (2000): 25).

329 Which is of course a paradigmatic borrowing from systems theory, which according to Esposito (2002) stipulates that the mnemonic medium on the individual level is located in the psychic system, but on a social level it is based in communication. By extension I would claim that “to remember” on a social level amounts more to “to discuss”. Since the terms “forgetting” and “remembering” seem to be the ones dominating the public as well as academic debate, I decided to stick with these. There are of course more qualifications with regard to “forgetting” which would be worth mentioning, such as the distinction drawn by Aleida Assmann (2006a: 176) between “Verschweigen”, which she identifies with the perpetrators and their willful decision not to talk about a wrong, and “Sprachlosigkeit”, which occurs on the side of the victims and is a token of the incapacity to adequately express what has occurred. However, here I am only concerned with the former where one neither wants to talk (or: remember) about the past nor wants others to do so, and hence does not even attempt to find the words for proper representation, therefore stopping short before one could discover one’s “Sprachlosigkeit”.

330 König (2008): 527. However, I suspect his concept is actually intended to refer to Hermann Lübbe’s “kommunikatives Beschweigen”, which points to something not being incorporated in public discourse even though the discourse participants are well aware of it.


332 See the quotation at the beginning of section 4.1.
instance in school curricula, presentations etc., and also by suppressing others who wish to do so.

However, such a discouragement from communication will hardly generate genuine forgetting for those who already know, and any orders and punishments are unlikely to accomplish the same, in fact rather **reminding** of what should be forgotten. Public communication of course can be banned, but remembering cannot. And as regards future generations, “forgetting” is again misleading because it requires that something was known at an earlier point in time. This silence, however, prevents the acquisition of such knowledge in the first place. Thereby it actually removes the choice between cultivating this memory or ignoring it, as it pre-empts the succeeding choice about the adequate way to remember.

Anyway, some individuals may desire to excite public awareness for a past injustice, and what should on a macro level be responded to such calls? “We do not want to hear about it anymore” does not sound like a very reasonable or convincing reply, or one capable of appeasing the restless minds of those who are still struggling with these events. I would assume that quite to the contrary, it may be highly frustrating for those who for one reason or another still live with the knowledge of the past and possibly even suffer from it, to be simply silenced or ignored. Harboring fundamentally antagonistic narratives and conclusions about the past and not allowing for a resolution of this tension carries a high potential for future conflicts, and is in any case not an expression of consensus and getting along well with each other. Finally, approaching problems with a refusal to know and to discuss but instead shunting them off is hardly compatible with an open and democratic society, arguably even worse than “only” prohibiting alternative views, and in that sense quite an alarming strategy.

By contrast, in cases where the past can be examined and discussed and conclusions be drawn, the situation might be different. There will of course always be individuals disagreeing with these conclusions and voicing their dissent, but ideally their arguments have been heard and discussed and (ideally) there are good reasons not to follow their reasoning. So the response to their objections can still be very different to the scenario above: their grounds can be acknowledged but reasons can be offered why their position is not adopted. And of course the conclusion is never a final and static one, will always subject to challenge and review. However, the second scenario seems to me preferable because (a) the response is at least potentially better founded and more rational than in the first one; and (b) also the status of the plaintiff seems to fit better in a picture of a democratic society with open discourse. In the first scenario her complaint will be ignored altogether, while in the second it could be heard and given credit, and if it is a new argument it could vindicate a review of previous conclusions,
while it could be refuted if it is merely a reiteration of previous claims. Therefore, social peace and justice may be better served in the second scenario than in the first one.

Similarly, it would be too simple to assume it was only necessary for the actual perpetrators and victims to forget, while for their descendants it would not be of relevance anyway. As the case studied here demonstrates, unsettled historical accounts may continue to rampage for quite a while.333

So much for the theoretical point of reconciliation and peace, but another point worth mentioning is more a pragmatic one: obviously there still is a significant discord about the events of 1915, and various participants take it important and serious enough to see it as a reason for grave repercussions in the present. I have already described in the introduction the current state of affairs between the Republic of Turkey and the Republic of Armenia, the significant efforts both countries (and other agents) put into lobbying for their point of view, the resentment and sometimes even sporadic eruptions of violent crimes, and so forth. Of course these tensions on different levels are tightly intertwined and enforced also by other factors and disputes, but the controversy about the Armenian Genocide provides an outstanding symbol to motivate and justify all of these resentments.

Therefore I would argue that even if all the theoretical reasons given above fail to establish the necessity to examine this particular issue, real life warrants doing so. Coming to terms with a historical conflict is then an intrinsical component of coming to terms with a present conflict.334 We may not be able to settle the past conflict, the tension and violence of 1915 and its aftermath, we are too late for that; but we may and have to resolve the present conflict, and part of it is history (more than the past) – and it is a present part.

4.1.1.3. Morally: Remembering as Justice.

It is sometimes argued that remembrance of past wrongs is not just of pragmatic importance, to reconcile after conflict and to prevent recurrence, but also to serve as a play or battle ground to establish and consolidate value systems.335 For example, as Gulie Ne’eman

333 Eventually this is also the basic assumption in the work of Israeli psychologist Dan Bar-On, who consequently engaged in work with descendants of Nazi perpetrators as well as of Jewish victims. See for instance Bar-On (2003). See also Aleida Assmann (2006a: 75), who claims if the experienced victimization does not find a proper symbolic expression, that the “psychische Wunde des Traumas unbewusst auf nachfolgende Generationen [übertragen werden kann]”. And on page 94: “Dieser intergenerationelle Nexus des Traumas kann nur unterbrochen werden, wenn es gelingt, die abgespaltenen und unbewussten Anteile des Traumas in bewusste Formen von Erinnerung zu überführen.” And Mitscherlich and Mitscherlich (1967: 134f) stress how taboos about the past may be passed on to descendants by virtue of their identification with their parents., and how this burdens also future generations.


Allegation and Denial

Arad argues, the remembrance of the Holocaust today in the United States of America provides a metaphor to reinforce a whole bunch of “American” values, such as tolerance, pluralism, human rights etc.\(^\text{336}\) For Jeffrey Blustein, “the responsible party’s acknowledgment of the legitimacy of the victim’s claim and the wrongness of the prior conduct” restore the “breached moral value”, thereby putting an end to the subversion of the the moral order of a society.\(^\text{337}\) And Günther Jakobs identifies criminal law as an important contributor in social discourse because it allows for a retrospective distancing from the past injustice and thereby a restitution of the moral system.\(^\text{338}\) To my understanding this is quite frankly expressed in a concept by Avishai Margalit, who describes a “moral witness” as not just giving testimony at court but as recalling a sense of morality in society at large.\(^\text{339}\) Here I would like to focus on the virtues of justice and responsibility, since these are of relevance in how we deal with any kind injustice, rather than more specific values such as tolerance, pluralism, human rights etc.

Actually committing an injustice may be described as only the first stage in any crime. Particularly forgetting is often perceived as complementing the preceding wrong. While being forgotten after death may be a disconcerting thought for anyone of us, it may often be imagined as especially painful when someone perishes because of a wrong. And where such forgetting, again in a metaphorical sense denoting rather some kind of silence, is a conscious and deliberate decision, potentially even by the perpetrator of the initial wrongdoing, it is often described as problematic, maybe even as another injustice in its own right. In contructionist terms it may be said that the decision not to think about something is revealing nothing about the relevance of the past, but instead a lot about our present structures of relevance and our capacity to deal with wrong and injustice.

Furthermore, committing an injustice is one thing, but our judicial system and our faith in justice are based on the promise that a committed injustice is identified and justice restored by condemning the injustice and trying to amend it. However, just as the fulfillment of our promise for future conduct requires remembering this very promise, so does any restoration of justice require remembering the preceding injustice. In that sense forgetting may inflict serious harm to our interhuman relations:

“To devote ourselves to these claims [of history] represents an impulse to confront and undo the injustice of history, to retrospectively and retroactively move the line separating misfortune and injustice so that all human depredations are seen as

remedial injustice. It attempts to make history yield up a morally satisfying result that it did not the first time around."\textsuperscript{340}

Hence, whenever a wrong occurs then forgetting about it may be considered in the hardest sense a crime in itself, and in a weaker sense as a failure to at least attempt to restore the value of justice. Thereby it may undermine and impair, if not even pervert our sense of justice.\textsuperscript{341} The acknowledgment of past misdemeanor is a step towards the restoration of justice and may acquit them of the suspicion to repeat this wrong, which in turn is also a significant contribution to peace and reconciliation as well as the recovery of the victims.\textsuperscript{342} As Richard G. Hovannisian noted: “It becomes essential […] for victims to understand that the horrible events are not normal but rather are aberrations of a generally good world order. Continued denial makes this impossible and reinforces the sense of insecurity, abandonment, and betrayal.”\textsuperscript{343} If that is true, then I would extend this claim not only for the victims but for everyone whose faith in justice or a good world order is shaken by a wrong which goes by without any consequences.

Moreover, I would argue that remembering and recognizing a past wrong may also be perceived as a retrospective expression of solidarity with the victim, and resistance against injustice, even though it is only after the wrong was already inflicted and hence merely of symbolic value: „Vergessen schützt die Täter und schwächt die Opfer, weshalb inzwischen das Erinnern in Gestalt des Zeugnisses zu einer ethischen Pflicht und einer Form des nachträglichen Widerstandes geworden ist.“\textsuperscript{344} In this normative rather than descriptive sense I also understand Peter Burke’s expression that the victor has the choice between remembering (or writing) history and forgetting about it; the victim does not have this second option.\textsuperscript{345}

Beyond that, recognition may not only extinguish a desire for avenge but also restore the moral status of the perpetrator in the eyes of the other, particularly the victim. It is an expression that the past wrongdoing was an aberration from an otherwise humane orientation. Even though the wrong itself cannot be undone, its significance and meaning can be altered. This in turn may be held as a prerequisite to reintegrate both victim and perpetrator into the


\textsuperscript{341} Schwan (1997b): 93.

\textsuperscript{342} Staub (1999): 255-257.

\textsuperscript{343} Quoted in Chorbaijan (1999): xxiv.

\textsuperscript{344} Assmann (2006a): 91.

\textsuperscript{345} Burke (1991): 297.
same “moral community”\textsuperscript{346} or at least to allow for their social interaction in which they can meet on the same moral level.\textsuperscript{347}

Forgetting is even more crucial where the wrong is a physical removal of the victim, such as in murder, where nothing is left but to remember her. Killing a person may be viewed as the first step in annihilating that specific person, with forgetting about her and the wrong that ended her physical presence constituting the perfection of that obliteration.\textsuperscript{348} Most likely in allusion to the term genocide, this is what \textit{Aleida Assmann} dubbed “mnemocide”: forgetting those who have perished.\textsuperscript{349} And \textit{Gesine Schwan} considered the breaking of any norm as guilt of the first degree, while not reflecting on our misdemeanor guilt of a second degree, “Schuld des Beschweigens”.\textsuperscript{350}

As mentioned above, arguments in favor of forgetting often imply that it does not do any good to dwell excessively on the past. However, in my opinion the legal as well as the moral concept of justice rest essentially on remembering and amending past wrongs. If the claim is made that some wrong is already “too past” to be included in our judgments of right and wrong, then I think there is a need to define where that border is to be drawn. In law this is basically what statutes of limitations do for various crimes. Nevertheless, what I am discussing here is not the legal but a moral preoccupation with the past. If we are still willing to remember events occurring several centuries ago and use them for moral analogy and reasoning – and I think we should do so – then why would we want to exclude these events which occurred in the early 20\textsuperscript{th} century? Because their interpretation is not unequivocal and uncontested? But that may be a very good reason to work on them, because it is such critical cases which allow for a development of our interpretations and judgments. Ultimately it may not be so much the events themselves which bar consensus on their interpretation but rather that our interpretations still require more refinement. Maybe the reason is more our

\textsuperscript{346} Blustein (2008): 142f.
\textsuperscript{347} I think it is interesting to note here that many authors (e.g. Smith (1999): 4) argue that inflicting inhumane harm on somebody else is only possible when the offender excludes the victim from a shared moral universe. If I imagine this theorizing correctly then it is the perpetrator who first by a cognitive action disrupts the moral community and equilibrium, thereby paving the way for actions which manifest this disturbance. In line with the argument here presented, to reverse this process the perpetrator would then need to discern her error by genuine insight and reinstate the victim in the shared moral universe. And the repentence would need to convince the victim that they are both indeed again members of a shared moral community, that they can meet one another on equal moral terms. In other words, acknowledgment and apology would symbolically try to restore the balance also for the victim, and hopefully suffice to prevent exclusion of the perpetrator from her own moral universe (or a serious denigration in it).
\textsuperscript{348} Knigge (2002): 427f.
\textsuperscript{349} Assmann (2006a): 102f.
conceptions not being subtle enough, and for exactly this reason an engagement with this issue may be highly beneficial.

Finally, there is also the notion that we do not only need to do justice to the present but also to the past itself, respectively the persons of the past. In that reasoning of course an examination of the past becomes imperative. Otherwise it would not even be possible to establish if there was any injustice in the first place. In the end there would remain nothing but some blurred image about the past, without the ability to engage in any meaningful discourse on it.

While here I have relied predominantly on the value of justice to defend the importance of acknowledging past wrongs, also other moral grounds can be invoked. As one with a most obvious relationship to history and justice, I would only like to mention Jeffrey Blustein’s notion of responsibility:

“Part of the justification of imperatives of remembrance is this: people, individually as well as collectively, should recognize and act on their responsibilities of remembrance, because this is both instrumental to and constitutive of taking responsibility for the past, and this is something that, for various reasons and in certain circumstances, they should do.”\(^{351}\)

He goes on to distinguish between “being responsible”, “accepting”, and “taking responsibility”. If I understood his suggestion correctly, then being responsible refers to a rather objective identification of responsibility by virtue of agency for certain actions. Accepting responsibility represents the acknowledgment of responsibility by virtue of outside pressure. And finally taking responsibility can be imagined as the willingness to critically reflect one’s past actions, interpret them in a different manner than when they were actually performed and thereby identify some wrong in one’s behavior, eventually resulting in the willingness for rectificatory actions and a critical reflection also of the personal characteristics which underlay these actions.\(^{352}\) If that understanding is correct then I think the capability to take responsibility seems to be an important ingredient in human relationships and therefore a relevant personal as well as socio-political (democratic) value.

One final point I would like to make is that justice as I have discussed it here is fundamentally retrospective, i.e. concerned with the rectification of a past wrong. However, as noted above, in a constructionist paradigm the way we treat our past does also reflect and impact our current norms and values, such as the willingness to take responsibility. On a normative level this refers to the issues of prevention and learning from the past. On a

\(^{351}\) Blustein (2008): 34

\(^{352}\) Blustein (2008): 35-67
descriptive level an examination of how we position ourselves with regard to our past is also instructive as an indicator of our current attitudes and values. Hence, the way we treat our past does not only tell us something about the past itself, but also and maybe even more so about our present: “We think, when we are talking with each other, that we are discussing history, but what we are actually doing, more often than not, is discussing our present”. From that perspective, coming to terms with the past is rooted in as well as oriented towards the present.


Another strategy to delineate the importance of coming to terms with the past comes from a psychological context. Hereby I am not alluding to the painful memories of the potential victims and how the opportunity to present their version of the past and its public acknowledgment may ease their suffering. That certainly needs to be considered in any discussion if and how the past should be forgotten or remembered, but at this point I do not want to head in that direction. Instead I would like to look at the questions if and why it could be worthwhile also for alleged perpetrators, bystanders, and non-participants, such as successive generations, to investigate our histories of wrongs.

First, there is the position that such an enterprise may be necessary “to form an accurate, realistic self-assessment”. Presuming we all can hardly avoid to engage in various unconscious techniques to rationalize, justify or deny our past behavior anyway, attempting to learn about our past misdemeanor may counter some of these unconscious endeavors and thereby be of key importance to prevent an excessive idealization of the self. Indeed it would be disavowal of reality to presume any self to be fully free of any stains. Acknowledgment to me appears as the strategy with better chances to focus on corrective and preventive actions and thereby really altering the wrong and/or ourselves, rather than diluting it by justifications, projections, compensatory techniques, denial, and other defense mechanisms. In return, it may also result in a more realistic conception of our human nature and thereby adjust our expectations towards others and ourselves, which in turn may enhance our coexistence and collaboration.

There is another danger to a self which does not know (enough) about its past: if the self is conceptualized as something relatively stable and continuous, as it usually is, then what I perceive and present as my self of the past by implicit inference (at least) projects on my self of today. Therefore, any outside intrusion repudiating this self-concept for my past involves

353 Akçam (2004): 249. See also Aby Warburg in Erll (2005): 19f
354 With regard to the victims’ memories, see for instance Volkan (1999); Schacter (1999): 490f.
355 Blustein (2008): 88, see also 264f.
an erosion of my self today. Hence, not knowing about my past may result not only in a
distorted self in the present but also renders it vulnerable for outside challenges, even if this
challenge is not at all ill-intentioned but for instance only amazement about my ignorance.
Therefore an examination of the past is important for my present self because it impacts not
only its appropriateness but also its sustainability.356

This could be extended by arguing that in instances where a perpetrator is aware of some
reprehensible actions in her past but rather than amending these she indulges in various
defense techniques, these may not only gradually become compulsory and offensive, but also
the perpetrator’s self-esteem may suffer from the past injustice. In such cases, confronting and
acknowledging the wrong may contribute to the reparation of the perceived moral status of
the self.357

Second, there is the role history plays in the construction of our identity. I would consider
it unfortunate if A bases its identity on a certain event which is perceived and described
entirely differently by B. Actually, this essentially amounts to the predicament that A feels her
identity outrightly rejected by B. Apparently, this constitutes a massive intrusion in the self of
A, and hence may give rise to tremendous tensions. For that reason it may be of paramount
importance for both parties to work on this history in order to arrive at a common narrative so
both can at least tolerate the other’s identity.358

If I may deludingly argue by metaphor: I assume here that we all have a certain need for
an identity, and that this identity usually strongly draws on our history. Now, unfortunately
there may be some dark spots in our history, events we do not really want to integrate in our
identity, or at least we may suspect some spots may be pretty dark. By its very nature, i.e. by
its being past, we cannot just undo them, nor can we change them, all we can do is work on
their effects in the present and the future – and notably their effects on others as well as on
ourselves. But this requires that we confront them, admittedly at the great risk that we do not
know what will become of it (including the assessment there are no dark spots at all), nothing

356 See also Schlink (1998: 433-435) who argues that „Vergangenheitsbewältigung“ strictly understood can
never be fully accomplished, only the successful integration of the past into our present concept of our self.
However, he also holds that Vergangenheitsbewältigung may take the shape of forgetting rather than
remembering. See also Schlink (2007): 84.
357 See Schwan (1997a): 30f and 60-67; Schwan (1997b): 98. With regard to the specific case here scrutinized,
this is not to argue that descendants of perpetrators do or should experience feelings of guilt and reduced self-
worth. See also the discussion of collective guilt above.
358 This is reflected in Aleida Assmann’s (2004: 78) distinction between “symmetrical” and “asymmetrical”
memories following civil wars, in which the (stronger) perpetrator maintains a different memory of the events
than the (weaker) victim.
359 And in that respect it differs from most material issues we face in our patterns of consumption: here we can
solve problems by discarding items, repairing them, replacing them. And this difference certainly contributes to
making “coming to terms with the past” so difficult and tedious.
very assuring when it is nothing less than our identity which is at stake. If we choose to avoid them instead, this would obviously not undo or alter the past in any way either, nor would it erase any effects, but it engender different effects in the present and the future. For effects there would be, on our identity and other present phenomena (such as our social relations or morality, as discussed above), but when we choose the strategy of avoidance we lose grip over these effects, while by confrontation we can at least to a certain extent affect them – and thereby our present and future.

Finally, beyond identity there is another sense in which history is psychologically relevant I would like to briefly touch upon, stretching more into the fields of social psychology. Reverting to my constructionist premises, the meaning we attribute to the past is also important for the meaning we attribute to present situations. This is how I interpret Daniel Levy and Natan Sznaider, who claim that how we understand and make sense of present suffering depends also on how we have dealt with past suffering. And by mere forgetting the meaning we give to past suffering is, in my opinion, that it is beyond comprehension or, worse, not important enough to be remembered. And would this be the meaning we want to give to present forms of suffering? Remembering is therefore also relevant with regard to social relationships and certain qualities required for those, such as empathy.

Excursion on the Transmission of Victimization: Collective Identity, once again.

One point I must not simply ignore is of course: how could these psychological arguments apply in this case, since most of those who actually participated in these events have already perished? I think this brings us to the nexus of some of the theoretical concepts discussed earlier on: the suggestion that “collective identity”, as understood in section 2.2, constitutes an important part of our personal identity, and that history and memory in turn are an important component in these collective identities.

Therefore, if an individual by virtue of whatever traits identifies for instance as being Armenian, and this collective identification is a substantial ingredient of her overall personal identity, she may end up perceiving of “the” Armenian history as “her” history: “both individual and group identity becomes possible through claiming and remembering sameness over time and space”. Where this occurs, a past victimization of “the” Armenian people may become mentally translated into her own personal victimization. That does not necessarily mean this person has dissociated from reality and thinks of herself as being personally and directly victimized back in 1915; rather it may point to a wrong being inflicted

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upon a group which she considers herself a member of, and by extension inflicted upon herself too, for instance by humiliation or because she would have been a direct victim herself if she had lived back then. There are of course also more concrete ways in which she may conceive herself as a victim, e.g. because in the wake of such discriminatory acts she too feels deprived of certain chances in life, because her progenitors were psychologically damaged which in turn affected their child rearing, or because she suffered by her strong empathy towards the direct victims. Finally, she may feel victimized because she conceives of genocide not only as an assault against actual human beings but also against the idea of an identity, i.e. the very identity which was used to select the victims in the first place. And where she believes to share this identity, she will feel attacked just as well. In this sense I think it would be wrong to deny the legitimacy of the claim that feelings of pain and insecurity resulting from victimization do not only affect the direct victims, but reach to following generations, and to discriminate among those qualitatively different kinds of victims we may just call them for instance with Trudy Govier “tertiary victims”.

It is of course vindicated to object here that actually the problem causing the row about 1915 is this very collective identity and the resulting suspicious and aggrandized extension of the victim, and by consequence this is indeed where action should be taken to end this senseless conflict. First, however, I believe it would be unrealistic to expect we could rid ourselves from this collective element in our identities. I do not even think we should, as long as we refrain from any discriminatory thoughts and actions, and ideally even remain aware of its constructionist quality. Second, obviously this identification occurs not only on the side of the victims but also with the alleged perpetrators. Ultimately, it is this kind of collective identity which contributes to the harsh refutation among many Turks when “Turkey”, or actually not even Turkey but “the Ottoman Empire” and/or the collective of “the Turks”, faces

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362 See for instance Blustein (2008): 122f. Another aspect was mentioned by Chaumont (2001: 190-193): where genocide implies also the destruction of the cultural and material basis of this identity, it thereby causes harm to all those who cherish this basis as fundamental to their own identity, potentially even significantly constraining their capability of living up to their cultural identity.

363 This claim is upheld, though possibly in different understandings, for instance by Kogan (1990); Staub (1999): 255-257. Schwan (1997a: 146f) claims this also for feelings of guilt among the perpetrator group. And see Volkan (1999: 146) for the idea that certain ways of dealing with past experiences of humiliation and helplessness are passed on to future generations.

364 See Blustein (2008: 314). As Blustein goes on to explain, the primary victim is the one who is directly affected by the wrong, the secondary is victimized because she has a personal interest in the primary victim and therefore suffers too, and the tertiary victim, following Govier, suffers because she belongs to the targeted group. For a more constructionist approach towards collective or more specifically cultural victimization and a theoretical outline of “cultural trauma”, see also Alexander et al. (2004).

365 Which is of course a very clumsy statement. For a discussion of the relation between collective identity (in this case: national identity and thought) and liberal or cosmopolitan doctrine, see the various articles in Miscevic (2000).
such reproaches. And therefore third, even if it was decided to dismiss the collective
identification of Armenians and reject describing them as victims, still I believe tackling this
issue remains important – notably from a Turkish perspective, as I am trying to demonstrate
in the other arguments discussed in this chapter.

And just as it is important for personal identity, so it is for collective identity to develop a
realistic notion of the imagined self: “In turn, democratic communication recognizing national
guilt is expected to support developing a »post-conventional identity« that integrates
collective guilt as part of a reflective and critical collective self-conception rather than one
based on idealizing historical narratives.” The important point is that I think it would be too
much to ask from each of us to deconstruct our collective identities. However, what we can
do, and paradoxically I think we even should do if we hold these identities dear and
important, is to not only render them more realistic by ameliorating the decisiveness of their
affirmation, but also to avoid irrational idealization by closely looking into the very aspects
which may not be that grand. Even though it may appear paradoxical, I think this is not only a
matter of integrity and responsibility, but as Bernhard Schlink pointed out also crucial to
sustain a positive conception of the self: if we disregard such black spots in our past, we risk
that every time they are brought up again this conception is shaken thoroughly. And in the
end, this disposition to be critical towards the self is an essential prerequisite in any
attempt for controlled development, regardless whether it is about the personal or collective
self.

4.1.1.5. Politically: Social and Democratic Development.

 I have already intimated above that working through the past seems to be a much more
rational and transparent, hence hopefully democratic, approach to deal with past injustice than
attempts to not think or talk about it, or even prohibitions to do so. Experiencing guilt (rather
than the more or less objective establishment and attribution of guilt) may result in higher
motivations to enhance social justice and improve social conditions as well as intergroup
relations. This reminds of Claude Lévi-Strauss’ distinction between “cold societies” which
succeeded to forget negative events and thereby establish psychological equilibrium and
continuity, and “hot societies” which continue to discuss their history, thereby enhancing their
own development.

366 Rensmann (2004): 173f
368 See various articles in Branscombe et al. (2004).
I have argued above how a critical review and understanding of one’s past may contribute to a more accurate notion of the self. Similarly, I would add to this the postulation that the construction of an idealized ingroup whose past is without stain is a salient constituent of discriminatory ideologies, such as in more radical forms of nationalism. And it is a postulation hard to maintain. I would imagine it may be of great benefit to learn about and accept at least some of the past faults and vices every human being as well as collective attains over the years. To live is (also) to err and to commit faults. Hence, this may in turn contribute to the development of a more accurate perception of the relevant ingroup, enhance tolerance towards mistakes committed by others, and result in less compulsive reactions of defense against challenges against the ingroup. Eventually, this could contribute to a more open, democratic and less nationalist, militaristic society.370 Likewise, in their famous work “Die Unfähigkeit zu trauern”, Alexander and Margarete Mitscherlich already in 1967 contended that the disavowal of guilt in post-war Germany claimed a lot of psychic energy, which was then lacking in other realms, such as politics, and resulted in widespread indifference and passivity.371

4.1.1.6. Turkey and the European Union.

Beyond concerns related to democratic development, there are also other reasons why simply brushing the past aside might be politically worrying, especially in light of a potential accession of the Republic of Turkey to the European Union: first, it might cause completely contradictory legislation within the European Union if Turkey succeeds to join one day. On the one side there is the stance of the Republic of Turkey which definitely rules out describing the events of 1915 as “genocide”. On the other side there are various European legislative bodies which have officially recognized the Armenian Genocide, most recently Sweden on March 11, 2010, and the European Parliament did so already in a resolution on June 18, 1987.372 Even worse than these conflicting interpretations of the past, while in Turkey it is possible to sue someone for applying the term “genocide”, in France renown historian

370 Schwan (1997a); Akçam (2004): xi, 6. This impetus for democratic development was also explicitly acknowledged in the resolution passed by the Swedish Parliament on March 11, 2010, contending that “recognition of the 1915 genocide is not only important in order to redress the affected ethic groups and minorities which still live in Turkey, but also for the promotion of Turkey's development. Turkey cannot become a better democracy if the truth about its past is denied” (unofficial translation of the Swedish Parliament Resolution, http://www.armenian-genocide.org/Affirmation.414/current_category.7/affirmation_detail.html, accessed on April 25, 2010). Note, however, that the resolution bases its claim mainly as a requirement of facing the “truth”, about which I remain a bit hesitant given my constructionist premises.


Bernard Lewis was already held liable for dereliction of his scholarly responsibilities when he denied the Armenian Genocide, and a candidate of Turkish descent had to withdraw her application in local elections in order to circumvent pressure to publicly recognize the Armenian genocide.

Would this hence mean that European politicians affirming the Armenian Genocide could not travel to European Union member Turkey because they could face legal proceedings there? Or the other way around, Turkish politicians would risk prosecution in a few member states of the European Union? Moreover, in a resolution adopted by the European Parliament on September 28, 2005, the recognition of the Armenian Genocide was not only reaffirmed but also the requirement was added that the Republic of Turkey ought to recognize it as well in order to join the European Union. Apparently the Republic of Turkey is still far from doing so, until today still fighting the very position it is asked to endorse. If the resolution by the European Parliament is taken seriously then this could become yet another issue about Turkey’s potential EU accession – even though I believe it would eventually only be used as another pretext for not admitting Turkey into the European Union, hardly constituting a genuine motivation to exclude Turkey.

Another predicament of political implication which might be interesting here pertains to the question of European unity. With the continuous enlargement of the EU, and especially

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373 I have to confess that to me the literature is very confusing about this case. For what I managed to figure: on June 21, 1995, Bernard Lewis was held liable (i.e., he had not been convicted according to criminal law, but held liable per civil law) for neglecting his duties of objectivity and prudence when he had concealed elements contrary to his opinion in an interview with Le Monde on November 16, 1993. In other words, he was not held liable for genocide denial, but merely for dereliction of his scholarly duty. Indeed, the judges cautiously refrained from making a historical judgment on the events themselves, as they explained in their verdict: “It is not to the judges to appreciate and to say if the massacres committed between 1915 and 1917, constitute, or not, the crime of genocide. […] The judges have not the mission, regarding the events of history, to arbitrate and to decide once and for all on the polemics. […] the historian, in principle, has all the liberty to expose the facts according to his personal views”, but nevertheless the historian, so the verdict goes, has the professional responsibility not to hide evidence or judgments by renown institutions which go against her or his views. My account here follows Auron (2003a: 226-244), from where also the quote of the verdict is taken. See also Ternon (1998); Nichanian (1998); Niggli (1998): 93; Kreis (2006): 171.

Beyond that, as noted already in the introduction, Turkish citizens were already convicted for denying the Armenian Genocide also in Switzerland, where the courts followed the rationale that the Armenian Genocide was already a sufficiently acknowledged fact. But since Switzerland is not a member of the European Union, I neglect this case here.

It is highly interesting to note, however, that Swiss Foreign Minister and President of the Swiss Confederation, Micheline Calmy-Rey, at a visit to Turkey affirmed that article 261 of the Swiss Penal Code punishes denial of any genocide.


with the debates surrounding the potential membership of the Republic of Turkey, discussions arose about what it is that defines and unites Europe, what could create a feeling of solidarity and shared identity for this heterogeneous mass of people. In addressing this question, some discussed the suggestion that this unity could be established by a “europäisches Narrativ”\textsuperscript{376} of a shared history, in order to establish a “transnationale, kontinentale Erinnerungsgemeinschaft”.\textsuperscript{377} Now, the historic event most often cited to facilitate this is World War II and the Holocaust, given its wide effects and the (relative) unambiguity in its interpretation. However, the accession of the Republic of Turkey might dilute this identity based on a shared narrative a little: not only because Holocaust and Nazism have purportedly less conjunctions with Turkey than the rest of Europe, but also because crucial “lessons” of the Holocaust are exactly what allegedly remains so contested in Turkey: the willingness to critically confront one’s past, and to overcome its nationalist history (see also section 5.1). And as long as these positions remain so disparate and not even a basic consensus can be reached, so the argument goes, it may jeopardize the unity of Europe as one based on a shared lesson from the past.

Anyway, in my opinion this argument should not be stretched too far. At this point I do have doubts to what extent European unity could be accomplished by a common interpretation of the past. I would insinuate that even today the memories of the Holocaust within the European Union are quite disparate, at least as we digress from the tested grounds of habituated and socially sanctified commonplaces. And to what extent or in what respect “the” public memory of the Holocaust in Turkey is so fundamentally different, that constitutes a fishy question. It remains also an open question if or to what extent European unity should be a function of a shared interpretation of the past – not to speak of which past. There is a wide array of propositions which histories are “essential” for and specific to European identity, some of them relating to Turkey much more than to some other EU member states. Finally and most importantly, if we proclaim that the crucial point is the critical reflection of our past and the deconstruction of nationalist and divisive political myths, then it certainly needs to be questioned to what extent or quality the current member states live up to that promise, particularly if we leave certain ritualistic rhetoric about the Holocaust aside.

\textsuperscript{376} Beck and Grande (2004: 13f).

4.1.1.7. Memory in Its Own Right.

At this point I would like to introduce a distinction drawn by Jeffrey Blustein who distinguishes between “consequentialist” and “expressivist accounts” which could be used to justify the value of remembrance. All the reasons I have given so far would fall in the consequentialist compartment, in the sense of their being universal and instrumental: for these, memory is imperative because it bears (hopefully positive) consequences for our current personal and social lives in the present and the future. Thus their instrumentalist character. Actually a variety of historical events may serve this end, and they are interchangeable in this respect. Some events may have a greater impact on us, for instance because they happened to ourselves or people we know, but what ultimately matters is the meaning we give to them and what we hence make out of them in our present lives. And that is their universal quality.\(^{378}\)

By contrast, Blustein argues that there are also “expressivist” imperatives to remember, which arise from an intrinsic value in memory itself, where memory becomes an expression of the emotions and attitudes we harbored for those very specific people, places, times etc. which we remember. For instance, we may feel a duty to remember a loved in order to save her from falling into oblivion and insignificance.\(^{379}\) This motivation for remembrance consequentially must be bound to the specificity of a past event (or person, or place), and one event cannot be substituted by an arbitrary other.\(^{380}\) I think this parallels the concept of anamnestic memory which Helmut König has suggested with regard to remembering the individual victims of the Holocaust rather than outstanding persons or general knowledge about it. As König goes on, its relevance rests in the restoration of their dignity by saving them from oblivion, which indeed would be tantamount to their never having lived.\(^{381}\)

I acknowledge the validity of this separate memorial function, and I have the strong impression this is one of the disparities beneath the brawl between the universal versus the particular mode of remembrance.\(^{382}\) I would hence suggest that how we want to remember, i.e. the proper way to design museums, school books, memorials etc., ultimately depends on

\(^{379}\) Or to frame it in constructionist terminology: forgetting implies that the forgotten object becomes meaningless.
\(^{381}\) König (2008): 626f. To build a bridge back to my topic here, if I understand Mihran Dabag’s (1995: 100) presentation correctly, then this is also reflected in Armenian tradition. Whereas on the one side there is Red Massacre (karmir dschart), which is the actually killing, on the other there is White Massacre (dfermak dschart), the loss of memory about those who have perished, and which is brought about by the expulsion from one’s home, the prevention to return, and the denial of their remembrance.
just why we want to remember. I believe it is the question for the purpose and intention of memory which determines our preference here. Furthermore, to me both motivations, consequentialist and expressivist, seem to be in their own right and hence in a wider discussion neither should be entirely left out. That is certainly incredibly challenging, but maybe this challenge is also what keeps memory “alive”, requiring continuing preoccupation with history rather than ritualistic convictions. However, this work hopes to become a dissertation in political science, and the consequentialist approaches in my superficial perception appear more promising and intriguing in political terms. Moreover, the interest of my research is primarily the remembrance in contemporary Turkey about the events in and following 1915. However, I believe that most people and certainly those in power today do not have any personal memories of these events, and possibly not even any personal relations to some relevant agents back then. As Jürgen Habermas observed, the peculiar difference between the memory of contemporary witnesses and their descendants is that for the latter memory is predominantly important for their self-assurance, to reflect on history with regard to themselves.\textsuperscript{383} Therefore in this work I will concentrate on these universal, consequentialist motives for remembering, and omit the expressivist ones.

4.1.2. Judging History.

After suggesting some reasons frequently put forward why a preoccupation with the past is not necessarily detrimental but potentially rather beneficial, I would now like to respond also to the reasonable caveat that it is pretentious or at least inappropriate to judge the past from our present. I endorse the claim that it is impossible from my personal situation to fully comprehend the past in its specifity, not to speak of my incapacity to judge it by its own standards. However, I think this point applies also to the present, though maybe less strikingly so: for how could I claim to fully know and understand the circumstances under which people on a different continent (or: next door) act? Taken to the extreme, this argument denies the ability to understand and evaluate any actions but my own – and maybe even those. What needs to be granted is that the concerned agents certainly had a different knowledge of the world and were following different moral systems, but again: that also applies to agents in the same time and space as me (even though the differences presumably are less significant), and even my own views and norms are not the same throughout my life, albeit the differences will most likely be less dramatic.

\textsuperscript{383} Habermas (1998): 53f, 61.
Furthermore, the same logic applies not only to condemnation but just as well extends to
condonations and acclamations of the past. The argument which claims we do not know or
understand enough about the past for a sound evaluation points into both directions,
damnation just like praise. It is certainly true that we, and especially I, know little about
events which happened in great temporal, spatial, and/or social distance, not to speak of all
the contextual factors which brought them about. And therefore we certainly need to be
cautious with whatever judgment we come about. But that does not need to discourage us
from forming an opinion. In the end, the past is also a playground to develop and train our
normative and analytic capabilities for the judgments we need to make in our present. And it
is an important point where we can create and disseminate also judgments about our present,
because ultimately conclusion by historical analogy is a popular and intelligible strategy, as
slippery and dangerous as it might be.

Moreover, I think it would be misleading to think our moral pretensions are restricted by
location or time. They are relative in their creation but not in their aspiration. Exactly what
moral principles I develop and which I believe in is certainly determined also by my place,
my time, my biography, but once I have developed them I am inclined to apply them
universally. Otherwise they would not be moral claims as I understand them, but maybe more
like personal inclinations, preferences, or propensities. Besides, even the utmost relativistic
position paradoxically builds on a universal claim: everything is relative to time and space,
but it is so anywhere and anytime. So there may be specific prescriptions which are relative in
time and space, but in its underlying meta-framework it remains universal. If it was not, then
it would not be of moral nature. Morality in my understanding by definition is made of
obligations applying irrespective of the person, and therefore universally. This is definitely
not to argue for some righteous moral imperialism or absolutism – I simply believe the
appropriate conclusion from all our caveats about moralism is modesty and sensitivity, rather
than universalist and absolute relativism. Ultimately, even (or actually: precisely) if we cling
to the notion of strict moral relativism, I hold that moral critique of any particular behavior is
still possible and indeed important, simply to indicate that there are norms according to which
this particular behavior is morally dubious, and to remind that alternatives are available and
perhaps even preferable. Maybe the discordance is also stemming from disparate
understandings about the status of moral critique: maybe it helps to conceive of it as being at
the beginning or somewhere at the center of moral discourse, not as representing a conclusive
verdict and thereby ending it.
Be that as it may, eventually I am happy to concede that the imperative holds true that we must know *enough* about the past (or the present, for that matter) before we arrive at our verdict. But “enough” is a relative term and certainly does not mean “everything”, neither in the past nor in the present.

4.1.3. Conclusion.

To conclude, in my understanding the arguments objecting to a preoccupation with the past basically stipulate that it is better not to know about it, not to think about it, not to discuss it. The ultimate reasons offered are current needs. By contradistinction, those promoting deeper knowledge and discussion about the past aim for the very same ends, but claim that it is exactly this knowledge and discussion which will eventually get us there. Even though both sides do have their merits and I would not make a general rule out of it (“You must remember everything anytime!”), those in favor of remembering in my opinion appear to make a stronger point.

Certainly there are a number of important specifics which need to be considered. For instance, some of the claims against a political discussion of history warn against the consequences which the resulting policies may produce. Of course, policies of restitution, lustration etc. may generate adversarial feelings. But for the reasons given above, they may also have beneficial effects. Moreover, they are by no way a necessary consequence of remembering and commemorating the past. Please note that all the claims I made above refer simply to sustaining the *memory* of the past, and the discourse about it. If and to what extent and in what form this memory and the meaning inherent in it will inspire certain practical consequences is, in my opinion, a different question, not about history and remembrance but about present justice and prevention. And this further question should be answered with regard to present considerations, not by avoiding confrontation with the past.

Likewise, I guess the difference is often a variation in degree, i.e. to what *extent* the past should play a role in the present. Already *Friedrich Nietzsche* eloquently warned against becoming obsessed by the past.\(^{384}\) I have tried to demonstrate above why I think history does play a role, if we like it or not, and for this and other reasons it appears preferable to handle the past in a conscious and transparent manner. Given the coexistence of other problems and needs, and the limited resources to resolve our variety of difficulties, the crucial question then obviously becomes to what degree this should be endeavored. My preliminary proposition, as vague as it necessarily may be, at this point would read as follows: past records need to be

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\(^{384}\) Nietzsche (1964): 103-110.
studied (a) with regard to the present desires to be met, and (b) after balancing the potential costs and benefits with other problems at hand. Contrary to intuition this is not pure consequentialism as understood with Jeffrey Blustein above. With regard to the first condition, it would imply that we study and discuss an episode of war more thoroughly than the latest flower parade, because it is supposedly of more relevance in both consequentialist and expressivist terms. What the second condition suggests is that we may engage more intensely in history in times of affluence and peace, but may have better reasons to concentrate on other issues in times of famine or war. So, this all too general rule of the thumb is not merely consequentialism, I hope, even though it may very well be presentism and truism.

Anyway, if there is indeed good reason in the present to know about every single perpetrator and every single victim, then a thorough scrutiny seems appropriate. However, if the main task is to come to an overall assessment of the past events, then research seems required only to the point until the point where further information in fact only brings about further details, but does not affect the overall meaning of the events. Obviously, at some later points in time additional details may indeed jeopardize the overall picture, and this may necessitate a reinterpretation. Hence I hesitate to proclaim an ultimate imperative to confront the past at any cost. However, I do believe for all the reasons enumerated here that the importance of our history should not be underrated, and confronting it does not necessarily require a significant investment of resources. In societies which can afford to spend some resources on a critical reflection of the past, other problems (and there will always be some) should not be used as an excuse per se to avoid this admittedly inconvenient task. As far as we can afford it, I would think that to sweep something under the rug is less suitable to build a stable present and a promising outlook for the future.

385 As argued above, the reasons for war may of course be rooted in the past and therefore be relevant in times of war. Still, it might be more reasonable to resort first „conflict resolution“ (see above) and once violence stopped turn to „reconciliation“.

386 However, my claim here is of course instrumentalist in another, stricter sense: essentially I am justifying the case for remembering either from its (hopefully) positive effects on our present social lives, or from our affections for others; but I am not suggesting any genuine obligation towards history (or the past) itself, towards history as a value in its own right. Such a case could be made of course, but anxious not to digress too far I just want to add I am not fully convinced of this argument, especially of its comparative weight (for instance, if the past is precious just for being past, then is the memory of a terribly boring afternoon as valuable as that of the Holocaust?). Therefore I also did not include above it in my presentation of arguments in favor of remembering.

387 I am thinking here of instances where knowledge about the past is needed to make amends, such as reparations and restitutions, for which apparently profound knowledge is required not only who has been harmed, but also to what extent.

388 For this question of the “right” extent of memory see notably Blustein (2008: 13-23), cautioning against “surfeit of memory” while still making a case in favor of remembrance. Against my naïve suggestion may also be objected that obviously different members of a given society harbor disparate degrees to which they actually
4.2. **A Matter for Experts.**

Another argument ready at hand claims that this entire conflict represents a complex issue and for this reason the only people capable of supplying “the” “right” resolution are the subject matter experts. As Turkish President Abdullah Gül put it on March 11, 2010: “There can be nothing more wrong than politicians and individuals who have no knowledge of history making decisions about history.” Usually there are two groups who are considered expert enough to properly assess this question: historians and jurists.

4.2.1. **Historians.**

Obviously the events under consideration took place quite a long time ago. Few people who actually took part in them are still alive, and those who fortunately still are presumably were still young children back then. Especially those who have been in key positions and roles at this time have perished already years ago. Hence, if we want to know about “what actually happened”, if we are looking for the truth to decide how to classify these events, we have to go back to various archives and study historical records. By consequence, the experts for this subject matter are historians: they know best where to look for records and sources, how to work with them, assess their validity, frame them in the wider context of historical knowledge and so forth.

This argument often comes along with the refusal to accept political interference in this question: matters like this should not be turned into the object of politics. Even if a politician was of profound historical knowledge and high integrity, why not leave the question to those who by profession know best about it and who are not bound by any political allegiances and interests? Politicians still follow other rules, pursue other ends, and take into account other aspects which have nothing to do with truth and objectivity: they have to consider their constituency, how their stand will affect their position, their relation to political rivals, their position in other topics etc. However, these reflections, as omnipresent and characteristic as they are in our democratic polities, should apparently not distort our righteous evaluation of the past.

A very firm stand in this regard is taken by historian Dr. Justin McCarthy, represented by a number of texts on the homepage of the Turkish Foreign Ministry. Basically he argues that

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supporters of the genocide claim so far relied mostly on faked historical records, sometimes even doing so deliberately. Therefore, what would be needed to resolve this conflict is an impartial scientific examination by a commission set up of historians and following the guidelines of historical research, rather than pursuing ideological or political objectives:

“How do we know that this [i.e. his] analysis is true? It is, after all, very different than what is usually called the history of the Armenians. We know it is true because it is the product of reasoned historical analysis, not ideology. […] A historian first discovers what actually happened, then tries to explain the reasons. An ideologue forgets the process of discovery. He assumes that what he believes is correct, then constructs a theory to explain it. […] From the start the Armenian Question has been a political campaign. Materials that have been used to write the long-accepted and false history of the Armenian Question were written as political documents. They were written for political effect. […] In the past, scholars, including myself, have proposed that Turkish and Armenian historians, along with others who study this history, should meet to research and debate the history of the Turks and Armenians. Prime Minister Erdoğan and [then leader of the CHP] Dr. Baykal have proposed that all archives be opened to a joint commission on the Armenian Question. This is exactly what should be done. Most important, they have declared that historians should settle this question. […] We can only hope that scholarly integrity will triumph over politics and the Armenian Nationalists will join in debate.”

So, these kinds of arguments are brought forward on the one hand by historians, and at this point I disregard the question about their motivation to lay exclusive claim to this topic: it may be due to sincere concern about “noise” from the political realm invading this discourse, thereby somehow abusing this issue for other objectives; or it may be an effort to attract attention, either for the author of the argument or for historical science in general; or for whatever other motive. Interestingly however, this claim is also announced by political actors themselves. I would assume again that in some cases this could very well be inspired by modesty or personal conviction, but in others primarily to reject the outside demand for participation. No matter which position a political agent is leaning to, the political costs at least in the long run may be quite high and hard to anticipate, as with many other morally sensitive topics. Refraining from acknowledging the events as genocide may cause quite an outcry not only among members of the Armenian (diaspora) community, but also draw the ire of those aligned with the Armenian position. Any siding with the alleged oppressors and

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McCarthy (March 24, 2005; Source 5).

391 For instance, it could be interesting to see which countries officially acknowledged these events as “genocide” and which refrained from doing so. Taking Israel, Germany and France as three cases in time, the suspicion could be raised that Israel so far refrained from acknowledgment because of the close ties it enjoyed with the Republic of Turkey (at least until fairly recently), and the special position the Shoah as the archetype of genocide resumes in its national remembrance. By contrast, Germany may to date not use the term “genocide” because it accommodates the largest number of Turkish immigrants in Europe and needs to consider also the position of Israel and any potential allegations of trivialization of the Holocaust. Finally France, with a rather decisive stand to affirm these events as genocide, shelters Europe’s largest Armenian diaspora community, and is also among the countries most skeptical about Turkey joining the European Union.
denying the presumed the victims may be detrimental to their public positioning. On the other side, asserting the genocide claim will harm relations with the Republic of Turkey as well as large communities of Turkish expatriates. Charges of making unjust and unreasonable accusations without proper knowledge of the underlying facts are likely to emerge, and these too are not very suitable to improve one’s public stand. Worse, it could trigger counter-accusations about the dark spots in one’s own history, including denunciations of hypocrisy and opportunism (see also section 4.10). Finally, a “neutral” stance is hard to conceive: one can either use the label “genocide” or refuse to do so – there is no intermediate option if one is to speak about this issue at all. Even the deployment of other terms such as “massacre” or “annihilation” does not represent a medial position, as it is still a refusal to use the term “genocide”.

Therefore it should come as no surprise that this argument can be found among the contra- and the pro-genocide partisans, just as among those who remain irresolute, in Armenia, Turkey, and third countries just as well. However, it seems that pro-genocide authors are less prone to support it, or at least more frequently endorse the view which sees this issue also as a political one.392 Again, I can only speculate why this may be the case, for instance because ultimately the impetus is about trying to get the Republic of Turkey to do something (i.e., recognize the genocide), and delegating this issue to historians amounts to an avoidance of this activity.393 Apparently now, if Turkish (or third country) politicians can refrain from acknowledgment by arguing this was not a political issue, in the eyes of pro-genociders they achieve the same end as if they were outrightly denying it was genocide: both results in the non-recognition of genocide. Of course referring the responsibility to someone else is however a much more elegant solution than plain objection.

Indeed this is among the most frequently claims made by Turkish politicians when they face the genocide allegations: Turkish Prime Minister Recep Tayyip Erdoğan at a press conference following an OECD Council Meeting on October 21, 2004, declared that “Turkey does not bother about the Armenian genocide. Genocide allegations are to be resolved by historians, not parliaments.”394 The Turkish Foreign Ministry holds that “Turkey is of the view that parliaments and other political institutions are not the appropriate fora to debate and pass judgments on disputed periods of history. Past events and controversial periods of history

393 Interestingly, the counterclaim is not made in the form of pressure on the Armenian government to deny the genocidal character of these events; rather, the prevailing counter-position is for the Armenians to stop pressing for recognition, thus to ultimately cease political activity rather than switching to a different one.
394 Erdoğan (October 21, 2004; Source 3).
should be left to the historians for their dispassionate study and evaluation.”

And then Turkish Foreign Minister Abdullah Gül claimed that “[p]arliaments are not institutions which can take decisions on historical events. Historians alone can assess history.” But there is also another potential version of the experts-argument which does not refer the resolution to historians but to legal experts instead.

4.2.2. Lawyers.

The proficiency legal experts exhibit and which is so badly needed in this case does not stem from their knowledge about the events themselves; rather, they are the experts for the scheme and terminology to classify them. After all the term “genocide” is part of international law, being defined by the previously discussed United Nations’ “Convention on the Prevention and Punishment of the Crime of Genocide” (see section 2.4.1). Since then, it may be argued that allegations of genocide, even if not brought to court, are always viewed against the legal background of this convention and are therefore open to legal reasoning. Therefore no one is better suited to engage in this kind of arguments than legal experts.

However, it should be noted that I did not come across a single author demanding that the matter should be left entirely to lawyers. Even though also legal practitioners are part of the broad discussion on this issue, it has to the best of my knowledge not been claimed that they are the group which exclusively should determine the “genocide”-terminology. This may be due to the fact that even if this case was brought to court, jurists had to rely primarily on the testimonies of historians – and only based on these judgements and representations could the legal experts then give their own conclusions about the applicability of “genocide”. Therefore, I guess that the claim to perceive of it as a historical rather than judicial problem remains paramount. I will hence address this claim first now, followed by a discussion of the situation for jurists. Finally however, the ultimate argument I think is whether it is or should be a matter confined to any particular experts at all.

4.2.3. Discussion: Historians.

To start with some empirical observations, I think that the (political) case that the entire story is one for historians only implies an inference which is in contradiction to the (political)
reality in the Republic of Turkey. If it is a purely historical question which should not be distorted by interference of political bodies, then clearly there must be the necessary space available for these historians to engage in this debate. I think this rule is violated by Turkish politicians whenever they for instance interfere in preparations to set up a conference for the discussion of this matter,\textsuperscript{399} or when the Armenian Genocide is destined to be incorporated in some third country’s school curriculum.\textsuperscript{400} Worse, historians (or anybody else for that matter) still face the risk of criminal prosecution for insulting “the Turkish nation” under the article 301 of the Turkish Penal Code. It appears a little implausible to present the affair as one of academic discussion while simultaneously restricting the freedom to discuss it and dictating its direction or outcome. In my opinion, this is just the opposite of what the “matter for experts”-claim is all about: historians find it difficult to freely discuss the issue because the Turkish legislative (read: a political) body has decided that certain views are not permissible, or at least not appreciated. This is going even further than those very resolutions which are decried as foreign interference, since it is not just a statement of opposition but a prohibition of contradiction.\textsuperscript{401} And in the end also Turkish officials just as well clearly do not abstain from offering their own accounts, interpretations and evaluations of these events, thereby openly demonstrating their disapproval of the opposed (academic of other) narratives.\textsuperscript{402}

Furthermore, the call for historians to exercise what Raphael Gross and Werner Konitzer dubbed “Geschichtsbarkeit”,\textsuperscript{403} i.e. historians issuing judgments, may mean the meddling of two spheres which may be fundamentally different.\textsuperscript{404} What this claim suggests is that science essentially lives on controversy and open debate, and taking new perspectives may always yield new results. Furthermore, it is widely accepted that also historians and especially the presentations they give of historical events can by principle never be free from certain

\textsuperscript{399} As for instance with the First International Conference on the Holocaust and Genocide in Israel (see Auron (2003a): 217-221), or the already mentioned conference at Bilgi University (see for instance Goltz (2006): 21).

\textsuperscript{400} For instance when the Turkish government protested the decision of the Canadian Education Ministry to include courses on the Armenian Genocide in the curricula of two state schools (see Turkish Daily News, January 11, 2008; Today’s Zaman, January 28, 2008).

\textsuperscript{401} Again, a qualification seems necessary. Article 301 of the Turkish Penal Code does clearly not refer to the Armenian Genocide, whereby it could be argued that it is not equivalent to taking a stand in this regard. However, to my perception the allegations concerning the Armenian Genocide are clearly one of the aims behind the law. If there were not such and similar allegations, then there would not be any need for it. At least this must also be the interpretation among the Turkish judiciary, otherwise pro-genocide accounts would not be prosecuted in the first place. And if the legislative would feel misinterpreted by the judiciary then it would need to amend this very law; otherwise it would consciously accept injustice.

\textsuperscript{402} See the various citations of prominent politicians I am trying to offer in this work, most notably for instance the speech of then Foreign Minister and currently president of the Republic of Turkey, Abdullah Gül, in the Turkish Grand National Assembly on April 13, 2005 (Source 4).


\textsuperscript{404} For various views and contributions on that issue see for instance Gross and Konitzer (1998); Gross (2005); Hölscher (1995); Stolleis (2005); Tanner (2006); Wodak et al. (1994): 14.
assumptions and subjective influences, and therefore should never claim to represent “the” final conclusion. By contrast, a judgment, especially if it becomes legally binding, carries some definitive and authoritative qualities which do not go along well with these features of historical inquiry.

For the case here I want to point out the difference between two notions of historical “judgments”. The first consists in making a definite truth claim about the past, and to make this truth claim legally binding – which may be considered in contradiction to the required openness of science and research, as noted above. This is what the controversy about laws prohibiting certain perspectives on the past revolve around. This is not to say that legislative bodies must not intervene in public debates at all, but the tension and sensitivity of this intervention should be very well considered. Anyway, this apparently is a complex discussion and beyond the scope of my work here. The second notion is the request for a historian to contribute to the resolution of a dispute involving historical questions. This is not to make an ultimate decision on the dispute by discovering and disseminating some “truth”, but to give an assessment which would then be further considered as one among others in the process of reconciliation. As far as historical research is publicly funded, to me it seems legitimate to ask for evaluations from historians as regards their expertise, yet it is equally legitimate for a historian to respond that the question (or its formulation) inappropriate for historical resolution. This would then leave the ball again in the political arena.

Furthermore, I think it is interesting to bear in mind another difference between a judge and a historian. A judge is expected to be familiar with the legal requirements for her judgment, and she is trained to make her judgments following the norms proclaimed by a legislative body, which theoretically reflect the social norms and values underneath the law. This cannot be expected from a historian. This implies not only that she may have substantially less knowledge of the applicable laws and procedures and the entire legal context, but also that she may be less accustomed to reach a judgment based on these norms, instead following her own parameters. Which I believe is true for many normative judgments in academic works, and that is perfectly acceptable since it is not the task of academia to pass judgments against legal background.

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405 Which is not identical to advocating historical relativism, I hasten to add.
406 See for example Leggewie and Meier (1995); Niggli (1998). My intention here was merely to point out a presumed contradiction between Turkish argumentation and practice.
407 To add yet again another qualification of my stipulations: I would never deny that there are also subjective elements in every judge’s conclusions, yet I do hope there is a significant difference in degree, and it is this degree which justifies why we accept a professional judge to make legal judgments, and not just anybody who happens to be an expert on the subject matter.
Such a “politicization of expertise”,\textsuperscript{408} i.e. bringing scientific expertise into the political game, may also result in unfavorable consequences for the role and competencies of the historical profession itself. First, on an individual basis, a historian may feel uncomfortable with accepting this responsibility, as usually a historian’s evaluation does not imply any political or legal consequences, and is hence of little impact on the lives actually lived today (of course for the very same reason our imaginary historian may feel highly motivated to engage in this debate, rather than uncomfortable). This is allegedly not the case here, a historical evaluation here does hold a significant potential for political repercussions. Second, it opens the door for an exploitation of historical expertise for political ends. Apparently there is a wide range of historical opinions on a variety of topics, and therefore politicians may simply select or favor those which align best with their own ends and present them as truth. Furthermore, as historical research to a large degree depends on policies (e.g. access to archives, subsidies etc.), politics may contribute to the assertion of certain scientific strands. And by consequence of this and third, historical evaluations become involved in political polemics, and thereby the aspired impartiality and weight of historical expertise may become (further) discredited.

The most important point about transforming it into a historical or political question, however, I think is hidden in the relevance structure of the conflict. The claim for it to be a historical question is based on an assertion about the nature of the object: a past event. As I have tried to demonstrate above, this is to disregard what makes the question important. Among the points I included which make it an important question even today are identity formation, democratic development of the polity, prevention of recurrence, social and political reconciliation, moral advancement, and others. Most obviously, these are questions far from being of a historical nature, but indeed saliently present. Rather, if any of these points is granted, I would argue that they have a profound social and political dimension, and it is for these reasons that it must not be left to historians alone. While what we debate may be historical, why we debate it is fundamentally present. And I would exaggerate and claim that even the object is only historical at a superficial glance: the events themselves may be considered past, but what we actually debate is how we should relate to them in the present, and how we should evaluate them. And therefore the object of this debate is just as well narrative structures and schemes, moral values, and so forth – all of them eminently present. The moment a historian answers the social and political question about the interpretation of

\textsuperscript{408} Fischer (1993): 30.
the past, she ceases to act as a historian and becomes a political agent instead. Historians are of course invited to do so: they know potentially more about the actual elements of the alleged crime itself. But they are no experts of our social norms by which we evaluate these events, nor of the questions of responsibility and meaning.

4.2.4. Discussion: Lawyers.

As mentioned above, the call for lawyers to decide is voiced far less frequently, possibly because fewer people perceive of the issue as an essentially legal rather than a historical one. This is of course suggested by the significant temporal distance, which results in the facts that most participants have already perished years ago, and that the UNGC or the concept of genocide itself had not been existant back then and its retroactive application is a matter of dispute. So, many may perceive it as a discordance not of a legal nature, even though – depending on how the question is formulated – it does involve legal elements.

And for reasons which I have given above, I concur with this understanding: I do believe that the interpretation and evaluation of these events is what for most protagonists lies at the heart of this conflict, is what keeps this dispute still rumbling after so many years. Still, it is not a legal judgment but rather a social and political evaluation what we are looking for, an evaluation of a past episode and against a legal concept, but the evaluation itself is neither legal nor historical – it is an eminently socio-political task.

„Denn bei diesen leidenschaftlich und emotional, kontrovers und öffentlich geführten Debatten, bei welchen Anklage und Denunziation im Vordergrund stehen, geht es nicht primär um eine besser Kenntnis der Vergangenheit, sondern vielmehr um die Austragung von politischen und ideologischen Konflikten durch die Vermittlung der Vergangenheit. Es geht dabei immer um existentielle Fragen, die mit der Identität von Gruppen und Nationen, mit Emotionen und Traumata, mit Macht und Interessen, mit der Gegenwart und noch mehr mit der Gestaltung der Zukunft zu tun haben.“ 409

Therefore lawyers or historians in my opinion should not be obliged to resume the responsibility of performing this activity on our behalf, but instead be freed from this expectation so they can make an appropriate and genuine contribution to our task. It is ultimately a multi-dimensional assignment which transcends the boundaries of academic disciplines, and any reduction to one field would deplete the meaning of the question:

„Wer versucht, den Historiker auf einen Richter zu reduzieren, vereinfacht die historiographische Erkenntnis und macht sie ärmer; wer aber versucht, den Richter auf einen Historiker zu reduzieren, führt die Ausübung der Rechtsprechung in unwiederbringlicher Weise in schmutzige Gewässer.“ 410

4.2.5. Not a Matter of Expertise but of Public Interest.

Basically, I think there are two senses in which the claim may be defended that it is not merely a conflict to be settled by historians. The first is explicated in a resolution of the Swedish Parliament on March 11, 2010: “It is said that history should be left to historians and we completely support that. However, it is the responsibility of the politicians to act in accordance to historic facts and historic research.” Historians are those who should debate the past and arrive at their conclusions. However, if the past in any form shall warrant acts in the present, then this is a political responsibility.

However, my claim goes beyond that and I shall try to explain this now in more detail. The reasoning behind this argument suggests that only people with the necessary expertise are capable of adequately addressing an issue as complex and important as this one. However, then obviously the critical point is: what is the issue at stake here? What question that needs to be answered lies behind all that excitement, and what kind of answer could resolve it? As I have argued above, in this work I depart from the assumption that the crucial question is not so much about historical facts, or about legal or scientific categorization. Rather it is about attaching meaning to these events, events which deeply affected a very large number of people to a point where they would pass on their memories and the implied meanings to their descendants as a form of cognitive legacy. In other words: the quarrel about the historical truth in these events and how they should be legally or scientifically categorized constitutes the field on which the quarrel about the social meaning of these events is staged. The classification as genocide is relevant primarily because the concept of genocide carries certain meanings, and by its seminal significance “genocide” may determine the meaning conveyed in a particular narrative – by a cursory confrontation with this history, the meaning of this event may even become entirely reduced to “genocide”.

Essentially, it is hence about what sense should be given to these events, with what moral interpretation they should resonate in our memories. To clarify my stance a little I would like to borrow from the terminology of systems theory according to which every social subsystem adheres to a logic of binary codes. Hence, while for instance scientific historical questions follow the code of true/false, the crucial code in ethics is one of good/evil, or less polemically of just/unjust. However, these are not questions which can be unequivocally answered by knowing the “facts”. Uttering a moral evaluation is not the same as making a certain truth claim. Therefore it may be argued that the moment a historian passes such a judgment is the moment she ceases to work as a scientist. “It is quite clear that there is not – and there could

never be – any academic institution that could decide »scientifically« whether or not there
was a genocide committed by the Ottomans against the Armenians.«412 The meaning we
eventually give to those events is not a simple derivation of these events, it is not a question of
historical records and research only.

Therefore I think it is important to see this discussion not as one for experts but as one for
the public, because this is the primary field where social values and judgments are developed
and trained, negotiated and revised, and, ultimately, applied and rejected.413 Experts, be they
historians or lawyers, are of utmost importance in offering their expertise, but they cannot
claim a monopoly on interpretation, on the meaning which shall be attributed to these past
events. Otherwise the practice and reproduction of our normative system would essentially be
exercised in a paternalistic framework, being determined by “authorities” on behalf of the
public – probably even for any phenomenon, by the way, since there are always some experts
available, for any given topic. In other words, in a democratic society I think the evaluation of
the past is an immanently political assignment, where “political” is understood in a very broad
sense.414 Any attempt to devalue this public debate by referring it to the appropriate “experts”
could hence be seen as “an instrument used to avoid discussion”.415 But does that also mean
that political institutions should deal with it?

In theory I would say no, for the same reason: I do not see a point why a political body
should interfere in the process of public or private negotiating and establishing the appropriate
meaning for these past events. There is neither an imperative nor a competency to do so.
However, I think such a tangible imperative arises when it is more than just a discussion of
meaning. That is, I believe political bodies are requested to intervene when the discussion
about history extends to present actions. This alludes for instance to the questions of
restitution and restoration, of doing justice generally, but also to continued social conflicts in
the present. When the past constitutes the source of a relevant social conflict in the present, I
think it is appropriate for the polity to assume responsibility in this conflict as well. That does

413 It should be noted that already in 1967 Alexander and Margarete Mitscherlich (1967: 129), facing the
argument that the guilt contained in the Nazi past should be dealt with by historians and judges and prosecutors
but spared to the wider public, identified this as some mechanism of defense: it is these specialists who should
deal with our guilt, rather then we ourselves.
414 See also van Laak (2000: 11f), who identifies the three disciplines of jurisprudence, historiography and
political science as those essential when the issue is one of coming to terms with the past. The crucial question
hence is their relation: should it be one of mutual control, or should they complement one another, or follow a
division of labor? In this context it appears noteworthy that the Israeli Armenian Case Community objected to
historian Bernard Lewis receiving the award of honorary citizenship of the city of Tel Aviv on grounds that he
held “a stand which is politically incorrect” (cited in Auron 2003: 241, italics added).
not necessarily mean that political bodies have to make a historical judgment; their responsibility is primarily the resolution of the present tension, and this can also be met by facilitating discussion or by brokering a *modus vivendi* by which all parties can live peacefully and happily with and next to each other despite persistent disagreement. Yet in some instances it may be required that political responsibility is assumed and political justice restored, and then political bodies, I believe, may be required to declare their understanding of the past and what conclusions they draw from it.

And therefore I hold that political agents should not delegate the task of political decision-making to subject matter experts, such as historians and lawyers, neither with regard to the interpretation of history nor to the consequences which need to be drawn from this interpretation. Otherwise we might end up with a “politics of expertise”, by which not only political discussion is stalled but any eventual interpretation is imposed not only with the authority of government but also of science, combining authority/legitimacy with truth/objectivity.

Also the claim it was all too complex to make it a matter of politics cannot serve as a general excuse either. There is a large number of highly complex matters which needs to be resolved politically, and that is what political responsibility is all about. That is why officials themselves are to assemble information from advisors and lobbyists, such as historians or lawyers, and why it appears legitimate to confine themselves to the facilitation of dialogue and consensus. As preposterous as it may sound now, but maybe an interpretation of the past does not even need full expertise. To generate high-level meaning, a way to generally interpret or at least commence interpreting the past – and who would expect more than a general and vague guidance from a legislative body? – maybe it would completey suffice to provide the outline for a general narrative, still ignorant of all the details. I will try to show below (see section 5.2) to what extent a high-level moral meaning may be suggested from the few points widely accepted today and in spite of notorious demands for further historical investigation – which in turn may be vindicated when it comes to more specific (and of course also important) questions.

417 See also Dirk van Laak (2000: 12 and 23) who I think rightly points out that this does not imply historians should abstain from passing such judgments, since these may also serve an important corrective function with regard to publicly prevailing judgments. As already noted, historians are certainly an important component of this public discussion, but they are no substitute for it.
418 Of course it must never be ruled out that further research may produce insights which cause a radical change in this discussion, particularly with the increasing opening of archives. Still, thorough research has been done in the past and I am not sure what kind of sources would now need to surface to utterly change our evaluation. As the Swedish Parliament Resolution of March 11, 2010, claims: “Second to the Holocaust, the 1915 genocide is
Indeed, in the sense that giving a specific meaning to the past is essentially a matter of perspective, of the values and paradigms applied by the observer, then the expertise needed for a politically acceptable interpretation of the past is political more than historical or legal: it crucially embraces the capability to represent the different perspectives of society, and to facilitate a reasonable discussion and negotiation between them. Anything else would be, as I argued above, a paternalistic politics of expertise. And that is also why I do not agree with Professor Erol Kürkçüoğlu’s claim that “[e]veryone should take into account what we, historians, are saying. We know best.”

I am aware that my stipulation, i.e. politicians should assume the task of interpreting the past only when present needs require them to do so, is very generic and imprecise. In the end wherever there are any debates about or needs for public ceremonies, education, funding of research, television there is some relevance for the present – and the state cannot refrain from these debates as long as we want it have an important share in these social tasks. That is why it may indeed be naïve to demand the polity should stay out of historical controversy. The state cannot remain neutral or blind, since the state is _nolens volens_ an agent anyway and indecision and inaction also favor one side – presumably the stronger one._ And the controversy studied here gives a wonderful example where abstention, _not_ calling these events genocide, is perceived as partisanship just as well. Ultimately I believe it is (a) more a question of how much and what kind of political interference is appropriate, rather than a notion of dramatized all-or-nothing politics, and (b) this needs to be decided on a case-by-case basis. Yet also these decisions need to be _politically_ negotiated, they are not a matter of expert opinion. For the controversy studied here I have argued already above why I am convinced that it is currently of sufficient political importance _not_ to abstain – which opens the forum for the much more intriguing question how the polity should engage in this topic.

I think two further remarks are appropriate to refine my position a little: first, declaring the entire controversy a public one is in no way to demand an exclusion of historians and/or jurists. Quite to the contrary, they both retain an important role. For one reason because they patently are members of this crucial public and seminal participants in this moral discourse. The claim I support is simply that the historical meanings provided by specific historians still

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419 Quoted in Today’s Zaman, December 19, 2008.
420 This apparently also contrasts with the proposition of Walter Russell Mead of the Council on Foreign Relations, who advocates a „separation of state and history” (quoted in Today’s Zaman, November 21, 2009). But maybe that is more due to a divergent understanding of what the term „separation” in this context denotes…
421 As argued also by Luchterhand (2005): 104f.
need critical evaluation, not only in regard to their historical accuracy but especially in regard
to the political consequences and meanings they thereby convey. The transfer of a historical
into a political evaluation must be closely monitored.

And another reason why experts shall play an important part in this debate is for their very
expertise which I have taken so great pains to discredit above. For historians, obviously
because they are the experts of the object we are discussing. They are the ones best suited to
gather and present the information which serves as a basis to discuss the appropriate meaning
for these events. For lawyers because the concepts and the terminology deployed in this
debate is closely connected to our legal system (or the other way around), so they know best
about definitions and implications of some concepts and evaluations. However, being an
expert in the object does not confer authority in the generation of meaning. And being an
expert in legal concepts and disputes does not confer authority in moral concepts and disputes
generally. If the fundamental issue is understood not as a historical or legal one but about
meaning, then I think a lot more “experts” could and should be consulted (such as
philosophers, psychologists, sociologists, educationalists etc.), to contribute to the political
process of arriving at a shared conclusion:

„Wie wir Schuld und Unschuld im historischen Rückblick verteilt sehen, spiegelt
auch die Normen, nach denen wir uns gegenseitig als Bürger dieser Republik zu
achten willens sind. An diesem Diskurs nehmen übrigens Historiker nicht mehr als
Experten, sondern wie wir anderen in der Rolle von Intellektuellen teil.“\textsuperscript{422}

The second remark pertains to the establishment of a historical commission to reach such
a conclusion. Obviously it is plain nonsense to expect “the public”, i.e. society as a whole, or
even the entire political system to thoroughly engage in this discussion. Like for other
political areas, expert commissions may be assigned to examine and discuss on behalf of the
democratically elected representatives. And of course such a commission could be constituted
of historians. However, for the reasons given above, while I believe this kind of commission
even should include historians or consider their knowledge (for instance in hearings), there is
no imperative for it to exclusively or only primarily consist of historians. It may be called a
“historical” commission because its object is of a historical nature, not because its members
are historians or its mission is historical – it is political. Furthermore, since it is a political
decision to assign a historical commission, also this very decision must be subject to political
debate and controversy.

\textsuperscript{422} Habermas (1998): 61.
To summarize my point: I think the critical question is not one of history (or “truth”, for that matter) or law, but better understood as one of interpretation, meaning, and (moral) evaluation. Therefore, the appropriate context for discussion is the realm of the public, not of historiography or law. Historians and/or jurists may play an important part in this debate; but it is important to keep in mind their contribution is only a piece for the larger picture, and they should not be allowed or even expected to paint it in its entirety.

4.3. **No Foreign Interference.**

There is another argument which attempts to limit the number of legitimate participants in this debate: the claim that it actually is a matter between Armenia and Turkey, and no third parties should intervene because it is first of all none of their business and anyway they only obstruct the already difficult dialogue between these two nations. This point is most often voiced when third parties, particularly political bodies outside Armenia or Turkey, recognize the events as genocide.423

This argument is theoretically not very elaborated, but I would understand it as such: since Turkey and Armenia are the immediate parties to this conflict, any solution must be found between the two of them. Hence influences from additional parties are external interferences which only complicate matters even more. Maybe third parties could participate by taking an auxiliary role, but simply taking sides does in no way contribute to the resolution of the tensions but rather strains the relationship even further. History itself as well as the current conflict are already highly complex anyway, and the intervention from outside does not reduce but rather advances this complexity by adding further players and positions to be considered.

4.3.1. **The Nature and Status of »Foreign Interference«.**

I guess what arose my interest in this topic in the first place was at least in part its international repercussions. There are a number of factors which turn this issue into an important matter of international politics. First, there is of course the fact that genocide is a serious crime in international law, which any party to the United Nations Genocide Convention must not ignore. Beyond that, and more in line with my previous argumentation,

423 It should be emphasized none of the texts on the homepage of the Turkish Foreign Ministry argued that it was an affair for Turks and Armenians only, there were only some objections to meddling by foreign political bodies that this would impede Armenian-Turkish reconciliation – but that could also be understood as the argument to leave this issue to historians, as discussed above. However, the ubiquitous reiteration of this point by Turkish officials whenever precisely such intervention by foreign political agents occurs in my opinion urges the interpretation that third parties are expected to show restraint.
the concept of genocide carries a very strong moral meaning. Hence any representative assembly cannot just turn a blind eye on such accusations if it does not want to face charges from its constituency of being a bystander, or even of opportunism and hypocrisy. And third, there is the determination to press for (respectively: prevent) genocide recognition in this affair: there are a number of organizations claiming to represent the Armenian diaspora in various countries, which aspire recognition of these events as genocide by their local governments.\footnote{For the United States, see especially the Armenian National Committee of America (ANCA, http://www.anca.org/) or the Armenian Assembly of America (AAA, http://www.aaainc.org). It is hard to give a quantitative evaluation of the actual impact such diaspora organizations exert on their corresponding government. What I hold to be of importance for the tensions between Turkish and Armenian society nevertheless is that their influence is perceived and depicted as decisive for various political agents by Turkish media.} This is reinforced by efforts of the Republic of Armenia itself, most emphatically captured in article 11 of its Declaration of Independence: “The Republic of Armenia stands in support of the task of achieving international recognition of the 1915 Genocide in Ottoman Turkey and Western Armenia.”\footnote{Armenian Declaration of Independence, August 23, 1990, article 11. It should be noted, however, that the official efforts toward international recognition by the Republic of Armenia are by far less visible than those of diaspora organizations – if they actually are less frequent and insistent is hard to say.} These efforts in turn are countered by Turkish organizations in the corresponding countries,\footnote{Again for the United States, see for instance the Assembly of Turkish American Associations (ATAA, http://www.ataa.org/).} and most importantly and vehemently by the Republic of Turkey itself. Wherever a country, or more precisely a national government or parliament, defines the events of 1915 as genocide, the government in Ankara firmly demonstrates its disapproval. Usually, this includes statements of indignation, recalling its ambassador for a certain time, and sometimes even political or economic sanctions – as I have already illustrated in the introduction to this paper.

Before indulging in the pros and cons of “foreign intervention”, I would like to highlight a few curious features which render it so precarious a topic. As already noted, the predicament in this particular quarrel is that there is no genuine “neutral” stance, since the issue is formulated as an “either-or” question. Hence, even the decision to abstain from explicitly taking a side and remain silent eventually cannot be considered as an expression of neutrality, since the absence of calling these events genocide is usually just what the contra-genocide camp seeks, and what the pro-genociders criticize. Such absence is certainly not the same as explicitly refusing to recognize these events as genocide, yet it does raise the question about the reasons behind this decision. Actually I can see only two: either because the relevant agents do not believe to possess sufficient knowledge to pass judgment, or because they think it is not imperative or not appropriate for them to participate for any one of the reasons I have
given above (the past being better forgotten, not a matter for politicians or outside parties). These two rationales basically correspond very well to the official Turkish position but clearly do not meet the Armenian one: as the already quoted article 11 of the Declaration of Independence implies, the Republic of Armenia is of the official opinion that foreign political bodies are supposed to take a stand and that enough is known to categorize these events as genocide. Therefore, I do not think abstaining represents an intermediate position between these two parties – maybe it could if the dispute was put somehow differently, but as it currently stands third parties have to take sides when they are called for, and the question is only how emphatically they do.

However, the aporia with intermediate positions arises only if we reduce the entire debate to the question of genocide or not genocide; if, by contrast, the issue is redefined as finding an appropriate narrative and meaning for these events, thereby transcending the genocide question, then of course we open the field for an array of alternative interpretations and far more subtle differentiations. One variation could be, for instance, the position taken by US President Barack Obama in his address on April 24, 2010, who did not use the term “genocide” but declared that “Armenians were massacred or marched to their death”.\(^{427}\) In light of the reductionist dichotomy between genocide and not-genocide, this attempt was predictably perceived as inadequate and received rebukes from both the Republic of Turkey as well as Armenian diaspora organizations in the United States of America. Further conceivable variations could then, for instance, deviate from the passive construction used by Obama, where victims are massacred, and instead bring to the fore that these “massacres” also involved human agency, the active component in this interaction, and dwell on issues such as responsibility. But for now, as I said, the crucial question is still framed as one about genocide, and this term is the ultimate benchmark to evaluate any position.

4.3.2. Discussion: Foreign Interference.

I do not think that anyone would argue for an ultimate prohibition for third countries to take part in bilateral relations. Notably the Turkish government in the last few years is conspicuously priding itself for its active foreign policy, and already its stance in the conflict around Nagorno-Karabakh demonstrates that being active in international relations is not considered inappropriate \textit{per se}. So I will understand this claim in a more limited sense: that in this particular case only third parties are better off holding back, not as a general prohibition.

\(^{427}\) For a larger excerpt and more on this speech, see section 1.2.
The rationale behind it, as mentioned above, is in my understanding that the ultimate objective of finding a consensus is to reconcile the Republics of Turkey and Armenia. Such a reconciliatory process between the two of them is already – intermittently, slowly, off and on, but still – under way. It currently appears to be on hold again, at least officially, and its future is open once again, and if resumed it will clearly take quite some time to go. Still, it is/was on track, and both sides at least in principle are (officially) committed to improve their relations. Foreign parties hence better limit their involvement as far as possible, since eventually it is these two countries which have to reach an agreement, and any additional elements make the entire process more complicated, and evoke defiance in Armenia or Turkey.

On the other hand, there are also a few arguments in favor of foreign intervention, stipulating that other countries indeed are affected by the matter and hence may legitimately declare their stand: (a) third countries are directly affected by these events and the ongoing dispute just as well. In my opinion the process of reconciliation is inadequately understood if it is perceived as occurring between these two states only. Obviously, and as Turkish media often contend, there is a significant number of Armenians living abroad and they appear to have a vital interest in this matter – allegedly because they are to a large extent the direct heirs of the Ottoman Armenians who escaped during World War I. As their elected deputies, the political agents of these third countries are obliged to represent the interests of these voters, their own citizens.428 Beyond that, more recent studies demonstrate that also other countries were to various degrees involved in these events and are therefore discussing them to illuminate their own history.429

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428 One additional point, related to this: it is most certainly true that politicians in third countries take a certain position with regard to this issue by considering internal affairs, such as catering to a certain constituency, attracting potential voters, creating further hurdles on Turkey’s path to the European Union, and so forth. This is frequently observed by many commentators and analysts (for instance Bloxham (2005): 224f), and it may not be by coincidence that states with a comparatively strong Armenian presence, such as France or California, are at the front when it comes to pushing for genocide recognition (although at least for the French case such policies may be designed more with an eye on voters critical of Turkey and its accession to the European Union, rather than with regard to the in total still small fraction of the presumably Armenian community). However, the same insinuation could be made for the opposite case as well, to account for instance for Germany, a country with a strong Turkish but marginal Armenian constituency, where the parliamentary resolution addressing these events conspicuously avoided calling these events genocide. Moreover, the important point is that this claim is not an argument in favor or against genocide recognition. It is merely asserting that those who do so are doing it for wrong, allegedly hypocritical reasons. It thereby simply denigrates those who engage in this discussion, presenting the *argumentum ad hominem* fallacy, but by itself is not an argument against international involvement per se.

429 Especially the role of Germany has been critically examined (see for instance Bloxham (2003): 213-244; Gust (1993): 262-277; Hosfeld (2005); Ohandjanian (1989): 176-214), which was also an important element in the resolution of the German Bundestag of June 15, 2005. For Israel and the Zionist movement see Auron (2000; 2003), for Switzerland see Bührer (1998).
Apart from thus turning a third party into one directly involved in this affair, it could also be argued that (b) the very nature of the matter prohibits abstention. Even if the Genocide Convention of the United Nations is not applied in this particular case, the allegations suggest that this event amounts to a serious breach of *contemporary* (and possibly also past customary) international humanitarian law, which obliges all states to become involved. The event itself is past, but the Republic of Turkey continues to deny the charge, and this allegation and denial keep it a vibrant matter to this day. I believe the claim that the question of genocide is *always* an international affair, not just a bilateral or internal one, may legitimately be made. Maybe it is more appropriate to hold that the temporal distance mitigates the *kind* of action to be taken, but it does not suspend the need to act at all – and be it only by clarifying the nature of the event, and thereby either denouncing it or justifying why one refuses to.

Moreover, (c) there appears to be a strong desire by many (not necessarily all) victims to see their grief recognized, and not only by the alleged perpetrators. In laymen’s terms: when there is a radical victimization which severely affects the victim’s future life, what they ask for is among other things to acknowledge their grief and to declare their solidarity:

“In order to overcome the legacy of violence, survivors need the opportunity for some kind of reckoning with the past. They need to be able to make sense of their experience to themselves and to tell their stories to others. And they need some form of social acknowledgment of the injustice they have suffered, in order to restore their dignity and repair their sense of connection to a larger community. […] But beyond these concrete and practical measures, what victims want most is vindication. They want the bystanders, finally, to take a stand. They want public acknowledgment that what the perpetrators did to them was wrong. They want the burden of shame lifted from their shoulders and placed where it belongs.”

Beyond that, (d) taking a stand is of symbolic importance also with regard to a third country’s own society, just thinking of the reasons I presented above why the commemoration of these events may be deemed warranted (see section 4.1). It may be relevant for another country’s own social and political development, but it may be also important when a country wants to determine its own foreign relations under moral considerations.

These reasons shall be given their due credit, but none of them directly refuted any of the reasons against foreign meddling. So the ultimate question is of weighing them all against each other. In the end, how many Armenian citizens are required to live in a state to make it a

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430 Herman (2002): 194f. However, given that in the particular case studied here, most if not all immediate victims have already perished, this need for recognition is probably a little alleviated by now. Moreover, it is not to say anything about the way in which this recognition should come about, nor about its appropriateness in any specific case. It is only to say that if a third party comes to the conclusion that victimization has occurred, then it may be justified to offer the conciliation of advocacy.
legitimate national affair – and what would that mean for all the other immigrants coming with a background of oppression and persecution? Or should the political agents of a country declare themselves for every past calamity? Or is this a particularly noteworthy one? Why?

And even if this was granted, and even if the concerned country was somehow involved to whatever extent in those events, does this warrant obstructing reconciliation between Turkey and Armenia? And taking a stand just for the sake of morality, would it not be more important and also beneficial to first confront the dark spots in one’s own history?

With regard to reconciliation, another question could be raised at this point: would this process of reconciliation have come about without such third party activity in the first place? At least superficially it appears that the willingness of the Republic of Turkey to allow also dissenting positions within its own territory, indeed to start debating the issue at all and engage in open dialogue with Armenia, at least initially arose to some degree by means of outside pressure. If this is correct, than outside interference is not (only) an obstacle, but also an important incentive in this reconciliation process. However, this point must not be taken as an imperative for interference. In the end, the question whether it facilitates or impedes reconciliation is not one of principle – it depends on the circumstances, such as in what form this interference occurs and most importantly how Turkey and Armenia choose to react on such interference. Therefore it may very well be a barrier to reconciliation at one time, and assistance at another. Either way, I believe that genuine reconciliation cannot be imposed from the outside. It may be stimulated or facilitated, but force is hardly a solid basis for a peaceful and egalitarian coexistence. Yet that may be an utopian vision anyway.

Anyway, this critique of foreign intervention in my opinion tends to blur the blame a little: in the end, most of these resolutions did nothing but recognize the Armenian Genocide. Only few asked the Republic of Turkey to do likewise, and hardly any indeed introduced any concrete actions to achieve this end, such as imposing sanctions or punishing genocide denial. For instance, the recent proposal in the US House of Representatives just like earlier ones, if adopted, would ask the president to recognize the Armenian Genocide. It did not ask the Republic of Turkey to do so as well, did not threaten any sanctions if it failed to comply, did not demand any restitutions from Turkey. Nevertheless, it was enough for the Turkish government to recall its ambassador for several weeks and consider further reprisals, that is, notably, sanctions. And this resolution was not even adopted by the House of Representatives,

\[431\] See also Bloxham (2005): 226.
\[432\] Of March 2010, see also section 1.2.
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not to speak of being confirmed by the Senate, not to speak of endorsed by the President or Secretary of State.

To my perception it was nothing but an expression of opinion in a political forum without any direct practical consequences (I admit that I find it very hard to speculate about the indirect consequences, so I am leaving this aside for now). It may not be favorable or pleasant in Turkish eyes, but it is far from being an “assault”. And in my opinion it is also far from what a written statement of the Turkish Foreign Ministry after the 2010 presidential address on April 24 lamented, rejecting any such declaration because “[n]o nation has the right to impose its memory records on another nation”. This understanding too exaggerates the significance of such a statement, since it in no way ever involved an effort to “impose” a particular memory on the Republic of Turkey. Indeed, it appears to be rather the other way around, with the Republic of Turkey rejecting the right of other states to remember events as they see fit.

And even if the Turkish government does not like it, it is an opinion which is endorsed by a range of acknowledged historians and jurists and politicians, and hence it needs to be discussed and not merely brushed aside as an “insult”. More than anything else, this displays a somewhat delicate understanding and handling of freedom of expression. Eventually, Turkish-Armenian reconciliation is less obstructed by such statements per se than by how the concerned parties react on them. I think also Turkish politicians are aware that it is not the intention of foreign governments to insult Turkey or to hamper its bilateral relations with Turkey, and the cautious and distressed formulations in foreign resolution in my opinion make this very clear. Also, there is no offense to the Republic of Turkey inherent in such statements: it is the decision by the Turkish government to attach a certain meaning to such statements, and to act accordingly – otherwise they would not react in the same vein on any such declarations, even where they clearly emphasize that it is the Ottoman rather than the Turkish government which is accused of genocide, and that the Turkish Republic cannot be held liable for these offenses.

To emphasize my point: I am not so worried about any particular state taking any particular position; but it appears sad that till today the Turkish government and significant social groups in Turkey cannot accept that such dissenting opinions are voiced. I think that merely hints at a pretty weak potential to handle diverging opinions, not to speak of criticism.

433 Quoted in Today’s Zaman, April 26, 2010.
434 For the same reason I think it would be inappropriate for the Republic of Armenia to act in a similar manner.
Ultimately it is important to emphasize that the entire argument against foreign interference is not at all directed against the genocide allegations themselves: in no way does this claim refute the allegations in their substance, i.e. that these events do not constitute genocide – it only stipulates that Turkey would react insulted and refuse to cooperate with the meddling party or Armenia. With respect to the previous section (4.2), note also that this is nothing but a political argument against genocide allegations, far from being historical or legal.

Anyway, to suggest at least a tentative conclusion at this point: first, the call for international recognition and involvement appears to come primarily from the pro-genocide camp. Second, as a crude matter of fact, harsh and resentful reactions are simply the way such declarations are received in Turkey, by the established political elite and possibly also by wide segments of society. Third, I would suggest that what ultimately matters for pro-genocide aspirations is that this Turkish society is willing and capable of critically revisiting what pro-genocide authors would describe as Turkey’s national myth, in order to arrive at a genuine recognition of the contested events as an event of genocide. And for others, maybe less concerned with the question of genocide, the aim might simply be this critical reflection of one’s history and one’s stand with regard to responsibility, although maybe disregarding if the eventual outcome is “genocide” or something still to be determined by this very revisiting. Fourth, I do not think such a revision can be imposed from outside, at least if it should be a genuine one. I do believe that in an open society outside positions are an important context factor in the development of any interpretive positions and their revision. However, blunt actions which are perceived as affronting, offensive, may be more likely to create superficial or hypocritical compliance at best, and nationalist backlash at worst. Genuine revisiting is, I believe, unlikely to occur in a social environment where essential cognitive structures are set against such a revision. 435

Therefore, if a polity concludes that these events indeed amount to genocide (or at least constitute any other significant offense, for that matter), and considers a condemnation accordingly, it should also be questioned what it actually wishes to achieve thereby and if such condemnation is appropriate to realize that intended effect: for instance a symbolic restoration of justice, its own socio-political advancement (see section 4.1.1), piling up pressure on the alleged evildoer and so forth. These reasons then need to be weighed against

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435 To explain what I tend to understand by the vague notion of “cognitive structures”: I would suggest it includes for instance the way how criticism and dissens is dealt with, which values prevail, if international relations are conceived in a more cooperative or competitive frame, and so forth.
the negative impacts such a positioning might entail, most notably that (or indeed: if) it would not rather counteract the desired change in Turkey as well as reconciliation with Armenia. The crucial point, I think, is that in this case concerns about my own moral integrity and the noble value of justice itself, in my opinion are outweighed by a concern for the socio-political and moral disposition in, as well as the reconciliation between the involved parties: Turkey and Armenia. That is, the concerns for myself and the sublime value of morality might not necessarily override concern for those whose cause it essentially is.\footnote{\[436\]} As the old saying goes: fiat iustitia et pereat mundus.\footnote{\[437\]} I concede that this position is eventually an instrumentalist stand, not an attempt to resolve it by matter of principle and dogma. But I admit that when it comes to weighing consequentialist against deontological reasons, in this particular context the consequentialist reasons prevail in my opinion. And maybe this explains why also a number of persons who actually describe these events as genocide, such as the already mentioned and meanwhile slain Hrant Dink, considered foreign recognition of secondary importance:

“Turkey’s democratization is much more important than its recognition of the genocide. Only a country that is democratic can dare to deal with its history, discuss its problems and feel empathy. [...] It is only after they learn about the Armenian problem that the people can decide whether this was genocide or not. There is no meaning in a state or government recognizing the issue under pressure from the outside. Because those who need to see the truth are not states but peoples. [...] States have no conscience, but societies and peoples do.”\footnote{\[438\]}

\section*{4.4. No Retroactive Applicability of the UN Genocide Convention.}

The next argument I would like to discuss recalls that the United Nations Genocide Convention, and even the very concept of genocide and therefore any other regulation regarding genocide, came into being only some decades after the events of concern. Since a basic legal principle prohibits the retroactive application of legal norms, the concept of genocide or any underlying laws cannot be applied to the case studied here.

Before I go into more detail about this question, let me emphasize that I never received any legal training and therefore this will inevitably remain a cursory summary of a layman’s understanding. Even more so since apparently also legal experts do not fully agree on this.

\footnote{\[436\] It should be added that of course my suggestive reduction to „my“ versus „your“ or „their“ cause is grossly oversimplified. Apparently we are here discussing social collectives, and therefore the „me“ in any third country also involves some Turkish and Armenian people who on an individual level may have an equal or at least similar claim in this topic as any other Armenian or Turkish citizen.}

\footnote{\[437\] Clumsily translated as „let there be justice though the world perish”: it is contested whether this is really intended ironically or actually as a serious request, but apparently I subscribe to the ironic understanding.}

\footnote{\[438\] Hrant Dink in an interview with the Turkish daily \textit{Radikal} on May 23, 2005, quoted in \textit{Today’s Zaman} on April 28, 2008.}
question, with some outspoken contra-genocide authors\textsuperscript{439} but also some presumably “neutral” institutions arguing the UNGC may not be applied retroactively,\textsuperscript{440} and others arguing it does very well so.\textsuperscript{441}

However, actually I believe this question is of little relevance. This assessment is certainly also a result of my own bias: this particular argument is clearly and predominantly a legal one, whereas I am treating this entire topic from a socio-political paradigm, trying to interpret it primarily as a quest for meaning. But there are at least some other points which I want to invoke in order to rationalize my delusion:

For one thing (a) because to the best of my knowledge I have not come across any attempts to sue somebody for the crime of genocide in court. Of course I cannot rule out any such cases have already taken place or will do in the future, but in my opinion chances are slim. It appears more likely that if cases are filed, and if they refer to the concept of genocide, they would still call upon some other legal norms and principles to demand restitution or reparation. But as noted already above, such cases could be filed independently of the question of genocide, and therefore the question of retroactive justice does not seem to me very important here (see section 3.1.4.1).

By contrast, (b) there is significant effort to acquire international recognition of genocide, but not necessarily as a legal judgment which would include compensatory measures, but much more as a moral judgment instead. By consequence I would suggest that even if the UNGC does not apply retroactively for the events of 1915, this is anything but an absolution for the alleged perpetrators. It does not absolve them from the suspicion that what they did was unjust and wrong. And it is presumably also for this reason that (c) the two Sources of the Turkish Foreign Ministry homepage which mention this argument touch upon it but briefly, and eventually proceed by arguing against the moral significance of genocide, not the legal proceeding according to the UNGC:

“Even though the very term, »genocide«, is a term fabricated at the aftermath of the Second World War, we can, it is true, argue that convention in »declarative« of law, in that it confirms the existence of a crime already condemned by humanity. That it is

\textsuperscript{439} Soysal (1985; Source 28: 54); Aktan (Source 31: 264).

\textsuperscript{440} See for instance the Legal Analysis Prepared for the International Center for Transitional Justice (ICTJ), on demand of the Turkish-Armenian Reconciliation Commission (TARC), which concludes the UNGC does not allow for its retroactive application and hence for the imposition of any legal, financial or territorial claims, yet it does not prohibit the use of the concept of genocide, as defined in the Convention, to events occurring before its entering into force. Also William Schabas (2000: 541f) concurs with this rejection of a retroactive application of the UNGC.

\textsuperscript{441} For instance, the resolution adopted by the Swedish Parliament on March 11, 2010, argues that the UN Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity, adopted on November 26, 1968, ratifies the retrospective applicability of the UNGC.
I fully see the point in discussing this question for the sake of legal argument. But I believe it is of marginal if any significance if we opt to understand this conflict as one about social meaning and morality. It is also true that many frame this controversy as one about justice. But justice is not the exclusive prerogative of the legal domain; it is immanent to the field of politics as well. If the main point is to establish meaning for these past events, then it would be preposterous to seek it within the boundaries of legal discourse. Doing so would confine our values and moral reasoning to the formal boundaries of law, and thereby severely constrain the very debate which is supposed to define these values in the first place.

4.5. Uniqueness, Singularity, and Incomparability of the Shoah.

Another argument impeding the application of the concept of genocide to the massacres against the Armenians claims that these should not be classified as genocide because they cannot and should not be put into one and the same category with the archetype and unique occurrence of genocide: the Shoah. This argument comes in different variations, conceptualized as the “uniqueness”, “incomparability”, or “singularity” of the Shoah, and often these terms are used interchangeably. What this kind of argument basically claims is that the massacres against the Armenians cannot classify as genocide since they must not be put on the same level as the Shoah. The Shoah is unparalleled in human history, and any attempts to liken it to other events of mass violence ultimately minimize its significance and deny important qualities the Shoah entails exclusively. Hence, as tragic as the violence against the Armenians around 1915 may have been, and as legitimate Armenian claims for

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442 Soysal (1985; Source 28): 54. The other Source, Gündüz Aktan (Source 31: 264), does not reject the significance of this question or retroactivity. However, also he mentions it only briefly in the introduction, afterwards decidedly concentrating on discussing the content and the criteria of genocide.

443 Sometimes this argument is made with reference to all the groups systematically persecuted and exterminated by the Nazis during World War II, but frequently it is restricted to the extermination of European Jewry “only”. For the rather theoretical way by which I shall approach this argument, this distinction is not of great relevance and most of what is to follow can hopefully be applied to both. Still, since it is often also argued that the persecution of Jews is fundamentally different from the persecution of other victim groups (and thereby unique), it is this extermination of European Jews which I will refer to mostly. For that reason I have chosen the Hebrew term „Shoah” instead of the Greek „Holocaust”, which presumably encompasses a longer list of groups targeted by the Nazis. I do not claim that this terminological distinction of mine is “true” or accurate, but it suffices for my purposes here and I hope it will be benevolently accepted.
recognition may be, seminal differences must not be obscured, and it must not be put on one and the same level with the Shoah. 444

I think discussing such claim is an extremely delicate task for somebody of an Austrian origin, a country where many of our closest and beloved progenitors were highly and directly involved in the Shoah, and where it took decades until national myths were revised and political as well as dominant social discourse started to allow for a narrative which gradually dared to include also hints of guilt and responsibility. 445 Therefore, what applies to all discussions and conclusions I am suggesting in this entire work applies ever more so to this chapter: they are subject to certain biases, more or less conscious and vague values and ideas, and I am aware they leave more questions and doubts than they offer answers. They are an attempt to make sense of several complex topics which do not just relate to the events of 1915 but also to other events in history, and therefore I consider all of them to be suggestions, efforts to better understand the questions and issues, rather than providing solutions to them.

4.5.1. Uniqueness as Singularity.

So my suggestion for this chapter will be based on a distinction between three basic understandings of this argument about uniqueness. Vincent Engel discriminates between two kinds of uniqueness, one being exclusive and the other inclusive. Exclusive uniqueness refers to a phenomenon being unique because it is in itself a single phenomenon, i.e. not identical with any other. I would propose to call this understanding of uniqueness “singularity”. In this sense, the Shoah is singular because it involved specific, very concrete persons and places, as well as singular combinations of structural conditions, outcomes, processes etc. Put more bluntly: no person is killed twice, and therefore every murder represents a singular event.

In my opinion, this understanding of the Shoah is of pivotal importance for its expressivist commemoration, i.e. commemorating and mourning for the particular victims of the Shoah, considering specific guilt by the very concrete wrongdoers, understanding the specific structural factors of the Shoah, the Nazi ideology, the history of anti-Semitism, and so forth. I think this amounts to what is often referred to as a particularistic as contrasted to a universal understanding. 446 However, I also believe that this paradigm, on its own, may render the Shoah without much broader meaning: it is attached to specific persons and places,

444 On the homepage of the Turkish Foreign Ministry, this claim is included in a statement of Israeli Foreign Minister Shimon Peres (Source 11), as well as in the testimony of Professor Müntz Soysal (1985; Source 28: 50), an article by Ambassador Gündüz Aktan (Source 31: 274), and the anonymous Source 14.
445 For long the Republic of Austria, based on the Moscow Declaration, considered itself to have been the first victim of Adolf Hitler. It was not until July 8, 1991, that Chancellor Franz Vranitzky officially acknowledged Austrians had indeed also been perpetrators in World War II.
446 See for instance Levy and Sznaider (2001); Auron (2003a).
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contemplated as an event of its own, decoupled from broader world history. This is certainly also the intention of many commentators who support the notion of the Shoah’s uniqueness, though I suspect they do not base their view on singularity only. Instead they depart from an understanding of the Shoah as being unique, as I shall explain in a moment.

It should be emphasized that this interpretation of uniqueness, which I call singularity, is not what is at stake and argued about in this particular controversy: I do not think the claim against the Armenian Genocide is restricted to the Shoah’s victims and perpetrators being singular individuals, nor is this singularity of victims or perpetrators of the Shoah challenged by anyone – for how could it be? What is indeed contested is the postulation of another understanding which Engel differentiates from this exclusive uniqueness: this is inclusive uniqueness, i.e. the claim that the Shoah is unique as genocide. That is, it is unique not by its being a singular event in itself, but by its being the unique representative of a category of events (called “genocide”), by virtue of its alone meeting the criteria for genocide.447 There is a completely different thesis transmitted in this view: prescinding from the concrete circumstances involved, the Shoah as a general concept (i.e., genocide) bears special meaning for all humanity, prompting hence a “universal” understanding of it, and it does so as the sole instance of genocide in world history.448 It is this interpretation of uniqueness which I shall dwell upon. This point, in turn, may again occur in two variations, which I shall discuss under the labels of “incomparability” and “uniqueness”.

4.5.2. Uniqueness as Incomparability.

The first version of this argument (uniqueness as genocide) I suggest is to read “uniqueness” as the stipulation that by virtue of the Shoah itself (and therefore by definition) nothing similar to the Shoah has ever occurred and could ever occur. The term “genocide” was coined to refer to the Shoah only, and must not be applied to any other events in human history, as gruesome as they may have been, lest it depletes the meaning of the Shoah, and hence of genocide. I would like to suggest calling this understanding of this particular argument the claim for “incomparability”, knowing it often appears as “uniqueness”, without a clear distinction between the two concepts: sometimes they appear to be synonymous.

447 For this distinction by Vincent Engel, see Chaumont (2001): 150. See also ibidem: 136-138; Finkelstein (2000) 42.
448 I would like to add that also this differentiation between particular and universal understanding of the Shoah is a great simplification, since there are obviously different degrees of abstraction: for instance, I assume most would agree that in order to extract this universal meaning the concrete personality of the victims of the Shoah may be disregarded. However, many feel uncomfortable how far this abstraction of the victims should go: should they be considered “Jewish” (or “Gypsy”, “homosexual”, “handicapped” etc.), or being defined as “ethnic” or “racial” victims, or just “victims”, stripped of any attributes other than their victimization?
sometimes incomparability as the consequence, sometimes as the preceding cause of uniqueness. Therefore a few words on the relationship of these terms.

To begin with, I would like to claim uniqueness cannot be the same as or equivalent to incomparability. Epistemologically, to establish uniqueness already presumes that comparison has been made.\footnote{If I understood it right, see for similar points Auron (2000): 23; Auron (2003a): 165. Likewise, also Melson (2002: 6) holds that uniqueness is far from being equivalent to incomparability.} In that sense, I contend that incomparability is antagonistic to uniqueness, because without comparison uniqueness cannot be established. Therefore, uniqueness could neither be the same as, nor the consequence, nor the cause of incomparability.

Hence, incomparability does not seem to make much sense in a universal paradigm where genocide is a general category. Ultimately, to arrive at this abstract and general level with the Shoah as its ideal type, the concept of genocide must be derived from the Shoah and put in relationship to other events and circumstances. In other words, it must be compared to other events. This universal and comparative approach appears to be better expressed by the term “uniqueness” (see the discussion in section 4.5.3), since uniqueness in my view is a relational expression, conveying difference from all other objects, whereas incomparability negates this very relation.

With that being said, I venture into a second potentially impudent claim: in my opinion incomparability is neither a descriptive nor an analytical term, it does not reflect a scientific category (and this should not be read as a depreciation of the cognitive value of incomparability, and it certainly does not render the idea of incomparability obsolete). That is because incomparability \textit{precedes} analysis and description: it expresses the deliberate choice to limit analysis and description by excluding comparative methods. Put in a different way, by which epistemological operation could we arrive at the conclusion an object is incomparable? Conclusions can only be made \textit{after} the investigation has been performed. And if the conclusion of the comparison is that the compared objects are “incomparable”, that appears somewhat antinomian.

In other words: incomparability seems to me more like a normative prescription than a conclusion drawn from investigation (which includes comparison as but one method).\footnote{See also Jäger (1989: 43), who argues that the claim for the uniqueness of the Shoah is less a stipulation of historical singularity than a claim for political and moral meaning.} And since this prescription precedes analysis, it can hardly be said to be a result rather than an \textit{a priori} given. Therefore I would suggest it embodies an expressivist position,\footnote{See above for the notion of expressivism where I am trying to follow my understanding of Blustein (2008).} which relates more to singularity as discussed above than to uniqueness as I shall treat it below: the value
and legitimacy of such incomparability is established before analysis (uniqueness) from its singularity as a specific historical event. Incomparability is not analytical or descriptive, it is normative. This leads us back to the distinction made above between singularity as an event in itself, and uniqueness as a member of a category. Ultimately, classification presupposes comparison following certain criteria, for by what other virtue could classification operate? In my opinion comparison is indeed a *sine qua non* for the establishment and accentuation of difference,\(^452\) and hence classification. After all, a large amount of scientific research depends on going beyond singular phenomena by abstracting the features deemed essential of them, and then dumping them into relational systems with other objects. It is hence a fundamental device in research and therefore also required for deepening our understanding of the examined object, and for integrating it into broader concepts of history and the world. And it is essential for abstract systems aimed at identifying early stages of group conflict and thereby releasing preventive measures.

The normative claim for incomparability, taken literally, runs the risk of impeding any such attempts and therefore may eventually even hamper some of our chances to understand and make sense of what has happened. This points to a disconcerting feature of incomparability, possibly the one why it is so often met with determined resistance: I am not convinced such proclaimed incomparability does the expressivist memory of the Shoah any good, i.e., if it does not rather turn it into what in terms of some critics resembles a mystified quasi-religion:


What makes it somehow quasi-religious is exactly the normative character of incomparability, which leaves the charge of its violation not (only, primarily?) an intellectual but rather a moral one. Jean-Michel Chaumont in a provocative conclusion therefore goes as far as calling such a position “intellektuellen Terrorismus”.\(^454\) This way, the Shoah


\(^{453}\) Ismar Schorsch, quoted in Chaumont (2001): 125.

\(^{454}\) Chaumont (2001): 149. This phrasing is indisputably provocative, yet it may be a bit more comprehensible when we follow Chaumont’s argument about those challenging the singularity of the Shoah being accused of latent or conspicuous antisemitism, or even of Holocaust denial. Especially such allegations of Holocaust denial are sometimes perceived as problematic since they fail to distinguish between contesting certain qualities or
completely loses its relation to the world in which it occurred, which brought it about, and which tries to cope with it ever since. Removing it from this very context inhibits the application of certain modes of understanding and examination we have developed so far and which are essential in historical, psychological, sociological, political, juridical and other investigation. To push the religious analogy a little further, incomparability may eventually even turn the Shoah into some sort of taboo, averting some modes of thinking even before it may be deemed necessary to prohibit their results.

By the same token the Shoah then also runs the risk of losing any significance in the study of violence in general, thereby also losing its potential in any early alert system to prevent future violence:

“Indeed, all historical events are both unique and comparable. To hold that the Holocaust cannot be compared implies that it cannot be thought about, and that it has no important lessons for other peoples who in the past have been or in the future may be in mortal danger.”

interpretations of the Shoah, and contesting the very fact of the mass murder of the Jewish population (see Chaumont (2001): 163-165). He further argues that this tension between singularity and abstraction is one between historiography and social sciences (see Chaumont (2001): 146-149), yet I think this is still too coarse a distinction, since also historical sciences sometimes aim at abstraction in order to arrive at more general conclusions and abstract concepts of historical developments, while social sciences too engage in single case studies. I have therefore replaced the driving binary poles by expressivism versus science, which is still crude and simplified, yet focuses on the function of the two sides rather than its main scientific disciplines.
As Bernhard Schlink in my opinion rightly observed, if the Shoah was by definition unique and incomparable, then it would not have any significance in the prevention of future violence and hatred, since nothing similar could ever occur anyway.\(^{457}\)

What is hence the relation of incomparability to singularity and uniqueness? I would suggest that both “incomparability” and “uniqueness” are universalist in the sense that they refer to a general taxonomical system, and that is what distinguishes them from singularity. However, I would add that incomparability and uniqueness are functionally different: incomparability relates to a normative, uniqueness to a descriptive or analytical function. Incomparability excludes the Shoah from this very universal system of concepts, whereas uniqueness considers it the sole representative within this very system.

Now, what is then the normative purpose of incomparability? To me it appears to fulfill foremost two functions: (a) First, to fend off attempts to minimize and trivialize the meaning of the Shoah. Beyond doubt, comparisons between the Shoah and other events are occasionally put forward with the (deliberate or unconscious) motivation and at any event at the risk of blurring the meaning of the Shoah and the responsibility of the perpetrators. Most obviously this occurs when an event is stipulated as being equivalent to the Shoah. Often this initially happens only in a limited sense by postulating another event matches the Shoah in a certain respect, but unfortunately this equation is then often (explicitly, tacitly, or even only allegedly) extended and projected on the entire event itself. Given the extreme qualities and quantities of the Shoah, this is frequently perceived as its minimization and trivialization, since other, less extreme events are put on a same level with it. And it is certainly appropriate to caution against such tendencies.

However, it should be kept in mind that comparison per se is by no means the same as equation,\(^{458}\) which in my opinion is but one potential outcome of comparison. Another possible result could just as well be difference, for without comparing we could hardly ever establish difference.\(^{459}\) If the evaluation of an event should incorporate some relational meaning, then it needs to embrace comparison – obviously at the risk that the result may be equivalence, and be it merely in one or a few dimensions. Of course deploying comparison is not an ultimate imperative: if we want to confine our evaluation to the event as such (its singularity), then it seems fine to do so – especially in an expressivist approach. But if we

\(^{457}\) Schlink (1998): 441. See also Dadrian (1996): 102; Schlink (2007): 114. As Staub (1989: xii) put it: “I knew, however, that the Holocaust had been described as an incomprehensible evil. This view, it seemed to me, romanticized evil and gave it mythic proportions. It discouraged the realistic understanding that is necessary if we are to work effectively for a world without genocides and mass killings and torture.”


want to enrich its meaning or evaluation by putting it in relation to other events, to our wider history, as I believe at least academic research should, then we need to allow for comparison just as well. To offer a silly analogy, I would question whether we should avoid starting out on a path just because it might lead to an abyss. Even if we actually arrive at the abyss, we can still turn around and dismiss our path once we get there, we can avoid jumping into the abyss rather than embark on the path in the first place.\textsuperscript{460} If we do not even start out on this suspicious trail then we either just remain where we are because there are no other ways available, or force ourselves on a different path, even if we do not believe this is the right one. This, I believe, is what a taboo is about.

For completeness’ sake I would like to add another curious aspect: also the perception that minimization and trivialization are inherent in equation depends on perspective and further assumptions. Most notably that the Shoah is the focus of the comparison. Just twising our attention a little, the very same argument could be apprehended not as a minimization of the Shoah but a dramatization of the event compared to it – and I guess that is in a number of instances also the intention.\textsuperscript{461} “Genocide” may also be deployed to underline that other events too elude simple understanding, that their dread too excels the realm of normality. As Robert Melson somewhat wearily or defiantly put it:

\begin{quote}
“What it [i.e., comparison] does is to alert us to the possibility that the crime of genocide can be perpetrated by others besides Germans and Europeans. If that, too, is relativization, so be it.”\textsuperscript{462}
\end{quote}

Anyway, going beyond equation there are also other ways by which comparison may be assumed to possibly diminish the Shoah, for instance by simple distraction, i.e. by shifting attention away from the Shoah and attaching it to another agent, to another wrong. Here too the incomparability argument is important to keep us vigilant of such diversions. However, I believe that also this risk is not an inherent feature of comparison and more a side-effect; nor is it a strategy which can be achieved by comparison alone: other discursive techniques can do so just as well.

(b) A second function of incomparability is ever more located at the tension between universalism (abstraction) and particularism (specificity), as an attempt to defend the Shoah against efforts of abstraction, to (re-)emphasize its specific aspects so that abstraction does not

\textsuperscript{460} Note that in this clumsy analogy the abyss does not necessarily stand for equivalence itself – that may not even be an abyss. What it stands for is whatever desastrous consequences we fear from equivalence (though for some admittedly equivalence itself is already the problem).


\textsuperscript{462} Melson (1992): 36.
remain the dominant or even the only element in our memory. In that sense, it is the deliberate endeavor to counter scientific categorization and analysis, as far as it operates by and relies on abstraction. The functionality here is to evoke certain expressivist qualities, undimmed by more “scientific” or structural features.

I have no doubt that this too is an important objective, ultimately because the significance and meaning of the Shoah (respectively genocide) is not (or: must not be) exhausted by its scientific, abstract, analytical qualities, but essentially requires complementation by its expressivist and humane qualities. If this is granted, the Shoah must not become an abstract notion (only), a general memory deprived of its particular content and commemorated as “just another genocide”. Obviously, again I consider this way of understanding incomparability as normative, expressivist, and it is this humane approach which stirs resistance when it meets abstract, “cold” theory and concept: “Verglichen wird das in letzter Instanz Unvergleichbare, kategorisiert wird das schlechterdings Nicht-Kategorisierbare!”\footnote{Liebsch (1998): 55.}

In this sense, incomparability as an arrow pointing back to singularity seems to me perfectly acceptable – yet it must be clear that this is only one side of the story (the particularistic, expressivist one), one which may be complemented by other stories.\footnote{For instance, in the words of Alois Hahn (1996: 163, footnote 6): „Einzigartigkeit soll hier nicht im positivistischen Sinne als numerische Qualität, als dem factum brutum inhärente Eigenschaft fetischisiert werden. Sie stellt vielmehr einen Relevanzbegriff dar, nämlich den einer singulären moralischen Referenz. Nur als solche entzieht sie sich allem Vergleich.“}

In my personal opinion both, singularity (or particularism, expressivism) and comparison (or universalism, abstracting analysis) are important because they are crucial for equally important yet different ends. Therefore they operate along different paradigms, and thereby they rather complement each other in our understanding of the Shoah than contradict and exclude one another.\footnote{This idea of complementary understanding of genocide as I offer it here (between expressivist/normative versus abstract/scientific) comes close to how I grasp the complementarity proposed by Auron (2003a: 20, 366) between a universalistic versus particularistic understanding of the Holocaust.} In that sense, to summarize it with Siegfried Jäger, the controversy about the uniqueness of the Shoah was one involving scientists, but it was not necessarily a scientific one.\footnote{Jäger (1989): 42.} Eventually, the expressivist and the scientific paradigm may both be better served if neither of them was understood as an ultimate claim against the other.

To conclude, I think it would be misleading to confound incomparability with uniqueness. Incomparability was not somehow “discovered”, but is a derivation of a (normative) meaning which was already attached to the event before its thorough examination (which includes comparison). It seems even more troublesome to me when it explicitly comes as an assertion
of uniqueness as genocide. I do not think the expressivist (or any other) need is well served by claiming an entire scientific category for its promotion. By proclaiming a per-definition uniqueness of genocide and identifying it with the Shoah, “genocide” winds up being but a name, i.e. another name for the Shoah, rather than a genuine category.\textsuperscript{467} Even more, as incomparability is ultimately a function of the Shoah itself, it is not the difference between the Shoah and other events which renders it unique, but the qualities of the Shoah alone. Thus the meaning of the general concept of genocide as well as that of the Shoah to any other event in human history appears rather dubious and marginal. By contradistinction, since uniqueness is essentially a comparative, a relational quality, claiming uniqueness does bear implications on the meaning we attach to other events, and therefore I think it must be critically reflected. I will return to that a little further below when discussing the uniqueness claim in general. Finally, among the practical problems with this argument for incomparability is also that it impairs efforts to establish genocide as an object for scientific investigation,\textsuperscript{468} to define it as a criminal offense in international law, and ultimately to understand it and prevent its recurrence as a distinct social phenomenon.

4.5.3. Uniqueness.

The last version of the tripartite uniqueness, of this discussion about uniqueness in a broader sense, seems to relate more closely to a classification of the events of 1915 as genocide. I would like to call this notion “uniqueness” in a narrow sense.

Here genocide is indeed an abstract category, defined by a number of (explicit) criteria and open to include any other event meeting these criteria. Assessing these criteria and the historical evidence, a number of authors conclude that to date the Shoah alone meets all these conditions and hence should be considered the single (known) genocide in human history. I have no objections to this stipulation from an epistemological perspective, and obviously it is identical to the method used by other authors who arrive at the conclusion that several instances of genocide have already occurred throughout human history. Briefly summarized, this methodology requires the definition of a category by a number of characteristic variables, then examining any specific event to see if it meets these required conditions, and eventually subsuming it under that category or refusing to do so. Here, the controversial points are about

\textsuperscript{467} As Levy and Sznajder (2001: 61) stated, the uniqueness of the Shoah is most likely best captured by the fact that it is the only particular event which received a universal name, “Holocaust”, referring to the universal meaning the Holocaust has received throughout the world. In the context of this argument here, the Shoah being the only actual event of genocide, this point could be somewhat tautologically extended: the uniqueness of the Shoah rests (also) in the fact that it is the only event in history which created an entirely new and unique concept just for itself.

\textsuperscript{468} See also Ehmann (1999): 222.
which criteria shall be applied, and whether a particular historical event matches these or not. Since it is by definition part of the contra-genocide argumentation to claim one or more of these criteria were not met by the events of 1915, I will need to come back on some of them one by one in the course of this work anyway and hence not pursue these individual points right now. Instead I would like to offer a few general remarks about the conception of uniqueness and the construction of the category “genocide”.

4.5.3.1. The Criteria for Uniqueness.

My first comment relates to the selection of variables included in the definition of genocide. Presuming genocide is a socially constructed concept, and that we create and use it for certain ends, I would suggest that it is up to us to design it in a way that matches these ends. In other words: assuming that genocide is not just something “out there” but a concept we deliberately create for the classification of specific events for specific purposes, then the concept of genocide should also reflect these purposes. This is accomplished to a large extent by the selection of variables which are constitutive of genocide.

Now, I would claim that one seminal function of the category of genocide is to classify certain events in a normative way, and thereby to trigger or legitimize certain modes of thought and action, respectively to exclude others. By consequence the generation of the concept of genocide itself, the selection of these essential variables are determined by normative considerations. However, to be valuable for analysis and understanding beyond normative evaluation, it also needs to be a scientific concept of descriptive value. This tension, I think, contributes to the difficulties in dealing with genocide, since the normative qualities of the concept seem to sneak into almost every text on genocide I have come across, thereby charging putatively analytical and descriptive discussions with something more personal and emotional – and I am inclined to say this is not necessarily a bad thing, even if only to justify that my own text here is certainly no exception.

Coming to the more practical corollaries of this reasoning, I would suggest that first and foremost the elements which we establish as constitutive of genocide, if understood as an essentially moral evil, must include human activities we consider evil (for instance killing a group), but not necessarily such elements which are morally indifferent (for instance its happening at three o’clock in the afternoon). Otherwise some event we wish to consider evil (somebody was killed) would not be included in this category, thereby not considered as evil.

469 Another pivotal function I shall not elaborate upon but which is still essential to recall is the expressivist paradigm. In that sense, “genocide” also serves among others also emotional and memorial functions.
as genocide, simply because it did not meet such a rather indifferent criterion (because maybe it happened at four o’clock). By the same token the analytical and descriptive concept of genocide could also not be used to prevent such occurrences. Therefore such indifferent (or less relevant) elements, I believe, may be included as supplemental parts, for instance to discriminate different subcategories or to deepen our understanding of the origins and forms of genocide; yet in the absence of a convincing reason they should not become constitutive parts upon which we base our overall classification.

Hence, my point is that, if the uniqueness of the Shoah is established by observing that it is the Shoah alone meeting certain criteria, it is crucial to also examine whether the criteria we used to make this determination are indeed the relevant ones – all the relevant ones, but none in excess. To give but one example, one of the features often cited as distinguishing the Shoah from other mass atrocities is its mode of implementation, described as systematic, rational, cold-blooded, bureaucratic. There are very important reasons to highlight these characteristics of the Shoah, and important inferences were drawn from the observation just how the Nazis perpetrated their genocide. However, do we want these to be essential qualities of genocide? I have to confess that I concur with Burkhard Liebsch that “[d]ie Frage der Mittel und der Durchführung macht die Signifikanz des Geschehenen nicht verständlich.” If genocide is also a concept to facilitate preventive or prosecuting action on a political level, do we not want the same decisiveness in our actions against other mass atrocities simply because they were less systematic, rational, cold-blooded, bureaucratic by nature? Furthermore, would the Shoah lose any of its significance if the Nazis had not been so obsessively systematic, rational, cold-blooded, bureaucratic in their murder? Is human suffering less worthy of commemoration, prevention or prosecution just because the victims were beastly slain instead of being neatly annihilated in cold blood? In the end, what rationale should save us from a reversed logic: defining genocide as bestial slaughters, only? Not to speak of some other questions: what about those (Jewish) victims during World War II who were not killed by this dreadful Nazi machinery of extinction, those who did not die in concentration camps

470 Thinking, for instance of the concept of “banality of evil” by Hannah Arendt, or the critical discussions on barbarity or violence as inherent features of modernity in Miller and Soeffner (1996).
471 Liebsch (1998): 45, italics in the original.
472 Not to speak of the difficulty of defining these various attributes I mentioned. To me they seem more like quantitative and continuous than discreet variables, hence establishing a need to measure them and defining a critical and reasonable threshold “below” genocide.
but were killed by some ordinary Nazi in spontaneous and passionate murder? Would this person not be a victim of genocide?\textsuperscript{473}

The same concern applies also to some other variables sometimes used to justify the uniqueness of the Shoah and barring other events from the same categorization. These include for instance the sheer number of those killed, the presence of an elaborate ideology behind the massacres, that only in the Shoah the intent was there to destroy the victim group as a whole, or that only in the Shoah killing became a habitus or an end in itself.\textsuperscript{474} As appropriate as a lot of criticism of the UNGC is, I think it may have happened with good reason that some characteristics of the Shoah were \textit{not} included in the definition of genocide, as important and remarkable as they were in the case of the Shoah. As \textit{Frank Chalk} and \textit{Kurt Jonasson} in my opinion pointedly commented, an event must resemble genocide but not necessarily the Shoah in order to qualify as genocide.\textsuperscript{475} For sure there are unique features specific to each occurrence of mass violence, and that’s also what makes each of them unique in a certain way.\textsuperscript{476} Moreover, their differences are often impressive, absolutely imperative to take note of if we compare them for certain specific purposes. Nevertheless, a few/some/many events share some characteristics,\textsuperscript{477} and the primary question is which are the essential ones to accomplish the viability of the overall concept – which in the case of genocide I presume to be the identification of a very specific kind of evil, basically and superficially put the destruction of a group.\textsuperscript{478} And these similarities may turn out to be more important than their

\textsuperscript{473} Two comments at this point: (a) this somehow relates also to the other question what makes up a victim (or perpetrator) of genocide: experiencing (or committing) an act of genocide, or “only” taking part in an event or rather a series of events which are summarized by some observer as genocide? And (b) of course it may be argued that also this spontaneous perpetrator had been incited by the meticulous and deliberate planning of the genocide – but that would render the argument even more blurred, for whose state of mind matters in mass action, considering that most likely also in all other alleged genocides there were some people involved who were not completely out of mind, and others who were.

\textsuperscript{474} By now a large amount of authors have engaged in the controversy about this contested uniqueness. Among those who have devoted special emphasis on discussing several criteria and dismissing them all as being unique to the Shoah, see most prominently Chaumont (2001: 141), who discusses the criteria of perpetrator intention, modality of implementation, victim identity, victim reaction, and third party reaction. Stannard (1996) mentions (and dismisses) casualty numbers, efficiency and speed of destruction thanks to sophisticated technology, means of destruction, metaphors used by the perpetrators to brand and dehumanize their victims, and intent to destroy the entire group. As a fierce opponent of claims for uniqueness he describes the criteria as arbitrary, epistemologically departing from the concluded uniqueness and then looking for reasons to back this claim. See also Hancock (1996) who goes through several of these criteria to demonstrate that not only the Judeocide but also the Nazi murder of the Roma and Sinti amounted to genocide. And Margalit and Motzkin (1996: 67f) mention that some authors indeed argue what makes the Holocaust unique is nothing inherent in the event itself, but the way in which we react on it today

\textsuperscript{475} Chalk and Jonasson (1998): 299.

\textsuperscript{476} Kuper (1980): 101.

\textsuperscript{477} See also Melson (1992): 36.

\textsuperscript{478} For a deeper and more critical discussion, see section 5.3.
differences – to me it is not straightforward why these common features should *a priori* be considered trivial compared to the differences.\(^{479}\)

Just to point out what I am definitely *not* inclined to propose with these paragraphs: I do not ultimately reject the uniqueness of the Shoah, or its being the one and only instance of genocide. There are essential qualities which indeed render the Shoah unique in a comparative view. The point I want to make is that this may also hold true for other occurrences of mass violence, and that uniqueness depends more on the person defining the category than on the event itself. In the case of genocide, apparently the definition was prepared under the strong impression of the Shoah. Yet the abundance of literature on the Shoah and genocide in general demonstrate that both proponents as well as opponents of the uniqueness argument go beyond the UNGC in their understanding of genocide, invoking further aspects of mass atrocities which are presumably essential to genocide and/or unique to the Shoah. I cannot tell which qualities are specific or unique to the Shoah, which ones are shared with others and so forth – that is far beyond my competency and qualification. Others who are much better suited have done so at length. But I venture to question the characteristics which are called for, and to argue that the category of genocide should comprise exactly those and only those criteria which are indeed vital for the concept of genocide. Further distinctions and refinements are of course appropriate, but would this not be more adequately collected then as subtypes of genocide, as long as the core purposes of whatever we want to identify with “genocide” are met? As Helen Fein observed, “such [conceptual] unity does not deny differences in intensity, function, type, and time”.\(^{480}\)

Apparently my entire argument depends on the function of genocide, or on the criteria which are required to serve that function. If the seminal purpose of “genocide” is to serve a different purpose, or if any condition is indeed indispensable for this purpose and the Shoah alone meets this criterion, then it appears absolutely appropriate to maintain the uniqueness of the Shoah. I was simply trying to offer some discussion about the call for uniqueness, and I believe that it should be a critical one. And *before* we argue about the empirical proof if an event “is” genocide we need to argue about the concept of genocide and its criteria, and before we do this we need to argue about the purpose, the sense of the very concept of

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\(^{480}\) Fein (1993): 54.
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In other words, it is the meaning of the concept of genocide and the relevant criteria which receives too little attention in this debate, I believe.

4.5.3.2. Competition of Victims and Moral Capital.

With all that being said, I think it could be interesting to have a closer look at why the uniqueness argument is occasionally evoking such fierce resistance. In the end, is it not a good thing to react so strongly to such a horrific event? Why should we consider this problematic, what harm could it do? I would suggest some worries may arise because of the implicit consequences the uniqueness claim carries for other events of mass violence.

There is a variety of reasons I could think of why claims for uniqueness are of seminal importance and great benefit to the victims and their descendants. Lacking any qualifying background in psychology, I can only babble a bit about what common sense seems to suggest to me: the significance of uniqueness for identity. After their emigration, Jewish refugees lived in remote places, far from home and widely dispersed around the whole wide world. This by itself could already, I imagine, challenge a person’s sense of personal and collective identity. Moreover, the dreadful experiences before or during the emigration could be expected to exacerbate the profound disruption in their identity and the meaning they saw in the world and their lives. A strong shared memory certainly could remedy and reinforce this identity – and considering the object of memory as something absolutely unique certainly renders this memory incredibly strong.

Yet the memory of something unique is advantageous for (collective) identity because it inspires not only a community of remembrance but also a unique identity. In other words, the uniqueness of the event may spill over to those who were involved in this event: they are part of this unique event, thereby they acquire a share of this uniqueness; or at the very least it gives them a special and prominent position because they bear witness to this uniqueness. And especially if participation in this event is at least partly determined by collective identity, this uniqueness embraces not only those directly involved but everyone sharing this collective identity. As Jean-Michel Chaumont argues, again resorting to the religious affiliation of uniqueness mentioned above: if the Shoah is unique as such, and its victims were chosen because of their religious faith, then this by implication affirms the religious title contended

481 Even though this is of course not a cogent argument, it may also be worthwhile to recall that the creator of the term "genocide", Raphael Lemkin, clearly did not perceive of the Shoah as being the only occurrence of genocide, even though it was obviously the occasion prompting him to do generate this concept (see Levy and Szoalider (2001): 104; Szoalider (2008): 116f).
by a number of religions, i.e. the uniqueness of this very faith and its adherents as being a
unique or chosen people.482

But here I do not want to go that far and frame it in a religious or transcendent framework,
preferring instead to focus on another reason which is sometimes mentioned in the academic
literature, most emphatically put forward again by Jean-Michel Chaumont who argues that the
claim for uniqueness of the Shoah is mostly to generate, express or enhance a “concurrence
des victimes”.483 This argument rests on the dissimilarity of genocide as compared to other
concepts (such as mass murder), and by implication its relational character to other categories.
That is, the alleged motivation behind the call for uniqueness is to express distinction of
certain events from “ordinary” murder:

„Das Ziel im Gebrauch der Termini liegt im Brandmarken, in der möglichst
eindeutigen, allgemeinen und unzweifelhaften Verurteilung bestimmter
Massenmorde, im Unterschied zu anderen, nicht derart qualifizierten bzw.
disqualifizierten Massenmorden.”484

This point is again based on the assumption that uniqueness not only applies to the event
itself but is at least implicitly transferred also to the persons involved, i.e. perpetrators and
victims. Assigning the event of victimization with a special status, possibly even deliberately
placing it outside human history itself, of course also gives the persons involved an
extraordinary status as the agents or subjects of historical unique events.485 To illustrate this:
when plans were made public to initiate a program to study the mass murder of the Armenians
in the Ottoman Empire in Israeli high schools, an editorial comment in the Jerusalem Post on
February 24, 1994, cried out:

“Indeed, there is nothing in history like the Holocaust. It was not mass murder in the
heat of war, nor »ethnic cleansing« nor even just genocide. It was a planned,
calculated, cold-blooded attempt by one of the world’s most advanced nations to
obliterate a whole people and its culture from the face of the earth. To deny its
uniqueness is to deny the uniqueness of the victim.”486

482 This of course also leads back to my previous discussion about the nexus between historical narrative and
collective identity.
483 So the original French title of Jean-Michel Chaumont’s work (2001, French version in 1997). See for instance
pages 28-37, 52f, 196f.
485 See also Chaumont (2001): 165-167. Normal G. Finkelstein went as far as describing the thesis of the
singularity of the Holocaust as a “geschmacklose säkularisierte Form der Auserwähltheit” (quoted in Kittsteiner
(2002): 307), and Isensee (1992: 94) described the thesis of singularity as an ambition of “negativer
Größenwahn” (both using the term singularity in an understanding differing from my suggested model, most
probably criticizing what I am describing as “uniqueness”).
486 Quoted in Auron (2003a): 168, italics added. The really odd point, I think, is that by inference all victims of
other calamities are not unique. Or, if they are, then every other of these catastrophes is unique just as well,
which would bring us back to the concept of singularity rather than uniqueness.
Allegation and Denial

What matters here is the relational quality of genocide, the establishment of a hierarchic order: the claim for uniqueness may be (even if only unconsciously) motivated by a desire to elevate the self. And even if these claims are not based on any such intention, they may be received as such, which, in turn, may contribute why they are taken up so positively and willingly. The point is hence not only to establish a group identity by reference to the Shoah, but to assign this identity also with a paramount, “unique” status, allegedly beyond all other identities. David E. Stannard provocatively described the claim for uniqueness as a form of “group hagiography”, which not only reflects this potential aspect of elevating the self, but also recalls Chaumont’s previous claim according to which uniqueness carries a religious connotation, establishing the Jewish people as the chosen one.

In an admirable effort of self-scrutiny and public confession, Moshe Beilinson reflected this when he in 1936 (and therefore before the Shoah) wrote about Franz Werfel’s “40 Days of Musa Dagh”:

“I confess to a peculiar feeling when I took this book in hand, and I was already aware of its reputation, and the role it has played and will ever play in extolling the heroic struggle of the Armenian people, in creating a poetic monument of their suffering and agony, in nobly avenging their destruction. And what is this peculiar feeling? A mixture of envy and irritation – envy of one unfortunate that another unfortunate has some reward, and irritation that a fellow-Jew erected the monument to a foreign people. Have we not suffered? Have we not been persecuted? Has not the sword of destruction been laid on our heads countless times? Have we not struggled against our cruel fate? And now, when a great poet arises from our midst, known around the world and at the height of his powers, not of us does he write.”

Another more profane reason which might motivate calls for uniqueness is less psychological than political. It derives again from the assumption of uniqueness being transferred from an event to the involved people, and from a competitive perception of human relations: here the argument is not that uniqueness alters the own self-perception, but rather how others, members of an outgroup, perceive of the victim’s self. Where identity is visibly built on victimization it may also make a moral appeal to the outgroup, not only to perform reparative activity but also to value the victim’s accomplishments even higher since they were realized despite this past victimization, or to mitigate the criticism for the victim’s weaknesses and failures because they can be traced back to these past traumas or because one ought to be deferential to them. In other words, victimization may results in the acquisition of “moral capital” (Edward Alexander), which may be deployed in political spheres to pursue other,

political ends: “The traumas of the past are here converted into the power of the present day.”490 Or as Tzvetan Todorov put it:

“[A]lthough nobody wants to be a victim in the present, many would like to have been a victim in the past. […] If some community can claim convincingly to have been victim of injustice in the past, then it acquires an inexhaustible line of credit in the present.”491

And certainly this is most of all the case for the unique, the “first” or even protoypical victim, where this status leaves the concerned identity as being “more” of a victim (i.e., worse off) than anybody else, allegedly resulting in ever more such credits than any other victims. Interestingly, just to let thoughts flow, there may have been some kind of a moral shift in international politics over the last decades, in whose wake the status of being victim increasingly acquired some positive connotations, yielding some more or less tangible advantages.492 This admittedly provocative and hazardous suggestion may also partially contribute to the explanation for the shift in meaning which the memory of the Shoah underwent in the State of Israel.493 And it is possibly not restricted to the victim side, at least for Gesine Schwan also the confession of guilt may function as a source for a superior moral status and exert pressure on others to do likewise,494 even though I believe in international politics this is more a phenomenon of temporally distant phenomena, hardly occurring when they are still close enough to suggest reparations and prosecutions.

4.5.3.3. Mitigation of Uniqueness as Competition or Moral Capital.

At this point I would like to refine or at least alleviate the allegation about competition among victims a little bit, to put it in its proper place for the purposes of this paper. To begin with the alleged acquisition of moral capital, it would be sheer nonsense to hold that victimization roams political discourse only in order to pursue other interests. And even where it is used that way it may still reflect more an unconscious move than a deliberate strategy. Next, this phenomenon of moral capital, if true, is not so much a matter of the victim “using” her past to pursue her ends, but instead one of reception. Even if it is not brought up by the victim herself at all but by some other party, or if there are totally different motives to

491 Quoted in Hayden (2008): 404f. This could also be seen as some kind of a “moral economy”, not in the usual sense of an economy adhering to moral principles, but as a marketplace where moral values are traded off. A peculiar effect of this moral economy is mentioned by Hancock (1996: 50): while ideally we should hope that our own group has suffered the least, we effectively often wind up arguing who has suffered the most.
492 See also Barkan (2002).
recall this victimization, the audience may still react by granting the victim some moral capital. Moral capital, I believe, is a function of the audience and its morality, rather than of the speaker and her intentions. And this brings me to the point that I believe there is good reason for the existence of moral capital. It makes perfect sense when we try to understand another person that we recall and make allowance for her background and her past, and ever more so when there is a trauma we might better be sensitive about. The critique which subtly resonates in the moral capital argument is, I believe, a matter of degree. The assignment of moral capital to victims may be considered a good thing, but for it to remain so we also need to be vigilant it does not violate the boundaries of other moral considerations, thereby opening the doors for political abuse. Proposing victimization is first of all a call for sensitivity and reparation, but these do not necessarily entail retribution and gain in power. Ultimately it would be worse if we opted for the opposite way and deny victims their moral credits (which is also some form of compensation), just to eliminate the risk of some such abuses.

Moreover, I think the description of a victim identity as an essentially beneficial one, being reasonably sought for political (or also other, private) profits would be a gross misrepresentation: genuine victimization can hardly be assumed to be a positive experience, and genuine victim identity entails a wide range of unfavorable elements as well. Its advantages, if at all, are more readily available to those who did suffer less by the event itself and are not haunted by it within the confines of their identity today, but can still draw on its benefits – for instance by reference to collective identity.

Coming now to the allegation of an underlying competition of victims, it should be clear that this thesis does not challenge the claim for uniqueness itself. To read it that way is at best an *argumentum ad hominem*, an attempt to discredit the persons who claim uniqueness, but it does not refute the claim itself. Nevertheless, I think it deserves attention, because it points to a central dimension in the entire debate about genocide in general, i.e., to the ultimate question why the concept of genocide is important in the first place.

Here I contend that uniqueness is a relational claim: when it is understood as expressing that every other invidiousness in human history is an evil of lesser degree, then clearly “uniqueness” assumes a hierarchy of more and less evil events. And as far as victims incorporate the concerned event into their identity, “uniqueness” thereby also generates the same hierarchy among the victims themselves. I do not think at all this is necessarily the conscious intention of the party proposing uniqueness; but it certainly may be a complacent ingredient and therefore at least contribute to its well reception and popularity. In the end it appears commonplace to emphasize one’s own suffering (respectively the suffering of one’s
assumed predecessors) over the pain of others, and of course there is a qualitatively different relationship to one’s own pain (or responsibility) as compared to someone else’s.

However, while I can easily imagine some agents endorse uniqueness because they strive for some obscure superiority over some other victims, my first mitigation of this theory is that the alleged competition need not go that far, need not be of such a blunt and narcissistic nature. I believe that one feature widely shared by victims is a desire to see their suffering recognized by others (I will come back to the idea of recognizing the pain of others below, see section 5.2.1). As mentioned by Chaumont, after World War II Jewish victims often faced obstacles and opposition to see their grief appropriately recognized, being sometimes treated as second class victims, for instance in France where the victims among the Résistance were presumably higher appreciated. Emphasizing the singular features of the Judeocide and thereby endowing the Shoah (and hence Jewish suffering) with an extraordinary status certainly supported the aspiration to gain recognition of their own pain. Moreover, I would add, when it comes to the question of attracting recognition of others on a global scale, then it appears plausible to me that victims also need to compete for attention in and of the media. And to realize this aim it is certainly useful to claim that there is something incommensurable, unique, which deserves special attention. This holds true for our daily news already, but for the recognition to last, to be written down in the books of history, it also needs to be an outstanding, a historic event: ideally, it is unique. So, if there is a grain of truth in this confabulation, then any hierarchy among victims obviously was not created in conjunction with uniqueness of the Shoah; it rather preceded this particular claim for uniqueness for sure, which was (or maybe at times still is) important to attract the recognition which the victims certainly deserved – but not necessarily to demonstrate superiority or ban others to lower ranks in the hierarchy. And maybe it still is, since if it was really this argument which engendered the recognition so badly desired, then its refutation may now appear also as a refutation of recognition. And this perspective I think is accurate as long as attention and recognition are understood as scarce resources, which are traded off in a zero-sum game: you can only gain in recognition and attention if I am losing some.

And certainly there were many other events in history which certain people assumed to be unique, though most of them were more confined in their aspiration, being limited to uniqueness for someone, such as a specific national group. In other words, the idea of historical uniqueness was not created with the Shoah, but here it was most emphatically formulated as a universal entitlement.
4.5.3.4. Denigration of the Pain of Others.

Anyway, all of this theorizing about competition of victims may easily be wrong and not reflecting a bit why the call for uniqueness is so central to many commentators, and therefore I want to return to the argument itself and cease speculating about any underlying intentions. The worrisome point about it is nevertheless that it may very well be (and often is!) perceived by others as creating or expressing such a competition. Claiming uniqueness by its intrinsic relational character inadvertently but unavoidably affects not only the status of the ingroup (the group claiming uniqueness), but also of the outgroups (all other groups whose lives never touched the sacred grounds of historic uniqueness).

Actually, other groups who went through victimization may perceive such postulated uniqueness of the Shoah as a denigration of their very own experiences, or as a challenge to the way they make sense of their grief. Again, without being a psychologist, I imagine this may operate vaguely according to the following model: certain events we experience unleash such an enormous impact on our lives that they acquire a status of paramount, unsurpassable importance in our eyes. Living with this importance and having our lives so tremendously being shaped by these events, we wish them to be recognized and thereby confirmed by our social environment. More importantly, it is not only the event itself we want to see recognized, but also the meaning we attach to it: not just any understanding of this event but we really want to see recognized what it means to us, because only then are we in some (maybe not even so magical) way recognized too. And an essential component of this meaning is of course the significance we attribute to this event. Ultimately, by trying to obtain this recognition in social interaction, we meet other persons who themselves harbor memories of the same nature, or bring the events we offer to them in relation to other events they have already heard of in previous interactions. Obviously, if the other is an “exclusivist victim” as portrayed by Israel Charny, endorsing the uniqueness of the Shoah and fending off any attempts to put it on the same level with other occurrences of mass violence, we may experience this as a disappointment, and the larger the gap is between our own and the other’s meaning, the larger this frustration may turn out. Not necessarily because it may hurt potential narcissistic feelings on our own end, but also because it may put into question the meaning we had initially given to our personally paramount event, the relevance we had attributed to it based on the significance it obviously resumed in our own lives. And if this event, or more precisely: if this meaning is an essential component of our self-concept and the paradigm by

which we perceive of the world around us, it may thus even challenge our very concept of the self and the world.

To put it more bluntly: just as comparison of the Shoah with other events may result in its trivialization and minimization (but not necessarily so), so the postulated uniqueness of the Shoah may be used or at least experienced as minimizing and trivializing other occurrences of violence. And this, in my opinion understandably, may hurt other victims. For instance calling the Shoah incomprehensible and abnormal, and in those respects incomparable to any other event in history, suggests that by inference all other events are normal, reasonable, comprehensible, enacted by rational perpetrators, at worst even occurring for good reason – which is not far away anymore from justifying their occurrence. And such a denigration of the victimization of others may carry all the potential consequences sometimes alleged when the uniqueness of the Shoah is challenged: supporting its denial, providing the grounds for future violence, impeding efforts to prevent the repetition of similar events.497 “The result [of proclaimed uniqueness] is a diminution of the significance of the genocide of the other people that, in effect, constitutes a degree of denial of that genocide.”498 Jeffrey Blustein captured this in his concept of “surfeit of memory”, i.e. an excessive preoccupation with one’s past, which generates the danger of insensitivity to the experiences of others:

“In one sense, we may speak of too much memory when a community, say, is obsessively preoccupied with wrongs committed against itself in the past and constructs its collective identity predominantly around the notion of victimization. It may also as a result fail to properly acknowledge the seriousness of wrongs committed against others: these are either downplayed or disregarded.”499

To put it somewhat polemically: emphasizing and potentially even sanctifying the enormity of the Shoah not only augments it as a tragedy in the past, but also gives it a tragic twist in the present, but now “it” runs the risk of backing the strong and reckless perpetrators of today: it may dilute our sensitivity to other tragedies, and tragedies they are. As Yehuda Elkana put it: “From Auschwitz came, in symbolic terms, two people: a minority which

497 See for instance Krasnodebski (1998): 314; Stannard (1996): 167, 194-197. It should be noted that of course proponents of uniqueness argue just the opposite, for instance Israeli historian Yisrael Gutman: “Blurring the uniqueness of the Holocaust [...] may encourage the rebirth of the murderous ideology” (quoted in Auron (2000): 15). I agree that to prevent rebirth we need to clearly distance ourselves from it; but I am in doubt uniqueness is the appropriate way to do so. As argued above, if the Shoah was unique then it cannot be reborn anyway (or if its ideology was unique, then its ideology cannot be reborn anyway). And even if it could, then uniqueness would prevent only the rebirth of the Shoah but nothing else: all other atrocities in human history may be replicated at will.
claims it will never happen again; and a frightened and anxious majority which claims it will never happen to us again.”500 And once again genocide scholar Robert Melson:

“The moral danger [in the particularistic position] is insensitivity to the suffering of others and blindness to warning signs of genocides to come. If, indeed, the Holocaust was totally and absolutely unique and incomparable on any dimension, then one must conclude that the suffering of its victims was distinctive from the suffering of others, and victims have less of a claim to a respectful hearing and a just verdict from the court of history. Moreover if the Holocaust is incomparable, then it also follows that studying its origins has nothing to teach us about the causes of other genocides in the past or about the possibilities of genocides in the future. […]”501

In the worst case scenario, it may even result in an interpretation of violence against somebody else as right, or at least not wrong, or less wrong – what Johan Galtung may have subsumed under his concept of “cultural violence”.502 And this minimization and trivialization of other events of violence in my opinion are deeply worrisome, and demands that the calls for uniqueness are spelled out very cautiously – particularly today, where the uniqueness of the Shoah is considered a widely acknowledged position, making it more than anything else a topos for rhetorical needs.

4.5.3.5. Zero-Sum Game, Competition and Evaluation.

Apparently, all the concerns that comparison or equation of the Shoah with some other event would amount to the denigration of the Shoah reveal that ultimately these this evaluation is performed by comparative methodology, and this evaluative comparison reflects some kind of tacit competition between events, victims, and perpetrators.503 This competition in my opinion is a feature which pervades the debates about genocide to begin with, being reinforced by the pivotal status the crime of genocide enjoys in international law (as in science, politics, arts etc.), for instance when the International Criminal Tribunal for Rwanda labels genocide the “crime of crimes”.504 As Rouben Paul Adalian describes genocide:

“Genocide involves murder on a different order [than mass murder]. […] It is the embodiment of evil in a world in which human beings are mere particles and where

502 Which is a form of violence separate from direct physical and structural violence, and refers to the degradation of a group’s sense of self-worth as well as the concealment of the direct or structural violence this group went through. Though here I am only interpreting the interpretation of Stannard (1996): 196.
503 It should be added that also the eminent legal scholar on genocide, William Schabas (2000: 9f), perceives genocide as being on top of the „pyramid“ of crimes, while acknowledging that this may sometimes be hard to grasp by victims of other crimes. He even elaborates his hierarchy stating that crimes against humanity come in second. Unfortunately he does not offer a justification for this ranking, nor the value and benefits of establishing it. I do not doubt there are good reasons, but I think they are not as straightforward as they may seem.
504 Quoted in Schabas (2000: 9, which is also the subtitle of his highly informative volume), originally in the verdict of the ICTR in Prosecutor v. Kamabada, on September 4, 1998. Quoted also by Ümit Kardaş in Today’s Zaman on May 02, 2010.
the issues of life and death are subject to the arbitrary decision of the wielders of power. Genocide, therefore, is that final tyranny. There is no zone beyond it.”\textsuperscript{505}

This seminal status of genocide may also be an essential incentive to label these very events of 1915 as genocide. Genocide also distinguishes an event from “normal”, ordinary victimization.\textsuperscript{506} There are important reasons why genocide receives more attention as a matter of international and public discourse than for instance an individual murder in the context a family dispute,\textsuperscript{507} but this, in my opinion, expresses different qualities between various types of crimes which do not necessarily translate into some kind of a hierarchy of evil where genocide reserves its unique place in an “internationally approved memorial pantheon.”\textsuperscript{508}

Anyway, apparently such competition is part of our social lives, and therefore comparisons and particularly equations about horrendous events, most notably the Shoah, need to be done with great care lest they convey a belittling evaluation of them. But it may be questioned whether this social reality of competition should be academically justified and reinforced, or if it would not be advisable to endorse the position that any (moral) evaluation of evil should be done with regard to that particular event only, not by appeal to or in relation to some other events.\textsuperscript{509} In other words, that normative evaluation should not be a relative but an absolute assignment.

As Dan Bar-On pointed out, events of suffering are obviously disparate; and unfortunately it seems to be very hard for us (maybe exacerbated by the socially prevailing paradigm of competition and the idea that everything good must also be scarce and fought for) to grasp this difference without measuring it, establishing its direction (who is higher?), trying to express its extent: „Wie schafft man es, die Unterschiede zwischen unseren verschiedenen Geschichten, ohne Maß zu nehmen, weiter legitim zu erfassen? Denn schon das Maßnehmen

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\textsuperscript{505} Adalian (2008): 5.
\textsuperscript{506} Apparently, it appears tremendously difficult to refrain from any such hierarchy of crimes, as even one of the most prominent supporters of the Armenian Genocide in Israel and a prudent critic of the uniqueness-theory, Yair Auron, lapses to describe the Holocaust as “the most horrendous of a genocidal acts” (2003: 151). And for instance Yves Ternon (1998: 238) holds that “[g]enocide is a crime, the absolute crime, the gravest form of crime against humanity.” And there may already even be a small drive to assign the events of 1915 a special place within the special category of genocide, because eventually it is also a form of distinction, or at least carries such potential, when it is identified and described as the \textit{first} genocide of the twentieth century.
\textsuperscript{507} Among them, I believe, the fact that genocidal events of suffering are obviously disparate; and unfortunately it seems to be very hard for us (maybe exacerbated by the socially prevailing paradigm of competition and the idea that everything good must also be scarce and fought for) to grasp this difference without measuring it, establishing its direction (who is higher?), trying to express its extent: „Wie schafft man es, die Unterschiede zwischen unseren verschiedenen Geschichten, ohne Maß zu nehmen, weiter legitim zu erfassen? Denn schon das Maßnehmen
\textsuperscript{508} Bloxham (2005): 230.
\textsuperscript{509} See also Jäger (1989): 40-44.
an sich erzeugt bei denen, die sich »geringer als« die anderen fühlen, zusätzlichen Schmerz, Entfremdung und Demütigung.\textsuperscript{510}

And Burkhard Liebsch put it as:

„Der Massenmord ist gewiß ein Verbrechen an vielen, manchmal an »zahllosen« Menschen; er ist aber auch ein Verbrechen an nicht zählbaren, nicht bezifferbaren und nicht vergleichbaren Einzigen. Dieselbe Paradoxie unterhöhlt den Vergleich von Verbrechen. Abgesehen davon, daß der Vergleich – etwa in präventiver Perspektive – notwendig ist, liegt sein Wert vielleicht gerade darin, daß er den Sinn für das absolut Unvergleichbare schärft. Einer skandalösen Hierarchisierung der Opfer, die sie, wie es auch der Genozidbegriff nahelegt, lediglich als bezifferbare Größe nimmt, entgeht nur, wer kraft des Vergleichts sich der erschütternden Einsicht stellt: auch anderswo ist Unvergleichliches geschehen.\textsuperscript{511}

A disturbing consequence of competition among victims (where it is perceived and implicitly forwarded as such), is that it suggests a zero-sum game between them: upgrading any one event is perceived as the degradation of another event, i.e. the significance of any one event can only be established at the cost of another event. As coarse as this interpretation of mine may seem, I think there is hardly another way of understanding statements like the one by Zadok Yehezkeli with regard to the establishment for a memorial day in the United States of America for the massacres against the Armenians: “a memorial day for the Armenians will lead to the approval of other memorial days, for the Indians, the Vietnamese and the Irish or for any other people. That will weaken the importance of the Holocaust.”\textsuperscript{512} This may reflect an appropriate understanding of the quest for media (respectively public) attention\textsuperscript{513} and hence some weird kind of “marketing” (I cannot resist the temptation of provocatively adding the terms “advertisement” and “product placement” in brackets), but it should not deceive us into thinking that this logic of media and public attention would necessarily correspond to social meaning or moral status. As Yair Auron put it: the choice is between the “competition of victims” and the “solidarity of sorrow”,\textsuperscript{514} and in my opinion the choice for uniqueness works inadvertently in the direction of competition rather than solidarity.\textsuperscript{515}

\textsuperscript{511} Liebsch (1998): 80.
\textsuperscript{512} Quoted in Auron (2003a): 107.
\textsuperscript{513} Already Cohen (2001: 171) argues that it is this necessity for media attention which drives victims to proclaim what he calls the “singularity” of their suffering. Likewise, see Kohlstruck (1998): 95.
\textsuperscript{514} Auron (2003a): 20.
\textsuperscript{515} I wish to repeat that I do not want to claim the proponents of the uniqueness-argument necessarily intend in any way to diminish the significance of other occurrences of genocide. However, I do think that (unfortunately but rightly) others may still perceive that this is what it effectively does.
4.5.3.6. Focus on Victim.

So at this point it appears appropriate to raise again the certainly disturbing and provocative but important question, but this time in a more general sense: why is it important? I believe that finding a good response to this question would allow us to improve the discussion on a number of issues, and offer us a very interesting view into ourselves. So why is it that it is relevant an event becomes classified as genocide? And why is it important to insist on the Shoah’s uniqueness and incomparability?

Except for the point about the number of victims, all the reasons for uniqueness I can recall so far are actually centered on the perpetrator. That is, the qualities which make the Shoah as unique as it is are *not* about the victims. They refer to the motivation of the wrongdoers, or how they accomplished their devastating ends, or the ideology by which they justified and promoted these ends, or any other of their traits. And I think it is appropriate, yes, imperative, in some contexts to focus on the perpetrators, for instance for the sake of prosecution and prevention, for understanding how this event could come about, for unveiling the human agency and responsibility behind this suffering. Yet this may not be that appropriate when it comes to the commemoration of the human tragedy in these events, to the remembrance of the victims. So it may be worthwhile to approach the case of uniqueness also from a victim perspective.

To any out of the millions who went through the Nazi concentration camps, the events for sure are singular because they happened to her, in her life. Moreover, they certainly (hopefully) are unique within her life, and I would suggest that what made it such an outstanding event was ultimately her being detained, humiliated, tortured, killed. *Avishai Margalit* contends

“[t]hat you die does not vitiate the question of how you die; it does matter how you die. How you die is not just a question of the mode of dying, but also of the nexus of attitudes of killers and victims.”

And I agree that it does make a difference how you die. And it does make a different if it happened to some other millions of people too, that it was done systematically, bureaucratically, technically, with or without intention to slaughter an entire people, as part of a wider ideology etc. These are all further dimensions to someone’s victimization – but it does not constitute this her very victimization. Fortunately I never went through any such experience, so it is incredibly preposterous and pretentious for me to talk about it. Still I

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516 As explicitly acknowledged by Margalit and Motzkin (1996) in their defense of the uniqueness of the Holocaust, which they see in the perpetrators' unique fusion of collective humiliation with mass destruction.
believe that the victim’s trauma does not rest in the criteria so often invoked to assert the uniqueness of the Shoah. I believe the trauma resides in the personal experience of persecution, torture and whatever harm was inflicted on the victim. Most of the other points I have come across (intention, technology, bureaucracy, system etc.) are “context” to this experience – and I do not mean this in a belittling way – which certainly affect this experience, but I honestly cannot tell just in which way. Eventually would we want to argue if it is “worse” for a victim (ideally: “the” victim herself) if all members of her group were targeted or if it was a personalized persecution of a few of them, maybe even only her? Or if the persecution was conducted less systematically, the torture with inferior technology? Would that make an experience or a death “less” dramatic for the victim? And why not “more” so? With no way of ever being able to prove it, I would argue that such context can affect the actual experience in an array of very individual ways. And because I am not convinced how they actually matter in any given victimization, I am equally not convinced if it is advisable to make them an essential component of our definition of genocide (or victimization in general), or of our hierarchy of victims.

So, of all the criteria cited for uniqueness in the pertinent literature, are these the reasons why the Shoah is still on our minds? I do not want to cast doubt on the fact that it is important to establish these aspects and to keep them in mind, use them for analysis of other events and so forth; yet they are not the paramount reason why the Shoah is and should be commemorated. The dreadfulness of the Shoah for me personally is established first and foremost by reference to the suffering of the victims. Other aspects are highly relevant for our comprehension and our analysis, also on a social level for reflection of our society, and therefore I do understand that discussions about uniqueness evolve and that they claim their appropriate place in public space, yet I would not want them to overshadow the for me essential aspect of the Shoah – human suffering of a tremendous scale, both in the sense of personal experience and scope of victims. And the same apparently applies also to other events of suffering. And therefore I do not mind propositions of uniqueness and any argument about it – but where it evolves into a hierarchy of victims and thus downgrades the suffering of others, this is the point where such a discourse in my opinion becomes problematic.

Eventually, memory fulfills a variety of pivotal functions, and memories as significant as the one about the Shoah even more so. Maybe one of the reasons why the memory of the Shoah is so grand is that its commemoration is so overwhelming in a multitude of different ways, some of which are not easily accessible, which are too abundant to be grasped by one single human mind, and which cannot be adequately realized at one and the same time.
However, these multiple functions are only realized by a memory which operates by various different modes – and not only one. That is, disparate processes of selecting and interpreting the relevant aspects of the past are employed, depending on the position and the destination of the one who remembers. That is why it is important, I believe, to allow for different ways of generating as well as expressing one’s memory, resisting the temptation of establishing a hegemonic history of the Shoah, devoid of a number of additional facets.\(^{518}\)

As I tried to argue above, uniqueness obviously depends upon the criteria used to establish uniqueness, and the selection of these criteria is driven by the specific intention behind our commemorative activity, i.e. by a decision why it is important to remember and what is important to remember. And my claim is that this must be a reasoned choice, and it must be made in awareness that others might disagree with it simply for the reason of having different desires to remember. And therefore a universal, absolute claim that this, uniqueness, is the only and the right way of remembering might be offensive, might be hurting these other desires and those who want to satisfy them.\(^{519}\)

### 4.6. Armenian Violence.

The next line of reasoning I wish to tackle claims that the term “genocide” is inappropriate since violence was not unidirectional, in other words that also Armenians committed violent acts against Turks and the Ottoman Empire itself. Apparently this argument can come by one single sentence, but I believe it can express at least four different arguments. I shall discuss it hence over the next four sections with each section addressing one of the four dimensions this claim may target. These are (a) a general reference to Armenian violence, in order to emphasize that the Armenians were far from being innocent victims, that the violence was essentially a mutual affair; (b) that it was indeed an inter-communal conflict of two social communities, rather than a state campaign to exterminate the Ottoman Armenians; (c) that concern for national security made these Ottoman measures an indispensable and/or legitimate necessity; (d) that by their agitation against the Ottoman Empire, the Armenians indeed composed a political rather than ethnic group.

\(^{518}\) Which must not be understood as an argument for a complete relativity of memory, or a case against laws banning certain forms of minimization or trivialization. I think there are still a few steps between the approval of multiple narratives and the postulation of a complete randomness or arbitrariness.  

\(^{519}\) And to end this section with another polemical perversion: in that sense the claim about uniqueness of the Shoah may even be experienced as a trivialization of the Shoah itself, because it focuses attention on some aspect (intention, bureaucracy, numbers killed etc.), thereby distracting from other points which may be far more troubling (such as the experience of suffering by the victim).
The first one, discussed in this chapter, does not include any further inferences beyond the stipulation that also Armenians committed atrocities, in other words: it is reacting to the allegation that the Ottoman Empire committed genocide against its Armenian population with the counter-allegation that Armenians raged just as well. This version can be found quite frequently in contra-genocide papers, and remains somewhat vague and ambiguous just how it is supposed to refute the genocide allegations. It should be noted that this assertion is in essence not linked to the definition of genocide in the UNGC: according to the UNGC, violence can be mutual or one-sided, it is still possible to identify one side (or both) as perpetrator of genocide. Nevertheless, in common understanding the concept of genocide is apparently often perceived as being conducted against a victim who differs from the aggressor in a qualitative way, with all the guilt resting with the offender and all the suffering with the victim. In 2000, Turkish diplomat and parliamentary deputy Gündüz Aktan defended the Turkish position at the US Congress by claiming that “[k]illing, even of civilians, in a war waged for territory, is not genocide. The victims of genocide must be totally innocent.”

I assume for now that this argument basically ignores the definition of genocide as outlined by the UNGC, and departs from a different understanding where genocide indeed is a one-sided affair. In other words, what lies behind this argument is not so much a formal or legal understanding of genocide, but a concern with the meaning of genocide. Departing thus from a meaning stipulating an unequivocal aggressor and an unequivocal victim, this argument further claims such a clear-cut separation of perpetrator and victim coarsely misrepresents the events of 1915 since violence was committed by both sides. Hence, by emphasizing the violent behavior of Armenians the qualitative difference between these groups, one being purely perpetrator the other purely victim, is put into question. “Genocide” becomes an inappropriate representation of the historical events since the killings were mutual: just as Armenians were massacred, so were Ottoman Muslims. All the terrorist attacks by Armenian revolutionaries and nationalists, the Armenian deserters from the

520 See for instance Sources 4, 7, 20, 22, 24, 25, 29, 30, 31, 32.
521 As Bloxham (2005: 209f) has pointed out, otherwise even the very two cases for which international tribunals were established to try some defendants for the crime of genocide would be baseless, i.e. those concerned with the massacres between Hutu and Tutsi in Rwanda, and between Serbs and Bosnians in former Yugoslavia.
522 See also Robinson (2010: 486f) who wonders why some instances of state-sponsored violence are more readily considered genocide than others. One of the answers he suggests is that in these later cases the victims did not succeed to establish a dominant narrative which portrayed one side as victim and the other as offender. Instead the prevailing narrative gives room to stories of mutual violence, which in turn is too complex for our notion of genocide.
523 Ambassador Gündüz Aktan, in 2000 in the US Congress (quoted in European Stability Initiative (2009a): 76). This understanding also seems to whiz around in the academic literature, for instance when Chalk and Jonassohn (1990: 23) define genocide as „a form of one-sided mass killing“.
Allegation and Denial

Ottoman army, and violent Armenians bands must not be obliterated to render a complete picture.

I think this line of argument can neatly be exemplified by a text by American historian Justin McCarthy, present on the homepage of the Turkish Foreign Ministry. It is a written reproduction of a presentation the scholar gave in Istanbul on September 15, 2001. He initially laments the one-sided focus on Armenian casualties and Turkish perpetrators:

“Worst of all is the most basic omission: The Armenian apologists do not mention the Muslim dead. Any civil war will appear to be a genocide if only the dead of one side are counted. Their writings would be far more accurate, and would tell a very different story, if they included facts such as the deaths of nearly two-thirds of the Muslims of Van Vilayeti, deaths caused by the Russians and Armenians. Histories that strive for accuracy must include all the facts, and the deaths of millions of Muslims is surely a fact that deserves mention.”

He goes on by describing that Armenians too engaged in the “murder of innocent civilians” and, as in the city of Van in March 1915, “proceeded to kill all the Muslims who could not escape”, while Muslim refugees “were attacked by Armenian bands as they fled”. So, indeed “[t]wo wars were fought in Eastern Anatolia, a war between the armies of Russia and the Ottomans and a war between local Muslims and Armenians”. Thus establishing the designation “war” as the apt representation of these events in his narrative, he proceeds with reflections on “genocide”: “If genocide is to be considered, however, then the murders of Turks and Kurds in 1915 and 1916 must be included in the calculation of blame”, and concludes that “[s]o many groups attacked other groups that the use of the word genocide is meaningless”, ultimately to substitute it by the term “intercommunal war” (which shall be addressed in section 4.7).

What appears a bit troubling to me is that the effect of this emphasis on mutuality and mayhem is, I insinuate, a complication to identify the crime itself and thereby any responsibility. In a stronger case, the argument could even exceed the mere concealment of blame and claim that the Ottoman repression was justified, a legitimate or “natural” response to the Armenian aggression. To accomplish this, the violence of the other side is painted in gloomy colors: in McCarthy’s terms it is “innocent civilians” and “refugees” who were killed,

524 McCarthy (September 15, 2001; Source 6).
525 All these citations are from the mentioned article McCarthy (September 15, 2001; Source 6), only the term “intercommunal war” is taken from McCarthy: “The Bryce Report. British Propaganda and the Turks” (Source 27). Also a statement by 69 American scholars arguing against the label “genocide” and published in the New York Times on May 19, 1985, preferred the terminology of “intercommunal warfare” (reprinted in Sources 29 and 30).
indeed “all” of them, by organized, extra-legal “Armenian bands”, with ethnicity implicitly playing a decisive role for the Armenian perpetrators just as well.\textsuperscript{526}

There are also Turkish representatives backing this line of reasoning. For instance Turkish Ambassador to the United States of America, Şükrü Elekdağ, asserted in 1982:

“What took place was a complex tragedy which claimed Turkish as well as Armenian lives. Indeed, it was a civil war within a global war stemming from an armed uprising of the Armenian minority at a time when the Ottoman state was fighting for survival during World War I. Many more Turks than Armenians perished.”\textsuperscript{527}

And while Turkish historian Erol Kürkçüoğlu explains that the proportions of guilt and violence need to be reversed because “Turkish, Russian and French archives show the real victims of those years were Turks”,\textsuperscript{528} the Center for Strategic Research (\textit{Stratejik Arastirmalar Merkezi}, SAM) of the Foreign Ministry even explicitly suggests that only the Turks can be considered victims at these times: “[…] if anyone had been mistreated it was the Turks, no-one else.”\textsuperscript{529}

I think it is indispensable to point out that I can neither verify nor falsify the historical dimension of this argument. There is no question that Prof. McCarthy as a professional historian is much better suited than me to give an account of this particular time in the Ottoman Empire. For sure he is also more proficient in the historiography on these events, hence how various authors tend to represent them. Nevertheless, I would argue that the crucial point is not that some authors commit the “most basic omission“ and deny that mutual violence occurred. At this point I take it for granted that Armenians did massacre innocent civilians, Armenians did strive for independence from the Ottoman Empire and staged terrorist attacks to this end, and Armenians did desert the Ottoman army to join the Russian forces – which is notably also present in many pro-genocide accounts too. However, where all these authors indeed differ is located on another dimension: (a) the interpretation and evaluation they give to this violence; and (b) the extent of attention they accordingly pay to it in their work. These two points may indeed deviate from what Prof. McCarthy considers appropriate, but that is a different and much more difficult issue than just outrightly denying or obliterating Armenian violence. And at least as far as the omission of historical knowledge

\footnote{This is not to say anything about the historical accuracy of this representation. The intention is simply to stress the one-sidedness of the description, where violent bands meet innocent civilians, which indeed is a mirror image of numerous pro-genocide accounts.}

\footnote{Quoted in Hovannisian (1988): 208.}

\footnote{Quoted in \textit{Today’s Zaman}, December 19, 2008.}

\footnote{Center for Strategic Research (2007): 41 (Source 29). Another author strongly supporting the Armenian violence argument is for instance political scientist Prof. Türkkaya Ataöv (see “A British Report (1894): »The Armenians Unmasked”).}
permits, this is where I would like to jump in and mess around a little: not the historical facts underneath the argument themselves, but the interpretation these facts receive, and what they imply for the evaluation of these events.

4.6.1. Exoneration.

The stipulation that the mutuality of violence suffices to settle the past accounts amounts to what in German is often treated as Aufrechnung, or also as tu quoque fallacy. To paraphrase and simplify its functionality in my own meager words: “We killed you, you killed us. Our dead (retrospectively) justify what we have done to you, your dead (retrospectively) justify what you have done to us. Now we are even, and there is no use to continue this conflict by maintaining mutual accusations.” However, I think it is with good reason that international law just as most national criminal laws do not accept this principle of one crime being legitimized by another crime, one evil legitimizing another evil. For instance, when Yugoslavia countered the genocide allegations of Bosnia and Hercegovina by arguing that Bosnia and Hercegovina had conducted the same acts, the ICTY ruled that this argument is “as such irrelevant because it does not tend to prove or disprove any of the allegations made in the indictment against the accused”.

Accepting this claim in our informal moral world would ultimately absolve (and thereby encourage) vigilant justice, and dealing with injustice and crime, yes, probably conflict resolution in general would end up an arbitrary enterprise not bound by legal principles anymore. As already mentioned, the UNGC, possibly contrary to intuitive understanding of the concept of genocide, does not require the harmful actions to be one-sided in order to qualify as genocide. Therefore it is absolutely compliant with the UNGC to classify certain actions as genocidal, irrespective of any other events which may have preceded or succeeded them. It is henceforth also very well possible that both sides in a conflict are considered as perpetrating genocidal violence, as McCarthy also argues (see further below). This is because the UNGC concentrates on the perpetrators rather than the victims. That is, at least to my understanding it is concerned primarily with the prosecution of criminal acts, not with the restitution, commemoration, consolation, or restoration of victims.

This argument is also important to remind us of reprehensible acts by the alleged victim group. It thereby contributes, in my opinion positively, to the softening of borders between these two groups. To stipulate a platitude, it is not pure good versus pure evil, but both

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531 For instance Schabas (2000): 342; Eemeren et al. (1996): 65f; Rohatyn (1986): 45f
qualities are to be found on both sides, and an appropriate narrative of these events needs to take this into account – and also any further quantitative and qualitative differences between them. Or better: this argument rather points to the question whether the construction of the two sides is done appropriately. I will need to come back to this question later again (see section 5.3).

The point I wish to make here is simply that emphasizing mutual killings occurred is legitimate of course, even important. Yet it is so primarily with regard to the victims: it cannot exonerate the perpetrators, but it may remind us of the important point that the perpetrator group was far from being homogeneous, not pure evil, that also members of the perpetrator group suffered innocently and that this suffering must not be obliterated or neglected either. Doing so, denying these victims and their suffering just because they happened to belong to the other side disregards the profoundly humane dimension in this cataclysm by maintaining the particularistic group-think which incited the violence in the first place. However, while appreciating that suffering occurred also on the Turkish side, this must not distract us from the question of responsibility:

“If you want to »understand« and analyse collectively committed cruelty, and you wish to prevent the repetition of such events, then you will not find a solution if you direct your attention primarily to the group of »victims«. Attention must be directed to the »perpetrators« in order to uncover a series of »conscious or unconscious« mechanisms which underlie their actions, for it is the activation of these mechanisms that makes these people »perpetrators«.”

Shifting the focus from the victims to the exoneration of perpetrators, in my opinion the argument remains suspicious. It suggests a justification, or at least an excuse for the perpetrators. I think this is unacceptable. First, because it completely neglects the fact that ultimately genocidal acts are still perpetrated by individual actors. Even if there may have been subjects who were victimized and subsequently engaged in retaliatory acts, there certainly was a substantial amount of perpetrators who simply acted out of material interests, ethnic hatred or other immoral motives. The fact that others of their group have endured suffering must not serve as a means to exonerate these people. Second and more importantly, I want to repeat my claim that such an argument ex post legitimizes vigilant justice, extra-legal retaliation, contributing to a dreadful “cycle of hatred”, and the resolution of this conflict is then not guided by a sense of justice but by some superficial accounts of mutuality.

534 See the title of Minow (2002).
and an urgent desire to restore peace at a more or less arbitrary point in time.\textsuperscript{535} And it is important to note that this presumed retaliation was not only performed by civilians who had to take justice into their own hands (which is already bad enough), but indeed it was the \textit{Ottoman state} which was heavily involved in these reprisals.

It is of course tempting to settle past accounts simply by pointing out that “we all behaved badly, let’s leave it as it is”. Such a proposition is likely to come from persons who either did not suffer or do not continue to suffer significantly from such mutual violence – or who are for some other reason indeed capable to forgive. However, there certainly are some who did suffer immensely, or still do so, and these have every right to call for justice. Furthermore, what signal would be sent out to those who may have been victimized but (righteously!) refrained from inflicting harm on others to cater to their vengeful desires? They are the ones who must not be included in presumptuous and all-encompassing stipulations, because they are the ones who did not “behave badly”. And they are hence the ones now in certain sense punished by contemporary calls to just leave it as it is – to them justice is denied, vigilant as much as legal.

To conclude, my worries about the mutual warfare argument do not concern that it points to Armenian perpetrators and Turkish casualties. This must not be eradicated from the history of World War I, be it alone to avoid simplifications of stereotyped perpetrators and victims which do not reflect the mutual grievances appropriately, and thereby only prolong the antagonistic group-think and enmity which we seek to overcome. There are individuals in both groups who innocently fell victim to ethnic violence, and it seems unacceptable to me to obfuscate one side completely. Similarly, I am not very happy about some pro-genocide authors rejecting the claim about Armenian violence by pointing to certain differences between the perpetrators, such as differences in intention or means etc. I agree that such differences should be considered in our evaluation. However, the point I want to emphasize here is that arguments about victims do not necessarily extend to perpetrators, and the other way around. Because there were also Turkish victims and Armenian perpetrators does not at all exonerate the Turkish perpetrators – and the same goes for any Armenian offenders. And because the perpetrators acted with different intentions, or means, or because the number of victims was greater on one side than on the other does not at all justify to classify some

\textsuperscript{535}Arbitrary in the sense of not being determined by the crimes and their rectification (prosecution, reparation etc.), but rather by „external“ forces to these crimes: such as a fatigue of all the violence, a third party intervention, a clear shift in the power balance, some other urgent need to settle this conflict, and so forth.
victims as “second-class”. I think each of these would disrespect the individual human victim, and miss the significance of humanitarian disasters.

To repeat my point: one evil does not justify another, myself being innocently victimized does not justify me harming another innocent. Mutual violence does not exonerate any offender, particularly if it is based on the fallacy to establish mutuality of action on the collective level, whereas the actual perpetrators are unavoidably individual human beings. Therefore, this argument seems unacceptable where it suggests that these past deeds were justified. However, it may also be considered not a justification but rather a relativization, of sharing the blame by recalling the guilt on the Armenian side. And if that is correct, I think it should be made very clear: it is about responsibility in a relative sense, and it does in no way exonerate the perpetrators. This relative understanding, this enterprise of Aufrechnung of guilt and suffering implicitly leads to the question (often even tacitly already answered upfront) if the killings were not only mutual but if any side outweighed the other, or if they were somehow “equal”. Thus what may result if we take this reasoning seriously is the grim effort of comparing misdeeds and suffering, of establishing a ratio of guilt.

4.6.2. Equivalent Killings? The Perpetrator Perspective.

This equality of guilt is not explicit but beyond doubt the point made by Justin McCarthy in the following paragraph:

“A government-ordered genocide did not exist in Eastern Anatolia, but there is a wider definition of genocide that applies. If genocide can be the action of one people against another, then genocide was definitely present in Eastern Anatolia. Both Turks and Armenians were its victims, and both were its perpetrators. Armenians killed Turks because they were Turks. Turks killed Armenians because they were Armenians. They had little choice. After the first days of the war, Turks and other Muslims knew that there could be no neutrality in the civil war with the Armenians. They could be killed because they were hated as Turks, not because of any political or tactical reason. Armenians were in the same situation. The extermination was a mutual extermination.”\(^{536}\)

Since to my perception mutuality is hardly contested, it is their equivalence that deserves closer scrutiny at this stage. This question can be tackled from a number of angles: as regards (a) the number of casualties or perpetrators, obviously a non-historian like myself cannot offer any resolution. However, I have to confess that just throwing absolute numbers around to me does not appear to be a very sensible approach. I may accept at this point that more Muslims

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\(^{536}\) Quoted in Hovannisian (1988): 216. Note also the construction of collective agents, thereby obliterating individual accountability and cementing the antagonistic social groups as primordial, unquestioned: genocide as the action of one people against the other. Furthermore, the inevitable, necessary occurrence of genocide as present in “They had little choice”.  

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than Armenians died in Anatolia, however, to gain a better understanding of these numbers it should be considered just as well that Muslims posed the majority population in that area. Therefore, first we need to reasonably determine if it is the absolute or the relative number of casualties that matters. Pre-empting this point, the Center for Strategic Research, assuming that indeed “only” 300,000 out of 1.3 million Armenians died in the period of concern, claims that at the same time some 3 million Turks perished, which constitutes the same proportion as the number of victims amongst Armenians.\textsuperscript{537}

Be that as it may, since both sides tend to emphasize the casualties among refugees, elderly, children, in short what we usually refer to as the prototypical “innocent civilians”, is it the total number that matters, or is a further distinction between combatant and civilian casualties required? Is it the number of victims in a clearly circumscribed territory, or all over the Empire? Shifting the focus from victim to perpetrator, is it necessary to distinguish between victims of living conditions such as disease and starvation on the one side, and outright killing on the other? With regard to life circumstances: since the UNGC lists “inflicting on the group conditions of life calculated to bring about its physical destruction” as a genocidal act, would we need to differentiate victims of disease and starvation even further, for instance into unavoidable and precipitated casualties? Would we need to establish the number of all persons victimized by any of the acts defined in the UNGC? And with regard to precipitated deaths, is there a difference of victims killed by regular soldiers (or other agents of state authorities) as compared to such murdered by illegal bands?

Even if we had a reasonable decision which numbers actually matter, I believe that already due to the wide and vague definition of genocidal acts in the UNGC by itself, further exacerbated by the scarce and controversial historical records, it appears extremely unlikely that we could settle these numerical questions with anything close to the precision we would need to make a plausible argument about equivalence. Therefore I do not think reference to numbers could decide about the question of equivalence. More than that, I do not think it should. Most notably, also the UNGC does not contain any numerical criteria and – fortunately – there appears to be widespread consensus among scholars that any question about genocide should never be reduced to a matter of numbers:

„Die Zahl der Toten – in die die Zahl der Überlebenden, der nur davongekommenen aber potentiellen Opfer nicht miteingerechnet wird –, ist unumgänglich Diskussionen um ihre Richtigkeit ausgesetzt; sie kann und darf stets nur Symbol sein.“\textsuperscript{538}

\textsuperscript{537} Center for Strategic Research (2007): 40 (Source 29).
\textsuperscript{538} Dabag (1998): 153
So, we may be better advised to shift to another way of establishing equivalence, which is (b) quality: are there fundamental differences in the nature of the killings, or are they of the same kind? Of course the answer to this question depends, again, on what one considers the relevant criteria for establishing equivalence. An impression of potentially relevant criteria, including a critique of some of them, was already given above. One of the foremost is obviously the question whether these people were killed with genocidal intent, or whether they were killed for other motives, such as personal interests, constituting but “collateral damage”.\textsuperscript{539} Above I also mentioned that what appears crucial to me is that there is transparency about the reason why a particular criterion was (not) considered important enough to differentiate between certain kinds of murder (see section 4.5.3). The list of the criteria is potentially infinite, and therefore I cannot address this question exhaustively at this point.

In the end I believe it is also a futile enterprise: I am pretty convinced there is not quality which unites all Armenian perpetrators and at the same distinguishes them from all the Turkish ones – and vice versa. There are for sure significant differences among the members of each group, differences with regard to intention, method and means, and so forth. And while it may be argued that the distribution (or, curiously enough, its statistical markers such as average, median, or variance) of these qualities within one group is significantly different from the distribution within the other group, in the end I do not think this is a discussion by which we will gain a lot: it will involve an extremely high degree of speculation and imputation, and the boundaries will always remain blurred and volatile. Possibly the only characteristic which appears in a uniform manner across all of them is the fact that they are perpetrators. And the seminal caveat remains untouched anyway: the fact that also Armenians committed terrible crimes at that time must in no way justify or conceal the crimes committed by Turks.\textsuperscript{540} It could possibly be used as an excuse, as an attempt to make comprehensible the misdeeds by the perpetrators, but that is not the same as a justification (see also section 4.13.2), and at least in my own reading that modest target is not what the argument is trying to accomplish. Ultimately responsibility cannot be wiped out by relativization or equation. And I am not sure what other relevant element in moral discourse could be.

Anyway, this focus on Armenian violence may suggest, as also some quotes above have already intimated, that the events back then were “only” some kind of intercommunal strife,

\textsuperscript{539} Yet see also the discussion of intent in section 4.12.

\textsuperscript{540} And by the same token of course the fate of the Ottoman Armenians and the responsibility of Turkish perpetrators must not discredit or devaluate the suffering of Turks, nor any responsibility of Ottoman Armenian offenders.
rather than genocide or anything alike. I do not think this is an accurate in the sense of exhaustive description of these events, for there is one important difference between the two sides which is essential when it comes to the question of accountability and responsibility. This is the pivotal question of state agency, i.e. the role the Ottoman state played in these events.  

I shall turn to this in the next section.  

4.7. Intercommunal Violence.

Indeed, this argument is basically an extension of the previous one. That is to say that it is emerging out of the idea that Armenians were offenders just as well, that what actually happened was a sequence of aggression and counter-aggression, social turmoil, in which an unequivocal (collective) perpetrator cannot be reasonably identified. This leads some authors to the conclusion that what actually occurred was “intercommunal war”.  

So, while these two arguments indeed are interrelated in their origin, their appeals are different and for that reason I thought it worthwhile to separate them for analytical purposes and discussion. The previous argument about Armenian violence is in my interpretation directed “merely” against the meaning of the allegations, i.e. attempting to obfuscate or decrease (collective) responsibility by recalling the reciprocity of violence. What the terminology of “intercommunal war” adds to this is in my understanding an attempt to cover or deny, and thereby exculpate the Ottoman regime of that time. This exculpation can be understood as working in two directions: (a) by the assumption that the state, in this case the Ottoman Empire, is an allegory or representative of the Turkish population as a whole, or at least of those people who personally identify with this state. In other words, if the state acquires guilt, then so do those people identified/identifying with it. However, if the state can relieved from such accusations, if the perpetrators were indeed rampant and maroding bands acting against the will of the state, then there is no need for a critical self-reflection and the responsibility is shifted to a bunch of savage outlaws.

In another sense, (b) the exculpation of the Ottoman Empire could be seen as a liberation for its successor state, the Republic of Turkey. Not only in the sense that the Republic of Turkey was a heir of the Ottoman Empire’s alleged guilt, but also for its own continuous efforts to deny or defend them, or for allowing many of the former Ottoman state officials.

541 See also Guroian (1988): 146.
542 The terminology includes „intercommunal war“ (Sources 8 and 27), „intercommunal violence“, „intercommunal conflict“ (both Source 14), and „intercommunal strife“ (Source 24). In some other instances there is no alternative designation offered, but the killings are described as being performed between civilian populations (Sources 24, 29, 31).
who had allegedly facilitated the genocide to occupy important positions in the early years of the Republic.543

I do not want to go into detail about this transference of guilt from state to people or from one state to its successor state. I have explained above (see section 2.3) why I think such transfer of guilt or blame is not very straightforward – there could be more to say about it when it involves states rather than only people, but this is not the direction I want to take here.

Instead I would like to emphasize that at least in my interpretation of this argument – which is admittedly going quite far beyond the actual words used by its proponents –, it reflects a very statist ideology, and it does so in various ways: these may include an identification of state and people (in the sense that the “we” is ultimately expressed in the shape of the state), a description of states as “agents”, a transference of qualities from one government to another, from the state to its people. I suppose that not all of them may indeed hold true and they are indeed found in many a political analysis of our times, and sometimes with good reason. But the most important point, in my opinion, is that this argument reflects a genuine concern about the virtuousness of the state. Indeed the description of this conflict as intercommunal violence expresses a curious shift of the blame. What the argument essentially does is shifting the blame from the state to the population, or at least significant parts of the population.544 This certainly is not an objection to the veracity of the argument – on a descriptive level it may remain as accurate as can be – but I still believe it is a remarkable way to fend off allegations, demonstrating that the concern is primarily about the the state and less the people who were involved in these instances. If I may drag my phantasmagoria even further, presumably by exonerating the state the nation is acquitted of any charges; that it is now its members who are accused of offenses does not seem to affect the moral status of the nation. And apparently if the state had been involved in any wrongful conduct then this would have been a cause for concern, but if it had “only” been its citizens who engaged in this violence, then this is seemingly no great cause to bother.

Anyway, at this point I would like to confine myself more to the immediate content of this argument and object by claiming that the Ottoman state indeed did play a seminal role in these events, rather than being a detached observer. (a) First because the insurgency displayed by the Armenians was not simply directed against the Muslim population, but also, if not primarily, against the Ottoman government. Even if Armenian unrest had also been brought

544 As pointed out by Gerard Chaliand (see Ternon (1998): 242).
about by resistance against local Turkish bands and tribes or even against fellow citizens, resistance against the state played a central part. I would like to defer the discussion whether resistance was justified or not to the next chapter, and for now only record the state was an important factor in the generation of this conflict, be it by provoking this uprising or by innocently serving as a uniting scapegoat for the insurgents. And (b) second clearly the Ottoman government was not only a target but also a decisively active party in the conflict itself. Even if there were no intention to annihilate the Armenian population, simply by disarming and deporting the Armenians the government took a clear stance in this “intercommunal” clash. Even if it is conceded that the Ottoman state did also punish Turkish offenders, the fundamental difference is that it did so against individual perpetrators, while it acted against the Armenian population on a collective level. Moreover, it seems plausible that this state involvement also decisively tipped the balance of power against the Armenians – I am not sure if Turkish bands would have accomplished the same devastating result if the state had just left it as an intercommunal war and renounced to intervene. Considering the Ottoman government as the legitimate government of all the warring parties in this strife, it is clear that what is usually described as the Armenian side therefore had a fundamental disadvantage.

Again, even if the contra-genocide claim that the government did not act out of any racist or nationalist intentions was given credits, at least symbolically it clearly took a partisan stance. It thereby helped to define and demarcate the enemy group, thereby incited tensions further, and also materially supported one side in this conflict. For this reason alone I do not think descriptions such as “mutual killings” or “intercommunal war” adequately represent these events, since they fail to take into account (a) the paramount role the Ottoman government played most probably in the creation and stiffening of the enemy groups and indeed in their mutual resentment itself, and (b) the imbalance of power between the involved parties. This, I believe, is indeed a qualitative difference between the alleged two camps. Discussions about individual offenders are always a difficult topic, but when it comes to

545 And it may be worthwhile to recall here that genocide as defined by the UNGC is not restricted to acts which result in the immediate death of the victim. It may be worthwhile to mention that the ICTR has ruled in 
Rutaganda that systematic expulsions from home, deprivation of essential medical supplies, subjection to a subsistence diet and similar acts may amount to genocide (see Verdirame (2000): 597f). And the UNGC in article III also condemns something often referred to as “other acts”, such as complicity and incitement to genocide (see also Schacter (2000): 257-313).
547 I am not leaving aside any notions that Russia or some other state was a legitimate political representative of the Ottoman Armenians, and could therefore reasonably be called to assume responsibility for their wrongs.
548 In the opinion of Helmut König (2008: 511), such an imbalance in power is a crucial difference between war and genocide, since the victims of genocide are relatively easy targets and chances for later retaliation are slim.
responsibility I think it is indispensable to take the role of the Ottoman state into account. My point is not to deny that violence occurred on a civic level, but to emphasize it was significantly facilitated and supported by the state, and in a partisan manner so.

At this point I need to add another qualification to my critique: contrary to my innuendo most likely very few, if any, historians would claim the Ottoman state had retained a neutral stance or that its role was of no significance at these times. Indeed most stress in their texts just as well that the major Armenian revolutionary parties, the Hnchak and the Dashnaktsutiun, strived for regional reforms in Eastern Anatolia or even an independent Armenian state, and that the Ottoman Empire was hence forced to relocate the Armenians due to the threat they posed to the Ottoman state (see also section 4.8). But unfortunately at least to my understanding the terms “intercommunal warfare” or “civil strife” end up portraying this entire conflict as one between local communities, minimizing the active role of the state. This renders the argument either inconsistent since the authors claim the state played no role (intercommunal strive) but also that it did so (by defending national security); or at least the argument is inappropriately phrased since the terminology inadvertently suggests clashes between local residents thereby obfuscating state agency.

This rejection of the idea that the Young Turk regime did not play an active and decisive role in this conflict, that what happened was nothing but intercommunal warfare brings me back to the previous argument about Armenian violence and the equivalence of Armenian and Turkish violence: I have argued that at least when it comes down to responsibility and accountability, I do not think it is appropriate to engage in any sort of Aufrechnung – that would totally miss the idea of responsibility. Beyond that, the involvement of the Ottoman state in my opinion is an important and clearly unequal variable in this case, and particularly relevant when it comes to the question of who can take responsibility for this catastrophe. This is certainly not to downplay any atrocities committed by Armenians against Turks, or to deny that much of the violence indeed took the form of intercommunal strife; I have no problem to accept the assumption that wide segments of society participated actively in the mutual resentments. But under such circumstances a state has certain responsibilities, at least in our current normative order (which I take the luxury not to explicate here). And therefore we need to look at the behavior of the Ottoman state, to see for instance how it tried to mitigate this conflict, to prevent its evolution into a fatal clash, and so forth. It could be argued that the Ottoman Empire did not have the capacity to take pre-emptive measures against all this resentment and violence. But that would lead me to assume that it was already a failed state anyway, before the events reached their climax in 1915, and this would render
the argument about national defense (see also section 4.8) somehow awkward. But even or especially in these circumstances we need to look at its behavior, and here we still see some activity by the Young Turk regime of that time which can be described as quite problematic: it did indeed not take sufficient de-escalating steps, but instead it appears to have encouraged and promoted further violence by taking side in this conflict and support one side by very decisive action – if it not even ordered and orchestrated massacres, as the pro-genocide camp claims. The worrisome point is thus what this argument suggests with regard to the awareness of responsibility of those who make this claim, an awareness that is highly relevant for any ruling entity, but particularly for a democratic one.


The mutual violence assertion that I have presented above is not only raised in order to conclude by civil strife; indeed it is closely intertwined with another stream of thought which culminates in a different defense: that Armenian violence indeed posed a vital threat to the “survival” of the nation. In my understanding, this argument may be paraphrased as follows:

Among the Armenians, already in the nineteenth century a nationalist movement had developed which in its more moderate version aspired reforms in the eastern provinces of the Empire, granting more rights and protection to the Armenian population, and in its more radical expressions even longed for an independent Armenian state. This national movement also constituted itself in organized form, most notably the revolutionary Dashnaksutium and Hntchaks. This activism included the support and organization of Armenian resistance by spreading propaganda, disseminating arms etc., as well as terrorist attacks against the state and the Turkish population (and admittedly also against Armenians who refused to support them, by the way549). Because of this, but also above this, when World War I commenced numerous Armenians deserted from the Ottoman army and defected to Russia, fighting against their home country.

Ultimately, if one pays any attention to the circumstances of the time, it is clear that the Ottoman Empire was at a precarious war with the Entente Powers, among them Russia. All these Armenian activities, combined with and exacerbated by the dire circumstances of war time, hence posed a vital threat to the Ottoman Empire and/or its citizens. They became intolerable for the Ottoman government. The Sublime Porte, i.e. the Ottoman government, had to react to these Armenian threats to the integrity, if not survival of the country and its

549 As emphatically stressed among others by Ataöv (Source 20).
citizens. The decision by the Ottoman government to relocate the Armenian population from sensitive regions along the borders or vital railway lines were indeed a matter of “national security”, a military necessity against an insurgent segment of society in times of war. Most notably, these measures were a reaction to Armenian uprising. Hence, the terminology of “genocide” is to be rejected, a more appropriate picture of this time would be conveyed by expressions such as “necessary precautions”, “defence measure”, or a “life-or-death struggle”.

To give a few literal examples for this reasoning, I would like to start out with the aforementioned presentation by Prof. Justin McCarthy in Istanbul on September 15, 2001. He contends that “[h]istory taught the Ottomans that if the Armenians triumphed not only would territory be lost, but mass expulsions and deaths would be the fate of the Muslim majority. This was the one absolutely necessary goal of the Armenian Rebellion.” And in one of his later presentations, given in front the Turkish Grand National Assembly on March 24, 2005, he reveals the intentions and aspirations of his efforts: “I wish to demonstrate that the Ottomans were right in considering the Armenians to be their enemies, if further proof is needed.” He then reiterated that no country would tolerate rebellion or terror against its population as it was enacted by the Armenian revolutionaries – in fact only the Ottomans did so, knowing the revolutionaries only wanted to provoke reprisals by the Ottoman government, which in turn should supply the European powers with a reason to intervene on behalf of the Armenians. He eventually concludes that “[o]ne can only pity the Ottomans. They knew that if they governed properly the result would be the death of their state.”

It seems this argument is among the favorites of the contra-genocide camp. For instance the Center for Strategic Research in its 2007 report “Armenian Claims and Historical Facts: Questions and Answers” states:

“It can be seen thus that the basis for the Armenian revolts was not poverty, nor was it oppression or the desire for reform; rather, it was simply the result of a joint effort on the part of the Armenian revolutionary committees and the Armenian church, in conjunction with Western Powers and Russia, to provide the basis to break up the Ottoman Empire. In reaction to these revolts, the Ottomans did what other states did in such circumstances, sending armed forces against the rebels to restore order, and for the most part succeeding quickly since very few of the Armenian populace

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550 Thus the terminology for instance in Aktan (Source 31): 296.
551 Both by then Foreign Minister Abdullah Gül in a speech in the Turkish Grand National Assembly on April 13, 2005 (Source 4).
552 The last one being from Gürkan Zengin’s column “It is hard to be a Türk”, in Today’s Zaman, March 13, 2010. For the same logic see for instance Sources 5, 6, 7.
553 McCarthy (March 15, 2001; Source 6).
554 McCarthy (March 24, 2005; Source 5).
supported or helped the rebels of the revolutionary societies. [...] every Ottoman
restoration of order was automatically considered a »massacre« of Christians."555

And it concludes: “the Ottoman decision to deport Armenians from the war areas was a
moderate and entirely legitimate measure of self defense”.556 In a similar vein Ambassador
Giändüz Akitan testified in a presentation he gave at the US House Committee on International
Relations on September 14, 2000:

“It was relocation to other pans [sic] of the Ottoman Empire of only the eastern
Anatolian Armenians, away from a war zone in which they were collaborating with
invading Russian armies with the aim of creating an independent state of their own in
areas where they were only a minority by ethnically »cleansing« the majority
Turks.”557

And to round up these examples, I would like to quote the contemporary President of the
Republic of Turkey, H.E. Abdullah Gül, who gave a speech in the Turkish Grand National
Assembly on April 13, 2005, a time when he was Deputy Prime Minister and Foreign
Minister. In this speech, he first portrays the rise of Armenian independence movements, the
Dashnaksutium and the Hntchak, as a result of Russian, French and British fomenting. They
engaged in terrorism, bank raids, assassinations, instigating rebellions in various parts of the
empire. Hence the “transfer” of the Armenians was a “defence measure”, for which the
Ottoman government had instructed that “necessary security measures be taken so that no
harm could be done to the Armenians”.558

Before I engage in a discussion of this reasoning, I would like to stress that this argument
is apparently again not connected to the dominant concept of genocide. It should be repeated
that the UNGC does not make any mention of the comportement of the putative victims.
Hence I consider also this reasoning as directed “only” against the social/moral meaning of
the concept of genocide, because it claims to prove the Ottoman government was right in
what it did, and thence there is no blame.

The fact that there was some Armenian resistance (or insurgence, if you will), is hardly
contested, I think. However, to make a normative case this argument rests on two
assumptions: (a) this insurgence was morally wrong, and (b) the Ottoman state’s response to
this wrongful uprising was morally right. Now, I would like to approach the argument about
national defense by pointing to the various assumptions and questions which we need to

555 Center for Strategic Research (2007; Source 29): 24.
556 Center for Strategic Research (2007; Source 29): 30.
557 Akitan (September 14, 2000; Source 7).
558 Gül (April 13, 2005; Source 4).
examine in more detail about the first assumption, the one about the moral status of the Armenian rebellion. And this shall then gradually allow me to shift to the Ottoman side and assess its response to this defiance.\textsuperscript{559}

\section{A Wrongful Insurgency?}

Most contra-genocides authors who follow this reasoning start out with the assertion of a long period of peaceful coexistence of Turks, Armenians, and other communities in the Ottoman Empire. For instance Ankara University Professor Mümtaz Soysal in his testimony explains that

\begin{quote}
"[…] eight centuries of history, from the eleventh to the second half of the nineteenth century, during which Turks and Armenians of Anatolia led a peaceful coexistence that has not been equaled in the annals of the peoples of the world. From the time of the conquest of Asia Minor by the Turks to the era of nationalism, no major conflict, no armed struggle brought these two communities against each other. In the entire history of the world there are no two other peoples with languages, and religious beliefs manner for different [sic], who have managed to coexist in such a peaceful and long period. We are proud of this tolerance on the part of the Turkish people, who in this way made possible such an exceptional coexistance."\textsuperscript{560}
\end{quote}

The implicit assumption which is transmitted is hence that it actually was the ungrateful Armenians who started the entire conflict by instigating an unjustified rebellion: “One never finds recognition that it was the Russians and the Armenians themselves who began to dissolve 700 years of peace between Turks and Armenians.”\textsuperscript{561} Obviously this implies that a peaceful coexistence equates a fair coexistence, one that is worth keeping. However, in my opinion peace and tranquillity may very well be ensured by oppressive regimes too – and at least in societies with social tensions and inequality, in the short run possibly even better. To evaluate if the Armenian revolt was wrong in a moral sense we hence should not rely on peace as the only indicator, but also if the relationship was a fair and just one.

This is clearly the position of a prominent proponent of the contra-genocide position, current Turkish President Abdullah Gül:

\begin{quote}
“For a period of more than 800 years from the time the Turks first set foot in Anatolia in the 11th century to the end of the 19th century, Turkish-Armenian relations were characterised by peace and mutual confidence. […] The Armenians were regarded as
\end{quote}

\textsuperscript{559}While this will be essentially a discussion from a theoretical perspective, despite my historical incompetence I will try to keep it closely tied to the matter studied here. For a more general discussion on the morality of revolt and reprisal see for instance Walzer (1977).

\textsuperscript{560}Soysal (195; Source 28): 48. The same point is made in Sources 4, 5, 6, 24, 25, 29, 31. A full section is devoted to such a depiction of this Ottoman tolerance in a text by the Center for Strategic Research (2005; Source 30: 12-16). This text (ibid.: 25) even depicts how badly the Armenians have been treated in the Russia, in contrast to the Ottoman Empire (which is a popular point in general, also mentioned in Sources 4, 5, 24, 28, 31). By innuendo, the Armenians were not only ungrateful but also stupid (in Marxist terms: not in the possession of the right consciousness), willingly serving as the tools of those who are their “real” exploiters.

\textsuperscript{561}McCarthy (March 24, 2005; Source 5).
the »loyal nation« by the Ottomans. Armenians rose in the Ottoman bureaucracy to hold high offices of state as ministers, generals, ambassadors, governors and judges. They were not subjected to discrimination in any shape or form."562

This funnily contrasts with the picture given by numerous pro-genocide authors, according to which Armenians, like other non-Muslims, were not only of an inferior social status but also not equal before law, including being discriminated against in court (with testimonies by Christians against Muslims not being admitted), or in marriage law (with the prohibition for Armenian men to marry Muslim women), or in their right to bear arms.563 This seems hard to reconcile with the assertion that Armenians were “not subjected to discrimination in any shape or form”.

Personally I am perfectly happy to accept that Armenians in the Ottoman Empire may for long have been better off than many other minorities in many other countries (including of course Europe and the United States of America), but that does not mean they were not discriminated against, or that this system was indeed “just” – whatever that may be. And even if the Ottoman Empire was a perfectly just state, this does not necessarily disqualify any calls for defiance. There are other reasons which are sometimes invoked to legitimate rebellious behavior, such as the state’s failure to provide adequate security, particularly to those living in the rural Eastern provinces where Turkish and Kurdish pastoral groups resided,564 possibly exacerbated at the same time by a prohibition for the citizens to provide for their security themselves.

Anyway, conceded that the system was indeed so fair, then why did so many of the Armenians revolt against this country in which they were indeed better off than anywhere else?565 So, among the first obligations this argument needs to address is proof that (a) the Armenian rebellion which brought this entire story about was indeed morally wrong, that the Armenians were equal and well off citizens of the Ottoman Empire, devoid of any reason to demand changes. But that said, the argument then (b) needs to explain in a second step why the Armenian rebellion could come about in the first place. Moreover, since the overall function of the argument is to justify the Ottoman policies against this very rebellion, it must be a reprehensible root behind this rebellion. The one source many a contra-genocide author.

562 Abdullah Gül (April 13, 2005; Source 4).
565 Since if only a small number of Armenians actually rebelled, then why did they pose such a threat? And why did the Ottoman government, the Sublime Porte, then need to revert to such drastic measures as collective deportation?
resorts to is the rise of Armenian nationalism, which in turn is often alleged to be stirred by European and particularly Russian propaganda.\textsuperscript{566} This explanation may offer an important dimension in the overall understanding of the defiance at that time, but it also impresses by its paternalistic simplicity: it ultimately rests on an allegedly wrong consciousness, on the idea that the Armenians back then did not know how well off they were, that they were easily deceived by the nationalists among them and their foreign aides, while the historian of today in hindsight can tell that they actually were doing well, that they should have felt fine if they had only been wise enough to understand their situation. I think that approach fails to consider the perspective of the agents themselves, instead reducing the entire story to one of aberrant consciousness, explaining it all as a story of mass delusion by propaganda and extortion.

For instance, even if we for now accepted the claim that it was Armenian nationalism driving the Ottoman Armenians at that time, can the rise of this nationalism be explained really by propaganda alone? Maybe other factors contributed to the rise of this nationalism just as well, such as the experience of many Armenian nationalists as being treated as if they were of an inferior status, or being subject to a paternalism (not to say oppression), similar to the patronizing hindsight of us commentators of today, describing how they should have felt and thought about their own lives if they only had known better, as we do today, about their own lives.

Moreover, in explaining Armenian nationalism, why go geographically so far and consider European influence but not lose a word on the attitudes and reactions of the Muslim majority population? Curiously enough, just as contra-genocide commentators emphasize Armenian nationalism, so do pro-genocide authors stress the rise of Turkish nationalism (or turanism) at that same time. Maybe either of them developed in close interaction with the other, within the general nationalist paradigm dominating these days. If that is granted, just for the luxury of thought, it appears a futile endeavor to identify the “first” one which triggered all these troubles, since even if one of them may have surfaced first (whatever that would mean and however that should be demonstrated), the important point would still be how they reinforced one another until the entire situation turned violent.

Moreover, if I may dare adding another idea to these reductions to nationalism, maybe it was not only nationalism that spread from Europe to the Ottoman Empire and affected its Armenian population; maybe also pertinent ideas such as citizenship, equality, regional autonomy etc. were imported in conjunction with nationalism. Not in the sense that European

\textsuperscript{566} See for instance Sources 5, 6, 24, 25, 29.
states had integrated those ideas any better or earlier or willfully, but that they were struggling with the very same questions. In my own imperfect historical knowledge about that period, these concepts were indeed intertwined with the condemned nationalism at least in some European countries like the Austro-Hungarian Empire. Therefore, they may have entered the Ottoman Empire in one batch and are indeed hard to separate, if at all, also in hindsight. So this nationalism may also be a different way to describe a movement for rights, a movement which may also be founded on nationalist sentiment but nevertheless, judged by certain current standards, sought legitimate ends.

This brings me to another aspect, namely what rebellious behavior actually is. The question ultimately is whether Armenians really posed a threat to the “survival” of the Ottoman Empire. Whereas contra-genocide authors rely heavily on Armenian aspirations for independence, the pro-genocide authors tend to stress more Armenian ambitions for reforms. The imminence and extent of the threat for sovereignty and “integrity” of a state in my opinion is essentially of a different nature and degree between independence and reform.

For instance, the Hitchaks and Dashnaktsutiun, amongst others, are often referred to as examples for revolutionary organizations striving for an independent Armenia. And it appears sensible to me to assume that in both these organizations (and beyond them as well) there were circles that indeed did so. But the opposite is in my opinion just as true, i.e. that there was also a significant number who simply craved for reforms in the Eastern provinces. For instance the most important political Armenian organization of that time, the Dashnaktsutiun, indeed appears to have been a nationalist organization, even one which was associated with armed resistance against the Ottoman government of Sultan Abdul Hamid II. However, according to pro-genocide authors they targeted merely reforms within the framework of the empire, not an independent Armenian state.567

Of course such public calls may only be deceit, a cover-up for subcutaneous aspirations for secession. Or they may serve only as preparatory steps, planned or not, which pave the way for secession. On the other hand, demands for independence may only be radical positions for negotiations, to safeguard that the more moderate aspirations for reforms are taken seriously and eventually also successful. However, both these caveats need to be corroborated by further evidence, otherwise they remain but innuendo and speculation – and a

567 See for instance Melson (1988): 70; Melson (1992): 157; Ohandjianian (1989): 79f; Ternon (1981): 149. This complies with the facts that they formed an alliance with the Young Turks in the first years of the twentieth century, that they later on even supported the Young Turk government, and eventually, when asked whether they would instigate subversive acts against Russia on Russian territory, they indeed refused to, but pledge their loyalty towards the Ottoman Empire in the event of war.
good path to dramatize the situation, leaving the choice between disintegration of the Ottoman Empire and suppression of these Armenian aspirations. Either-or, nothing in between, no room for alternatives or compromise, and thereby no reason to at least attempt to find any such third ways. The question is ultimately whether the description of rebelliousness is appropriate, or whether it is merely a prolongation of incorrect perceptions. As for instance Robert Melson has pointed out, it is quite likely that the Ottoman government and certain segments of society at that time perceived of them as a vital threat to national security, but that does not necessarily mean they actually were so. By contrast, it may be that Turkish nationalism led many to believe Armenians posed such a threat, while indeed they never were, or at least not to that extent.\textsuperscript{568} Hence (c) another set of questions revolves around the nature and degree of the Armenian threat.

Another point already resonates through this last question: if the Ottoman government’s measures were but a reaction against Armenian threats, then the question is important if these measures were proportional to this threat.\textsuperscript{569} Defensive measures are of course legitimate, but where the defense involves aggression and violence they deserve closer scrutiny. And proportionality needs to be given in two senses, qualitatively as well as quantitatively.\textsuperscript{570} For sure this is not a new point, as already the Armenian deputy for Kozan, Matyos Nalbantyan Efendi, argued in the Ottoman Parliament November 18, 1918, only a few weeks after the armistice:

“\textit{If one armed gang appears here, or there, or if it undertakes certain actions, or if the residents of an area participate in these actions, and if they take part in a number of illegal acts, does this situation really warrant that everyone in any place in the whole country, even its remotest reaches, that all Armenians – even down to the handful who lived in Edirne, İzmit and on the coast, for instance – be expelled and killed? That their honor and dignity be violated? That their land and property be confiscated and looted?}”\textsuperscript{571}

Of course one may also take into account the threat Russia posed to the Eastern front at that time, and other subversive actions feared from Armenians. But equally considered should be the enormous costs in manpower and other resources needed to conduct these

\textsuperscript{569} A question raised emphatically by Melson (1992), who contends the measures taken were completely incommensurate to the threat which the Armenians raised.
\textsuperscript{570} For instance Akçam (2006 : 196-200) claims that indeed the vast majority of Armenians in the Russian army were Russian Armenians rather than Ottomans, and ultimately Armenians amounted to only about 4,000 volunteers in the Russian army (same point without numbers for instance by Bloxham (2005): 116). I am pretty sure that number is open to debate.
\textsuperscript{571} Quoted in Akçam (1996): 257.
relocations. Did the putative security benefit really outweigh the alleged security risk? So, the next questions (d) would require a closer look at the Ottoman reaction to the Armenian rebellion, asking if there really was no room for compromise or alternative paths, and most importantly if the Ottoman government even seriously considered and tried any other options than confrontation.

In addition to my insolent questions enlisted above, there is (e) one more historical task I dare to add with regard to this argument. It actually brings me back to my first two issues, namely if the Ottoman Empire indeed was “fair” towards its citizens, and what their causes for the alleged Armenian revolt were. Obviously the entire persuasive force (in a moral sense) of the national defense-argument would crumble the very moment when these Armenian rebellions were themselves nothing but a defense against Ottoman aggression. In other words, what the argument essentially rests upon is the notion that it was the Armenians who ultimately started the overall process.

For that reason the term “reaction” is of importance in this argument. Obviously blame assumes agency, and if it may be shown that indeed the Armenians “began” this conflict, and the Ottomans were only “reacting”, showing maybe some automatic or natural, inevitable response, then implicitly there is only marginal or even no blame at all for the Ottoman side. Carried to its logical extreme it is hence the Armenians themselves who are to blame for the very fate that came on them: “Within one generation, this attempt [to create a Armenian state in predominantly Muslim and Turkish area] ended the friendly coexistence of Armenians and Turks and led to the elimination of the Armenian communities from Anatolia”, and therefore clearly “the Turks did not start the process”. This is also an implicit feature in some of the quotations above, which resort to concepts such as “defence measures” or “reaction”. But it can also be quite openly stipulated, for instance when McCarthy contends that it was “the revolutionaries who began the confrontations”.

At this point I guess we come across one of the accomplishments inherent in narratives, namely that the narrator defines the beginning of her story (see also section 2.3). This is not a self-evident aspect of the story, as can be seen from my own speculations above: to justify the policies of the Sublime Porte, some authors point to defiant Armenian behavior. However, I

573 See Smelser (2004: 272-276) for a similar argument on how September 11 is used in the United States to describe its aggression as a mere reaction toward external aggressors, thereby endowing it with much more moral legitimacy.
574 Mango (2001, Source 10).
575 McCarthy (March 15, 2001; Source 6). To muddle (again) in fields alien to me, maybe this could also be described as an instance of the psychological strategy of defense sometimes described as “blame the victim”.

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suggested to move beyond that, asking what initiated this defiant behavior. There is no natural reason to stop here, it would still make sense to go even further back in history, and further, potentially *ad infinitum*. My point is simply that it requires reflection where in time a story should start, and the rationale and the relevant criteria for this choice are not natural or objective. And therefore they should be revealed to make transparent the foundations upon which the story rests. I guess the question where to start a story is one of analytical depth. If I may borrow an admittedly ambiguous distinction from Mathias Beer: is it sufficient to consider the *Anlass*, the occasion which allowed the events to unfold, or should also the *Ursachen*, the farther reaching and structural causes be taken into account?576

Frankly speaking, when it comes to social conflict I think it is tremendously difficult to establish a clear-cut beginning anyway. Most social conflicts I am rudimentally aware of, and particularly such which involve large groups, are highly complex, include many different motivations and intentions, and have a long history. Therefore in general the concept of “cumulative radicalization” seems pretty appealing to me when it comes to understanding the escalation of social conflicts. I would not exclude the option of identifying a meaningful beginning of any given conflict by default, but I remain skeptical if it is not based on a too simple notion of mutual resentments. Eventually, just in case the assumption is correct that Armenians experienced discrimination in the Ottoman Empire, then clearly this would need to be taken into account when one tries to define a beginning in this conflict. The same applies of course also to all the violence that occurred already in the course of the nineteenth century, and the years preceding World War I. Both sides, pro- and contra-genocide, emphasize in their accounts the numerous massacres prior to the events of 1915. Therefore I think the term *kumulative Radikalisierung*, cumulative radicalization, initially coined by Hans Mommsen with regard to the Shoah, may be a conclusive approach to frame this tragedy.577 If this is granted, then with regard to blame for the eventual outcome I think more important than establishing a “who started?” would be questions about which actors at what point in time had the option to de-escalate this maelstrom of violence. Thus, if historians want to engage in this kind of reasoning, they in my opinion need to determine if the notion of a “first”, a beginning of the violence can be seriously established, and of course why and at what point in time. I think “the rise of Armenian nationalism”, or “Armenian revolutionary activities” are

inadequate as a starting point – they clearly neglect any interdependence of these activities with the comportment of the Ottoman government or the majority population. And if a beginning cannot be seriously established, or actually even if it can, then an equally important historical task is to identify at what points in time which options for de-escalation existed, and why they were not realized. Or, heading for the other direction, at what points in time options to fuel this conflict were indeed grasped by certain actors. To make a moral judgment about a series of events and to address the question of responsibility for them, we must not only look at the question who started the wrong, \(^{578}\) but also at subsequent developments and how to evaluate those.

Just to conclude this section: I have tried to explicate a number of premises inherent in this argument. I am very well aware that all of them are still very vague, difficult to operationalize, and most likely impossible to answer anyway. They are already so for contemporary conflicts, how much more for one occurring almost a hundred years ago. However, I wanted to elaborate on them to demonstrate my uneasiness with the path of letting historical “facts” decide. More than that, even if historians could produce all the evidence to answer these questions, I am afraid I would be stubborn and foolhardy enough to discount them all by further questioning if they are of any relevance in the first place. In the end, there are unfortunately also some theoretical implications in this line of reasoning which need to be considered.

### 4.8.2. The Importance of Choice.

I think it is worthwhile to consider the role of choice in this argument before I proceed. Certain phrasings render the imposed Ottoman policies as a “necessity”. \(^{579}\) Following Michael Walzer, what the trope of necessity accomplishes is a doubling of the indispensable and the inevitable. It presents a particular scenario of the future as a matter of certainty instead of probability and risk (it is inevitable if one does not react exactly the way one proposes), and merges this certainty with the tacit assumption that the advent of this future is an unacceptable option (it is indispensable to resist this future). So, also these kinds of necessities are not necessary by nature but rather necessary after certain decisions and choices have been made. \(^{580}\)

Necessity in my opinion allows for two readings with regard to choice. First, there was no real choice in the first place, either because there simply was no other option or because the

\(^{578}\) See also Walzer (1977): 33.

\(^{579}\) For an argument against the “necessity” of the Ottoman reprisals, see also Guroian (1988).

opted solution was “natural”. Both result in the conclusion that the eventual measures were inevitable. This, in my opinion, is too narrow-minded. Choice is always involved, and it is in my opinion unacceptable to justify a particular choice as being “natural” in politics. I believe it is among the characteristic features of politics that choice is always involved, and it is a defining obligation for politicians to search and even create choices, i.e. possible solutions. If there were no choices, than we could just as well place some automatons at the top of our polities – but we would certainly not need educated, respected, and well-paid personalities. The reference to necessity is a rather cheap rhetorical strategy to defend a certain policy, or to conceal the incapacity (or unwillingness) to seek other solutions.

For sure and at the very least there is always the option between action and non-action, even if this would have caused the disastrous consequences for the nation which many contra-genocide authors suggest. Anyway, in this case for sure there was a range of choices available for the Ottoman government. For instance, they could have recoursed to a potentially infinite selection of reforms, as had been demanded by the Armenian minority for decades. In other words: what might have been required was political innovation, but instead the Ottoman regime resorted to actions which have been enacted already multiple times before, by the Ottoman Empire and other, notably European, countries just as well. However, that does not automatically make it the only or a good choice, but only a conservative choice. Therefore, choices for sure were involved, and this fact should not be obliterated to justify such actions. If choice is omitted then agents are stripped of all responsibility, and this is a catastrophic conception of politics and human affairs in general. It also denies or at least neglects the possibility of (or even obligation for) innovation. And in that sense, such a perception would be but too conservative and narrow-minded. Therefore, descriptions of political processes should never convey a notion of natural outcomes or consequences – if the immanent option of choice is denied, there is no need for a political process as such and we could strip us just as well of all the democratic hardships and the idea of responsibility and accountability.

The second potential reading of “necessity” is well aware of the presence of alternative paths, but generally considers it to be the best, and by implication a legitimate choice, albeit in a wide range of interpretations to what degree it was so. It could be read modestly as the option which caused the least evil. Since I by principle consider it unacceptable to consider it the only choice, for the remainder of this chapter I shall understand this argument as one which ultimately asserts it was a right choice.
4.8.3. Who Is Threatened?

Above I wanted to question if the alleged “Armenian” revolt was indeed as morally wrong as this argument about national defense presupposes. For the remainder of this chapter I want to assume that this is actually the case, simply for the sake of examining the rest of this argument a bit closer.

Regardless of the actual historical context, just like all other arguments also this one presumes a theoretical and evaluative foundation as well. Basically, in my opinion the argument rests on the notion that it is right for a state to revert to repressive policies against a minority group if the nation is considered to be threatened by this minority group. As Ambassador Gündüz Aktan put it:

“Relocation was initiated in response to the request Enver Paşa made as a result of the developments taking place on the eastern front. It was aimed at eliminating the threats the armed elements inside the Armenian population in collaboration with the Russian troops posed against the security of the Ottoman army. This military requirement constitutes, from the standpoint of international law, permissible grounds for a forced population transfer.”

To start out with a few theoretical remarks on this argument, I would like to suggest a differentiation I hope will turn out beneficial for analytical purposes: who was it that the Armenian revolutionary activity indeed threatened?

Maybe it is just me, but in the texts where this very argument is put forward it does not seem as if finer qualifications of the relevant entities and their definitions are payed great heed to. They refer to threatened entities such as “state”, “government”, “people”, “Muslims”, “Turks”, even “homeland”, but they appear to use them interchangeably. It is left to the imagination of the audience whether they were all menaced independently from one another because the Armenians wanted to harm them all, or whether they were assaulted by virtue of their interdependency, for instance the Armenians actually targeting the Ottoman state but because of this they also affected, say, the Ottoman Muslim population. It is of course very well possible that the reason for this omission is that the threatened entity and its relation to other entities is all too obvious for these authors, but I confess the only resolution I can infer is that they are considered identical for their analysis. In other words: any threat the Armenians posed to the Ottoman Empire as a state was necessarily (behold: here we meet necessity again, at least in my insinuation) also a threat to its population, and to some other elements such as “homeland” or “nation”.

581 Aktan (Source 31: 307).
To give but one example I would like to quote renown historian Bernard Lewis at length, and emphasize the various entities involved:

“For the Turks, the Armenian movement was the deadliest of all threats. From the conquered lands of the Serbs, Bulgars, Albanians, and Greeks, they could however reluctantly, withdraw, abandoning distant provinces and bringing the Imperial frontier nearer home. But the Armenians, stretching across Turkey-in-Asia from the Caucasian frontier to the Mediterranean coast, lay in the very heart of the Turkish homeland – and to renounce the lands would have meant not the truncation, but the dissolution of the Turkish state. Turkish and Armenian villages, inextricably mixed, had for centuries lived in neighbourly associations. Now a desperate struggle between them began – a struggle between two nations for the possession of a single homeland, that ended with the terrible holocaust of 1915, when a million and a half Armenians perished.”

To summarize the logic in this citation: there is an ultimate threat, namely the loss of “land”, i.e. territory, or more importantly: “homeland”. This loss apparently represents a threat since it is equivalent to a “dissolution of the Turkish state”. This, in turn and beyond doubt, is introduced as “the deadliest of all threats” for the “Turks”. The conflict hence includes the state level, which is equated with certain communal groups, i.e. particularly distinct “nations” (even though at the village level they had been “inextricably mixed”), and stretches down to a very basic level of human being (“villages”), hence by inference goes all the way down to the individual.

This distinction of mine between who is actually threatened may of course be considered highly artificial: there is sound reason to generally assume an interdependency for instance between the security of a state and the security of its people. Ideally the state guarantees order and fairness among its people, and social peace may naïvely be assumed to increase the chances for a stable environment in which a state can exercise its authority. My point is simply that this relationship is not a deterministic one. Defiant acts, possibly even terrorist attacks, can have a severe impact on state sovereignty and integrity without simultaneously causing much suffering in the population. At the same time, actions can cause tremendous suffering among the people but leave the state actually stronger – and indeed as history provides ample evidence, state authority is often increased at the expense of individual human welfare. This applies even more for the objectives of such actions: for instance secession means of course a heavy blow to territorial integrity and sovereignty, but it may not worsen the lot of the affected people – it may even improve it. It may even be in the security interests of the subjects if the state cedes to calls for reforms or independence, even though that may

582 Quoted in Melson (1992): 153, italics added.
583 Even though I would like to add that secession may also enhance sovereignty of state, if it means that a defiant part of the territory is removed and thereby sovereignty in other parts is amended.
hurt the state as an institutional entity. Similarly, actions to ensure state sovereignty and integrity may endanger the population – familiar examples include a state going to war, or dispatching paramilitary forces to the defiant areas in order to crush an emerging revolt by terror and oppression. And the same applies of course also to the intent of political activity: it can be performed with the intent of harming the state but not touching any other human being, or the other way around. So, my point simply is that admittedly in practice the “security” of such entities as listed above go hand in hand – but not necessarily so, and it needs to be demonstrated in any particular instance.

However, I do not want to go in that direction for the case studied here. With the little historical knowledge I possess it seems still plausible to assume that back then a threat to the Ottoman Empire also put the majority of its population at risk. Yet there is also another reason which I think may render this distinction important, and that is the evaluative dimension which is an intrinsic feature of every argument. Ultimately, I naïvely presume consensus that the various policies employed by the Ottoman Empire are not *per se* a “good” deed.584 We do not impose measures such as those applied by the Ottoman Empire on its Armenian population just because they are an end in themselves, because it was a good for the Armenians. However, what the argument examined here rests upon is that there are other reasons that nevertheless warrant doing so. Of course the cited reason must then be judged to be of higher importance than the evil that is inflicted on the affected individuals. And this is the point where my suggested discrimination becomes relevant: what is the value that is considered higher than the well-being of the Armenian subjects of the Ottoman Empire? What value justified the repressive policies adopted against the Armenian population of the Ottoman Empire? Is it the “survival” of the Ottoman Empire as a state, the well-being of its subjects, the “homeland”, the Turkish “nation”, the military triumph at a time of war? Or a combination of these, or something altogether different?

I think this question is not only relevant in historical hindsight but much more with regard to our present value system and the policies we deem legitimate and are thence prone to adopt in the future. I think it is important that we are pretty clear on that, and that is a critical point I wish to make with regard to this argument about national defense. If these entities – homeland, state, people, nation, whatever – are treated interchangeably, without proper distinction, they for one thing (a) suggest they really are one and the same thing. By the same

584 Whatever they may now be called, and whatever may now be subsumed under these state measures: relocation, dispropriation, genocide, deportation, massacre, and so forth. The point here is merely that the state resorted to some actions which ran against the will and interests of the affected individuals, therefore they cannot be considered innocent or good deeds in themselves and hence require additional justification.
token, (b) this multilayered and nebulous entity justifies the measures taken by the Ottoman government against its Armenian population. It becomes a value strong enough to render the violation of rights of an entire segment of the population *right*. What is left open by the failure to discriminate between the various components is a clear determination what this entity is: is it the ensemble, the conglomerate of the components (such as state, people, territory, the idea of a nation etc.)? Is it already each one of these by itself (e.g. is the state already sufficient a reason to justify the measures)? Or is it something of a different quality, a new entity emerging from their amalgamation?

The interpretation that worries me the most is the middle one: that each of the distinct components in itself already warrants oppressive policies of a government against its population. Since in the argument these entities are not sufficiently discriminated (and as far as I can tell they hardly ever are when “national security” is invoked), it appears as if the threat to one of them implies a threat to the others as well. The option that a state may for instance cease some of its territory or power in order to enhance the well-being of the population becomes out of question. Eventually each of them needs to be vigorously defended, because the demise of one of them necessitates the demise of them all.

In my opinion this is what essentially the idea of nationalism winds up with: a (nation-)state with a homogeneous national population, covering a well defined national territory which is mystified as “homeland”, and this ensemble, the nation, constituting a value in itself. A rather high value indeed, possibly even beyond the value of individual citizens’ well-being, hence legitimizing a number of far reaching actions – including violations of individual citizens’ rights. I shall come back to this issue of nationalism at a later stage (see section 5.1).

Here I want to add just one last clarification: my cause is not to represent the argument as altogether invalid or misleading in itself. A desperate idealist I may be, yet there are unfortunately still sufficient realist forces in me which save me from entirely rejecting this argument. It may appear justified in times of utter distress that repressive policies are applied. Among the crucial demands then are, at a minimum, that (a) there is a value important enough to justify repression; (b) this value is sufficiently endangered to warrant oppressive policies; (c) serious efforts have been made to find and realize alternative solutions; (d) these oppressive measures are proportional to the value and its threat, because in

585 With “repressive policies” being understood in a very wide sense. Thus, we accept “repressive policies” in our daily lives anyway, given that no country I know of grants unrestricted liberties to its citizens. I would also like to differentiate my argument from Walzer’s (1977: 252-268) “supreme emergency” in which all kinds of acts are allowed: first, I disagree with him about what constitutes a case of supreme emergency, and as a consequence of this I secondly also disagree with him that everything is permitted under such circumstances.
the end these measures should do the smallest possible harm; (e) repression is closely monitored so as not to get out of hand; (f) repression is discontinued at the earliest occasion; (g) to try to make amends afterwards for all the damage which resulted from this policy. My point is thus not to generally accuse those who bring this argument forward of some nationalist sentiment, but to raise the issue that they need to examine their arguments and their formulations carefully, otherwise they might foster a nationalist cause.

4.8.4. Who Is the Threat?

There is another point which seems to me noteworthy about this argument, and which derives as well from deficient differentiation. I assume now that the Young Turk government based their disputed policies on national affiliation. By extension any contemporary author who presents these policies as right also needs approve of this national paradigm. As might have been guessed from all my neurotic concern for justifications, also this decision of course requires – justification! Basically this raises at least two questions at this point: (a) about the vindicability of the very concept of nationhood in the first place; and (b) about the appropriateness to ground state policies on it.

Starting with ethnicity in general, I am sure there is an immense amount of anthropological, sociological, political literature on the concept of nationhood (respectively some other concepts which are usually understood as equivalent, such as ethnicity), and I am not very familiar with it and therefore can only pose a few humble questions. For instance, it is a platitude to claim yet I have not come across a convincing refutation that national (not state) boundaries are not that clear-cut and well-defined. Of course it is true that the polity needs to apply its policies to collectives and not individual citizens, and that often no better labels are available, and that nationhood is even an important criterion simply because it also resonates and thus works in social reality, because people understand and accept the notion (or: the meaning) of nationhood, because by and large they want to belong to a nation, they want their nationhood to constitute and make a difference. I confess that I have no problems with the notion of nationhood in principle: it is an appealing analytical tool, and it is beneficial where it advocates social solidarity and integration. Therefore I am more than willing to accept these reasons to a certain extent. But there are important caveats and objections, most notably that these are only pragmatic vindications to revert to nationhood,

586 As I shall discuss below, nationhood is of course an ambiguous concept. However, that does not necessarily disqualify its usage in this section, since despite (or because of) its ambiguity it was the very concept upon which policies were based back in 1915 – and upon which they are frequently based until today. For the purpose of this section I suppose it comes closest to my personal notion of ethnicity.
not because they possess some fundamental truth-value. In the end, in its structural characteristics nationhood resembles other concepts which eventually were taken too literally and produced hazardous outcomes – and at least in a German environment have become with good reason a taboo: thinking for instance of “race”. 587 Hence, being a layperson in conceptualization and discussion of nationhood, I accept it at least as an analytical tool and cherish it where it produces positive results for all affected individuals, but I remain cautious where it generates negative outcomes for certain individuals, such as decreasing social solidarity between different nations or impedes integration within one territorial community.

Proceeding to the appropriateness of basing policies on nationhood, I would like to question whether the Ottoman authorities were right in implementing their repression in this instance on a national paradigm. In the end, should the people here be punished for “performing rebellious acts and endangering the Ottoman Empire”, or should they be punished for “being Armenian”? In other words, if the crime is “performing rebellious acts and endangering the Ottoman Empire”, why punish those who commit the act (the crime?) of “being Armenian”? If group A should be punished, why punish group B? Only because A happens to be a subset of B? As stipulated at the beginning of this chapter, this appears to me what the Ottoman authorities were doing: subjecting their citizens to repressive measures by virtue of national belonging, not because of their individual actions. They converted a national into a political divide: group A is a political group (revolutionaries), whereas group B a national one (Armenians), and by pursuing discriminatory and discrediting policies against group B they converted the national group into a political one. 588 Who they wanted to target, at least according to the contra-genocide argument discussed here, were the Armenian revolutionaries; but who they deported were the Armenians. My further assumption is that they thereby harmed a number of innocent people as well, because group A (the “revolutionaries”) is a subset of group B (the “Armenians”). Group B therefore unfortunately

587 Which is not to obfuscate important differences between race and nationhood! It is comparison, not equation…

588 Some may object that this conversion had already been accomplished by the revolutionaries earlier on; however, I believe that is again a different understanding of the concept of nation than the one I am following here. The revolutionaries transformed „being Armenian“ in a political concept because they sought a political community which was rooted in this „being Armenian“. Yet thereby they only made the abstract notion of „being Armenian“, only the idea of „the nation“, into a political concept, and only in their own eyes and those who shared this nationalist view. I believe there were still large amounts of people who could identify as „being Armenian“ and not associate and political aspirations with this identification. But for them too this identification became political when the Ottoman authorities persecuted them for this identification – and no moment before that.
also includes some who do not fall into group A, are hence innocent – which in this case means innocent of any rebellious acts, aspirations, thoughts.  

4.8.4.1. All Armenians Are Potential Offenders.

Nevertheless, the argument of national security claims it was right to inflict these harmful actions on all these people: “I wish to demonstrate that the Ottomans were right in considering the Armenians to be their enemies, if further proof is needed.” In my opinion it can do so only by two extensions, the first one being discussed in this section and the second in the following one. The first rationale for persecuting all Armenians is simply (1) pragmatic: because B (nationhood) is a criterion easier to use for tracing and prosecuting the villains, at least easier than A (deviance). According to this logic, it was simply not feasible to differentiate between those who “deserved” being repressed, and those who would suffer innocently. This argument was indeed in a very concise form forwarded by one of the primary suspects in the events of 1915, the Minister of the Interior Talât Pasha:

“We have been reproached for making no distinction between the innocent Armenians and the guilty; but that was utterly impossible, in view of the fact that those who were innocent today might be guilty tomorrow.”

Its continuity remains until today, as exemplified by historian Stanford Shaw who argues that it was simply “impossible to determine which of the Armenians would remain loyal and which would follow the appeals of their leaders [i.e. to support the enemy].” It should be noted that the author here desires not to defend coercive measures against people who have actually committed offences, but who might do so in the future. Hence, what they essentially justify is to take repressive action before they may even have decided to plan such an offense.

Now, I would say it is not very surprising that it is impossible to determine who will commit an offence and who will not. This is not a particularity of the Ottoman Empire or the turmoil of World War I but applies just as well today at times and places of social peace with improved bureaucratic and technical capabilities to exercise control. This may be the reason why criminal law usually requires people are punished only after the act, or at least once it is

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589 It may be worthwhile to establish a link to the previous discussion of “collective guilt”: would it not be rather inconsistent to refute claims of a collective guilt for performing any massacres and various other repressive policies, while at the same time stipulating that “the” Armenians acquired collective guilt because some of them engage in resistance? Of course the same applies as well: alleging some obscure collective guilt against Turks, while at the same time rejecting that label for the Armenians in the Ottoman Empire.

590 McCarthy (March 24, 2005; Source 5).

591 Quoted in Guroian (1988): 143f; also found in Melson (1988): 78. However, it should be noted that both give different sources for the quotation: for Guroian it comes from an interview Talât had with the Berliner Tagblatt in 1916, whereas Melson cites it as coming from a conversation Talât had with the Ambassador of the United States, Henry Morgenthau.

proven they intended to commit the wrongful act. By contrast, what is proposed here is that (a) their all being potential perpetrators justifies subjecting them all to collective suspicion, and (b) their all being suspects justifies subjecting them all to repressive policies. I apologize for polemical imputation, but would that not mean that every government that feels threatened is right in pursuing coercive measures against its perceived enemies? If so, this appears a pretty authoritarian and arbitrary notion of order and government.

Furthermore, it also raises the question whether the perception of someone else as a potential threat justifies aggressive policies against her? In other words: if person A thinks of person B as a threat, does that give A the right to attack B? Is the problem we should consider and amend then really with B, or would it not be more apt to identify it in the perception of and hence with person A? Perceiving somebody as a threat as such must not be considered a viable justification, the perception must as well be justified.

Anyway, leaving aside my insinuations, according to this logic the reprisals were an utmost necessity and harming a number of innocent was deemed the lesser evil. Two points I think deserve mentioning: (a) it should be noted that this is an essentially pragmatic rationale; we know what we are doing constitutes an injustice, but we simply do not know how to do better. To argue this way may be acceptable to a certain extent if uttered by those who are forced to make and implement a choice; but it does not justify asserting this was simply a thoroughly good choice by principle – this in my opinion has a drastically different meaning. If such a decision is taken merely for pragmatic reasons, responsible decision-making would need to clearly mark the decision as such. Otherwise it may easily be misunderstood by malintentioned interpreters like me who take such statements literally, and then eventually it may create its own dynamic and take things to farther, possibly fatal extremes.

And (b) it of course requires deeper historical justification, especially with regard to proportionality. Let me somewhat polemically summarize it in a set of questions: was the value that was threatened (state, nation, people, territory etc.?), and the extent to which it was threatened (its power, its survival, its integrity, its well-being, its extension?) sufficiently important to justify the repression, including death, of a significant amount of the population? In other words: was the damage some Armenian “traitors” could inflict really worse than the dispossession and dislocation of a few hundred thousand or even million people, resulting in the death of three hundred thousand or even one and a half million of them? Were these traitors really so wrong in their aspirations and deeds that they deserved this punishment? In other words: was the motivation of the “traitors” among them so malevolent, and their deeds (sometimes demanding reforms, sometimes demanding independence, sometimes demanding
negotiations and discussions, sometimes forming armed guerillas, sometimes deserting the
Ottoman army either to simply abstain from war but sometimes to join Russian forces) so
outrageous to justify stripping them all of civil rights and threatening their well-being,
ultimately exposing them to the risk of death? And finally, was it really not possible to
sufficiently discriminate between the culprits, so that an entire segment of the population had
to suffer? In other words: was it not possible to discriminate between traitors who seriously
threatened national security, and was it really justified to therefore simply subject everyone to
these reprisals, such as children, the elderly, the sick, the handicapped? 593

As Michael Walzer acknowledges, resistance to terror may involve some repressive
instruments, but it is important to take care that they do not turn into a state-sponsored form of
terrorism themselves. And the important difference between resistance and repression is not
that counter-terrorism is merely a reaction, because also terrorism is a reaction to something;
instead the difference is that counter-terrorism is aimed exclusively at the actual terrorists
themselves, not at those for whom the acts of terror are presumably performed: “Repression
and retaliation are legitimate responses to terrorism only when they are constrained by the
same moral principles that rule out terrorism itself.” 594

4.8.4.2. All Armenians Are Actual Offenders.
Interestingly now, at least to my knowledge this point about inevitability of harming also
some innocents is rarely explicitly mentioned, I suspect because it is simply accepted. But
maybe it is also less frequently encountered because another rationale appears to be much
more prevalent. This second potential justification would claim that (2) group A is not just a

593 See also Kuper (1980): 114f. Schabas (2000: 340f) rules out that reprisals or military necessity can serve as a
defense to the charge of genocide, since they clearly violate the principle of proportionality. It may be objected
that this is slightly different from the argument here, since this contra-genocide point does not deny that
genocide was justified for these reasons, but rather that a policy cannot be considered genocide for these reasons
to begin with. But I believe eventually they are indeed one and the same argument, only invading the debate at
different points.

594 Walzer (2004): 61. At another place (1977: 191f) Walzer makes a different point with regard to
proportionality of relocation: such resettlements may in some cases be vindicated, but then only if (a) the
numbers of the affected persons are limited, (b) they receive adequate economic support, and (c) they are moved
to a comparable living space.

Maybe one more side note: in one of the few trials which were held right after the war to try some of the
Ottoman officials, called the Yozgat trial because it covered events taking place in and around the Turkish city of
Yozgat, the reason for the judgment rejected the defense’s invocation of an Armenian uprising in order to justify
the measures taken by the authorities. The trial hence ended in a conviction, including one death penalty for the
muntessarif of Yozgat, Mehmed Kemal, for premeditated murder (see Höss (1991): 73-84). Of course contra-
genocide authors have repeatedly emphasized that these trials were rigged and indeed nothing but victor’s justice
(for instance McCarthy (2005)), so I just wanted to add it as a “little side note”, albeit a suggestive one...
subset of group B, but they equal each other, they are indeed identical. Here the logic stipulates that there were no innocent victims, that indeed all who were affected by the reprisals deserved being so. I hasten to add that this explanation is hardly ever explicitly offered; but unfortunately the aforementioned lack of differentiation at least to my perception unambiguously implies that “the Armenians” revolved bloodily against “the Turks”, and therefore “the Turks” were right in imposing precautionary or punitive measures on “the Armenians”. So I believe there is a double reductionism in the recourse to national defense: first the insufficient differentiation of the threatened element(s), i.e. between the various relevant entities of state, society, nation, homeland etc, as explained above; and second an insufficient differentiation of the threatening element(s).

In my opinion this second rationale, with all Armenians not only being suspects but in fact already being guilty can only be sustained by conceiving of this entire conflict as one between two homogeneous, monolithic blocs: the Turks versus the Armenians. This reductionism is exactly what the nationalist rhetoric in collective singulars (“the Turks” and “the Armenians”) accomplishes, and thereby tactily allows to proceed with arguments such as the one about national defense. Reiterating a quotation I have already deployed above:

“If genocide can be the action of one people against another, then genocide was definitely present in Eastern Anatolia. Both Turks and Armenians were its victims, and both were its perpetrators. Armenians killed Turks because they were Turks. Turks killed Armenians because they were Armenians. They had little choice.”

Here affiliation with the collectivity is total, and the option is turned into being either A and B, or being neither. There is no option of being B but not A, or being A but not B. Moreover, there are only Turks and Armenians, and also this is an exhaustive set: everyone involved belongs to one of these two peoples. And by consequence it is only logical to assert the righteousness of implementing such repressive policies because all the Armenians were

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595 This point may be quantitatively refined and qualified by asserting that they are merely “sufficiently” equal – but this would demand further explication of this presumed sufficiency and apparently exceed my proficiency in set theory.

596 And this differentiation of who/what is threatened implies another differentiation, i.e. what exactly the threat essentially is. For instance, it might be replicable that armed gangs fighting for a break-up of the Ottoman Empire are described as a threat. But are some local representatives who demand negotiations for further reforms (whatever their target: enhanced security, equality, autonomy…) also a „threat”? And if yes, are they of the same threat as those violent bands? Or is it rather a rhetoric device to summarize them all in one bucket, where usually the most extreme and loudest ones will determine the overall picture?

guilty of treason – or in the slightly less decisive but equally worrying understanding discussed above: not all were yet guilty, but those innocent were at least suspicious.598

This also points to a curious tension in many contra-genocide works: on the one side the effort to depict all the Armenians (or at least their vast majority) living in the Ottoman Empire as revolutionaries and terrorists. Otherwise the policy of deporting all Armenians from the concerned areas, of identifying terrorists by their being Armenian, would appear excessive and ridiculous. Yet on the other hand these same authors often stress that it was only a small segment of the Ottoman Armenians who revolted – otherwise the argument that the Armenians were well off and this uprising was illegitimate might be in jeopardy.599 As already noted the reference to Armenian nationalism and Russian or Allied propaganda does not appear too convincing: for one thing it does not seem very empathetic, maybe even arrogant to claim that they were all deluded while we know better about their own lives; and for another thing then this only begs the question why Armenian nationalism could become so successful? Maybe because they did not feel as well under Ottomann rule as contra-genocide authors suggest?

4.8.5. The Provocation Thesis.

There is a variation of the reference to Armenian violence which has been dismissed by some pro-genocide scholars, and appears quite frequently in the literature under the label of “provocation thesis”.600 What is rejected here is the argument that the Armenians engaged in aggressive behavior against the Ottoman Empire in order to provoke reprisals from the Ottoman government, which in turn should excite the European Powers to intervene on their behalf. Ultimately I decided not to treat it as a separate argument here because I consider it “only” an alteration of the reference to Armenian violence. However, the claim for Armenian violence in my opinion operates on a more general level, including many different motivations: reform, provocation, independence, autonomy, and so forth. What I have tried to

598 And just as a curious side note it may be of interest to mention the indignation with which Bilâl Şimşir (2003; Source 32) demonstrates how the British deported a bit more than one hundred Turks after World War I to Malta. And this is not to decry his endeavor of questioning the British policy, but to point to the irony of an outrage against these innocent detentions (presuming at this point they indeed were innocent), while at the same time hundreds of thousands innocent Armenians were deported and this does not appear problematic at all. Particularly as contra-genocide authors frequently tend to emphasize how little support the Armenian revolutionaries had and how they had to use violence to requisition the needed resources from the Armenian population, for instance in the already quoted passage by the Center for Strategic Research (2007; Source 29: 24), which asserts that “very few of the Armenian populace supported or helped the rebels of the revolutionary societies” (similarly Sources 5 and 30).

599 As Walzer (2004: 61) observed (although I believe more in a normative than in a descriptive sense), it is very important to deny that terrorism rests on mass support.

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put into question here was the validity of the claim as such, regardless of the imputed motivation.

Similarly, I do not think it makes an essential difference in the analysis and arguments I have presented above whether the Armenian violence is considered a direct threat, or an indirect one, operating via provocation of foreign intervention. The only difference I think is that the depiction of provoking Ottoman reprisals appears to be even more treacherous. But with regard to the legitimacy of the Ottoman response, it should not make a difference if the Armenian acts were now an “honest”, straightforward challenge or “attack” against its “homeland”, or a “treacherous” provocation. If the principle that one evil does not justify another is taken seriously, and that the (human) costs of oppressive government policies must be proportional to the expected benefits, then all what has been said applies to the provocation thesis just as well. Indeed, it may apply even “more”, since if the alleged Armenian violence was not even a serious threat but “only” a provocation, then the balance of proportionality clearly tips against the Ottoman government and its massive intervention…

4.9. Armenians as a Political Group.

For analytical purposes I have separated what frequently comes as one single statement, i.e. a reference to Armenian rebellion or aggression or violence, into three distinct points because they in my opinion allude to three different dimensions of arguing against the genocide allegations: (a) a diffuse reference to Armenian violence, basically to relieve the alleged guilt by Turkish perpetrators; (b) the invocation of intercommunal warfare, which functions mostly by disguising the agency of the Ottoman government; (c) the perception that the Armenian aggression constituted a threat to the nation, understood as the Ottoman state or the population or whatever, and therefore the Ottoman government had no other choice but to impose those reprisals. There is a last potential conclusion which is drawn in but one of the texts which I have come across, in an article by the former amabassador of the Republic of Turkey, Gündüz Aktan. 601

He first points out that political groups are not protected by the UNGC. He then reminds that Armenians engaged in violent opposition against the Ottoman government, most notably by the revolutionary committees already mentioned, the Hntchaks and the Dashnaksutiun, demanding political reforms, or local autonomy, or in the worst case even secession and the foundation of an independent Armenian state. He argues that because of this, the Ottoman

601 For the following see Source 31.
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government was forced to take measures to suppress this insurgency – an argument discussed already above. However, he goes beyond this and proceeds that by virtue of this agitation and rebellion the Armenians indeed constituted a political group: “Historical research clearly shows, on the other hand, that the Armenians constituted a political group par excellence that engaged in armed political activities for independence.” And therefore Armenians were targeted as a political group, which is not among the group types protected by the UNGC, and therefore these events cannot be considered genocide. A position he also expressed on April 30, 2001: “Given the fact that the Armenians in the Ottoman Empire made up a political group fighting for national independence, crimes against them do not constitute genocide. There was no racial hatred towards the Armenians in Ottoman Turkey.”

I have already explained in the previous section why I do not fully support this view: just from the perspective of set theory, the argument above rests on an equation of the group of revolutionaries with the group of Armenians. That is, all elements (members) of one group are found also in the other – no more and no less. In my opinion it is not reasonable to assume that indeed all of the hundreds of thousands of Armenians who were subjected to the Ottoman reprisals sympathized, not to speak of engaged in revolutionary activities, including all the elderly, sick, children and so forth. In any case this guilt was certainly not established in a judicial or any other transparent and fair proceeding, except maybe for a marginal portion of them. Therefore, the persons subjected to deportation were selected based on their ascribed national identity, and not because of their political position. And that is why the deportations were essentially targeting a national rather than a political group. Even if these oppressive measures were conducted for political motives, that does not alter the selection of victims and hence the nature of the victim group.

Where Ambassador Aktan may be right is that the Ottoman government considered them a political group, but that is far from proving they actually were such a group. Indeed it probably more indicates that they committed the same error which Aktan suggests with his rationale: the collectivist fallacy, the assumption of collective agents. And beyond that, this kind of equation of a national with a political group, of simply converting nationhood into a political category, might in my opinion exactly what lies at the heart of nationalist and genocidal policies.

602 Aktan (Source 31: 283).
603 Quoted in Phillips (2005): 46. This conclusion is not drawn in any other text I have come across, but may be suggested or at least endorsed by Source 14 when arguing that “[t]he Armenians took arms against their own government. Their violent political aims, not their race, ethnicity or religion, rendered them subject to relocation.”
It is for this simple reason that I do not accept the argument forwarded by Aktan. Moreover, even if it is considered true, I think it is important to emphasize also for this argument that it is a purely formal one. In other words, if political groups had been included in the UNGC, as some commentators demand today and as was even discussed while drafting the convention, then this argument would not suffice to reject any genocide allegations. Moreover, by its formal character this argument does not include any implications about the meaning we should attach to these events. It may refute the simple label “genocide”, but it does not refute the notions of victimization and responsibility which are intrinsically forwarded with the allegation of genocide. Even though this is not stated anywhere, it may even be read that such repression of a national group is indeed a criminal act, but if it is conducted against a political group it is or at least may be justified: “Under the circumstances, the Armenian relocation was legitimate.”604 By implication this seems to suggest that it is legitimate to persecute a national group for political ends.605 And this in turn leads us back to the discussion about national defense, i.e. the pivotal question what values could justify repression on such a grand scale against a civilian population.

4.10. Aufrechnung Against Other Genocides.
The previous sections basically explored a logic which relieves the responsibility of the Ottoman government by directing attention to the violence originating from Armenians. Interestingly, there is another form of such an Aufrechnung flaring up occasionally which does not refer to these events themselves but to other events in world history, arguing that there is a disproportionate attention on Ottoman offenses while similar crimes are ignored when conducted by other offenders. For instance, former Turkish Foreign Minister Gündüz Ökçün claimed in an interview with the Armenian Reporter in 1978: “I think the Turks were mostly picked on. There are many other peoples of the world who could have been blamed for their attempt at committing genocides in the nineteenth as well as the twentieth century.”606 More recently, Turkish Foreign Minister Ahmet Davutoğlu replied to genocide allegations by French President Nicolas Sakozy:

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604 Aktan (Source 31: 308).
605 Even though I have to add that I am not sure I completely understand Ambassador Aktan’s position here. Initially he asserts that a group which is victimized in a political struggle is still victim of a crime (albeit not genocide), but after identifying the Armenians as a political group he claims that the repression they endured was legitimate. So maybe victimization for political objectives sometimes is a crime and sometimes it is not?
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“Any state or society who has a colonial past and cannot face its own history does not have the right to give lessons to Turkey. Those who want Turkey face its history should look into mirror.”

And Prime Minister Recep Tayyip Erdoğan was even more specific when a draft law was debated in the French National Assembly to criminalize denial of the Armenian Genocide:

“There were reports France was responsible for the deaths of 45,000 people in Algeria in 1945 and for the massacre of up to 800,000 people in Rwanda in 1994. No historian, no politician can see genocide in our history. Those who want to see genocide should turn around and look at their own dirty and bloody history. The French National Assembly should shed light on Algeria; it should shed light on Rwanda.”

At other times the point is not made as clear as here, for instance merely by recalling other events of mass violence in human history in order to put the events of 1915 in their proper place. So did Professor Justin McCarthy explain that “[d]eportation of civilian populations because of real or imagined guerilla threats has been practiced by many modern

607 Quoted in Today’s Zaman, October 7, 2011. And Hürriyet Daily News on October 7, 2011, quoted the Foreign Minister as stating: “Those who will not be able to face their own history for having carried out colonialism for centuries, for treating foreigners as second-class people, do not have the right to teach Turkey a history lesson or call for Turkey to face its history. It will be very beneficial if France confronts its own history, particularly with African nations.”
608 Quoted in Hürriyet Daily News, December 19, 2011. See also Today’s Zaman, December 18, 2011. Note that this basically represents the argumentum ad hominem fallacy: the proposition of the other is incorrect because of the personal features of this other. In other words: how to evaluate a position depends on who advances that position. More strictly, it is the tu quoque fallacy, where the position of the other is undermined by the alleging she did not behave any better.

This points, by the way, to another peculiar way how certain arguments proposed by Turkish officials against this French law interact: for instance Foreign Minister Ahmet Davutoğlu rejected this bill as a restriction of speech, arguing that „expression of ideas that do not incite violence should not be criminalized simply because they are not liked” (and thereby generously sliding not only over the notorious article 301 in the Turkish Penal Code, but also similar laws protecting the remembrance of Mustafa Kemal Atatürk, or the Turkish protests whenever a political body recognizes the Armenian Genocide – note my own tu quoque reasoning here), quoted from an open letter reproduced in Today’s Zaman, December 21, 2011. And at the same time Prime Minister Recep Tayyip Erdoğan repeatedly criticized the French National Assembly for passing this bill, recalling the colonial past of France. In my opinion the Prime Minister’s position, his to quoque fallacy, is a wonderful example of restricting free speech just as well (even though not by criminalizing it but merely discrediting it by this fallacy): those with morally reprehensible elements in their own history have apparently lost the (moral) right to criticize others. Of course the division of argumentative labor between the Prime Minister and the Foreign Minister must be honored here, thereby avoiding that either of them traps into too obvious a contradiction. It is also interesting to see how Prime Minister Erdoğan rejects a politicization of the past and foreign interference, and then responds by doing exactly this, until even the Algerian Prime Minister Ahmed Ouyahia asks to “stop making capital out of Algerian colonization” (see Today’s Zaman and Hürriyet Daily News, January 8, 2012). Either way, we could also wonder whether there could be any opportunism involved in Erdoğan’s raising the Algerian massacres right at a time when he wants to hurt France, no day sooner in his long political career.

Note that my point is not a justification of the French law criminalizing the denial of the Armenian Genocide, or a defense of French colonial rule in Algeria – these are certainly another discussion. I am only trying to examine the peculiar arguments and positions which the representatives of the Republic of Turkey propose in order to defend their own position. By the arguments they offer they risk applying the very double standards and exploitation of others’ tragedies for political ends which they reproach others for.
governments”, 609 or the Center for Strategic Research recalled how Armenians have been deported throughout history by various nations they lived among. 610 Unfortunately the purpose of such statements is often not explicated, which leaves it quite a suggestive way of arguing. Anyway, I have to confess that I cannot really imagine another objective behind these sentences than putting the events of 1915 in their proper perspective (relativization), which in my mind is another form of Aufrechnung.

It is certainly true that there is a large number of events of mass violence and genocide which do not receive a lot of public attention. In that sense this argument is right in pointing out to its critics that we may be applying double standards. However, it seems this is rather making a case for bringing these other atrocities more into spotlight, rather than paying less attention to the events studied here. To resort to the somewhat artificial distinction I used above when discussing Armenian perpetrators, this point is only suitable to remind of other perpetrators as well, not to exonerate perpetrators or obliterate responsibility in this case. Reacting towards allegations by blaming someone else for her own misdeeds is hardly expressing a disposition to critically self-reflection and assume responsibility for one’s own demeanor. In other words: the argument becomes problematic where it leads us into accommodating our moral standards to a lower level, rather than a higher one.

There are a few almost paradoxical features of this argument which I shall try to explain by the example of Behiç Çelik, a MHP deputy from Mersin, who rejected the internet apology campaign in Turkey already mentioned in the introduction by explaining:

“Apologizing even for the deportation is not acceptable, because deportations have been carried out by many nations, not just Turkey. The US relocated Native Americans, Russia deported the Kazaks and the Crimean Tatars. Their intellectuals never apologized to anybody.” 611

Interestingly, the argument seems to suggest that the United States and Russia should be apologizing for their past misdemeanor. I think two potential conclusions could be drawn from this reasoning: (a) others have behaved badly, so it is right for the Ottoman Empire to commit the very same crimes; or (b) if it was not right for the Ottoman Empire to deport its Armenian citizens, still at least no apology is required because this is some kind of standard (best?) practice. I am inclined to claim that the first reasoning would hardly be defended by

609 Quoted in Hovannisian (1998): 211.
610 Center for Strategic Research (2007): 10 (Source 29).
611 Quoted in Today’s Zaman, December 6, 2008. Note also that he considers “Turkey” to be the agent behind the deportations, not the Ottoman Empire. And note the presumed agents in this statement, which are not persons but states, or probably even nations, given that it obviously was not the Republic of Turkey which deported the Ottoman Armenians but the Ottoman Empire.
anyone who subscribes to international humanitarian law. So if the second interpretation is accurate then there appears to be some concealed sense of guilt immanent in this reasoning, or at least a vague suspicion that there was something not quite right about these deportations. Another curious feature of this argument is that at least to my perception it rests on the assumption that the imperative to apologize does not originate as a matter of the relationship between wrongdoer and victim, and the event which happened between them. In other words, it is not by the act and the suffering of the victim that remedy becomes an issue. Rather, it is a matter of the various alleged perpetrators (or at least some other third parties, like the world public) to decide in which cases an apology (or compensation or the like) is indicated. If there is no one to effectively claim this remedy, then there is no need for it.

Anyway, in my opinion neither is there enormous pressure on the Republic of Turkey nor is it a seminal issue in international relations – much to the dismay of certain Armenian organizations, by the way. In fact, I am not aware of any demands on the international political level which call for the Republic of Turkey to pay compensations, secede territory or the like. Maybe it is even the Republic of Turkey which turns the whole story into a big issue, since even when other countries, their parliaments or governments or individual officials, express their opinions on this issue, as well- or ill-founded as they may be, Turkey reacts by threatening or even imposing sanctions, recalling its ambassador and the like (see also some examples in the introduction to this paper, section 1.2).

A special case for such implicit Aufrechnung with an entirely different event are references to the Nagorno-Karabakh conflict, and massacres committed by Armenians there. For instance when Parliament Speaker Cemal Çiçek argued on December 12, 2011, that it was ironic Armenia accused Turkey of genocide “while one of the biggest massacres of the recent past was carried out in front of the entire world in 1992 in Khojaly [Hocalı] village”, even mentioning that “current Armenian President, Serzh Sargysian took part in that massacre” where presumably 613 Azerbaijanis perished on February 25/26, 1992.\(^{612}\) The flashbulb effect and instrumental value which the term “genocide” holds in this maelstrom of allegations, and their clear intention of Aufrechnung becomes apparent when Prime Minister Recep Tayyip Erdoğan states that “[a]gainst the nonsense they [the Armenians] fabricate and disseminate in the world public opinion, we tell them the following: Talk after looking right into the mirror.

\(^{612}\) Quoted in Hürriyet Daily News, December 13, 2011. A similar point is made for instance by Mango (2001; Source 10).
If there was a genocide, it was you who perpetuated its most violent form”. 613 Certainly whatever may have happened to the Armenians in earlier times does not justify any crimes possibly committed by Armenian forces in the Nagorno-Karabakh conflict. However, by the very same token do these more recent atrocities reduce neither the responsibility of the alleged perpetrators some decades earlier nor the persisting need to recognize any past wrongs.

This brings me back to the issue of the relativizing quality in the trope of Aufrechnung, be it now by comparison with the violence of Armenian aggressors or with some other atrocities occurring in human history: I think it ultimately reflects a worrisome notion of responsibility. Certainly it would be wrong to expect morally perfect conduct. 614 Nevertheless, I think it would be erroneous to deduct from this that our moral standards and our responsibility for our behavior is relative to the behavior of others, such as “we must do as well as our neighbors, but no one can expect us to do better”. This opens the door for a race to the moral bottom, and in my insinuation also indicates a lack of moral and political vision for the development of the own community. Morality is not only a matter of perfect conduct – that might be a utopian vision bound to end in neurosis and rigidity –, but in our lived and therefore imperfect reality at least as much a matter of how we deal with errors and wrongs.

Likewise, Aufrechnung in this case reflects a limited understanding of the quality of the violated moral standards. As far as my humble understanding of international law reaches, which is not necessarily a reflection of our (my?) moral norms anyway, it rests on the presupposition that there are some standards which must be adhered to, which are not relative but absolute and universal, and which are basic enough that their violation is not just wiped off by a “we could not do better”. Therefore Aufrechnung expresses most of all a restricted notion of responsibility. I suppose the confession of fallibility and misbehavior requires more reflection and courage than behaving “right” all the time – and far more than the pretentious righteousness of claiming there is no wrong in the self.

613 Quoted in Turkish Daily News, February 27, 2008. This position is for obvious reasons also held by the spokesman of the Embassy of the Republic of Azerbaijan in Ankara, Elesever Salmanov, who published an article in Turkish newspapers in which he designates the massacres in Hocalı (Khojaly) “genocide” (Today’s Zaman, February 25, 2011). In a similar vein, in 1998 Azeri President Heydar Aliyev declared March 31 “genocide day” to commemorate the massacres of Azeris which Armenians performed in Baku in 1918 (see Bloxham (2005): 223). I would like to repeat that in line with my rejection of the trope of Aufrechnung, this is not to refute anything what is said about these other massacres, nor to exculpate or relativize any Armenian crimes there, nor to say anything about the Nagorno-Karabakh conflict in general; it is only about the discursive strategy of comparing suffering and evil, deflecting attention from one’s own responsibility, and discrediting an opponent.

614 I remember a quotation attributed to Hans Strotzka which I could not verify: „Wer edler sein will, als seine Konstitution es gestattet, verfällt der Neurose.“
4.11. Dire Conditions of Life.

The next argument I would like to discuss basically claims that the events under scrutiny cannot be termed genocide since the vast majority of victims was not actively killed, but rather perished due to the dire circumstances of war dominating at that time: disease, starvation, deprivation and so forth. As I understand it, this argument is often brought together and in overlap with some other claims, most importantly the civil strife one. It does not deny that people were killed but that these were small in number and due to the mayhem of the times. The vast majority of those who are today counted as victims of genocide were indeed victims of the circumstances of life, affecting all people in Eastern Anatolia. This also explains the large amount of Turkish dead at the same time. In the words of Turkish diplomat Kamuran Gürün, the argument can be phrased as follows:

“Various deaths occurred for various reasons during the relocation. Some of the deaths were due to epidemics, some were due to climatic factors, some were due to hardships suffered during the journey, some were due to attacks, because officials did not protect them or because some officials engaged in illegal acts. […] Who are the ones who can be pointed to as »murdered« in these deaths? Certainly not the ones who were killed while fighting, not those who died of epidemics of typhous, typhoid fever, cholera, and variola, which were then widespread in Turkey, or of famine. It cannot be claimed that they would not have died if they had stayed in their homes, because the epidemics spread to the areas of their residence and took hundreds of thousands of lives. […] Should we include in this group those who died because of climatic factors and the hardships of the journey during the emigration? We do not think so.”

And when in 1985 the US House of Representatives considered House Resolution 192, which aspired to acknowledge the Armenian Genocide, sixty-nine American scholars published an open letter in the New York Times and the Washington Post on May 19, 1985, arguing that “[t]he weight of the evidence so far uncovered points in the direction of serious inter-communal warfare (perpetrated by Muslim and Armenian irregular forces), complicated by disease, famine, suffering and massacres in Anatolia and adjoining areas during the First World War.”

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615 See Sources 4, 6, 14, 24, 29, 30, 31, 32.
617 This newspaper advertisement is reproduced also on the homepage of the Turkish Ministry of Culture and Tourism (http://www.kultur.gov.tr), in a historical section entitled “Armenian Issue Allegations – Facts CD” (downloaded on June 30, 2008, and checked again on September 11, 2010). It is also included in “Armenian Claims and Historical Facts: Questions and Answers” and “The Armenian »Genocide«? Facts and Figures”, both by the Center for Strategic Research (2007; Sources 29 and 30). For a comment on this advertisement, see Charny (2001).
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And then Turkish Foreign Minister Abdullah Gül stated in the already cited speech in the Turkish Grand National Assembly on April 13, 2005: “Furthermore, insufficiency of fuel, vehicle, food and other means in war days, heavy climatic conditions and outbreaks of epidemic diseases like typhus had also led to the increase of loss of human lives. In fact, the said time period was an era in which all Anatolian people shared the same fate.”

4.11.1. Discussion.

Also this argument deserves a couple of comments to clarify its applicability and range. To put it bluntly, it would be foolish to claim that no one at that time died because of the hunger and diseases and other deprivations soaring in times of war. And I have not come across a single text who would even attempt to deny this. What needs to be considered yet in more detail are the implications for the genocide allegations.

Apparently the argument does not exclude that any massacres occurred. What it does state is simply that the significance of these massacres is overrated, given that a large part of the victims actually perished due to the dreadful circumstances of life. Indeed, there is no explicit mention of the concept of genocide or why it should refute the allegations, so I can discuss its relation only by assumption.

What I suspect is that the argument tries to suggest that it was not that bad at all, massacres may have occurred, but they were limited in scope given the large amount of people who died for other reasons – in all segments of society. It is hence a wonderful example for what is often described as relativization: reducing the cruelty and atrocity of the entire story by emphasizing the normality of the events, describing the deaths as an inevitable characteristic of such times. Relativization for sure is not in principle wrong, indeed even imperative where disproportionality is prevailing. On the other side, the relativizing point should not be overstated either, lest it misleads into just the opposite disproportionality: that the presence of these “normal” deaths leaves it a “normal” event in human history, maybe tragic but nothing extraordinary or evitable. This is not meant here with reference to a proper balance in the numbers of victims: any such number is extremely difficult to establish. Rather, it is conceived of as a balanced evaluation of this argument as regards the meaning of these events in general.

With regard to the concept of genocide itself, it should be recalled that the UNGC does not comprise any quantitative criterion for genocide, neither in absolute nor relative terms. It only requires that acts are committed to destroy a group “in whole or in part”. Under this

618 Gül (April 13, 2005; Source 4).
formal definition, even if the vast majority died from hunger and deprivation the events could still qualify as genocide as long as some others were massacred according to the criteria outlined in the UNGC. It seems therefore plausible to assume that also in this argument the intention is not to refute the genocide allegations, but to undermine the meaning of genocide in this particular instance. That is why I consider it as relativization rather than a formal refutation of the genocide allegation: stressing the normality of the events by implication denies the gravity inherent in the alleged genocide.

To explicate my cautiousness of dubbing the entire sequence of events “normal”, maybe it is worthwhile to bring to mind the third out of five types of actions constituting genocide according to the UNGC: “Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part”. 619

What can be seen is that the UNGC does not require outright murder for an event to qualify as genocide. Rather, also other repressive actions which indirectly contribute to the demise of individuals are genocidal acts. As William Schabas pointed out, not only the commission but also the omission of action might be punishable as a crime of genocide from a legal perspective. 620 Thus, if a government decides to subject an entire group of people to dispossession 621 and to force them on a journey to settle them in a desert area hundreds of miles away, 622 and if all of this was conducted in times of war and through an area roamed by tribes and gangs who are themselves deprived individuals ready to raid and kill such convoys; just on a general level, if any government would adopt such policies it seems reasonable to at least suspect this particular government inflicts conditions of life which involve an apparent risk to bring about the affecteds’ physical destruction in whole or in part. 623 For these actions

619 Convention on the Prevention and Punishment of the Crime of Genocide (December 9, 1948), article 2 (c).
620 See Schabas (2000: 156) explaining that the International Criminal Tribunal for Rwanda (ICTR) in Prosecutor v. Kambanda ruled on September 4, 1998, that the accused was guilty of genocide by his “action and omission”, and likewise the prosecutor at the International Criminal Tribunal for the former Yugoslavia (ICTY) in Prosecutor v. Kovacevic and Drljaca accused the defendants of committing genocide by their “acts and omissions”. Note, however, that such omission is not the same as negligence, because omission can still be a result of genocidal intention whereas negligence by definition occurs without any specific intent (see Schabas (2000): 227).
621 Even if some contra-genocide authors may argue that the deportees were allowed to take limited possessions with them (which many a pro-genocide author would contest) while their immovables were only seized and administrated by government officials until their anticipated return – ultimately the point is that the deportees were dispossessed of crucial means of survival in times of utter distress, including their homes (a shelter), land for cultivation etc.
622 In the words of Turkish Foreign Minister Abdullah Gül: “to transfer the Armenians who live in war areas to the Ottoman territories in the south” (Speech in the Turkish Grand National Assembly on April 13, 2005; Source 4).
623 Indeed the ICTR in Akayesu interpreted this very point of the UNGC as to “include, inter alia, subjecting a group of people to a subsistence diet, systematic expulsion from homes and the reduction of essential medical services below minimum requirement”, and also the International Law Commission (ILC) considered
to qualify as genocide obviously also genocidal intent needs to be present, as implied by the terms “deliberately” and “calculated”, but I will cover this in a later chapter (see section 4.12).

Disregarding any definition and the very concept of genocide, I want to return to the meaning of these events: If the conditions of life were so harsh at this time (and beyond a doubt they were) that a substantial amount of citizens perished anyway – what are we to think of a government which tremendously aggravates these burdens for some of its citizens? That their deaths were hence “normal” under the circumstances of the times? Circumstances for sure were dire, but the Young Turks regime deliberately exposed the Armenian population to these dire conditions, and significantly aggravated them. And even if then Turkish Foreign Minister Abdullah Gül was right in his assertion that “the Ottoman Government instructed that necessary security measures be taken so that no harm could be done to the Armenians”, it quite obviously failed to implement these measures, yet carried on the deportations. So the choice is that either they did not notice that a significant part of the Armenians did not survive these “relocations”, which seems quite implausible – or they simply considered this death toll acceptable. Put more bluntly: they did not care if some Armenians died as long as the objective of these relocations was accomplished.

If this second stance is considered a valid response, of course the question arises what this objective may have been, and if its value was proportional to the number of Armenian deaths (indeed: to any single Armenian death). I would suspect that contra-genocide authors would refer to the “survival” of the Ottoman Empire, or the Turkish nation, or the Turkish population – and this has been discussed above and shall not be repeated here (see section 4.8). The point here is simply to put into question the evaluation of these events as “normal” or “natural”: conditions of life were bleak, for sure, and most likely many Armenians would have died anyway under these conditions. But the point is that the Ottoman government deliberately (in the sense of: in full awareness of the consequences) increased this death toll among Armenians by farther compounding these conditions. This is not simply negligence, it is proactive contribution to the decease of Armenians. And if this reasoning is correct then in my understanding relativization must not go as far as conceal this agency and contribution

“systematic expulsion from homes” an act of genocide (see Schabas (2000: 166-168) who concludes that for this specific form the Armenian Genocide was the paradigmatic case). Luchterhand (1998: 359f) even argues that displacements already qualify as genocide since they are likely to cause serious mental harm and put the social cohesion at risk, regardless of whether they result in the death of individuals.

Abdullah Gül (April 13, 2005; Source 4).

David Stannard (1996: 178f) has in my opinion rightly pointed out that even in Nazi concentration camps large numbers died not from direct murder but rather from malnutrition, exhaustion, disease (which is not to equate a Nazi concentration camps with a deportation train, instead only a comparison in order to illustrate the point). What matters is that “premature deaths” occur due to the imposition of “genocidal conditions”.

624 Abdullah Gül (April 13, 2005; Source 4).

625 David Stannard (1996: 178f) has in my opinion rightly pointed out that even in Nazi concentration camps large numbers died not from direct murder but rather from malnutrition, exhaustion, disease (which is not to equate a Nazi concentration camps with a deportation train, instead only a comparison in order to illustrate the point). What matters is that “premature deaths” occur due to the imposition of “genocidal conditions”.

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of the Ottoman government, and disguise these events as a tragic but normal disaster. Formulations such as that “[i]n brief, a tragedy was lived through in those days in that part of Anatolia, but it was a common tragedy, causing mutual suffering and taking thousands of victims on both sides”\(^{626}\) leave the whole idea of human agency and responsibility out of scope. The only subject in this sentence is the “tragedy” which somehow mystically “caused” victims on both sides. Any human choice, and thereby any chance to establish responsibility and accountability is dropped.


Article 2 of the United Nations Genocide Convention states: “In the present Convention, genocide means any of the following acts committed \textit{with intent to destroy}, in whole or in part, a national, ethnical, racial or religious group, as such […]”.\(^{627}\) Hence whatever acts are committed, they may only qualify as genocide if they are committed with the intention to destroy the victim group, in whole or in part, as such. Genocidal intention hence is a necessary element of genocide: no matter what is done to the victim group, even if it is more heinous than any previous crime – if there is no intention to destroy the target group, it does not classify as genocide. The mental element in the crime of genocide, the \textit{mens rea}, becomes a \textit{sine qua non} for genocide and is therefore of equal importance for the establishment of the crime as the genocidal act, the \textit{actus reus}, itself.

By consequence of this UNGC provision, every accuser is obliged to prove that such an intention was given in the contested case. And almost automatically every defendant will attempt to refute the alleged intent to destroy. As a matter of fact, this point is also a hotly contested issue in the case studied here: “It is absolutely evident that there was no such intent”, as Abdullah Gül concluded.\(^{628}\) It is of course legitimate to claim that this is essentially a historical and judicial point, since it can only be by historical research that evidence for genocidal intent or the lack thereof is revealed, and only by judicial evaluation determined whether the forwarded evidence is acceptable and conclusive. True, as usual, but again this argument too rests upon a few presumptions that are worthwhile considering in more detail.

Before that, I would like to start out with an elaboration of a few forms the rejection of genocidal intent may assume. Of course these are usually brought forward in conjunction,

\(^{626}\) Soysal (1985; Source 28): 49.

\(^{627}\) Convention on the Prevention and Punishment of the Crime of Genocide (December 9, 1948), article 2. Italics added.

\(^{628}\) Abdullah Gül (April 13, 2005; Source 4).
sometimes as interconnected arguments with one depending and reinforcing the other, sometimes just as separate indications but all independently pointing into the same direction, corroborating the overall conclusion. However here I would like to separate them in order to highlight the distinct aspects they are appealing to. I shall try to give a few specifics of each of them and then indulge in a more general consideration of the meaning of genocidal intent.

4.12.1. No Documents.

The first approach simply tries to disprove genocidal intent by stipulating the lack of documents clearly asserting the intent to destroy: “None of the Ottoman orders commanding the relocation of Armenians, which have been reviewed by historians to date, orders killings.” However, so the argument goes, for a fair and legal conviction such evidence would be required, and if it cannot be produced then presumption of innocence requires that the defendant is acquitted. Ultimately, the only aim the Ottoman administration pursued was the relocation of the Armenians, not their extermination:

„Wenn man aber vom Genozid spricht, dann impliziert dies, dass es eine überlegte Politik, eine Entscheidung für das systematische Auslöschen des armenischen Volkes gegeben hätte. Dies ist stark zu bezweifeln. Türkische Dokumente beweisen den Willen zur Deportation, nicht jedoch zur Vernichtung.”

This of course contrasts with the assertions of the pro-genocide authors who claim that numerous Western diplomats, missionaries and other expatriots reported of verbal comments from Ottoman officials way up to Talât Pasha which clearly indicate that the aim of the Ottoman policies was the destruction of the Armenian presence in Anatolia – which was to be achieved by annihilation, expulsion, conversion, enslavement, transferral of children to Muslim households etc. In addition to this, they also cite secret orders and telegrams, coming from the highest level of Ottoman administration, which clearly allow for or even order the killing of Armenians. These claims, in turn, are countered by the contra-genocide camp by describing the Western materials as biased and propaganda, and the incriminating Ottoman documents as faked.

I am apparently not in a position to validate or refute any of these propositions. This certainly is a historical task. For the sake of moving on at this point I accept it as valid that no documents exist which “prove” genocidal intent. In order to avoid the fallacy of an

630 Bernard Lewis in an interview with Le Monde on November 13, 1993. This translated version of the interview was available on the homepage of the Turkish Embassy in Germany (http://www.tuerkischebotschaft.de, downloaded on March 10, 2008). It should be noted that this is the very interview mentioned above for which Bernard Lewis was later held liable by a French court and ordered to pay a symbolic fine.
argumentum ad ignorantiam, however, I think it is important to keep in mind that the absence of evidence by itself does not “prove” either that the intention of the relevant agents was other than genocidal.

Generally I shall add some remarks on the relevance and criteria for this point later in this section. Before that I shall try to explicate also other arguments against genocidal intent. In contrast to the one just discussed, these seem to acknowledge that contradictory evidence and indications exist, and that a final proof, in the sense of a specific document which convinces everybody that the Ottomans pursued the annihilation of the Armenians, or did not do so, will most likely never be produced beyond doubt. They hence try to focus on what the Ottoman authorities actually or the Armenians actually experienced at that time, and try to deduce conclusions about intent from there. By this logic, contra-genocide authors conclude that by far not all Armenians were killed, or even attempted to be killed, and hence there can be no intent to destroy the Armenian people. This results in at least four more assertions why genocidal intent does not apply in this context.


The first version stipulates that Armenians were not persecuted by virtue of their being Armenian but because they posed a security threat. Hence the historical evidence of Armenians not subjected to reprisals in certain areas of the empire provides ample proof that there cannot be some master genocidal intent against all Armenians behind these events. This mainly goes into two directions: (a) only Armenians of some sensitive war regions were relocated. For instance renown Holocaust scholar Guenther Lewy does not consider the massacres against the Armenians a genocide since “[t]he large Armenian communities of Constantinople, Smyrna and Aleppo were spared deportations and […] survived the war largely intact […]. These exemptions are analogous to Adolf Hitler failing to include the Jews of Berlin, Cologne and Munich in the Final Solution.”

Again, I would like to abstain from a historical discussion of this claim, even though it should be mentioned that this contrasts to some pro-genocide authors who do claim

631 See van Eemeren and Grootendorst (2004): 159f.
632 Also the ICTR in its ruling in the case on Akayesu deduced genocidal intent despite the lack of any evidence or declaration of such an intention: “The Chamber considers that it is possible to deduce the genocidal intent inherent in a particular act charged from the general context of the perpetration of other culpable acts systematically directed against the same group, whether these acts were committed by the same offender or by others. Other factors, such as the scale of atrocities committed, their general nature, in a region or a country, or furthermore, the fact of deliberately and systematically targeting victims on account of their membership of a particular group, while excluding the members of other groups, can enable the Chamber to infer the genocidal intent of a particular act.” Quoted in Schabas (2000): 223.
633 Quoted in European Stability Initiative (2009a): 62. A similar reasoning can be found in Sources 6, 28, 31.
Armenians faced persecution all over the country, albeit to various degree and extent, and indeed the traditional day of commemorating these events is April 24, the day when in 1915 reprisals against some eminent members of the Armenian community in Constantinople commenced. From a more theoretical point of view, it should be recalled, however, that even if Armenians were spared that fate in some locales, that does not necessarily express a limited desire for extermination. By contrast, these regional differences could also be due to the fear of the Young Turks that too rigorous persecutions would elicit international outrage and alienate the Ottoman Empire’s allies, particularly Germany. Therefore persecution of Armenians could have deliberately been kept limited, especially in places with a strong foreign presence such as Constantinople. And limitation here could mean a lesser intensity of harassment, or that only a restricted part of the Armenian population was vigorously persecuted, such as only the elite, and so forth. And of course it would be hard to rule out that also in these safe havens persecution would not resume at a later stage, especially if the war had evolved better for the Ottoman Empire.

Anyway, accepting the historical content of the claim, it needs to be evaluated in what sense this observation objects to the case made by the pro-genocide authors. First, when genocide is understood as defined by the UNGC, it does require neither an even distribution of victims over a certain territory, nor a total annihilation of all the people attributed to the victim group. Instead the UNGC clearly allows to apply the concept also to attempts to exterminate a “part”, and assumingly the affected part could also be circumscribed by geographic boundaries. Therefore also the International Criminal Tribunal for Yugoslavia found that the massacre of Bosnian Muslims in Srebrenica amounted to genocide, even though it was clearly limited in its spatial extent.634

The second direction would be that (b) only those Armenians who posed a threat to the country were affected. This essentially means that all Armenians who suffered from these reprisals either were indeed a security threat, or were perceived as such, for instance as being a potential threat. I have touched this matter already above and I hope it is acceptable not to reiterate my point here (see section 4.8.4).

4.12.3. Armenians Could Save Themselves.

Another point stipulates that many Armenians, particularly women and children, could save themselves from these reprisals by converting to Islam, marrying Turkish men, being

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placed in orphanages, or being adopted by a Turkish family. Therefore it cannot be said that the Ottoman government attempted to exterminate the Armenian population.

I think the “historical fact” underlying this argument is pretty undisputed. There is a plethora of accounts from survivors who corroborate such claims. However, it should be recalled that the UNGC does not consider outright killing the only genocidal act; article 2 also includes “causing serious […] mental harm to members of the group”, and “forcibly transferring children of the group to another group”. Of course it is abundantly ambiguous what “serious mental harm” could be, and if it would be sufficient to refer to wrongs which are generally assumed to cause such harm, or if it needs to be determined by the mental reactions of the victims to these offenses. But I guess that forced conversion might represent a kind of activity falling in this category, and taking Armenian children away from their parents to place them in orphanages or other families in my opinion quite clearly fits the description of forcibly transferring children from one group to another.

The important point is simply that at least in the understanding of the UNGC, genocide or the destruction of a group is not only killing, but may be performed in a variety of ways. Thus, the claim that many Armenians survived and therefore these events cannot be called “genocide” is not a caveat according to the UNGC, but I would rather say according to the meaning of genocide in common understanding, where it clearly does involve the physical destruction of a group by (attempted) murder of each and every member.

4.12.4. No Resentment.

Another way of demonstrating that there was no genocidal intent is by demonstrating not the absence of such intent but indeed the presence of an entirely different state of mind. In other words, by proving that there was no resentment and therefore there could not be any such intention in the first place. In the words of then Foreign Minister Abdullah Gül:

“It is absolutely evident that there was no such [genocidal] intent. The destruction of a certain group just for the sake of being part of that group could only be possible after centuries-long prejudices. However, Anatolia is a piece of land on which various identities had lived in peace side by side for centuries. There are no such sort of prejudices as we see in other places, among peoples towards each other.”

I think this is a very peculiar statement. First, I wonder why the destruction of another group is only possible after centuries of prejudices? I believe traditionalized and institutionalized resentments (what me may dub “older” ones) may be one factor contributing to hostilities, given that they may impose a divide into the social lives of the concerned

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635 Gül (April 13, 2005; Source 4).
people, prohibiting for instance intermarriages, and thereby preventing close relations with the other group. But I do not see this as a precondition for such violence; hatred most certainly can evolve fairly quickly and spontaneously, and it would be naïve to assume today’s repulsion would be the same or a mere continuance of the one present some centuries ago. I certainly do not have proficient knowledge about any specific cases, but it appears plausible to me that there were no centuries of prejudices preceding for instance the genocide in Rwanda.636

However, more curious in this attestation, I think, is the claim that there were no prejudices or resentment in the Ottoman Empire. From an epistemological point of view, how would we today want to prove the absence of such prejudices? It is of course legitimate to mention the opportunity for many Armenians to fare well in the Ottoman Empire, or that many Turkish authors wrote benevolently about them. Also I do not want to depreciate the claim that the various Ottoman governments over the centuries treated their minorities far better than for instance their contemporary European counterparts – that is certainly beyond my competency, and also not my intention. But that does not necessarily mean that there were no significant prejudices and resentment. In the end, those two entities kept apart for centuries, and although that does not need to imply mutual hatred, it demonstrates that they were aware of a profound divide between them, one that was also reproduced in the legal system, including for instance laws about intermarriage. Extrapolating a few cases to millions of people of whom we have no legacy and who certainly were disparate from those few cases of Armenians who made a career in the Ottoman bureaucracy or Ottoman authors with a high esteem for their Armenian compatriots does not sound very convincing – regardless if the argument goes one way or the other. That may be a commonplace caveat to historical research generally, but that does not render it invalid.

Or it could be argued that the absence of intercommunal violence hints at the absence of such hatred. But then is this not exactly what we have frequently encountered in the 19th century, reported by pro- as well as contra-genociders? That clashes erupted between Armenians and Turks, and it is completely senseless to quarrel now about who should be blamed for those, since the point is merely that such resentment was conspicuously present. And with regard to 1915, Abdullah Gül himself and in this very speech designates these events as intercommunal violence – but how can such occur if there is no intercommunal resentment? Maybe it is just me, but it does not appear to make much sense. And even if he

636 See for instance Newbury (1998: 84-88) or Des Forges (1995: 44) arguing that the tensions between the groups emerged only with the advent of colonialism.
would deny this intercommunal violence, then his statement still is not an useful argument because it is somehow circular: he rejects the allegation of violence because no prejudices existed, while basing his claim that no prejudices existed on the denial that any violence occurred.

Finally, to demonstrate how intertwined argumentation necessarily is, I want to bring to attention two more points which have already been discussed above in greater detail but may also be used to claim that there was no genocidal intent.

4.12.5. Dire Conditions of Life and Intercommunal Violence.

The two aforementioned rationales of dire conditions of life as well as of civil strife claim that the vast amount of Armenians perished from anonymous and uncontrollable circumstances present at that time for all people living in the Ottoman Empire, rather than from a premeditated policy of extermination. These include various diseases, starvation, deprivation of shelter and heating materials, conflicts with marauding bands and tribes etc. Again, this argument does not deny Armenians were killed, it only contests the assertion that there was a premeditated intent to do so, some kind of a systematic plan. I have discussed them from a different light already above, but now I shall turn to them as well as the previous claims from the perspective that there was no genocidal intent.


I cannot seriously comment on these historical evaluations, but what I shall try once more is demonstrate why I think not only the answer to the issue of genocidal intent is extremely difficult to produce, but already the question itself is a complex matter and deserves closer scrutiny and elaboration. Before trying to find answers it may be worthwhile to consider again why this question is important and what implications it carries for the meaning of these events.

This argument is of peculiar interest because it is both a formal argument against genocide allegations, given the pivotal status that intent is accredited in the UNGC, and at the same time an argument against the shattering meaning of genocide – for our moral judgment will likely be different if we hold that the accused did not do it intentionally. Therefore, I think this argument goes down to the very core of determining whether genocide has occurred, and merits scrutiny bit more reflection.
4.12.6.1. What is Intent?

First of all, it is far from being a trivial question what intention is. I would like to adopt a basic distinction I found in social scientific literature attributed to Hurst Hannum and David Hawk: according to this, (a) “intent” is given when perpetrators continue their sequence of actions in full knowledge that these actions will result in the destruction of the victim group, and (b) “motif” when the destruction of the victim group even becomes the target of their actions.\(^{637}\) Otto Luchterhand adopts this distinction and suggests to interpret the UNGC’s “intent” as “intent” in the sense of Hanum and Hawk, rather than as their “motif”. He argues that the authors of the UNGC deliberately refused to list a potentially infinite amount of motivations for genocide and preferred the more abstract concept of intention instead, because genocidal acts can always be explained by other motivations as well, and therefore this understanding of intent is better suited to achieve the protection that the UNGC desires to shed.\(^{638}\)

This distinction mirrors, I believe, another famous legal differentiation, namely the one between general and specific intent. Where an offence occurs but in pursuit of other aims, where the crime itself is not the primary ends but a willingly accepted means or by-product, this offense is considered conducted with “general intent”. Therefore the primary motive for the crime may have been something else than the commission of the crime itself (the destruction of the group), but the perpetrator should knew or should have known that this would be an outcome just as well. As far as I can tell, this is for instance the case in criminal definitions of the crime of battery. In the other sense, where the destruction of the target group is the aim of activity to begin with, this may be understood as “specific intent” or “\textit{dolus specialis}\(^{639}\) or “purpose”.\(^{640}\)

Now, it appears that it is widely held that genocidal intent in the UNGC designates specific rather than general intent, as for instance proposed by the International Law Commission (ILC) in 1996:

\(^{638}\) Luchterhand (1998): 360-362. Not applying this terminology but in my understanding the same conceptual differentiation and endorsing this view are for instance Chalk and Jonassohn (1990): 43; Smith (1999): 4. However, it should be mentioned that eminent legal genocide scholar William Schabas (2000: 207-245) differentiates between knowledge, intent, and motive. I confess that I did not fully grasp the differences between these three in his model, unless knowledge is understood as awareness that certain consequences \textit{might} follow from some action, and intent as the awareness they \textit{will} follow – or if intent is the conscious aspiration that the crime takes place, whereas in motive there is an unconscious desire lying beneath. If that is the case, then I think his model is in line with the one presented above. If not, then I am afraid I failed to understand the subtle differences between these three entities.  
\(^{639}\) See for instance ICTJ (February 2003): 15f.  
“The prohibited act [i.e., genocide] must be committed against an individual because of his [sic] membership in a particular group and as an incremental step in an overall objective of destroying the group. […] The intention must be to destroy the group »as such«, meaning as a separate and distinct entity, and not merely some individuals because of their membership in a particular group.”

One obvious drawback of intent is that it remains difficult to prove, especially if it is strictly understood as specific intent. This is ever more so when it needs to be established in hindsight, which may be one of the reasons why it is a prerequisite in only a limited number of criminal offenses. Therefore other authors like Alexander Greenawalt support a broader understanding of genocidal intent, arguing that the specific intent requirement would render large numbers of people who contributed immensely to any given genocide immune to legal prosecution. He therefore favors a concept of intent which merely requires that the agent understood the genocidal consequences of her actions. Similarly, Thompson and Quets see “intention” as given when actions are purposive, i.e. conscious and deliberate, as contrasted to accidental and unintentional. Hence intention can be inferred wherever actions were deliberately taken (possibly even sustained and repeated), and their results were foreseeable. This appears to be a concept which is legally easier to handle than what they dub “motivation”, which is conceptualized as a psychological phenomenon.

So one advantage of this more lenient understanding of intent is its relieving the prosecution of the incredibly difficult task to prove that the perpetrators desired to destroy the target group. Intention then can be inferred from one’s actions and is not dependent on the perpetrator being stupid or bold enough to openly confess or even record her aspiration to

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641 Quoted in Greenawalt (1999): 2265. Also Schabas (2000: 217-219) understands genocide as involving specific intent, referring to the ICTR’s ruling in Kambanda. In that context it may also be worthwhile to recall that when the United States of America signed the UNGC, they attached an interpretive explanation to emphasize that they understand “intent” as “specific intent” (see Verdirame (2000): 580). Also Ambassador Gündüz Aktan (Source 31: 273) understands “intent” as what he calls “special intent” rather than general intent which in his opinion was “simply inadequate in the identification of the acts of genocide”.

642 Also the ICTR in Akayesu stated that “intent is a mental factor, which is difficult, even impossible to determine”, and could only be “inferred from a certain number of presumptions of fact”, such as the scale of the crimes, the repetition of the violent acts, general political doctrine etc. (quoted in Verdirame (2000): 584f).

643 For instance, the criminal offense of „crimes against humanity”, as defined in the Statute of the International Criminal Tribunal for Rwanda (ICTR, 2007, article 3), as well as in the Statute of the International Criminal Tribunal for the Former Yugoslavia (ICTY, September 2009, article 5), do not presuppose any particular intent. Also Schabas (2000: 214-217) considers the requirement for specific intent a crucial difference between genocide and crimes against humanity.

644 Greenawalt (1999): 2264, 2288. However, others may reasonably object and argue that this is more a matter of the useful discrimination between the principal offenders in genocide and their accomplices (but would we then define primary offender and accomplice merely by intent, disregarding their role in the crime and their actual conduct?). Or it may be argued that it is not the knowledge of the genocidal consequences which is required, but rather the knowledge of the specific intent of the primary offenders.


Allegation and Denial

But of course it runs against the outspoken preference of those who explicitly wish to retain specific intent in order to underline the extraordinary and striking abhorrence implicit in genocide. So this brings us to the question if genocide necessarily involves the destruction of the victim group as a primary motive, or if it is sufficient if the victim group’s destruction is intended, i.e. a consciously accepted consequence of actions essentially aiming for another end? For instance, if the Young Turk regime actually did not care about the Armenians as such but only wanted to get rid of them to achieve another ultimate end, such as a homogeneous nation state or the survival of the Ottoman Empire or some economic gain, would this not be considered genocide? If not, it should be recalled that there is nothing as easy as finding some other primary motive and intention for one’s actions, eventually describing genocidal policies not as an end in itself but only as a means to accomplish another end – which may even be construed in the case of the Nazi genocide. As Ward Churchill suggested, in a legal assessment of intention it may be indicated to differentiate between different degrees of intent, ranging from first degree where specific intent is beyond doubt, through unclear or dubious intent down to the conspicuous absence of specific intent. But I believe this is not just the same as the discrimination between murder and manslaughter: the requirement of intent postulates that the offender knew the fatal consequences will happen, and not that they might happen – in my naïve understanding of criminal law, this is the difference between intentional and reckless offense. But of course one could go even further than this and may even question if negligence, understood as consciously accepting the destruction of a group unless one takes preventive or supportive actions, should be considered genocide as well.

647 And this is the other way some pro-genocide authors defend the allegations of genocide: not by pointing to quotations or secret telegrams or the like which demonstrate that the Young Turk leadership performed these acts with the intention (i.e., motivation) to destroy the Armenians, but by emphasizing the systematic, premeditated, planned nature of the deportations, and in the full knowledge of the harm they brought about the Armenians. See for instance Dadrian (1998): 45f; Akçam (2004): 143.

648 This is so, I believe, because of the interconnectedness of our motives, which at least from a constructionist perspective facilitates tautological reasoning. According to this, it may be held that the Germans persecuted whomever they defined a threat to their idea of a German nation-state, which included Jews but also Gypsies, homosexuals etc. And on the other side, we can identify the groups they defined as a threat by listing the groups they persecuted. In other words, would it be wrong to claim that the Nazi Holocaust was (also) motivated by the Nazi desire for a homogeneous, Aryan nation-state? And on the other side, would it be wrong to claim that the Nazi desire for a homogeneous nation-state was also motivated by their utmost resentment against what they defined as non-Aryan, alien, dangerous elements amongst them? I think these are two sides of the same coin and while for heuristical ends it may be worthwhile to separate them, in practice I believe such a separation is somewhat artificial.


650 According to the United States Model Penal Code, “negligence” is counted as a criminal state of mind, next to “purpose”, “knowledge”, and “recklessness”, see Greenawalt (1999: 2268). It seems to me that negligence can only be considered genocide if we content ourselves with understanding genocidal intent as general intent; as
Another troublesome aspect of intention is its required level of consciousness. Even if we must assume that politicians usually know pretty well what they are up to, often more than they publicly communicate, still they may not always be well aware about their motives and preferences.\(^{651}\) I am pretty sure that this applies to “normal” persons in daily life, and I think there is no reason why it should not do so for politicians just as well. What if a psychological assessment of any génocidaire stipulated that this very perpetrator only believed to be motivated by hatred towards the other, but actually this was but a shift in the object of her anger, and her deep unconscious motivations was to hurt the person molesting her when she was just three years of age? Or maybe she even wanted to hurt her own self by projecting her enmity on someone else? Where, at what level do we locate our “real” motives, and who is authorized to make that determination? Not only are our conscious motivations interconnected, they may also have “deeper” motives beneath them. I am convinced, indeed I even hope that we can make a reasonable and sophisticated decision how to establish the “right” level of motivation for legal proceedings, but I think this point is still worth recalling when we discuss “the” motive of the perpetrator.

I want to briefly touch upon two further thoughts about intention, which I shall discuss at more length later in this chapter. Apparently a policy of such impact and importance as the Ottoman deportations, which even evoked resistance from abroad, cannot be described as accidental, and it would require still more naïvete than mine to think it was not one well contrived by the Young Turk regime. But the question persists if this was a premeditated decision with a clear objective all along, or if it may have developed gradually over time. I will return to this further down below. And finally, considering that obviously the conduct of such a huge policy involved the contribution of a large amount of people, there is the question if they all shared the intent to destroy. The answer may very well be in the affirmative, but it should be kept in mind that those many people working for this ultimate outcome may indeed have pursued different motives, some of which had possibly nothing to do with the destruction of the Armenian group “as such”, instead craving for personal enrichment, vengeance, career etc. Yet if we want to classify an event “as such” as genocide, rather than judge an individual suspect, does it make a difference who or how many shared the critical genocidal intent?

noted above, Schabas (2000: 227), favoring specific intent, suggested that omission can constitute genocide whereas negligence cannot because it cannot meet the specific intent threshold.

\(^{651}\) See also Føllesdal et al. (1986): 106.
I am definitely not in a position to offer a conclusive resolution to any of these questions at this point. I will try to offer a further, general critique of genocide in a later chapter (see section 5.3). My intention (or, as I just learned, my motivation) was simply to demonstrate that the dispute about the intention to destroy the Armenians is not just a historical issue. Rather, I think it is fundamentally a question of which concept of intention is required for genocide. I am not of the impression that contra-genocide authors would contest that the Young Turk regime did not plan or systematically and premeditatedly execute their repression, even that they were aware of the devastating consequences this would have on those subjected to these measures. What they primarily reject is that these actions were performed with the desire (motivation) to destroy the Armenians, or at least that such a desire can be proven. Hence, at least part of the historical dissonance can be resolved, I think or hope, by pointing out that the conflicting parties operate with different concepts of genocide and how it should be operationalized. Nevertheless, it would be a fundamental error to think this assertion of mine alone could resolve the conflict about genocidal intent. To be sure, many if not most pro-genocide authors do think that the actions of the Ottoman government caused an Armenian genocide not just as a by-product of policies aimed at other ends, but that the destruction of the Armenians was one, if not the primary motivation for these actions in the first place. Therefore I think it is indicated to go a little further in discussing “intent”, and I shall use it henceforth in the sense of “motif”, i.e. the desire to destroy the target group.

4.12.6.2. Intent and Group.

Apparently, in the case studied here and probably in every other instance of genocide as well, the question is about “the intent to destroy, in whole or in part, a [...] group, as such”, as the UNGC stipulates. It should be noted that this sentence about genocidal intent is in passive form, hence does not define an agent to which the intention can be attributed. What it basically requires is that genocidal intention is part of the events under consideration. Apparently, intention cannot be part of an event, but only of a human mind. Therefore the question arises: whose intention? The most obvious response would be “The intention of the perpetrators”, but in my opinion this only defers the question.

At least if we take the common image of “genuine” genocide, its tremendous dimensions make it virtually impossible that it is committed by only a few or even a single perpetrator. It seems more plausible to conceive of genocide as a collective effort by a group of considerable size, even though their roles and levels of involvement certainly differ. By consequence,
genocide is an offense which involves groups of people on each side, perpetrator and victim. This in my opinion extremely complicates the question of intention.652

4.12.6.2.1. Whose Intention?

One of the first questions that came to my mind was simply: whose intention is it that is decisive? Apparently, this question is superfluous where an individual is accused of genocidal conduct. Here it appears pretty undisputed that the prosecution needs to prove the defendant acted with genocidal intentions. However, when the question is either about accusing an entire group, or about describing a situation as such as genocidal, then I think the question is far from being self-evident or trivial because it obviously involves a number, in most cases a huge number of individual human agents, and each one of them may reasonably be assumed to carry her own intention(s).

Maybe some would instantly respond to this question by evoking some kind of “collective intent”. It should not come as a great surprise that in light of my constructionist affiliations I am somewhat reluctant to adopt this concept. When it comes to psychological phenomena such as intention, which are already tremendously difficult to identify and operationalize within psychology, I think these should not be readily extended to collectivities. Remaining on an individual basis, it is already difficult to explain intention without reference to other phenomena, such as emotion, memory, knowledge, cognition etc. Should all of these simply be extrapolated to a collective level?

Ultimately, I do not think it is a very useful idea to think of a “collective intent” (or memory or consciousness or emotion or whatever, by the way) as some independently existing entity, manifesting itself outside of individual intention. If it is understood as some kind of a separate phenomenon, as an aggregate of individuals intentions, it becomes an extremely blurred concept. For how can we seriously claim that a large group of people share identical or at least similar intentions, especially if the group is of considerable size and defined by something else than this very intention? Doing so would always disregard seminal individual differences, tacitly assume that collectives which are observed as a unity by virtue of other criteria, such as nationality or ethnicity, necessarily share the same or at least similar intentions. This in my opinion denies degrees of freedom individuals inevitably retain,653 and

652 As the ICTY in the case against Goran Jelisic stated: “it will be very difficult in practice to prove genocidal intent of an individual if his actions do not have a massive character and if the alleged criminal conduct was not supported by an organisation or system” (quoted in Verdirame (2000): 587). And therefore Verdirame (2000: 584) too raises the question whose intention then ultimately matters.

653 After all, how can we reasonably argue for freedom of thought or conscience on a legal level if social science simultaneously denies their very existence in the first place, subsuming them at the same time under some collective cognitions? This is not to deny that social environments have a significant impact on individuals’
all of that just for the sake of simplicity. This may be indicated for heuristic purposes or discussions where these questions are only of auxiliary function. However, it should not be misunderstood as an accurate representation of social reality when it comes to determine the rights and fates of these very human beings. Finally, collective intent understood as some mean or median intention I think is even more flawed because it completely ignores the level of measurement: at least in my understanding intention is a qualitative variable, therefore the application of quantitiave procedures does not promise to yield very useful insights or results.654

This is not to dismiss alternative concepts of collective intent (or memory, emotion, consciousness etc.) in their entirety, i.e. such which do not represent it as a distinct ontological reality. I do think they can prove useful and appropriate in order to conceptualize other phenomena, such as the dependency of individual intention on group membership, how individual intentions can interact and affect one another etc. But such theorizing needs careful conceptualization, not just bluntly transferring individual phenomena to the collective level. Ultimately, I am simply very reluctant to consider a group as an independently existing entity and ascribing qualities such as agency or consciousness to it.

If my plea is benevolently granted and collective intent dismissed for the moment, then the question needs to be repeated: whose intention is it that matters? Maybe it is just me, but it appears quite remarkable that this question was addressed in hardly any text which laid any claim on the question of genocidal intention. Should we require the entire Ottoman population to share the genocidal intent in order to conclude it was genocide? Or those Ottoman subjects living in areas from where they were deported? Or those who took an active share in the various acts which allegedly amount to genocide? And all of these agents in an equal manner, i.e. without differentiation between those who did so “professionally” or by vocation, and those who did spontaneously, in isolated instances? Or should we rather focus on the intention of those who ordered and/or organized these acts? But then, in what level in the hierarchy of command? The Ottoman cabinet at that time, or going all the way down to the lowest levels of local administration? How about those that simply approved of them, again at various levels: starting at ministers that were not involved in the decision making but nevertheless
failed to dissent or even ideologically supported them, going all the way down in our assessment, to the poor and deprived peasant who rejoiced about what she was seeing?

As Isidor Wallimann and Michael Dobkowski claimed, a focus on intention is misleading because in modern bureaucracy many people are involved of whom many do not reflect on their involvement ethically.\textsuperscript{655} Hannah Arendt tried to illustrate with her notion of the “banality of evil” that such an unreflected bureaucracy is a very important part in the dread and more importantly an essential ingredient in the implementation of mass atrocities.\textsuperscript{656} Yet I do not think this should distract our attention from the important question about criminal intention: as Helen Fein has already pointed out, the \textit{mens rea} is an important element in the concept of genocide in order to make it a criminal concept. If left aside, even poor planning would run the risk of constituting genocide.\textsuperscript{657}

As far as I can recall there is only one text that clearly tried to respond to the question whose intention matters, and it is noteworthy that it is emphatically presented by its authors as a legal, not a historical or factual text: the legal memorandum prepared by the International Center for Transitional Justice (ICTJ) to assess the applicability of the UNGC on the events of 1915.\textsuperscript{658} Here it is understood “that at least some of the perpetrators of the Events knew that the consequence of their actions would be the destruction, in whole or in part, of the Armenians of Eastern Anatolia, as such, or acted purposively towards this goal, and, therefore, possessed the requisite genocidal intent”.\textsuperscript{659}

As valuable as such analyses are, and as much as I appreciate them, this is certainly but one approach to understand intent in this instance. It may even be the legal correct interpretation – even though I would be surprised if there were no objections and alternative interpretations just as well – but this would only settle the \textit{legal} issue. That is, it would only

\textsuperscript{655} See Chorbajian (1999): XVII.

\textsuperscript{656} As Alexander Greenawalt (1999) rightly asked, should these not be considered perpetrators of genocide and prosecuted accordingly? As already mentioned, he endorses a wider understanding of intent, where everyone even if she does not harbor specific genocidal intent, is guilty of genocide as long as she understands the genocidal consequences of her actions.

\textsuperscript{657} Fein (1993): 16.

\textsuperscript{658} The memorandum was drafted by an independent legal counsel upon request of the ICTJ, which in turn had been approached by the Turkish-Armenian Reconciliation Commission (TARC) with this assignment. It was published in February 2003, and is still available on the ICTJ homepage: \url{http://ictj.org/publications} (accessed on January 18, 2012).

\textsuperscript{659} For completeness sake it should be added that the overall legal conclusion of this memorandum was that no individual criminal or state responsibility was justified by the UNGC, since the UNGC did not apply retroactively, however, that all the required conditions to qualify as genocide were met by the events of concern, and that it “can thus be said to include all of the elements of the crime of genocide as defined in the Convention, and legal scholars as well as historians, politicians, journalists and other people would be justified in continuing to so describe them”. Anyway, I do not want to spend too much time on this evaluation, valuable as it is, since I am decisively not interested in a legal assessment, but in the meaning, the social relevance of these events.
explain the meaning of intent by an interpretation of the UNGC, but not what the very concept of genocide is all about in a social and political sense – what its intention, its motivation is. As repeatedly noted above, I am less concerned with a legal interpretation of these events, but with their meaning, their social relevance, and this may be fundamentally different from legal assessments. Ideally, the legal concept should reflect the social and political importance of genocide – and not the other way around, adapting our moral social and political standards and evaluations to legal definitions (which are a function of political processes to begin with). One fact that illustrates this aptly, I think, is that the historical literature which attempts to prove/refute genocidal intent in this case, virtually never debates whether just anybody involved in the massacres pursued a genocidal motivation. In other words: the criterion used by the ICTJ is completely ignored by scholars coming from the humanities. I suppose this is because that criterion is hardly contested, given the large amount of people involved. By contrast, what the literature does focus on is if those who were in power at that time, the higher echelons of state administration, possessed such a specific genocidal intent. Since this is also what the literature on the Shoah primarily concentrates on when it revolves around intention, and also what seems to be the most common understanding of genocidal intention, I hope it is not an excessive exaggeration to claim that it is primarily the intention of the political leaders which matters in a socially relevant understanding of genocide.

The question then arises why this is or may be the socially relevant level where genocidal intention must be located? More specifically: is the academic literature concerned with this level because it is the socially most relevant one, or is the relationship rather the inverse, that the public focuses on political leaders because this is what the relevant literature (and political leaders, by the way) claim to be the relevant criterion?

At this point, I think it is fundamentally both, maybe best conceptualized as yet another interdependent relationship: there are of course good reasons why the intentions of political leaders receive more attention than those of marginalized peasants in eastern Anatolia, for instance because of the impact their intentions and hence decisions have, or of the implications when it comes to consider state responsibility. But that neither means that the intentions of politicians only matter, nor that the level of attention they receive is appropriate. As for so many other questions raised in this work, I cannot offer a conclusive resolution to this one either. I think that at this point defining genocidal intent as the intention of the political leaders may be a reasonable way to deal with the issue of genocidal intent – but so

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660 From a legal perspective also Schabas (2000: 444) argues a state of course cannot have any intentions, but to establish state responsibility for genocide we would need to look at the intentions of its leaders.
may some other approaches. And it still leaves the question open, on what level in the political hierarchy we should focus on. For instance, if the political elite would not at all be concerned with grassroot issues because of their preoccupation with other problems, whereas lower levels of the political hierarchy or even social groups not involved in state institutions at all would pursue genocidal policies with specific intentions – should we then not consider this genocide? It is maybe worthwhile recalling that the UNGC does not define genocide as a state crime, which ultimately means that the involvement of state agency is not a precondition for genocide.

Maybe just as a side note I want to illuminate these issues about intention are neither a matter of being biased in one’s position of being pro- or contra-genocide, nor restricted to the issue of genocidal intent alone. I have discussed so far the question of intent behind the extermination policies, but the same attributions and generalizations are made when Armenians are described as (not) intending to destroy the Ottoman Empire, thus as (not) posing a threat to the homeland. Again, these intentions may be derived from their actions – armed resistance – and again, it may be challenged whether these actions did not originate in another motivation, or if calls for independence were not rather a means to another end, such as abolishing discrimination and instituting a regime which would defend their security and interests more fervently. And ultimately, in this case as well there is apparently a deduction from the intentions of a few, notably those on a more extreme end of the population, to a larger segment if not all members of the respective group. The point I wish to make is not that some authors may err (provided of course my analysis is not flawed in the first place) because of their partial stance, but that this is more a general problem in the way we conceive of the social world: our staunch group-think, and hypostatizing these groups to the level of “collective agents”.

4.12.6.2.2. Intention at What Point in Time?
Anyway, I would now rather shift focus to two other questions which may be raised: the first one departs from the trivial observation that people’s minds are dynamic, changing. Therefore it is very plausible that also intentions (or motivations) change over time. The question hence arises: if we need to determine genocidal intention, at what point in time is intention crucial? Does it need to persist throughout the entire event, or is it sufficient at one single moment? If a single moment is enough, is it just any moment, or a very specific one?

Such question may appear to be ultimately crossing the boundary from accuracy to fuzziness. However, during the last couple of years this was among the main points of
contention in the historiographical literature regarding the Shoah: did the Nazis intend to annihilate the Jews from the very beginning, or did this decision “only” evolve at a later stage due to a number of historical developments? This is often described as the controversy between intentionalists on the one side, who consider the Shoah primarily as the result of the genocidal intentions the Nazi elite had from the very beginning, and functionalists or structuralists on the other side, who emphasize the Shoah’s evolutionary character, in which decisions at one stage increased the radical nature of the entire process, eventually culminating in its infamous and devastating result. The later position sometimes comes in the elegant terms of “cumulative radicalization”, which I have already mentioned above. At this point I think it may be worthwhile to shed a little more light on this concept, or at least as far as I understand it, not because it is of decisive importance for the definition of genocide but because it bears some implications on the importance of genocidal intent.

**Excursion: Cumulative Radicalization as Relativization.**

I admit that in my opinion the concept of cumulative radicalization indeed implicates a relativization, namely a relativization of genocidal intent. However, I think it is a misunderstanding to think this equates or implies a relativization of the evil that has happened.

What cumulative radicalization, as far as I comprehend it, essentially points to, is that for an understanding of the Nazi genocide it is not sufficient to focus on the intention of the relevant actors. Some authors may contort this concept by claiming that it is ultimately a denial of the Nazi leadership’s desire to destroy European Jewry, and indeed there are some instances in which functionalist argumentation is used to disguise or even deny genocidal intent. But in my opinion this is far from being an essential feature of cumulative radicalization. Indeed, the concept of cumulative radicalization may very well align even with the assumption that these intentions were there from the very beginning, and it definitely does not deny genocidal intentions were present at later stages of the Shoah. However, what the concept does denote is that a focus on intention puts too much emphasis on ideology and intention, and thereby loses hold of other factors which may be just as important, possibly even more decisive for the course of events than the intentions of the leading political figures. What this theory hence affirms are other variables which reinforced genocidal tendencies, ultimately contributing to the genocidal outcomes.

661 Or rather, of genocidal motif. Since this is hardly distinguished in these debates, I will stick to the dominant terminology of „intention”, even though the distinction in my opinion is useful and might even resolve some matters in this debate just as well.
The concentration on genocidal intention is deflected to variables such as various structural or social dynamics. However, this does in no way necessarily mean that responsibility is shifted from human agents to these anonymous “structural dynamics”, an admittedly cryptic concept somehow alluding to “higher forces” or necessities. Even though it sometimes may be presented or at least be read as such, this is not at all an inherent feature of this idea. No matter what occurred, it did involve human choice, even under the direst circumstances, and therefore responsibility can be identified and attributed to those who made these choices. Vaguely alluding to my constructionist leitmotif, these structures are not a force outside or independent of human agency; they are, they consist in human agency. More precisely, in the interplay of many human agencies. What these “structures” try to emphasize, at least in my proposition here, is that human agency (of which intention is part of) too is heavily influenced by social interactivity, and that individual activity in the vast majority is more a function of these social dynamics than the other way around.

Therefore, what cumulative radicalization does admittedly relativize is not the event itself, but the importance of the underlying intentions, and hence how we construe the evil behind the genocide. For what is underneath structural or social developments are again choices, but choices by people who may have nothing to do with genocidal intentions or their implementation at all. These additional factors included in functionalist analysis are the choices made by people who for various reasons supported the Nazi leadership, as well as the choices made by people who opposed them, or remained indifferent. All those “normal”, daily, and apparently harmless modes of thought and behavior which eventually failed to recognize and prevent the evolving catastrophe deserve close scrutiny just as well – especially considering that many of these invariably persist until today and remain so difficult to identify because of their innocent appearance. Broken down to a very trivial observation once again, the most important lesson from my reading of functionalism is simply that analysis of intention alone does not exhaustively account for genocide, and thus does not suffice to prevent it henceforth. For a number of additional conditions must be met before genocide can actually be implemented, and a number of people develop the resentments which drive genocide only at a later stage within those particular social structures and dynamics – possibly even a few among the primary perpetrators. And in that sense, just to shoot a pointed remark back as well, it may even be that it is intentionalism which is the reductionist and relativist position, since it fails to consider all these other variables (and hence other choices, other intentions) and how they had their share and responsibility, albeit undeniably a lower one, in the disastrous outcome.
However, there is one sense in which such a functionalist approach may amount to relativization of the wrong: clearly intention, that is, evil intention, is a *sine qua non* if one’s purpose is the construction of evil, possibly even the utmost evil. At least in my personal notion of evil, it always implied most of all a malevolent mind, a mind which desired the evil. And to be “really” evil, this bad intention (or rather motif) should have been there all along, driving some deliberate and systematic plan. A functionalist account, even if it does not deny the involvement such a malevolent mind, by its concentration on other aspects of the phenomenon, such as how apparently harmless and routine choices and activities contributed to this evil, conveys a different message since the ultimate revelation it confers is far less an invocation of horror, disgust, and evil:

“There is always a danger when emphasizing structural factors in history to absolve individual actors of decision-making power and moral responsibility. It is distinctly unsatisfactory, particularly for victims of genocidal regimes, to have massive suffering attributed to anything other than a discrete, objectively repulsive and preferably personalizable *ideological* hatred – whether, as in the case of the Holocaust, that personification of hatred is Hitler, the Nazi party, or Germans as a whole. The scale of the crime is directly proportionate to the strength of the human need for unequivocal accountability. As genocide is one of the ultimate crimes, so the logic goes, a monstrous and preferably personalizable criminal and a monstrous, indisputable motive are required to link cause and effect by a thick, straight line. Reference to general historical forces and socio-political structures cannot satisfy this need, and nor should it.”

So, to repeat my point, cumulative radicalization in my opinion does not deny or relativize the tragedy and horror of the events itself. What it does relativize is the *significance* of the evil intentions behind these events. And in conceptions where the horror and the tragedy of the events depends on the evil intentions of its perpetrators, of course cumulative radicalization means a relativization of evil. But this nexus is neither self-evident nor necessary. It should be emphasized that relativizing the importance of evil intention is distinct from relativizing the horrific events themselves or the suffering of the victims. Their pain must in no way be diminished by any functionalist explanation.

I guess it remains another choice, this time on the side of the analyst, as to why she is doing her analysis, what her ultimate aim is: if it is to evoke horror, disgust, resistance, activation, then she might be well advised to stress the evil intentions and nature of the perpetrators. However, if it is to offer a broader description based on multiperspectivity, possibly even including the one of the perpetrators themselves, understanding how they came to behave as they did, think as they did, then she may need to take into account numerous

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662 Bloxham (2005): 17, italics in original.
other factors and their contribution. This of course would run the risk of failing to activate her audience.

On the other hand, and this brings me back to one of the earlier points why it may be important to study and remember terrible events such as this one (see sections 4.1 and 4.5), in order to understand and prevent genocide, it may be indicated to analyze all the factors which ultimately contribute to its occurrence. After all, genocidal intentions and ideologies exist in some people’s minds all over the world, but what it takes for these to spread and become dominant, and what it takes to ultimately convert these thoughts into action, that is quite another story and cannot be explained by a study of ideology and intention alone.

To illustrate this with the well-studied case of the Shoah: National Socialists came to power in Germany in 1933, and their reprisals against Jews in the Third Reich started years before World War II commenced. However, it appears that at that time their elite did not seek the total and physical destruction of all Jews in the whole wide world, actually not even of all the Jews in Germany. Indeed, Jewish emigration was tolerated, even encouraged. Later, in 1939 and 1940, plans surfaced to resettle them to Nisko in southeastern Poland, or even to Madagascar. Of course this is not to suggest those Nazi policies were harmless or acceptable – they were gross violations of fundamental human rights. Nevertheless, they contradict the claim that they coveted a physical and total extermination of all the Jews in Germany all along – a plan or decision which may have emerged a little later, and gradually extended also to other territories.663 What this should indicate is that apparently intentions are not as carved in stone as historiography retrospectively may suggest at times, nor is there one intention shared by all relevant agents.

Finally, as a little and entirely unscientific thought experiment: if cumulative radicalization is somehow appropriate to describe the alleged evolution of genocidal intent, then maybe genocidal intent alone was (or is) present in some other historical events as well. And maybe total destruction in these other cases did not occur because fortunately the perpetrators did not have the means or time to arrive at the same stage at which the Nazis eventually did. In the end, genocidal intent certainly is harbored by a significant amount of people who fortunately will never be able to realize these objectives. And again, this should

663 Given my rudimentary knowledge of Nazi policies, I largely followed here the description given by Bauer (1980), who may not be a declared advocate of cumulative radicalization, but comes close, I think, by considering the extermination of the Jews not as the initial plan of the Nazis, but as a logical (yet morally unacceptable) conclusion at which they later arrived when all other options gradually became impossible, reinforced by other developments. See also Schabas (2000: 235) who argues that in all three “classical cases” of genocide (which he identifies as Nazi Germany, the Ottoman Empire, and Rwanda), the perpetrators targeted only part of the victim group.
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by now way excuse or justify or diminish the abhorrence of what the Nazis actually did in the Third Reich – at the worst it is a relativization of the importance given to the Nazis’ intentions. But what it definitely is, anyway, is an attempt to increase awareness for the criminal nature and potential in other mass atrocities, and to express the basic joy that similar events are not happening more frequently. It is a shift of attention: certainly intention or motivation is important to consider in our evaluation of a crime, but it should not distract us from observing that next to the mens rea also the criminal act itself, the actus reus, needs to be present, and it is the act which hurts most of all (albeit in many cases it may be exacerbated by the nature of the mens rea).664 In the end, some of the wrongdoers may actually have been driven by other motivations rather than a deliberate decision to exterminate an entire people. Does that render the resulting violence less gruesome?

With all of that being said, I want to reiterate that this is nothing to say about the historical reality. Given my rudimentary historical knowledge, I am perfectly fine to accept the stipulation that the Shoah was premeditated by its main agents from early on. I never intended to contest this assertion, and I do not think it is in contradiction with my understanding of cumulative radicalization.

4.12.6.2.3. Intention to Destroy Whom?

The last question about intention I would like to raise relates to the content of intention: if we say that the intent to destroy is a defining feature of genocide, then there must be some further specification: destroy whom? A group, as such, in whole or in part, the most reasonable response based on the UNGC may read. But this unfortunately does not entirely settle the issue. For instance, who defines the content of “a group”? Again the response may be a reference to the UNGC, which mentions national, ethnical, racial, or religious groups. But obviously these are very flexible criteria, for who sets the boundaries of these kinds of groups? To give an example: if some North American colonists intended to destroy a particular tribe of Native Americans, maybe one with which they had engaged in a long and violent struggle over some land or resources, and indeed in a concerted effort succeeded to exterminate them – would this constitute genocide? Or rather not, because the national/ethnic/racial/religious group that is determined to matter is not any particular tribe, but rather Native Americans in general?665 And since these settlers (or, say, an American government) never intended to destroy Native Americans in general but only one or another individual tribe, this cannot be considered genocide. The important point is hence: who is

664 As argued also by Alexander Greenawalt (1999: 2288).
665 The example is developed following Stannard (1996).
entitled to define what groups are protected by the genocide convention? Shall we adopt the perpetrator’s definition of the target group? Or rather the victims’ self-understanding? Or is it another party, some kind of “impartial observer”, who has the capacity and authority to “objectively” do so – but then, by what title and rationale?

Some authors have suggested that ultimately it is the perpetrators definition that matters. I confess that I concur with this suggestion, and in a later section I want to elaborate why I do so (see section 5.3.3). Yet also this definition does not resolve all issues around the content of genocidal intention, and this last point I want to discuss concerns the “in whole or in part, as such” phrase in the UNGC.

The vagueness of destroying a group “in part” is more than obvious, begging the question how large a part it must be to qualify as genocide. I confess that I tend to subscribe to the position that genocide should not be an issue of numbers, neither in relation to the group’s size nor in absolute terms, to avoid a somewhat cynical counting and weighing of the dead. Still, it should be pointed out that this simply avoids answering the question and opens the forum for discussions which may be no less cynical. The most extreme stance would hence be to consider already the intention to kill the smallest part conceivable, i.e., one person, as destroying a group in part, and hence genocide – but that is most certainly not in the interest of most users of the term “genocide”.

The difficulty of defining “in part” can again be exemplified by the case of the Native American tribe I have construed above. Of course it can be argued that also destroying an individual Native American tribe constitutes genocide, since it amounts to the destruction of the group of Native Americans “in part”. But it seems very plausible that the perpetrators I have made up for this particular example, some European settlers, did not for a second intend

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666 See for instance the definition of genocide offered by Chalk and Jonassohn (1990: 23) (section 2.4.2). For a different position see Schabas (2000: 109-113), who acknowledges that there is some subjectivity in the definition of the victim group and that ultimately it is the offender who determines who goes into this group and who does not – and still Schabas considers this insufficient since law requires an objective component to identify a crime. Otherwise, if groups cannot be established objectively, I would think genocide might be very hard to discriminate from “ordinary” crimes against humanity. However, in my opinion Schabas does not offer a convincing resolution to this riddle either (his suggestion is to consider all the four types of groups as describing one essential kind, rather than four different ones). So in my opinion the key question should not be confined to how to define the victim group, but maybe extend to how to define the crime itself.

667 The UNGC is not restricted to the act of murder, and therefore a count of the dead alone would obviously be insufficient in the first place. For the sake of clarity and because murder is still considered an essential ingredient for genocide by many (for instance Schabas (2000): 229), I am leaving this aside now and confine myself to discussing murder.

668 As do some other definitions, such as the requirement for a „substantial part“ in the US Genocide Convention Implementation Act of 1987 (see Schabas (2000): 5) – this may convey more clearly that small numbers of victims hardly qualify as genocide, but does not provide clear guidance either.

669 See for instance Schabas (2000: 234), who nevertheless makes clear that it would be ridiculous in his opinion to brand an event “genocide” if only one single person was killed.

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to destroy the group of Native Americans as such, all they cared about was that particular tribe they were in immediate contact with.

I would suggest that a portion of these difficulties stem from the fact that human minds only in rare cases are oriented along a single dimension, such as ethnicity or nationhood. The most basic intersection of dimensions could be when the victim group is defined for instance by ethnic and geographic criteria. In other words, if the Young Turks intended to destroy the Armenians within a certain territory, even if it was the entire territory under their control so they could create a homogeneous Turkish nation-state, then the criterion to select the victims was not simply being Armenian, but also place of residence. Similarly, if the argument of the contra-genocide authors is accurate and the Armenians were victimized because they posed a threat to the nation, then the dimensions for selection would be being Armenian and being a threat to the nation. I guess my point about this is ultimately that of course there may be instances in which nationhood, ethnicity, race, or religion is the one and only criterion for victim selection. However, there may be other instances in which any of them is not the single criterion, but intertwined with at least one more – be it for pragmatic or reasons of principle. The question then arises if this victim group, which is identified by more than one variable, is still to be considered victim of genocide – as in my opinion implied by the UNGC which could be interpreted to consider such a case of the destruction of a group in part, as such. But it appears as if many contra-genocide authors would decidedly refuse to acknowledge this claim, and possibly also some pro-genocide authors would also be hesitant to adopt this position.

Maybe it is worthwhile to recall another important distinction: the intention to destroy a group versus its actual implementation, mens rea versus actus reus. Basically, if only part of a group is actually killed this may be either because (a) the perpetrators targeted the entire group but for practical reasons not succeeded to do so – something very likely where the victim group is of considerable size or highly dispersed; or because (b) they intended to kill only part of the group to begin with. In my opinion, there are hence two issues: first, the numerical definition of “in part”, which might better not be spelled out anyway. And second, if it is “really” genocide if only part of a group was intended to be annihilated. On first look, this appears to be in accordance with the UNGC, but is this also the social understanding of genocide?  

670 For instance Schabas (2000: 234) holds that the conduct of genocide (the actus reus) may be only partial, but that the genocidal intent (the mens rea) must be directed against the entire group.
So far I have touched on the phrasing of “in whole or in part”, but I also want to point out that at least to me the succeeding addition of “as such” complicates the matter even further. In my understanding, targeting the group “as such” indicates that the intention is not directed against individual members of the group but against the group as an entity *sui generis*. By consequence, what the UNGC directly sheds its protection on is essentially the group as such, not its individual members. In theory, individuals may be harassed without this constituting the crime of genocide as long the offenses are not intended to harm the group as such, even if the individuals are selected based upon their group membership. Of course it might be argued that this protection to the group extends to individuals because if the perpetrator selects her victims by virtue of group membership, it may be deduced that she intended to harm the group as such, thereby committing genocide — but obviously, if she could disprove such intent, she would not be committing genocide. As the UN Secretariat observed during the drafting process of the UNGC:

“The victim of the crime of genocide is a human group. It is not a greater or smaller number of individuals who are affected for a particular reason (execution of hostages) but a group as such.”\textsuperscript{671}

I suggest the origin of this difficulty is fundamentally, from a constructionist perspective, that apparently all actions, the conduct of a crime as well as its prevention, must be rooted in ontological reality. That is, they can only take effect on concrete human beings. However, they may be motivated by abstract concepts, that is, groups of people. So, just as the malevolent act is basically attempting to destroy an abstract idea, but can be accomplished only by mistreating very concrete individuals; and by the same token does the UNGC, and indeed the very concept of genocide in my understanding, try to protect this abstract idea by protecting those concrete human beings. The difficulty and danger I see at this point is only that this protection may thus wind up undecisively oscillating between the individual and the group, and for that reason may offer ample ground for debate and controversy, and ultimately fail to fulfill its intended purpose.

To conclude this section I want to summarize that my intention was primarily to point out first of all how difficult the concept of intention is. This is first and foremost so, I believe, because genocide is widely conceived as a crime which is perpetrated by and against a group of people — it is not an individualized crime, committed by or against an individual. The crime of genocide is essentially a crime which is located on a collective level. It therefore must

\textsuperscript{671} Quoted in Schabas (2000): 231.
entail a very clear definition of such collectives, which in my opinion has not been accomplished yet. Moreover, this brings the concept of genocide also in contradiction with one of its defining features, intention, which is an individual quality only. This, and the fact that ultimately genocide can be executed and endured by individuals only, puts the concept of genocide at a precarious position between the collective and the individual.

All of this may seem like a rather theoretical and petty discussion about intention, potentially even distracting from the important issues about genocide right away. However, as the topic of this thesis illustrates, I do think these may become extremely important question because they also determine who is accused of genocide (or freed of such allegations), and who is retrospectively recognized as victim (or prospectively protected). The fact that these questions are hardly ever explicitly tackled within the context of this debate (they certainly are discussed in more general and especially in legal debates about genocide), contributes immensely to the diffusion of concepts, the sustained interplay of allegations and denials, and to the very confusion dominating this discourse. Ultimately bad conceptualization might stir and prolong conflict, even foment future resentment. Simply asserting that genocide occurred does not mean a very lot if it cannot be appropriately described who has committed this offense, and who was its victim. For what is an action without an agent, and what is a crime without a victim? What is its social relevance?


I guess at this time it makes sense to recapitulate the arguments as they have been discussed so far, and tentatively try to put them in a more systematic frame. I shall do so in two dimensions: first I want to identify which of these arguments I have identified essentially depart from the UNGC, trying to reject the proposition that the events of 1915 constitute genocide by arguing that they do not fit into the definition outlined by the UNGC; these shall be contrasted to those arguments directed at the meaning of these events, i.e., rejecting the claim that the social relevance of these events are best summarized in the term “genocide”. In a second step I shall adopt another differentiation occasionally made about contra-genocide arguments, i.e. between excuses and justifications.


To start right away, below in table 1 I have listed in a coarse manner the arguments I have identified and discussed above, and how I would tentatively classify their primary implication.
as pertaining to either the formal (legal/scientific) classification of these events as genocide, or their social meaning:

<table>
<thead>
<tr>
<th>Argument</th>
<th>Directed Against UNGC</th>
<th>Directed Against Meaning</th>
</tr>
</thead>
<tbody>
<tr>
<td>Leave Past Behind</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Question for Experts</td>
<td>(X)</td>
<td>X</td>
</tr>
<tr>
<td>Question for Armenians and Turks only</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Not Applying UNGC Retrospectively</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Uniqueness of Genocide</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Armenian Violence</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Intercommunal Strife</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>National Defense</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Armenians as a Political Group</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Invoking Other Genocides</td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Dire Conditions of Life</td>
<td>(X)</td>
<td></td>
</tr>
<tr>
<td>No Genocidal Intention</td>
<td>X</td>
<td>X</td>
</tr>
</tbody>
</table>

Table 1

While there certainly is room to challenge and debate some of my assignments, what I am interested in demonstrating is mostly the overall picture: that a significant amount of arguments are primarily or even exclusively directed against the connotations and implications of the term “genocide”, while far fewer are indeed arguments which depart from a legal understanding of genocide. There is a wide range of arguments brought forward to rebut the genocide allegations. However, only very few out of them actually have any significance with regard to the legal definition of genocide, as laid out in the UNGC. These are strictly speaking only the arguments that (a) the UNGC must not be applied retrospectively, (b) the Armenians in fact were a political rather ethnical group, (c) there was no genocidal intention. It could also be said that two more arguments refer to the UNGC, namely that (d) Armenians perished mostly due to the dire circumstances of life at that time (no crime without an offender), and that (e) it is a question for experts (which should be resolved by the competent organs only). However, I am a bit hesitant to understand them really as arguments based on the UNGC: the first one because the UNGC does not involve only killings but also other acts, and because I presume no one would deny that some Armenians were indeed murdered – the argument about dire conditions of life, as I read it, is mostly one about the numerical relation between victims who passed away and victims who were massacred. And the second one because the call for experts is usually one for historians, not for jurists, and that version is in not warranted by the UNGC.
However, it is not only these five arguments which object to genocide allegations. To the contrary, there are a number of texts which indeed focus on or even exclusively rest upon arguments which are in no relation to the UNGC at all. It could be said that the claim to leave the past behind is a disguised plea for a statute of limitations for the crime of genocide, but it clearly is not forwarded as such, and its legal cogency is also questionable. Likewise, the argument that it should be left to Armenians and Turks only could be read as an argument about the legally permissible plaintiffs and defendants, but again this is first of all not the way the argument is presented, and as a claim to restrict the potential plaintiffs it is better served by the prohibition to apply the UNGC retroactively, I think.

The other arguments are, I believe, not designed to disprove the claim that what happened in 1915 was genocide as defined by the UNGC, at best they could be considered mitigating excuses. Some of them are even in clear contradiction to the legal understanding of genocide, such as the call for the uniqueness of the Shoah, or some forms of Aufrechnung. The question that ultimately inspired this work was hence: why are they raised at all? And the response I gave myself, in an admittedly and academically flawed manner already before starting out with my work, was that they indeed target the meaning of these events. It is the assumption that historians do not offer only a representation of the past but more importantly a meaning for it, and therefore the controversy and allegations about “historical revisionism” makes sense as a quarrel about the right interpretation of the past, about the right meaning of the past, and not simply as a debate about facts.

What comes to mind at this point is the notion of “new revisionism” proposed by Marc Nichanian. As I understand his explanations, this new revisionism does not simply attempt to alter the meaning attributed to an event, but instead to dissolve the existing one without being able or even willing to offer a substitute. This might be the consequence of arguments such as leaving the past behind or handing it all over to experts – depleting the past of its meaning and leaving behind a void, which might at some point be restocked by a meaning presented by some experts and with political consecration. However, since according to the constructionist paradigm we need such a meaning in order to cognitively and emotionally process a phenomenon, this revisionism undermines the social reality of the respective phenomenon:

“It [i.e., the new revisionism] does not attack the facts, which cannot be revised any more than the death of Elvis Presley. It attacks the significance of the facts, doubtless in the full knowledge that, in doing so, it is undermining the reality of the event. The reason for this is simple: there is reality only where there is meaning. Revisionism

To put one thing very clearly: my claim is in no way intended to diminish a legal judgment based upon the UNGC; however, I would claim that this legal judgment’s significance (in this case!) would not so much rest in its legal ramifications but instead in the impact it would have on the meaning these events enjoy in Turkey, in Armenia, and anywhere else where they receive some attention. That is, its significance would lie in its reflecting a “right” and “proven” evaluation in a moral sense, which underlies the legal judgment. And the legal term “genocide”, by its relation to the moral term “genocide”, would then allow to infer a wide array of conclusions. This is what Edoo Rigotti and Andrea Rocci have described as a “keyword”, which opens a whole body of knowledge, propositions and connotations, and this is where a significant source of the importance of “genocide” resides.

I think the legal consequences would be negligible in this case: I do not think any of the feared legal penalties for Turkey/Turks or compensations for Armenia/Armenians would considerably affect either country/population. There could be, I imagine, important consequences nevertheless, but these would not be legal but again social ones instead. For instance, arriving at a legally sanctioned evaluation of these events may require that Turks and/or Armenians revise their collective identity. Or the governments of Turkey and/or Armenia may then feel pressed from within and without to revise their position towards the other country and its citizens. Certainly also calls for compensation would experience a considerable backing, but as explained above (see section 3.1.4.1) it appears credible that no compensation could be automatically derived from genocide recognition, and I even remain doubtful if any compensation at all would occur which could substantially affect the Republic of Turkey. Or some third parties may revise how they design their relations with either country. And therefore all these arguments indeed are relevant, as is their discussion and evaluation.

4.13.2. Excuses and Justifications.

There is one more theoretical distinction sometimes evoked in the academic literature which I would like to bring up, namely between justifications and excuses. According to Stanley Cohen, these two can be separated by their attitude towards the viciousness of the events on the one side, and the responsibility that is resumed for these on the other. By way of

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justification an agent does not deny her responsibility, but she does very well deny the pejorative quality of her act. By contradistinction, an excuse does acknowledge the pejorative character of the event, but denies the agent’s responsibility for them. In the words of George P. Fletcher:

“Claims of justification concede that the definition of the offence is satisfied, but challenge whether the act is wrongful; claims of excuse concede that the act is wrongful, but seek to avoid the attribution of the act to the author. A justification speaks to the rightness of the act; an excuse, to whether the actor is accountable for a concededly wrongful act.”

I would only like to expand the concept of excuse a little, understanding it as continuum ranging from total denial of any responsibility to an acknowledgment of responsibility mitigated by some alleviating circumstances. Noteworthy about these two ways of confronting allegations is how victims may perceive of these arguments: by definition, a justification claims that what happened to victim was essentially right because it was a good thing to do in the first place. This is not present in an excuse, or at least only in a much more moderate sense. Therefore justifications in many cases appear far more outrageous than excuses to victims, because they not only reject guilt on the perpetrator’s side but also fail to acknowledge the pain of the victim, fail to express pity or remorse. Just from a theoretical point of view, I would hence expect that justifications are much worse suited to be acceptable for the victim. By the same token, as Cohen further points out, excuses tend to be passive, defensive, and apologetic, whereas justifications more commonly are offensive, active, and unapologetic. I tentatively agree with this observation as well, and this in my opinion further corroborates the tendency in justifications to obfuscate conflict resolution.

Below in table 2 I have again summarized the arguments discussed above. However, in order to assign each of them to a certain class, I added a third kind of argument next to justification and excuse, that is, repression. The necessity for this third category in my opinion originates from the fact that there are some arguments which essentially do not make any

676 Quoted in Schabas (2000): 315. A slightly different but still similar distinction can be found in Guroian (1988: 139): a justification claims that a certain act was “the only, perhaps the only possible, responsible thing to do at the time”, whereas an excuse claims that the pejorative act was not under the control of the agent.
677 It could be argued that arguments of necessity fall between excuses and justifications, since they do not claim that what was done was good and right, but that it was inevitable. However, I have explained above why I am rather skeptical about arguments of necessity, and ultimately they in my opinion still insist that the choices made were the best available. Therefore I would tend to consider them justifications rather than excuses.
679 All of this is of course based on the assumption that there indeed was an injustice. It would for sure be wrong to claim for any given conflict that justifications should be inhibited altogether. And certainly there are also various techniques to forward allegations, which too may hamper conflict resolution.
claim about the events themselves. Rather, all they do is argue about how we should treat these events in particular and the past in general. I have dubbed this third category “repression”, which admittedly may be an unfortunate term in light of its psychological load. I nevertheless decided to stick with it in want of a better expression. It is decidedly not intended to apply a psychological model to a very conscious argument; but what it describes well in my opinion is how claims for “repression” try to discourage from the specific meaning of “genocide” while not offering any substitute. That is basically because they do not relate in any way to the events themselves, but instead refute (or better: avoid) the genocide allegations by reference to some other mental concepts (events, ideas etc.). Thereby allegations are fought off, without being worked through in any sensible way.

Anyway, here is my suggestion:

<table>
<thead>
<tr>
<th>Argument</th>
<th>Justification</th>
<th>Excuse</th>
<th>Repression</th>
</tr>
</thead>
<tbody>
<tr>
<td>Leave Past Behind</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Question for Experts</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Question for Armenians and Turks only</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Not Applying UNGC Retrospectively</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Uniqueness of Genocide</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Armenian Violence</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Intercommunal Strife</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>National Defense</td>
<td>X</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Armenians as a Political Group</td>
<td></td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Invoking Other Genocides</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>Dire Conditions of Life</td>
<td></td>
<td></td>
<td>X</td>
</tr>
<tr>
<td>No Genocidal Intention</td>
<td></td>
<td></td>
<td>X</td>
</tr>
</tbody>
</table>

Table 2

Before embarking on a discussion on the implications of this assignment, one more methodological remark: in my opinion this distinction between justification and excuse, as so many other “theoretical” distinctions I have offered in this paper, is somewhat artificial, lacking a clearly demarcated boundary between them. Furthermore, it may not necessarily be a characteristic of the argument whether it is an excuse or an apology; rather, this quality of the argument may reside with the author proposing it, hence vary from situation to situation. To give an example, the “Armenian violence” argument may serve as an excuse: what the Ottomans did was wrong, but in this situation, the turmoil of war and the constant pressure they were under, wrong decisions must occur and given these circumstances it seems understandable they took this particular wrong decision. However, the same argument may serve as a justification: the Ottomans had no other choice, they were attacked by the Armenians who are themselves to blame since these very Armenians initiated the entire
process, and therefore the Ottomans were right in reacting as they did. Therefore the table above, as the one in the previous section, is open to debate and intended rather as a suggestion for discussion, to illustrate some points which follow.

One advantage of this differentiation between justifications and excuses, combined with a rough categorization of the individual arguments, is that it offers a convenient heuristic device. I would think that at least by the definition offered above, justifications and excuses are mutually exclusive: a justification argues that a certain action was right, while an excuse offers reasons why our judgment of that activity must not be that strict (and thereby presumes the wrongness of the action); an excuse denies (or diminishes) responsibility for an act, whereas a justification implicitly presumes it by ascertaining that the agent was right to act that way. Therefore they are fundamentally different and must not be confused with each other: a successful and appropriate excuse does not mean that the alleged violation was right, that it was no violation to begin with. This antinomian relation between those two, if these assumptions are correct, in combination with an accurate classification of arguments in justifications and excuses, facilitates the identification of inconsistent or inconsequent argumentation. For instance, according to my scheme the assertion that the Ottoman government was right to deport all those Ottoman Armenians because they were a threat to the nation does not align with Aufrechnung, with the claim that others behaved just as bad. And the argument about intercommunal strife, which denies any responsibility of the Young Turk regime in these events, is at odds the argument that the Young Turks were right to take repressive action.

Anyway, the important point why I raised this distinction is not only because of its potential implication for reconciliation; more than that, and this brings me back to a question I had discussed far earlier in this work, I think there is a difference between justifications and excuses for past events as regards the potential repetition of these events in the present. An excuse acknowledges the evil element in an event, while it “merely” raises mitigating circumstances to avoid a full condemnation of the perpetrator. But this at least still leaves room for a principled condemnation of the act, its classification as evil.680

By contrast, a justification represents this very act as reasonable: they are not a result of lacking knowledge in the confusing times of war, or of more irrational responses like fear and prejudice – they are sensible, and hence if they are found to constitute genocide they amount

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680 Which, as Walzer (2004: 52) emphasizes, does not mean that excuses are somehow „innocent“ or need not be criticized just as well.
to a “reasonable Genocide”, a mass slaughter which is perfectly prudent rather than cruel and barbaric. By implication of being reasonable, these acts also become right, something that could or even should be repeated, mutatis mutandis: some sort of “best practice” standard to follow when confronted with similar problems. That makes justifications an encouragement for repetition. If I as a third party observer would hence be of the opinion that these particular events were indeed evil, then clearly I should be very worried about any justifications offered for these acts: “While an excuse to a charge of genocide might be conceivable [such as duress], a justification seems unthinkable.”

Excuses and my clumsy category of repression function differently. They do not make any claim to deny the viciousness of the events themselves, and they do not encourage repetition. However, they do suggest how we should deal with such events in the present. They profess that evil and wrong are not just a matter of our evaluation of this particular situation, but involve also a range of other events and ideas. The responsibility for the wrong can be cast off by invoking other elements which form the background of these events or our evaluation.

4.13.3. Denial.

With that being said, it may finally be indicated to elaborate on the conspicuous absence of a particular term in this work, one that is so often repeated in this and similar discussions: denial. I guess it would have been an obvious approach to analyze this debate in terms of denial of responsibility – or, taking the other side, as an analysis about unfounded allegations. So in this section I think it is worthwhile to cursorily outline what such a paradigm could have offered for this topic and, more importantly, to account for this my omission.


“Denial” is of course a frequently used term, and for sure there are a number of theories available about denial. The most appealing theory to me is Stanley Cohen, as he outlines it in his “States of Denial”. Ultimately, he defines denial as a

“statement about the world or the self (or about the knowledge of the world or yourself) which is neither literally true nor a lie intended to deceive others but allows for the strange possibility of simultaneously knowing and not-knowing. The existence of what is denied must be »somehow« known, and statements expressing this denial must be »somehow« believed in.”

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Moreover, denial of guilt may occur on four different levels: (a) on a cognitive level, as the refusal to acknowledge the facts about the wrong one has committed; (b) on an emotional level, as the failure to feel disturbed by the wrongs one has committed; (c) on a moral level, as the failure to recognize what is wrong, or what one is responsible for; finally (d) on the level of action, as the failure to take the necessary corrective actions after the recognition of a wrong one is responsible for.  

Cohen then goes on by offering seven techniques of denial, which, as I understand it, facilitate and accomplish the denial on any of the levels just mentioned:

- denial of responsibility and/or intent: the wrong is acknowledged, but the defendant was not the one responsible for it. In the case studied here, this may be implied for instance in arguments that claim that the massacres were enacted by maroding Kurdish tribes.

- denial of injury: downplaying the wrong which was endured by the victim. In this case, this is inherent in the discussion about the number of victims.

- denial of the victim: i.e., denial that a description which bestows the status of victims on them is an appropriate one by emphasizing the bad sides of the victims. In my understanding, this reasoning suggests two conclusions: (a) the defendant is not (or less) to blame because the victim provoked it, which ultimately amounts to denial of responsibility; and (b) the wrong should not be conceived as a wrong in the first place, the victim only got what she deserved. As Cohen points out, this is what “just world thinking” usually winds up with. The paradigmatic example for the first variation would be the *tu quoque* argument about Armenian violence, the second one the claim for national defense.

- condemnation of the condemners: a counter-strategy which attempts to remove the own guilt by emphasizing the guilt accumulated by those who are now busy blaming the defendant. This technique can be found in this particular discourse just as well, discussed here as *Aufrechnung*.

- appeal to higher loyalties: the wrong is justified as a necessity to realize a higher good. In this case, it may be exemplified by the argument that for the sake of the survival of the Turkish nation the Young Turks had to impose these repressive measures on the Armenian population.

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686 As Cohen acknowledges, the first five are actually adopted from the work of Graham Sykes and David Matza, the last two are his genuine contribution.
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- denial of knowledge: the perpetrator denies any knowledge of the event, respectively that it ever actually happened. Also in this discourse here there are some aspects denied on a factual level, such as the veracity of some telegrams, the accuracy of the death toll, or the actual and immediate cause for a number of deaths.

- moral indifference: the events are accurately acknowledged, but the person simply fails to draw the moral conclusions and thus also the necessary corrective actions out of it.\(^{687}\)

Similarly to the reasoning I have suggested at different occasions above, Cohen also points to the seminal functions of denial as well as its immanent dangers. By quoting Graham Sykes and David Matza he holds that “[t]his vocabulary […] functions after the act to protect the individual from both self-blame and blame by others, and before the act to weaken social control – and hence make delinquency possible.”\(^{688}\)

Just to offer my thoughts on this model of denial: it apparently is a very broad and hence encompassing notion of denial, which offers the great advantage of being sensitive to various levels and techniques of denial. I have nevertheless decided not to frame this work as a paper about denial but rather about narrative and meaning, and therefore did not base my analysis on this or any other taxonomy of denial.\(^{689}\) First, because as generic and well-thought these models are, they still do not seem to be exhaustive yet. It appears that authors arguing against allegations are still capable of deploying techniques and strategies which are not yet included in these taxonomies. For instance, in Cohen’s model as just presented I cannot see a convincing way to categorize the important argument that it is simply better to leave the past behind, or at least to leave it in the hand of historians – the category of moral indifference arguably may work, but not necessarily so. Second, because the categories in these models are not mutually exclusive. This may be due to the fact that classification here is not based on one single dimension, where the different categories represent different manifestations of one variable. Instead, each category is based on its very own dimension. But in reality, an argument may appeal to two or more dimensions, and may therefore qualify in more than one category. For instance, the argument that the reprisals against the Armenians were justified for the sake of national defense may be seen as an appeal to a higher loyalty (the nation), but also as a denial of the victim (because obviously Armenians posed a threat to this higher loyalty). And finally, many models do not clearly differentiate between content and form. For instance, a number of authors also analyze the funding of academic institutions to spread such contra-

\(^{687}\) Cohen (2001): 77-100.

\(^{688}\) Cohen (2001): 60f.

genocide arguments as a strategy of denial. However, I would argue that this only supports the denial which occurs on the content level, it gives them a certain form; but neither does it tell anything about the event itself nor about its evaluation, and therefore I would not consider it denial per se.690

My intention was to examine the various contra-genocide arguments. On the one hand now Cohen’s (and others’) model did not yet offer enough categories to cover all these arguments I considered worthwhile discussing here, and on the other hand it included too many categories, because I did not want to embark on a discussion why people fail to take certain remedial actions even after they acknowledge personal guilt. So, his model appeared to be highly inspiring to understand why certain arguments are used or certain positions are assumed, but not designed for an analysis of the arguments themselves.

To conclude, I have one last issue with this model of denial which I wanted to briefly touch upon. As I see it, Cohen’s theory is already one step ahead of me. As I understood it, his chief concern is denial of guilt. Apparently, denial of guilt already presupposes that an event occurred, that there is an agent responsible for this event, and that the event is considered evil. It is at this point that denial of guilt may commence – and its analysis. Thus, his theory does not offer a differentiation between denial and defense, it presumes that the viciousness of the events does not need further proof. Otherwise any argument which is expressed against any allegation could be subsumed as “denial”, including virtually every defense in court, or any arguments in academia, politics, and daily social life. What distinguishes denial from defense in this theory is that denial is fighting for the wrong cause, and the rightness of the cause is already established before analysis.

I do not share such a broad understanding of “denial”: I still deem it worthwhile to preserve the term “genocide denial” as something which is distinct from reasonable and “decent” discourse – knowing that this is a miraculously imprecise description. It may again be just me, but I would like to entertain an understanding of denial which retains a pejorative meaning of the denying act, as for instance the heavily loaded term Holocaustleugnung hopefully still does.

When I decided to join and analyze this particular discourse, I deliberately sought not to presume that all the contra-genocide authors would deserve a label as pejorative as “genocide denial” to begin with, especially given my, well, at best “marginal” knowledge (if any) about

690 I hasten to add that one of the reasons why I selected Cohen’s taxonomy as an example is because this is actually a very well conceived classificatory system. He indeed offers also five dimensions of denial which distinguish between denial contentwise, the agent of denial, and the organizational, the temporal, and the spatial dimension of denial (Cohen (2001): 7-18).
these events or the participants in this debate. So, if I wanted to retain my own understanding of “genocide denial” as a pejorative evaluation about a particular speech act, and at the same time avoid to condemn any contra-genocide author in the first place, I had (a) to deploy a different terminology for these texts, and (b) to sustain a different meaning of denial which would still, at least ideally, discriminate between repugnant genocide denial on the one side and somewhat reasonable and genuine argumentation on the other.


In my own understanding, denial essentially implies that (a) a person contests a certain assertion, and (b) that this contested assertion is viable.691 By consequence, there are two options to describe the person challenging a particular assertion: (a) if that person too believes that the contested assertion is actually the viable one, she could be described as an impostor; and (b) if the person holds her challenge to reflect the correct position, maybe because she is not aware of some fact or departs from a different paradigm, which means she is contesting it out of ignorance in a wider sense, she could be called an ignoramus. The first option in my opinion clearly implies a pejorative connotation. The second may be a morally neutral expression, despite carrying some negative images as well, at the minimum that I, the person judging the ignoramus, apparently knows more or better than the ignoramus herself, who is thereby to a certain degree discredited and unauthorized to offer a conclusive resolution about the contested assertion. However, in my personal understanding what the ignoramus does is not denial in a strict sense, at best I believe it is worthwhile to discriminate it from the behavior of the impostor. Maybe the activity of the ignoramus could be dubbed “denial out of ignorance”: she can be told about arguments that support the contested assertion, and ideally she could thus be convinced and endorse our contested assertion too henceforth. If she is not

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691 I chose the constructionist term “viable” because in my understanding it carries a less restricted meaning than the more ultimate “true” or “valid”. In other words, in order to remain capable of acting in this world, I need to accept some assumptions as accurate, or viable, even if they cannot pass the ultimate test I would need to apply to determine “truth”. For instance, I cannot prove moral norms are true. Still, I believe some of them are viable because to date I have not learned about any convincing refutation of them. Similarly, I did not personally witness the Holocaust, I only heard people telling me about it and showing me some places where they said it had occurred – just as I heard other (though dramatically less) people telling me it was all made up. Given that the first group of people seems much more reliable to me, they explanations much more reasonable and more apt to explain some present phenomena in my own world, it makes sense to me to accept their version of history as the viable one. This should not be misunderstood as what is often alleged against constructionist approaches in general: that one assertion is as good and/or valid as any other. Apparently, some interpretations are less in alignment with the underlying “facts” than others, thereby less credible. Moreover, different interpretations always express different underlying values: they originate in different value systems, they support different ends, they bring about different consequences. Therefore, a critique of interpretations is very well possible, even required, by examining what these consequences and values are. We do not need to be chasing some ultimate truth in order to rebut or support certain views, it may be sufficient to have something we believe to be simply the “right” thing to do and think, even if it cannot be proven to be “true”.

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accepting our reasons, she either has good reasons to doubt validity, but then we should move on to a discussion of these further reasons, not of the contested assertion itself. For instance, she may depart from a different value system, or the reliability of sources of information, and these presumptions make her interpret and evaluate the contested assertion differently. In other words, it may be the denying speech act is not rooted in a denial of these events, but rather in a denial of the validity of a particular value system – such as the denial that human life is higher a value than national glory. In that sense it could even be said that in some cases (certainly not all) a person might be an ignoramus in one field (denying the Holocaust, for instance) because she is an impostor in another field (denying human rights, for instance).

The quality of the impostor, by contrast, is to share the same “facts” and heuristic presumptions, such as values and methodology, but maintains her allegedly unviable position, maybe because this position caters to other interests of her.692 This comes closer to my personal understanding of denial, and reflects also what Cohen dubbed the “denial paradox”: that in order to deny something, you need to know about it first.693

I do believe that certainly a number of authors among the contra-genocide camp do challenge the genocide allegations with bad intentions, or with a considerable degree of ignorance. But just as well do I hold that a number of pro-genocide partisans harbor a significant degree of ignorance, or act out of less noble motivation than they would like to make their audience and maybe even themselves believe. I think it is an important task to reveal both types of errors, and to analyze their patterns. Nevertheless, it is not sufficient to do so, because ultimately this achieves nothing but to undermine the opponent’s integrity. If the claim about denial is misunderstood as a contentual argument against the antithesis rather than the person uttering it, then this claim of denial is a classical fallacy, an argumentum ad hominem.694 It should be clear that performing such an analysis under the umbrella of denial

692 There is contentious intermediate position between impostor and ignoramus which does not quite fit into my suggestion: there may be persons, or maybe we actually all are such kind of persons, who are in full knowledge of all the “facts” and who also adhere to the very same values (therefore not being an ignoramus), but still do not support the viable assertion. However, they do so not by intentionally pursuing other ends, but instead with veracity and honesty insist on the unviable position. Such unintentional denial may be more of a psychological phenomenon: a person failing to appropriately acknowledge what she should acknowledge, given her knowledge and evaluative premises, but refuses to do so for other (unconscious) reasons. On the outside this may manifest itself by adherence to some fallacy, and may be better explicated by psychological theories such as repression and disavowal. I cannot resolve this shortcoming of my proposed differentiation, cannot clarify if this third type should be considered ignoramus, impostor or something separate. I personally would consider it more an issue of ignorance rather than genuine “denial”, since again it mandates a discussion of “exogenous” aspects, i.e. aspects different from the contested assertion itself and its reasons, in order to resolve the dispute. For a different but very illuminative discussion on disavowal, repression, and denial see also Cohen (2001): 24-30.


does not mean anything with regard to the contested issue itself, nor does it contribute anything to its resolution. Moreover, I guess we should be very aware that most likely impostors and ignoramuses are among both camps, pro- and contra-genocide; a theory of denial is a theory about human beings, why and how we endorse certain positions, and human beings can be found on both sides, fortunately. So, as useful as additional analysis and knowledge about commentators may be, if we want to resolve this issue by appeal to reason, then I believe we need to disregard the authors and focus on their arguments.

What makes the term “denial” in this particular case even more delicate is my assumption that this conflict is primarily one around the meaning we should ascribe to these events. It certainly is not about meaning only, for instance where the debate revolves around the historical accuracy of some documents; but the dimension which I think causes so many of those involved highly activated and rotating with activity, is the struggle about the most appropriate social meaning. And even though I am not an expert in the philosophy of science, as far as I have come with my understanding of truth and human knowledge I remain skeptical whether the question of the right interpretation is one of truth. The “right” meaning cannot be proven, all we can do is argue about it and try for the most reasonable one, the one which closest reflects our value system being applied to this particular case.695

Either way, my clumsy differentiation between impostor and ignoramus is located notably at the level of knowledge and intention of the interlocutor. This means that regardless of this differentiation, the effect of such propositions may still be the same. They may both affect the audience in the same way, no matter what their knowledge or intentions are. And they therefore affect also the consequences of such discourses in a similar way, including compensation, restitution of victims, taking responsibility and so forth. Adapting Israel Charny for my purposes, it may be said that denial out of ignorance (the ignoramus) may be more or less “innocent”, but it is not harmless.696 It needs to be exposed and challenged just as what I consider more malevolent denial (the impostor), be it either as denial of the event itself or denial of its appropriate interpretation.

695 See also Gergen (1998: 201) who argues that when we are confronted with denial of the Holocaust, we should not so much embark on a search for historical truth but in one of the moral consequences of such a denial.
5. Conclusions.

After presenting an analysis of the individual arguments and thereby at least attempting to give a description of the current state of the debate, I would like to offer a few conclusions beyond this discussion. I shall split this into three parts: first I want to see what this particular way of defending the official Turkish narrative, of arguing and evaluating these events means for the contemporary Republic of Turkey, more specifically for contemporary Turkish nationalism. Then I want to venture into a crude outline what an adapted narrative could look like, a narrative which accepts some disagreements and ambiguity but nevertheless attempts to establish a common interpretation which is reinforcing a specific orientation. And lastly, since it is so crucial a concept for this particular dispute, I want to offer a little critique of the very concept of genocide, to illustrate why I believe it may have been designed with the best of intentions but might at least in some instances run against these noble interests.

5.1. Turkish Nationalism.

Nationalism, to be sure, is a concept of abundant usage and by consequence its meaning is quite ambiguous, already because its underlying concept, the nation, may allude (at least) to a state, a collective entity existing in its own right, or a group of people. This is further exacerbated as the concept of nation requires the drawing of boundaries as a crucial element, to discriminate one nation from the other. And it therefore depends also on those complex and diffuse concepts which are deployed to demarcate these boundaries, such as ethnicity, culture, language, history, religion and so forth. As complex as nationalism certainly is, it is often invoked also in this discourse, and thus I believe it is worthwhile to be considered here too.

Nationalism is a concept often resorted to in order to explain the coming about of the historical events studied here, and curiously enough by both pro- and contra-genocide authors. Pro-genociders at times assert that the deportation of the Armenians was at its core an extremely nationalist project, understood as an attempt to turn Anatolia into a homogeneous territory for the Turkish people. Some contra-genocide observers by contrast see the root cause of this past tragedy in the developing Armenian nationalism and the ensuing uprising of Armenians against the Ottoman state, as demonstrated above (see sections 4.6, 4.7, 4.8 and 4.9). Be that as it may for now, it appears interesting to note first that both sides agree nationalism played a crucial role in this event, and, possibly even more important, second that in both arguments nationalism is presented as something unfavorable, causing unwarranted

and large-scale suffering – at least the nationalism of the other side.⁶⁹⁸ Since these cases are mostly made by various historians engaging in this discussion, it might be worthwhile to have a closer look at the concept of nationalism itself therefore, and how it relates to this discussion.

No matter how we define nationalism, I guess it will always have to presuppose an understanding of the nation. So let’s have a look at this one first. Indeed the content of “nation” may be filled by various ingredients such as ethnicity, history, religion, culture, language, citizenship, commitment to a legal code,⁶⁹⁹ and so forth. Therefore nationalism is also a concept studied by various academic disciplines, including on the one side all those studying the very elements which ground a nation, such as religious sciences, linguistics, genetics, history etc.; and on the other hand these are complemented by social sciences which deal with the content of a nation as well, but in on a meta level seek to cover also the social processes by which we come to assume the existence of nations to begin with, how we determine by what criteria they are formed, what functions they fulfill and so forth.

Basically it was already discussed for the concept of collective identity that the answers to the uniting quality of a collective could be divided on the one side into an essentialist direction, understanding nation as something which exists a priori and which is discovered by its members and/or observers. In that case, nation is closer to something objective, possibly some ontological if not innate characteristic. By consequence “nation” is more a question of being rather than doing. Not very surprisingly, I lean more to the other side, to a more generic and constructionist understanding of “nation”, understanding it as a social construction, which does not make it any less real or effective (see also the discussion of collective identity in section 2.3).

And in a reciprocal relationship to this constructionist approach to “nation” I would suggest that the term “nationalism” encompasses two phenomena, which in our currently dominating political reality overlap in most instances: (a) nationalism as the position that the seminal and most legitimate quality to ground political allegiance on is nationhood, that the nation is the pivotal political entity; and (b) nationalism as the strong positive identification with and hence endorsement of a particular political entity, i.e. nation, in most cases the own

⁶⁹⁸ And at this point it appears imperative to admit to certain reservations on my own side against most manifestations of nationalism, reservations which inadvertently ground a certain bias which will distort the analysis presented on the next few pages.

⁶⁹⁹ As for instance suggested by Jürgen Habermas (1993; 1998) in the concept of “constitutional patriotism”. Nationalism is most certainly not the project of Habermas, but I believe that functionally constitutional patriotism may serve that end just as well – and that why it deserves mention here too, in order not to portray nationalism only as something occurring at the right or conservative end of the political spectrum.
nation.\textsuperscript{700} The relationship or often even identification of these two concepts in my opinion derives from the fact that for the last decades the pivotal mode of political organization has been and to date continues to be the nation-state, and thereby it may sometimes even be confounded or identified with the nation which is allegedly at its core. By consequence, I consider a nationalist policy one which (a) is based on a nationalist paradigm, where nationhood is an instrument to assign (also political) identity to individuals and to ground political communities on; and beyond that it is (b) a policy which attempts to promote the own political community. In this case here, I would suggest to conceive of Turkish nationalism as comprising both these features. That is, what I shall try to demonstrate in this analysis is that the arguments discussed here predominantly endorse a version of nationalism which is based on nationhood, which is located more at the essentialist end of the spectrum of how a nation is constructed.\textsuperscript{701} And at the same time this Turkish nationalism is characterized in my opinion by a strong promotion of this Turkish nation.

I suppose it is a commonplace to claim that a nation-state tends to abet itself, which includes the promotion of both its nation and of its state.\textsuperscript{702} In the Turkish case, as in many others, this state endorsement of nationalism is highly visible and public, indeed an acknowledged and accepted state policy. For instance, one of the six Kemalist principles is nationalism, \textit{milliyetçilik},\textsuperscript{703} establishing it as a fundamental value for the Turkish Republic. The Turkish nation and its nationalism even got sanctioned in the Turkish Constitution: already its incipient words, the introduction to the preamble, put the constitution “[i]n line with the concept of nationalism” and affirm “the eternal existence of the Turkish nation”; in

\textsuperscript{700} In fact, the second dimension may be considered self-evident, especially for political realists, and nationalism may be reduced to the first concept, the identification of the national with the political community. However, in light of the under-determination of the term “nation” and in order to retain the ability of applying the term “nationalism” also to a strong endorsement of the own political community in cases where it is not founded on the concept of “nation”, I wanted to separate these two aspects. For more on nationalism see for instance Canovan (1998); Delanty and O’Mahony (2002); Gellner (1991); Özkırımlı (2000); or the various articles in Miscevic (2000). More specifically on Turkey see for instance Dreßler (1999).

\textsuperscript{701} I have suggested above to understand “nation” as a number of people who unite any of a number of characteristics (e.g. language, ethnicity, religion, history, culture etc.) and then as that particular group seek political rights. Now they are a “nation”, as understood here, be it in their quest for the right to an independent state, or regional autonomy within a larger state or whatever. “Nation” therefore, in my opinion, points to the curious transformation of a non- or extra- or pre-political into \textit{the} political quality \textit{per se}; the chosen qualities now not only influence the polity “from the outside” (simply speaking), but they determine the polity in the first place, who is in and who is out. And therefore how we define a nation is extremely important because it also determines the primary fault line(s) along which political tensions may erupt: class (where nation is understood class-based, as in some communist nations), ethnicity, race, culture, religion and so forth.

\textsuperscript{702} More precisely and to avoid the previously described fallacy of ascribing agency to an abstract concept, it is those that symbolize and run the nation-state who conduct this promotion. This is a very imprecise definition given that certainly people promote their nation-state who are not symbolizing or running it, and also people who are may not promote it at all, but for the crude theory of nationalism I sustain I hope it will be forgiven…

\textsuperscript{703} Which of course may express a different notion of nationalism than the English term and understanding I maintain here.
the unchangeable articles 2 and 3, loyalty to Kemalist nationalism and the indivisibility of the nation are proclaimed; and the (theoretically changeable) article 5 declares that among “the fundamental aims and duties” of the Republic of Turkey is “to safeguard the independence and integrity of the Turkish Nation”. Its most notorious legal offshoot is probably the contentious article 301 of the Turkish Penal Code, which I have already touched upon in the introduction. Maybe less notorious but arguably more important for the conduct of daily politics is for instance the Law on Political Parties, with article 81 stipulating that political parties

“shall not advocate that there are national, religious, cultural, sectarian, racial or linguistic differences in the country of the Turkish Republic. They shall not pursue the goal of disrupting the national integrity by creating minorities in the country of the Turkish Republic by protecting, promoting or disseminating languages or cultures other than the Turkish language and culture.”

As I have tried to show in the discussion of some of the contra-genocide arguments, such a nationalist mindset is not only carved in constitutional or legal stone – it is also encountered in the political and academic representation of the past. This is certainly not a Turkish peculiarity but at least there appears to be a conspicuously strong tendency in the Republic of Turkey to officially present its history as one of virtue and heroism – only. Narratives or episodes which contradict this history are glossed over, for instance by portraying (re-writing) them in a more favorable way or simply by remaining silent about them. As a result the official history of Turkey, i.e. the history of the Turkish nation-state and thereby of the Turkish nation and the Turkish state, obtains a myth-like quality (see also section 2.3), for instance when then Foreign Minister Abdullah Gül in his speech at the Grand National Assembly asserts that there is nothing to be ashamed of in Turkish history. I think this national myth is both a result of a nationalist mindset, as it is a device to sustain it.

Apparently, the alleged Armenian Genocide comes as a threat to this national myth by staining this spotless glorious past. But of course there is another ingredient necessary for these allegations to stir so much resistance: an identification of the people with this nation. And most interestingly, in the Turkish case this identification involves a significant temporal extension, which is to say that the national myth implies a national continuity – just think of

706 See also Akçam (1999: 132f) who identifies the idealization of the past as a seminal feature of contemporary Turkish nationalism.
707 Gül (2005; Source 4).
the “eternal existence of the Turkish nation” I quoted above from the Turkish constitution. Otherwise it would not be possible to describe these genocide allegations, which are essentially raised against the Young Turk government of the late Ottoman Empire, as activities against “Turkey”, which is a term ambiguous enough to to include the Turkish state, government, people – or simply: the nation. In the words of Professor Mümtaz Soysal, genocide is

“an insult to the Turkish people whose past is full of examples of tolerance and goodwill towards other religious communities. It is an insult to a nation, which is still eager today to continue this peaceful coexistence with the Armenian community on its territory, in a unitary republic”. 709

I think it deserves mention that it may be (a) the presumed continuity over time, and (b) this ambiguous equation of nation, state, government and people inherent in the collective myth which allows to perceive of the allegations as an insult against the Turkish citizens of today, and thereby arouse national(ist) sentiment against them. For is it not curious that Professor Justin McCarthy describes these allegations as a conviction of “a whole people” – presumably the Turkish people? Or that Prime Minister Recep Tayyip Erdoğan asserts that “[t]he character of this nation does not let it commit such crimes”, defending his nation by reference to presuppositions of continuity (the unchanged character of the nation over time), essentialism (the nation as an entity with its distinct character), hypostasis (the nation as an agent who does or does not commit crimes), and so forth. And obviously, when there is such a static and essentialist understanding of nation, where actions from a century ago offer insights into the immutable character of the entire nation (and presumably all its individual members today), then such allegations are of course perceived as an insult.

This official and decisive support of the Turkish nation and nation-state are certainly no Turkish idiosyncrasy, and termed as defensive and unspecific as this it may be considered harmless. However, I claim it may indeed serve as a basis for something more worrisome, such as an integral nationalism which shines through a few of the arguments of the contra-genocide camp. I will come back to this in an instant, but first I think the question needs to be addressed why I consider a nationalist narrative, which may ultimately be nothing but speech and rhetoric, should be of relevance in the first place.

708 For instance Gül (2005; Source 4).
709 Soysal (1985; Source 28).
710 McCarthy (2001; Source 6).
711 Quoted in Turkish Daily News, February 27, 2008.
5.1.1. Nationalism and Historical Narrative.

I have already presented in section 2.3 the stipulation that history, most notably in the shape of historical narratives, is an important ingredient in the construction of a group, and therefore that the way we discuss and argue about past events may reveal a lot about us today. In the end this is one of the core presumptions of this paper in the first place, and at least for some authors the deconstruction of nationalist discourse is a pivotal purpose in the analysis of historical narratives:

“The most significant ideological underpinning of modernity revealed by these critical deconstructions [i.e., the dismantling of historical narratives by authors such as Hayden White and Michel de Certau] was the one which had wreaked so much destruction in the first place, namely nationalism. […] The historical narrative was also frequently adjusted to fit the moral theme and lesson so that the myth continued to be credible, consistent and coherent. It should be stressed here that historiography employed in this manner was not interested in understanding the past, but rather in imposing upon the past the moral interpretation contained in the national project, which clearly identified the good and the bad before it even started to engage in any historical analysis.”712

The thesis I would like to propose here is mainly that the way in which the Turkish government defends its position reveals a strong nationalist sentiment and further nurtures it in contemporary Turkish society. By adopting and endorsing certain ways of arguing the government obviously aides the dissemination of these arguments, and provides further legitimacy and credence to them.713

Furthermore, I would like to point out that my allegation about the Turkish government promoting nationalism has nothing to do with the question whether these past events constitute genocide or not. The important point is not only whether they are considered genocide or not, but at least just as much for what reasons this label is rejected or adopted. And it is not only important for some impertinent moralists like myself, not even from an “idealist” perspective, but I hold that it is important for the development of the Republic of Turkey itself. By treating the past in particular ways, by expressing particular attitudes, the government fosters certain orientations and sets precedence for the (non-) repetition of certain actions. The debate around the events of 1915 is but one among a number of discourses where certain orientations are negotiated and implicitly even decided. As Hrant Dink put it in an interview with the Turkish daily Radikal on May 23, 2005:

713 These narratives and arguments which are not explicitly intended to promote a nationalist ideology may nevertheless be understood as feeding the “banal nationalism” (Michael Billig, see Massicard (2006): 74; Delanty and O’Mahony (2002): 129f; Özkarmlı (2000): 199-201) which appear in our everyday life, in our various habits, beliefs and representations and contribute to the reproduction of the nation and thereby to nationalism.
“Turkey’s democratization is much more important than its recognition of the genocide. Only a country that is democratic can dare to deal with its history, discuss its problems and feel empathy.”

I am not in a position to give a reasonable judgment on contemporary Turkish society and politics. However, from what I have gathered from other sources it appears plausible to me that some of the problems the Republic of Turkey currently struggles with are generated or at least exacerbated by this nationalism. And this very nationalism is, I argue, produced by discourses such as the one about the Armenian Genocide. For that reason it may be worthwhile from a Turkish perspective to reconsider how this discourse is operating.

To support my claim that parts of the contemporary contra-genocide argumentation are nationalist in orientation (it is important to point out that many contra-genocide arguments and positions are not nationalist, that this critique here does in no way intend to disqualify the contra-genocide position as such), I would like to draw upon the previous distinction between justification and excuse (see section 4.13.2). To recapitulate: with a justification an agent does accept her responsibility for her role in a past event, but she contests the pejorative quality which is assigned to this event. By contrast in an excuse the agent accepts this pejorative quality of an activity but rejects her responsibility for the event. While this distinction may be of less significance if the object of scrutiny is the past event itself, I think it is relevant if we shift the mode of our moral grammar to the present and future tense, to how we are dealing with the past today and how we interpret and react on the world.

What an excuse is essentially saying is that the past event was wrong, it should not have happened. We could not prevent it, but if it had been possible we would, or more importantly, we should have done so. Therefore, everyone engaged in this kind of conduct in that past situation, as well as everyone doing so in present or future situations of a similar composition,

714 Quoted in Today’s Zaman, April 28, 2008.
715 Orhan Kemal Cengiz has argued in his column in Today’s Zaman on July 31, 2009, about the similarity of the historical Armenian and the contemporary Kurdish question, respectively how similar the methods are which the state authority deploys to confront them, such as forced population movements. He goes on to claim that already for this reason a deeper understanding of the Armenian tragedy could hold important repercussions for the current Kurdish question. I remain generally cautious about historical analogies and continuities, but I believe a connection between the events of 1915 and the Kurdish question today does not need to establish a continuity of nationalist mindsets from the perpetrators back then to those of today. Most likely their thoughts and actions differed significantly in many respects. But there is a connection as far as the Kurdish issue involves many nationalist questions and sentiments, and so does the contemporary discourse on the Armenian Genocide – which might be much more relevant to the Kurdish question than the events of 1915 themselves. A heterogeneous society is not necessarily dysfunctional or “weak” or otherwise bad – it is so only for those who perceive of it in nationalist terms. In other words: the problem is not only a matter of dissent and resistance, but also of our expectations which provoke and even let us identify certain actions and orientations as dissent and resistance.
716 Obviously this connection between Turkish historiography and Turkish nationalism is hardly new. See for instance Akçam (2006); Akçam (2004): 6-12; Göçek (2006); Kévorkian (2006): 104.
is wrong to do so. As insufficient as it may be for victims and survivors, an excuse is still an alienation from the past action, a verdict of the past crime. At least by tendency it expresses regret and remorse, since the past action is not considered right. What is at stake here is “merely” whether the agent should and will take responsibility or not.

This is different for a justification. By justifying her action the agent is clearly indicating she considers her way of acting right, and there is no need to feel sorrow for the subjects of one’s actions. This is in my opinion also the blatant position of the current Turkish government, when for instance Prime Minister Recep Tayyip Erdoğan asserts with regard to the genocide allegations: “We did not commit crimes, so we don’t need to apologize.” 717 Since the past comportement was right, it appears credible that the agent would repeat her acts again, and that everyone else who finds herself in a similar situation might or even should do so as well. Thus a justification is an indication that the defendant is prone to repeat her act, and it facilitates similar acts by others by offering retrospective legitimacy.

Furthermore, in all the (admittedly few) nationalisms I encountered, the present national identity is constructed as a continuity of previous generations. Therefore the idealization of the current nation presupposes and also expresses itself in an idealization of the nation’s past. 718 As Prime Minister Recep Tayyip Erdoğan put it, “this country’s history is as clean and clear as the sun”. 719 With that being said it seems logical that in nationalist thought, justifications are more desirable than excuses since only justifications are capable of cleansing a wrongdoer completely.

Nevertheless, it would be wrong to think that the genocide allegations are perceived only as an affront because of a constructed continuity with the putative offenders. Great effort was spent over the last decades to exculpate these offenders, be it by justification or excuse. The genocide allegations therefore imply also another accusation, namely that those very exculpating moves have been wrong as well. Thus, accepting these accusations not only means a confession of having been wrong initially (in the sense of a historical continuity with the actual perpetrators), but also ever since, conceding what might be called the “Zweite Schuld” in the present (see section 2.3). Finally, it would not only put a stain on Ottoman

717 Quoted in Today’s Zaman, December 18, 2008.
718 However, to toy with some more thoughts, if our contemporary objective was to dismantle or mitigate our present nationalisms, maybe just a little bit, then history may be a good point to start. In the end maybe it is still more aloof from the present self. And therefore an assault against the national myth may still be more readily accepted if it targets the description of our history rather than the description of our present selves. And maybe even more so because we are more willing to concede ignorance about our history (and about our past self) than about our present.
history; as I already noted, many of those who assumed significant roles in the founding years of the Turkish Republic were somehow involved in these alleged atrocities. Therefore the accusations also demand a revision of the historiography of this era, or at least of the personalities who helped laying the foundations for what is nowadays the Republic of Turkey. The history of the Republic of Turkey would require some demystification (which it may need also beyond this case here), complementing the national myths of heroic force and martyrdom with some narratives of fault and error which are part of every human story.

This is the other side of how Turkish nationalism circulates in this discourse: not only as a factor in bringing about these events of 1915, but also in how they are dealt with today. As Taner Akçam argued, the “formation of Turkish national identity played a decisive role not only in the decision to commit genocide but also in the current denial and tabooing of it”.720

5.1.2. The Defense of the Turkish Nation.

There is a batch of arguments which make the case that the Armenian deportations were a necessity to secure the welfare of the Turkish nation. In that logic, the Ottoman government did exactly the right thing by deporting the Armenians: it saved the Turkish nation. By consequence I consider this particular argument a justification rather than an excuse. To present the core of this rationale rather bluntly: it is affirmed that what happened to the Armenians (the deportations, or disposessions, or massacres, or whatever) was a good thing as it served a higher end. Presupposing now that it is morally not acceptable a position to simply rate my own good higher than someone else’s just because it is mine, there must be something else to offer legitimacy for these actions. This other value is the Turkish nation. To put it as clearly as possible: the good of the Turkish nation was more important than the well-being (not to say “survival”) of the Ottoman Armenians. And this is the point where I would like to critically reflect a little about this judgment. For I would think there must be some rationale offered for this evaluation. If there is none, if the authors tacitly consider it self-evident that the Turkish nation is a higher value than the well-being of the Armenian people, without offering further elaboration or reflection, that might or should generate some suspicion about what is lying underneath this reasoning.721

721 What is implicitly presumed, moreover, is that only one of these two values, Ottoman Armenians and Turkish nation, could be safeguarded, and only at the expense of the other. Both these assumptions, too, are rich in presuppositions about the state of affairs when these events took place. Given the dramatic impact which is eventually justified by this line of reasoning, I would suggest we should require some very sound evidence in its support. So however meager my subsequent arguments may appear, even if they are rejected as invalid or too far-fetched, I think this does not prove the “Turkish nation” argument valid since it rests on a number of further
Basically, the superiority of the value “Turkish nation” can be achieved by two techniques which are indeed only two sides of the same coin, but I am separating them here to emphasize the difference in their point of departure: (a) denigrating the value of Ottoman Armenians, and (b) elevating the value of the Turkish nation.

The denigration of the Armenians can be achieved for instance by presenting them as the initial or at least as some malevolent and dangerous offenders. They started the entire story, they brought it on themselves. Thereby they lose moral capital, which in public discourse hampers their claim to be heard, to be pitied. Their story does not deserve credence. I have already explained above why I do not think this argument is very conclusive to me (see section 4.6). It is therefore indicated to elaborate a bit on the second technique, which can go hand in hand without a problem with the first one: their relationship is virtually complementary.

Basically the second mode, the elevation of the Turkish nation, is hardly ever explicitly made. I would fantasize this may be because nationalist rhetoric is generally rather suspicious, especially after World War II. Or more precisely, it is the chauvinistic rhetoric propagating nationalism at the cost of other nations which has become delegitimized since. Nationalisms which apparently do not denigrate any other nation are still accepted, often running under the label of patriotism or the like. But if a nationalism is in the negative, i.e. if it is elevating the own nation by simultaneously denigrating another one, establishing a hierarchy of nations, this often creates suspicion and objection in our interconnected regime of increasing global interdependency.722

To see how this second strategy operates, it may be worthwhile to recall my previous assumption about the concept of “nation”, i.e. that a nation can be constructed in many different ways, can be filled by a variety of content. For instance, it remains indeterminate if the concept of nation refers to or includes the state,723 the government, the abstract entity of Turkish nationhood, the people living within the boundaries of the Republic of Turkey, the

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722 Of course this distinction between such innocent and denigrating nationalism is profoundly artificial. It could be questioned how the elevation of the own nation could be accomplished without establishing a hierarchy of nations where the own nation is on top. However, this is where artful political rhetoric comes into play: to elevate the own audience and offer them a feeling of being special, while at the same time being sufficiently unspecific so as to avoid hurting the feelings of any other potential audience.

723 Whether as an institution, or in its territorial extension, or in its temporal continuity, or whatever. In that sense it appears also interesting to quote the rationale then Minister of Justice Mehmet Ali Şahin offered in November 2008 for allowing criminal prosecution under article 301 of the author Temel Demirer: “This man is saying Turkey [sic] is a murderer state. I am not going to let anyone call my state a murderer. These expressions are not exercising freedom of speech: these are humiliating the state, which is exactly what 301 criminalizes.” (quoted in Today’s Zaman, November 18, 2008)
people of Turkish citizenship, or how it otherwise intersects with them and/or some other potential phenomena. It also remains obscure by what criteria the nation is constituted, such as nationhood, ethnicity, religion, kinship, culture, a shared territory or history, and so forth. And these are but a few elements which I could read into these texts, it is not to say yet what others, such as the huge Turkish public, may find in them.

To start with the last understanding of who or what the Turkish nation actually is, if nation is understood as the actual population then the competing values are established as the Turkish people versus the Armenian people. Thus in essence the two values we are comparing when making our judgement are of the same quality. Furthermore, both variables can be expressed in numeric terms as well, and therefore a value judgement may be generated by a quantitative comparison. Then the Turkish nation may be considered of higher value by establishing that it encompasses more individuals than the count of the Ottoman Armenians. Such a numerical argument is quite worrisome from a humane point of view, I think, where numerical considerations are usually averted as far as possible, and weighing rights in terms of numbers is usually eschewed. In other words: putting human well-being and life to a scale level which allows for quantitative analysis is to miss the very qualities which make human well-being and life precious.

This is different for the other potential stuffings of a nation, of which I want to focus on the most prevalent ones, state and nationhood. If nation is understood not as the people but rather as the Turkish state or nationhood, then clearly the justification why the Turkish nation is of higher value than the Armenian people cannot be resolved quantitatively anyway. The difference is here of a qualitative nature: no matter how many Armenian subjects are affected, either the Turkish nationhood or its state justify their suffering. By implication of course the primary purpose of the state is then to serve its nationhood or itself, the nation-state, rather than its people.

Due to its abundant and often under-determinate usage, “nation” is a rather diffuse amalgamation, compounding people and state and nationhood and some other phenomena into one single vague concept. Thereby “nation” becomes a seemingly very strong value

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724 Leaving aside how this difference could or should be demarcated as clearly as any such argument in my opinion would be obliged to do.
725 Of course the assumption that Turkish people are of the same quality as Armenian people and hence a quantitative comparison is indicated could be challenged. For instance, it could be argued that a Turk was per se of higher value than an Armenian, for whatever reasons. I think, I hope it is not necessary to venture on a further discussion of this proposition at this point.
726 Unless of course we consider the entire event as a clash between Turkish and Armenian nationhood rather than people, but that is not the course I wish to pursue at this place.
indeed as it merges, among others, state, nationhood and people. And by extension, if any of these components is threatened individually, for instance the nation-state (but not the people or the nationhood), this may be presented as a threat to the entire nation, i.e. all included entities (rather than only the nation-state). It thus becomes possible to attach so much significance to the nation and its individual components, which they would hardly attain by themselves. I think this conceptual ambiguity is an important constituent in the construction of any nationalism, and essential to its appeal and power.

If I may return to my constructionist premises, nationalism is first of all a certain mode of making sense of the world, a perspective that is resumed when trying to explain what is going on. And based on this nationalist perspective, certain conclusions are drawn, giving birth to certain policies. In my understanding of constructionist theory, nationalism is thus also an epistemological position, next to many others. Therefore the observation that nationalism is a model willingly used by both sides, pro- and contra-genociders, to explain these past events may on the one side indeed be an accurate description of the past, but at the same time (or in an extreme case even alternatively) an expression of a certain paradigm endorsed by today’s analysts. I am therefore concentrating on this perspective not because I think it provides a comprehensive or accurate picture of the year 1915, but because I admittedly hold it to be a bit disturbing for what it means for us today. Moreover, I tend to apply my critique primarily on the assertions of contra-genocide commentators, but mostly because their position is the subject of this paper. I am pretty convinced there are numerous pro-genocide authors who reproduce the same paradigm, albeit with different conclusions since their purpose is to find fault with this particular aggression, not to justify it.

As a last comment for this chapter, I think it is quite interesting to note how some contra-genocide commentators revert to Armenian nationalism in order to justify the conduct of the Ottoman Empire which ultimately served primarily if not exclusively the ends of Turkish nationalism. This points at two aspects: (a) that this strategy works only if the value of Turkish nationalism is not questioned at all, remains effectively invisible, and thereby hints at the orientation of the authors of this reasoning; and (b) since Turkish nationalism can hardly claim any \textit{a priori} superior legitimacy to Armenian nationalism, that the argument works only if this presumed Turkish nationalism remains concealed, a granted premise unfolding its powers behind the scenes. It is this admittedly malevolent suspicion on my side which raises some concern about a partisanship of some authors, although certainly not necessarily a

\footnote{See for instance Sources 5, 6, 24, 25, 29.}
conscious one. And it opens space for further insinuations about potential projections by these authors, but here I risk to drift into psychological fields I must not reasonably wade through.

5.1.3. Integral Nationalism.

So far this is a pretty generic description of what may be assumed to be Turkish nationalism but which applies to many other nationalisms as well. However, there is an additional component which is allowed for by this argument I have presented above, and which turns this rather naïve nationalism into what I would like to discuss as “integral nationalism”. 728

The main feature which turns nationalism into integral nationalism is that the adored nation becomes the most fundamental value of them all: “Simply put, the good without limit is the good of the nation and for its sake all is permissible.”729 Whereas in the current regime of humanitarian law human life is considered the most sacred value,730 this humane orientation is substituted in integral nationalism by the value of the nation. It is therefore plausible and even legitimate in this school of thought that human life may be sacrificed for the sake of the nation:

“Herein lies the problem in Turkey today. From this perspective, it becomes acceptable, when deemed necessary, for one ethno-religious group to carry out mass murder against another. The attempt to justify and rationalize the death of a whole nation, including women, children, the old, and the infirm, must itself be considered a crime against humanity.”731

My point is not necessarily that this is the orientation of the Turkish government or the authors of the concerned arguments: these cases elaborate too little on this subject to vindicate such a conclusion. 732 However, I believe they do allow for and facilitate this orientation,

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728 I am adopting this term from Özkırımlı (2000: 40), as well as Delanty and O’Mahony (2002: 126). What the term shares in both their conceptions, at least as I understand them, is that it is a form of extreme nationalism, one which makes the nation an end in itself and demanding absolute obedience to the nation in the sense of putting it on a higher place than individual human lives or humanity as a whole. However, in both theories integral nationalism is not a very central subject and therefore not very elaborated, so I am hesitant to arrogate my understanding is properly reflecting their conceptions. It appears that my notion is also closely related to the defining features Delanty and O’Mahony (2002: 147) outline for “radical nationalism”.

729 Melson (1992): 167. And that certainly distinguishes such integral nationalism from more moderate models of nationalism which are supposedly more compatible with universal and liberal values. For some attempts to outline and/or reject such a “New Nationalism”, see various articles in Mischevic (2000).

730 And to argue with Mischevic (2000: 10), this alleged preference in law might not be pure coincidence since „the contemporary moral sensibility favors individualism as the basis of morality and politics”.


732 At this point I consider it highly interesting how Foreign Minister Ahmet Davutoğlu in an open letter (reproduced in Today’s Zaman on December 21, 2011) argued against the already mentioned French law punishing denial of the Armenian Genocide. He refuted this bill because „[t]he restriction on expressing views that do not threaten the integrity of the state, seriously jeopardize public order or undermine national safety will be liable to prevent the discussion of important political issues and undermine the development of democratic life”. Apparently in his opinion there are three core values which justify restricting freedom of speech: integrity
possibly even foster it by their suggestive conclusions, and thereby cater those segments in society who do endorse such an integral nationalism.

Other individual instances of such integral nationalism in Turkey can be found even in schools. At least until today every morning primary school children are expected to repeat the Turkish pledge for allegiance, which includes the promise that “I offer my existence to the Turkish nation as a gift”. While this may be nothing but an encouragement for personal sacrifice, in other instances the intimated authority of the state goes beyond a personal dedication to the state, instead establishing state supremacy over individual rights. For example a school textbook on citizenship and human rights prepared in 2000 included also the limitations of these rights, which were explained as that “[t]he state has a right to limit civil rights. It has the right to combine all personal work for the good of national aims.”

It is similarly present, even though less explicit, in the justifications offered by some contra-genocide authors that Armenian aggression put the “survival” of the nation at risk, and hence the deportations are to be understood as measures of “self-defense”. A premium example of a nationalist paradigm which logically may reasonably result in an open justification for indiscriminate nationalist repression is offered by Israeli genocide researcher Tal Buenos, when he endeavors to highlight the main difference between the Holocaust and the Armenian Genocide:

“The Holocaust was a result of irrational hatred, whereas studies show that the events of 1915 were the result of conflict and a rational fear by the Young Turks that their nation’s survival was at risk. […] In my article for Middle East Critique, I distinguish between a nation’s intent to destroy, genocide, and a nation’s intent to survive, genovive, and offer a method, based on Thomas Hobbes’ political philosophy, through which one may analyze intent by asking two questions: Did the victim pose a reasonable threat to the assailant’s survival? Did the actions taken by the assailant against the victim give the assailant a better chance to survive? If the answer to both questions is »yes,« then the case is not genocide in its solid definition but rather genovive, a nation’s legitimate effort to survive by exercising its most natural right to remove anything that poses an immediate threat to its existence.

It is simply historically inaccurate, and morally misguided, to compare Adolf Hitler with Talat Paşa -- or Teşkilat-ı Mahsusa with the Nazi SS -- because the former acted out of irrational hatred while the latter acted out of the natural need to survive. The Turks and the Armenians were in conflict over land and posed a threat to the other’s national life. Whatever social contract existed between the two peoples was nullified.
Therefore, they sought to secure the land and, moreover, eliminate chances of continued threat.”\textsuperscript{735}

What this metaphorical language deceptively suggests is an analogy between the life of a human and the life of a nation. However, resorting to my constructionist foundation, conceiving a nation as having a life of its own is, at best, an anthropomorphism or a hypostasis.\textsuperscript{736} Whatever definition of life I am aware of, such as references to reproduction, metabolism etc., a nation does not seem to fulfill it, other than in a metaphorical sense. The danger arises when the users of this metaphor cease to be aware of its metaphorical nature.\textsuperscript{737} Then the metaphor assumes a literal meaning, and what is thought to be at risk is indeed the “life” of the nation, which is virtually threatened of being “killed”: this is where we risk tipping over into a groupist orientation, and allowing for new concepts, such as Buenos’ suggested “genovive”, which risk (to say the least) to legitimize violent execution of national(ist) resentment. This groupist paradigm, however, seems to be largely prevailing even at the highest echelons of our political establishment, when for instance Prime Minister Recep Tayyip Erdoğan less dramatically but in equally metaphoric language asserted that “[i]f there was a crime, then those who committed it can offer an apology. My nation, my country has no such issue”.\textsuperscript{738} Thereby suddenly guilt and agency (making an apology) become a matter of the nation, of the country – not of its citizens.

What this anthropomorphological metaphor does is twofold, at the very least: first it establishes an essentialist understanding of the nation. The nation is there, like it or not, as something beyond the individual. And only this quality of transcending the individual makes the logic work, according to which the individual is supposed to make a sacrifice for the nation – not for other human beings, other individuals of the same group, but for this qualitatively different entity, the nation itself. And again, this is certainly not something peculiar to the Turkish case, but it is nevertheless a fundamental component in the integral nationalism as I am proposing it here.

\textsuperscript{735} Quoted from an interview with Tal Buenos in Today’s Zaman, January 4, 2012.

\textsuperscript{736} Another example of such hypostasis, which sounds comfortably familiar for many other nations just as well, can be found in the title of the chapter on the establishment of the Republic of Turkey in a school textbook for history classes: “A Nation Waking Up” (Hürriyet Daily News, March 4, 2011). Curiously, what such an awakening suggests is that the nation has been there all along, lying dormant and out of sight for all our ancestors until finally, in a telelogical understanding, it awakens to seize the power it was (inevitably?) destined to acquire.

\textsuperscript{737} Similarly on metaphors but for a completely different story Margalit (2002): 185. He also suggests the idea of “deceptive metaphors” (2002: 48-50), i.e. such which carry dissimilar features from one entity to another, such as in the notion of a collective will. As he points out concepts such as collective will can only be understood by recourse to the individual sense, i.e. the will of the individual.

\textsuperscript{738} Quoted in Hürriyet Daily News, December 19, 2008.
I hold that it is hence inappropriate to juxtapose the “life” of a nation with the life of a person. In this equation there are not only qualitative differences between nation and person, but also between “life” and life. And putting “life” of a nation at a higher value than the life of the very persons who in fact make up a nation’s “life”, that is in my opinion an expression that allows for an errant and integral nationalism.

The concern inherent in this assessment – if true – is simply that such integral nationalism lives the idea that it is legitimate to ground national unity and territorial sovereignty on force and oppression. Paradoxically, those who happen not to be in power and who revert to violent means to challenge this unity or sovereignty, who want to modify or abolish these particular forms of unity and sovereignty in order to establish a different form of political organization, those are labelled “terrorists”. And rightly so. However, those who happen to be in power and revert to violence in order to secure their preferred form of unity or sovereignty, how would we call those? “Defenders of the nation”? “National heroes”?

Ultimately, I believe the recourse to violence reveals a pretty meager unity. It may be a sign for a high degree of power, determination, or force, but that is different from unity. The deployment of force by its very existence already exposes this unity as chimeric, and can safeguard only the pretense of unity. And it is a very weak unity as well, since it cannot even endure being challenged without regressing to violent means in order to secure its superficial persistence. Actually I think it appears more plausible to claim repression undermines unity, at least if unity is considered strongest where it consists in a willful commitment of autonomous agents. And in the sense that territorial sovereignty is strongest where it is based on unity (for instance because wherever unity is present there is no need to waste much energy and resources in the internal maintenance of this unity), such integral nationalism is neither an indicator of nor a good device to establish strong sovereignty. It is then, most of all, a means for power, but that is something different from national unity or territorial sovereignty.

739 Of course other labels such as “freedom fighters”, “revolutionaries”, “activists” etc. exist as well. I am just trying to be polemical.

740 If the challenge itself consists of violent action, or hateful speech, such actions can be legally prosecuted if appropriate – but the important point is that they are prosecuted for being themselves acts of aggression and violence, not because they challenge national unity.

741 See for instance the argument by Wellman (2000: 129) that aggression against a group is highly inappropriate to ensure national homogeneity or unity, since it most likely will rather reinforce the targeted group members’ notion of being different and of being obliged to unite and fight the aggressor.

742 It is in this sense that I also understand Barkan’s (2002: 25) assertion that the recognition of one’s own past misdemeanor is a token of strength and stability – because, I would argue, it demonstrates one can tolerate and even incorporate such criticism and ambiguity about the self without crumbling down.
It may, it must of course be objected that national self-defense (just as self-determination, by the way) and territorial sovereignty are obviously also principles widely recognized in international law. But there are a few caveats I would like to raise. First, these principles are not ultimate ones, as becomes apparent by certain limitations put upon them, with the concept of genocide and its codification in the UNGC being one among them. The question is thus which other principles outweigh them, and under what circumstances they may be overruled. This brings me to my pedantically recurring question of “Why is it important?”: if national self-defense is justified by recourse to the well-being of the nation(-state)’s subjects, then clearly the principle loses its force where the deployment of force does not actually enhance this very well-being. And where it indeed harms the well-being of its subjects, or even of an entire (national or other) group among them, then the rationale for national self-defense indeed turns against the nation, becomes a perverted consequence out of touch with its legitimizing basis.743 However, other reasons may be cited just as well, such as the importance of preserving an international order, which, I think, in turn requires some further justification, such as securing the well-being of the citizens once again. This apparently is only an intermediary logic, without establishing the international order as a value of its own. And therefore I would remain cautious against reasonings which claim that in case of conflicting values, restrictions to people’s well-being may be accepted in order to safeguard international order and thereby the well-being of the people.

But finally, there are some other ultimate values which defend the right to national self-defense, such as claims that the well-being of the nation itself, rather than its subjects, is already justification enough. In these cases we clearly risk to run into conflicting values, and maybe that is why this discussion about the events of 1915 has fallen short of achieving consensus: because some of the protagonists subscribe to more humane or individualist values while others believe that the well-being of the nation is a value which overrules this individualist position.744 Apparently consensus about the meaning of these past events is then

743 This also points to the difficult issue of collective versus individual rights, a discussion of which is beyond my capabilities, as beneficial as it may have been for this paper. See for instance Kymlicka (1995); Taylor (1993); Appiah (2006).
744 For instance also Michael Walzer (2004: 43-49) argues that in states of „supreme emergencies“, i.e. when the continuity and existence of our community is at stake (not the state itself), political leaders are free to suspend moral restraints to avert this threat. He arrives at this point from a discussion about the rules of the conduct of war (ius in bello), and acknowledges that he is effectively offering a communitarian justification for breaching rules of war. Still he distances himself from any nationalism or from turning the community into a magical fetish, understanding it rather as a “lived reality, a source of our identity and our self-understanding”. I do not want to enter the complex debate about the rules of war, yet I would question whether my (or “our”) identity or self-understanding justifies the suspension of fundamental human rights. At its core, I believe, the issue again leads to the tension between individual and collective rights. Anyway, also Walzer states that for instance the
hardly possible, and it seems more appropriate to discuss the competing value systems first, in order to arrive at a shared basis from which our evaluation can then depart.

And once again I shall follow my partisan approach and illustrate the claim just made by insinuating that at least for some pro-genocide authors it is simply not relevant if some/many/all Armenians rebelled against the Ottoman Empire. Even if they did, it could be argued that this does in no way right or justify the reaction of the Ottoman authorities. For instance, one of the texts of the Foreign Ministry reads: “There is an orchestrated claim that the Ottoman Governments committed the crime of »genocide«, beginning in April of 1915, against the Armenians even though they were loyal subjects of the Empire.” That simply misses the point that the (dis-)loyalty of the Ottoman Armenians is not for discussion, unless we endorse a nationalist discourse which apparently presupposes that a nation “grants” (beware: hypostasis!) certain rights to its subjects based on their loyalty. To put it bluntly: to me this appears a paternalistic position which misunderstands where rights originate from, and thereby simply fails to grasp why some Armenians may be considered victims of state oppression despite full awareness that they have not been loyal citizens. These disparate assessments could be understood as a problem of “frame reconciliation”, a result of the discrepancy between an individualist or humane and a nationalist mindset, to which I shall return again below (see section 5.2). The tragedy can be exemplified again by quoting another attempt by Tal Buenos to demonstrate the difference between the victims of the Shoah and those of 1915:

“In sharp contrast, in the years preceding World War II, the Jews in Germany joined the German national identity by showing their love and admiration for their shared German fatherland. Moreover, the Jews were positively involved in Germany’s politics, culture, economy and military. It is a disgrace to the memory of such honorable citizens, who were absolute victims, to equate them with victims who are associated with rebellious intentions and actions.”

This short citation recalls a number of points already mentioned in this paper, such as the notion that the victims of genocide must be totally innocent or “absolute victims”. With regard to the topic of this section, this statement enunciates a nationalist orientation (a) in its plain collectivist fallacy that all Jews were loyal citizens while all Armenians were rebels; (b) in the peculiar pretension that Jews endorsed German nationalism in the years before World War II, and that this, rather than any other quality, rendered them “honorable citizens”; and

persistence of the state itself or any territorial claims do not constitute an instance of supreme emergency, which is and must be a very rare occurrence anyway, also in times of war.

745 Source 24. Italics added.

746 Quoted from an interview with Today’s Zaman, January 4, 2012.
(c) in following exactly the above reasoning that loyal citizens deserve protection but insurgents only repression. This must not be misunderstood as an insolent claim about the comportment of anybody, but if we want to retain this analogy with World War II, does it seem very convincing to argue that someone loyal to the German nation was necessarily an “honorable citizen”, while those who revolted were rebels who deserve contempt and reprisal?

For all the reasons offered above I have tried to argue in this section that some arguments by some contra-genocide authors appear to me as expressions of or at least facilitating an interpretation of integral nationalism. Following my vague notions of social and discursive production of knowledge and values, they also perpetuate the idealization of the nation. As innocent and harmless as these arguments may appear and often may even be intended, they thus contribute to Michael Billig’s “banal nationalism”, the tiny daily expressions of nationalism, which can be perfectly harmless and merely serve as a base for social solidarity, but which are also an indispensable component or even precursor in the construction of more radical and violent forms of nationalism.\textsuperscript{747} But my concern is that these arguments here could be interpreted as being beyond some innocent forms of nationalism since they clearly attempt to justify violence by referring to nationalist principles. And to conclude, since unfortunately I have ended far from any “neutral” position in this tension anyway, so eventually I can also dare to insolently abuse Yair Auron’s concept of “banality of denial” a bit,\textsuperscript{748} suggesting arguments such as these banally deny not so much the past but rather human rights.

Excursion: Nationalist Commemoration Beyond Arguments.

My actual research was centered on written texts and arguments about genocide. In the face of my preceding insinuations, I believe it is necessary to add some more substance to my arguments, moving beyond public speech and writing. Without having been capable of conducting anything close to serious empirical research in Turkey, there are also other instances which indicate that such pervasive (not necessarily integral) nationalist or at least one-sided sentiments dominate the commemoration of the events of 1915. Here are some instances which led me to these malevolent conclusions, mostly because of the conspicuous absence of counter-examples (which might be punishable according to Turkish Penal Law anyway):

\textsuperscript{748} Auron (2003a).
Allegation and Denial

- there exists an “Association of Victims of World War I Massacres by Armenians” and an „Association Fighting Groundless Claims of Genocide“ (ASİMED) in contemporary Turkey;
- in 2008 the towns of Aşkale and Gürpınar enacted stage plays which depicted atrocities committed by Armenians against Turks;
- in Erzurum there is a museum and in Iğdır a monument erected to remind of the mass murder perpetrated by Armenians against Turks;
- in 2003 the Ministry of Education initiated the campaign „Auseinandersetzung mit den grundlosen Völkermordbehauptungen“ with the objective „eine Jugend heranzuziehen und eine Öffentlichkeit zu schaffen, die angesichts der verschiedensten Bedrohungen gegen die Einheit und Un teilbarkeit der Türkei die historischen Realitäten überzeugend vertreten kann“, and which included advanced education for teachers and an essay competition for children with the theme „Die Rebellion der Armenier im Ersten Weltkrieg und ihre Taten“;
- until the initiative was stopped due to public protests on February 19, 2009, the Ministry of Education distributed a documentary (Sarı Gelin: Ermeni Sorununun İç Yüzü, or „Yellow Bride: The True Face of the Armenian Question“) to elementary schools, portraying atrocities committed by Armenians against Turks and how Armenians thus brought their own fate upon themselves.

And this is not to speak of the various publications and activities of the Turkish Historical Society (Türk Tarih Kurumu, TTK), the main public agent to investigate Turkey’s past and inform the public about such ill-intentioned offenses against the nation. A similar impression is conveyed by the glorification of those who are politically responsible for what happened to the Armenians: for instance, the remains of 1915 Minister of the Interior and for pro-genocide authors the most prominent person with regard to the reprisals against Armenians, Talât Paşa, were repatriated in 1943 from Nazi Germany and are now resting in a grave of honor in Istanbul. Also the remains of the second strong man of 1915, Minister of War Enver Paşa, were repatriated upon the initiative of then Istanbul Mayor Recep Tayyip Erdoğan from

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750 Today’s Zaman, December 19, 2008.
752 Goltz (2006): 24;
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Tajikistan in 1996 to receive a state funeral in Istanbul, in the presence of then President Süleyman Demirel and current President Abdullah Gül, who honored Enver as a martyr. And this is not yet to speak of monuments erected for, or streets, schools and places named after the very people who were directly involved in activities against the Ottoman Armenians, some of them even convicted right after the war by military tribunals. And some of them were later declared “martyrs” and their relatives were granted state pensions by Mustafa Kemal Atatürk’s National Movement.

The problem, I believe, is primarily that these instances do not find a competing narrative which brings to attention the victimization of Armenians and the responsibility on the Ottoman/Turkish side, despite all the official Turkish assurances it was a mutual tragedy or inter-communal strive. However, I hasten to add that this gloomy picture seems to erode as of late, with a number of civilian activities emerging which appear to counter this rather one-sided and nationalist discourse: for instance the internet apology campaign mentioned already in the introduction; or the fact that in 2010 for the first time also remembrance ceremonies for the Armenian victims were held at a few places in Turkey on April 24, and indeed repeated in

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757 See for instance Akçam (1996): 137, 157; Akçam (2006): 352-362; Anderson (2009): 46, 98. This, however, is probably not a peculiarity of the Armenian Genocide but rather of a certain nationalist glorification at the expense of human rights in general. To give another example which made it to the media very recently: in 1943 General Mustafa Muğlalı ordered the extra-judicial execution of 33 peasant, including one eleven year old child, in Özalp (Van province), who belonged to a Kurdish clan allegedly involved in smuggle with Iran. He was sentenced to death for this episode on March 2, 1950, with the penalty then being reduced to 20 years in prison due to his age, and eventually died in prison in 1951 with his appeal still in progress. In 2004 the General Staff named the Özalp Gendarmerie Border Command after him, a move revoked only on November 2, 2011. This revision of the military barrack’s name prompted the European Dersim Associations Federation to demand that also other Turkish locations be renamed which still carry the names of persons involved in massive state reprisals against Kurds and Alevi in Dersim (renamed Tunceli afterwards) in 1937 – including no one less than Sabiha Gökçen, Mustafa Kemal Atatürk’s adopted daughter and the first female fighter pilot in military history. See Today’s Zaman and Hürriyet Daily News, November 4, 2011; Today’s Zaman, November 8, 2011.

Most recently Prime Minister Recep Tayyip Erdoğan made headlines when, for the first time in Turkish history, he made an apology for an injustice committed by the Republic of Turkey when apologizing on behalf of the state for these very killings in Dersim in 1936. However, and highly regrettable in my opinion, he depleted this remarkable step by adding that “[i]f someone is to apologize for and face up to this tragedy, it is not the AKP and the AKP government but the CHP, the author of this bloody episode, as well as the CHP deputies and the CHP chairman who hails from Tunceli.” (quoted in Hürriyet Daily News, November 23, 2011). How much sorrow and remorse can there be in an apology when we at the same time cry out that actually not we are the ones responsible but our political opponent? Unfortunately such an apology appears but nothing than an instrument to attack one’s political rival. Yet its significance should not be completely denied – in the end it is at the very least a first official recognition that the Republic of Turkey committed a grave injustice against the people of Dersim. Which might be more appropriate and imperative than an apology by a person not involved in these events anyway.
2011;\textsuperscript{758} or conferences held at Istanbul’s Bilgi University in September 2005, November 2007 and April 2008 which tried to facilitate a broader discussion about this issue.\textsuperscript{759}

This might be interpreted along with a number of observers that the Turkish stance on this issue is gradually softening in the last few years. I believe a tentatively optimistic outlook might be warranted, already just for the sake of being optimistic, but caution is certainly indicated about this too. In the end these were all enterprises organized independently from any government institutions. While the state did not prohibit them or prosecute its primary activists – and this might be seen as a considerable difference to the only recent past already – state officials all assumed a highly critical position to these activities and contentwise the official position of the Turkish state has not changed a bit. In which direction future developments will go is certainly still a very open chapter.

5.2. A Different Narrative.

A basic premise of this paper was that historical narratives are not only relevant with regard to the past but also to the present, and that for this reason the arguments against the genocide allegations deserve scrutiny from a social scientific point of view. At this point I would first of all like to stipulate that I can neither corroborate nor refute the genocide thesis; understanding it as a legal concept with some specific conditions to be met, I personally have neither the expertise on the legal concepts required to establish genocide, nor on the event under consideration itself to see if it really fits these requirements. However, as repeatedly mentioned, this is in my opinion not the most relevant point in this controversy.

Understanding these allegations and denials primarily as a quarrel over the most appropriate meaning for these events, it becomes more interesting to look at the different arguments and see what larger narrative they support, and how this narrative may reflect and shape present thinking. I have explained above at length why some arguments appear a bit worrisome to me, for instance for the allegedly nationalist mindset they are based on. I would now like to briefly propose what attitudes towards history, injustice and responsibility the arguments presented here support, and then move on to a crude outline how I personally would imagine an amendment to the predominant narrative. This certainly is merely a suggestion, based neither on research nor experience, and I am convinced there are alternative

\textsuperscript{758} Hürriyet Daily News, April 25, 2010, and April 25, 2011; Today’s Zaman, April 26, 2010, and April 25, 2011.

\textsuperscript{759} Goltz (2005); Turkish Daily News, Novemver 12, 2007; Turkish Daily News, April 25 and 26, 2008.
and better ways conceivable as well; yet I felt obliged to offer a few brief constructive propositions as well, after all the polemics and critique which pervaded this work.

I assume it comes as no surprise after all I have said so far that I am not very happy with the contra-genocide arguments when it comes to their implications for a shared historical narrative, at least as far as I understood and presented them here. I do not want to go through each of them in detail as I have done so above, but quickly give just one point of concern for every argument, in the same sequence as presented in chapter 4, claiming that what they essentially convey to their audience is basically that

(a) if there is suspicion about past injustice, it is admissible or even recommendable to leave the past behind, rather than trying to see what there really is to it;

(b) the evaluation of the past event, especially of “our” national history and our national myth, is a matter for an elect circle of experts, rather than one of public debate and accountability;

(c) injustice is a matter which should be dealt with only by those directly involved, even if their status and capabilities are as unequal as they are between the Republics of Turkey and Armenia, and third parties should keep out;

(d) formal requirements of justice precede over social ones, leaving it essentially a legal matter rather than a social or political one – if there is no one formally entitled to judge, then there is no need or even no way to make that judgment at all;

(e) the evaluation of other events sets the scale for our own history, our own misdeeds must always put into wider perspective and seen relative to the conduct of others: there happened still far worse in human history, so we cannot have done so bad after all;

(f) aggression justifies or at least diminishes the dread of harsh state repression, including cases where a large number of people is subjected to this oppression simply because they are assumed to share the same collective identity, irrespective of their personal position or deeds;

(g) the presence of a profound social conflict allows first to disregard the comportment of the state, whose legitimacy in a democratic system usually rests on the responsibility to alleviate such tensions rather than enhance them and take sides, and second to condone or even praise its unwillingness to live up to this very responsibility, neglecting any accountability;

(h) the defense of the nation, the idea of the national collective, takes precedence over the well-being of the individual subjects who compose this collective, and more so over the well-being of individuals who are not part or even described as enemies of this national collective;
(i) ethnicity legitimately becomes a political category in case some members of an ethnic group engage in political activities, and it is legitimate to persecute this ethnic group then in its entirety for political ends;

(j) as long as similar faults can be found in others there is no reason to take much pains in scrutinizing one’s own failures;

(k) dire conditions of life are a valid excuse or argumentative strategy to obscure the role of human agency in events of human suffering, and even more so to conceal the deliberate decision of a government to expose some unwelcome subjects to these very conditions;

(l) since the crime requires a specific mens rea which cannot be established beyond doubt, the alleged offender is cleared not only of the suspected mens rea but also of the actus reus, the crime itself, or at least it mitigates the offense to a point where it does not require further remorse.

What this brief recapitulation of some of my critical remarks about the contra-genocide arguments should illustrate is why I retain some concern about the official position of the Republic of Turkey, or more exactly about the way it is defended. I am pretty confident that it is beyond my capabilities to resolve this debate on a political level, not to speak of developing a narrative for this event which could be acceptable for all stakeholders. And I even think doing so should be first and foremost a task for these very stakeholders, rather than third parties who are hardly affected anyway. More than by this spatially and temporally distant event are third parties (more or less) affected by the persisting current tensions and their relations with with Turkey and Armenia today. In other words, I do have an interest (a) that this conflict is settled at all, be it to ease international relations or to allow for cooperation in a region which could need socio-political development anyway, and I do have an interest (b) that these participants share some fundamental values which promote and guarantee a peaceful coexistence not only between them, but also with other agents. And one way to express these values and thereby build confidence is the construction of this narrative. Therefore I do have an interest also in this narrative, at least on a more abstract level which could be considered its “frame”. And this frame is relevant also in other ways, most notably the resolution of this present controversy.

To put it thus into the context of frame theory, any given conflict gets profoundly complicated if the opponents rely on fundamentally different frames. The entire affair then turns into what Martin Rein and Donald Schön dubbed a “policy controversy”, i.e. a conflict characterized by the antagonistic parties not sharing the same reference frame and thereby a prevalence of “frame pluralism” in the underlying discourse. By contrast, Rein and Schön
suggest that “reframing” the issue, bringing the relevant stakeholders to agree on a certain interpretation, could contribute immensely to the advent of a common frame. This would transform it into a “policy disagreement”, with improved chances for settlement as it would allow for an agreement just what the important facts are and how to properly interpretate them, for consensus on the rules by which to find a resolution and so forth.\textsuperscript{760}

In that sense it becomes a critical task for political analysis to test the variety of frames present in any conflict, along with the arguments that support them and derive from them to support specific policies.\textsuperscript{761} Ultimately, certain arguments or policies may not only be refuted as “first-order errors”, which are less valid inferences from any particular frame, but also as “second-order errors”, in which a less appropriate frame had been selected in the first place.\textsuperscript{762} Again, what appears imperative before indulging in futile quarrels is thus some kind of “frame reflection”\textsuperscript{763}, as it appears far more reasonable to assume a shared and also lasting consensus may be reached once a shared frame is accomplished.

At this point I would like to suggest that for this particular debate a frame conflict impedes the establishment of a shared narrative. I have tried to explain at length already how some of the arguments deployed by contra-genocide authors relate to a rather nationalist perspective. This, I claim, collides with narratives which epistemologically originate in methodological individualism, and which favor the individual over the collective. That is, the disparate positions depart from different notions of agency, responsibility, etc., and also differ in the values by which they evaluate the actors of their histories. In other words, according to the coarse frame theory intimated in the miniscule paragraphs above, these differences lead to diverging positions about what the relevant facts are and how they should be evaluated, and therefore pre-empt any discussion about these historical facts. I have sketched this divergence only with regard to the tension between individualist and communal approaches, specifically a nationalist versus what I clumsily dub an individualist paradigm; however, also some other arguments signal that a discussion about the general framework may be expedient. For instance, views seem to diverge in their notions of responsibility, i.e. for what kinds of offenses a state should be held accountable, or how responsibility relates to social peace and equality. So I think it would be very rewarding for this debate if a shared frame could be agreed upon. If that proves impossible, its discussion would at least expose some of the major

\textsuperscript{760} See Rein and Schön (1993): 148. For “frame pluralism” and “reframing”, see Laws and Rein (2003). For the role of reframing, of giving things a different meaning, in the process of conflict transformation and reconciliation, see also Lederach (1998); North (1998).

\textsuperscript{761} See also Dryzek (1993): 225.

\textsuperscript{762} See Dunn (1993): 261.

\textsuperscript{763} Laws and Rein (2003): 201.
premises and thereby facilitate a much better informed choice by the audience just which narrative to endorse. For this study here, I would like to make a small proposal for such a frame in a more individualist paradigm, in contrast to the allegedly prevailing nationalist one described above. And pretentiously as ever, since it boasts to depart from and seeks to conclude with the individual human being, I dare to call it a “humane frame”. Such a humane frame is an attempt to shift the epistemological perspective to methodological individualism, and to tip the value balance again a bit more in favor of the individual human being as compared to a human collective. It is therefore not the “right” or “true” frame but rather one based on certain presuppositions of mine. Eventually this frame should then facilitate producing some kind of a “humane meta-narrative” of this event, which should serve as a general background for all the individual stories it is composed of, some kind of a general and very high-level outline how this event could be interpreted and made sense of. At this point I believe it would be beneficial to elaborate a bit on this meta-narrative, to illustrate thereby also the main orientation of the guiding framework.


So what criteria or functions would a humane meta-narrative need to meet? As basic as it may sound, I would suggest such a meta-narrative of a given past injustice should allow all involved parties, victims and perpetrators and whatever types of third parties, to tell their own stories within this wider framework, and thereby express their personal experience of this event. I want to call this (a) the expressive function of the humane meta-narrative, and I would suggest it serves first of all some individual or psychological purposes, in the sense of reconciling the speaker with her past and with her own identity and life today. However, there is also a social dimension in such an expression, as it signifies a way of sharing, or more significantly of wanting to share one’s past and present with someone else. This is important, I believe, because an event of injustice and victimization disrupts social relations, not only between perpetrator and victim but possibly also the other social relations of the concerned actors too, and their ability to engage in “good” future relationships. By consequence there is a need to restore these social relations, respectively the capability thereto. To accomplish this, the expressive function needs to be complemented by an appropriate (b) receptive

764 For the psychological importance of narrating one’s own story, see for instance Bar-On (2003).
765 For the purposes of this paper I would – normatively – characterize “good” social relations clumsily as being based on equality, reciprocity, solidarity, trust, etc. I guess everyone is invited to continue the list as deemed fit for a mystic utopia of social relations
function as well, i.e. a reception which aides both the individual/psychological and the social reconciliation.

There is a lot which could be said of course about all the individual roles (victim, perpetrator, bystander, accomplice, descendants etc.) in such a process of expression and reception, particularly where the conflict at hand and its subsequent narrations involved so many people and expanded over so many years. In order not to digress too far afield, I want to confine myself here to the subject of my own inquiry, i.e. the role envisioned for the Republic of Turkey.

I would like to attempt to expound my expectation by reference to the paradigm of Anerkennung. This is obviously a very general and wide reaching theory, with conjunctions to many different discourses. In this work the focus is on events of injustice, wrong, victimization, and I would like to suggest that in this context Anerkennung can be divided into two different dimensions, which I want to separate by employing two different English translations: (a) the first dimension is probably closer to the classical theory of Anerkennung, reflecting an orientation toward the other, which in this case is simply put the recognition of the other’s experience. Here I will grossly consider recognition as being located on the receptive end of the communicative act, which, again, in this case designates how the Republic of Turkey accommodates narrations from other sides. By contrast the second dimension, a bit further afield from the social theory of Anerkennung, refers (b) to the acknowledgment of one’s own responsibility. It is located at the expressive side of interaction, and applies of course primarily to the alleged offender, but just as well to anyone who may find some fault in her own position, like associates of the offender, bystanders etc. Despite the differences, I believe both recognition and acknowledgment are closely interrelated, already by occurring simultaneously, in the same speech act, they may reinforce one another, and both are highly relevant in the psychological just as in the social dimension. Therefore I thought it best to separate them for analytical purposes, yet clearly mark their interconnectedness by framing them in one global term.

To begin with the first one, recognition, I would suggest to consider it basically an important element in creating and restoring the obscure “good” social relations postulated above, following their disruption by a wrong. It is essentially a particular mode of orientation toward the other and her experience and emotion. Recognition is complementary to the expressive mode described above, as it is the reception of the narrative offered by the speaker.

766 For the work which brought this paradigm to prominence at least in the German-speaking environment, see Honneth (1994).
Therefore this humane meta-narrative must allow the victim to embed her personal story in it, it must allow for enough space to fit it in. On a more pragmatic and wider socio-political level, this approach also alludes to the opportunity for the victim to deliver her own narrative in an appropriate institutional setting, where it is received and accepted instead of being merely ignored or rejected.\(^{767}\) This visible attention to her story, plus its acceptance by integrating it into the socially hegemonic meta-narrative convey that her memory is legitimate, in the sense of being relevant and at the same time a viable description of the past. Moreover, this recognition of her narrative also indicates that we recognize this episode as part of her history, of how it affected her life and personality. By consequence of the fact that human beings tend to construct their identity based on their history, the recognition of a person’s own narrative therefore expresses the recognition of a seminal part of her identity, of her self. Finally, I hypothesize one of the reasons why recognition might unfold “healing” consequences is by signaling to the victim that her experienced injury is extraordinary, in the sense of being beyond what should be regarded as acceptable daily routine, as passing by without further notice. This may not only console her by illustrating that her social environment is in support and empathy with her, but also may reaffirm her understanding that the world is a good and just place – it may contribute to the resurrection of whatever can reasonably be ressurrected in her sense of basic trust.\(^{768}\) As I have already tried to expound (see section 2.3), ignoring or even justifying her victimization expresses not a continuation of the offense but rather a new, a different one: „Unter moderner Barbarei könnte man eine eigentümliche Unempfindlichkeit gegenüber Normverletzungen verstehen, die Gleichgültigkeit gegenüber »eigentlich« geltenden Ansprüchen anderer auf Integrität und Anerkennung.“\(^{769}\) Seen that way, a humane meta-narrative which seeks to incorporate recognition as one of its primary responsibilities, offers some help and guidance to victims (and also for anyone else who looks for recognition of her experience).\(^{770}\) For the specific case examined here, I would think this results in the imperative to allow for a recognition of the narratives of all affected people, in complete disregard of their nationhood. That might fall short, indeed far short, of what many pro-genocide authors seek, but I consider it a vital

\(^{767}\) The most prominent example with an explicit concern for the recognition of past victimization might be Truth and Reconciliation Commission (TARC) in post-apartheid South Africa. See, for instance, Wahrheits-und Versöhnungskommission Südafrika (2000); Alexander (2001); Gobodo-Madikizela (2006); Werke (1999); Macdonald (2002); Adam (1998); Zimmermann (2006).

\(^{768}\) See also Straub (2006: 874).

\(^{769}\) Offe (1996): 265.

\(^{770}\) Barkan (2002: 64-71) even suggests that the German policy of recognizing the past wrong against the Jews helped the refugees who settled in Israel to cope with the injustice they had experienced and their resulting grief and self-hatred, ultimately with the development of a positive identity.
accomplishment nevertheless, and anyway beyond what the Republic of Turkey currently admits to.\textsuperscript{771}

The second dimension required in a humane meta-narrative, acknowledgment, emphasizes the willingness to critical self-reflection and to take responsibility. However, this process is not so much directed toward the other but rather a reflection of the past and the self, it is primarily inward in orientation. With regard to socially relevant wrongs Stanley Cohen’s proposal appears of interest, according to which acknowledgment differs from knowledge about the past in the sense that knowledge is a private state in which individuals know what has occurred, whereas acknowledgment involves making it part of public discourse, thereby making it an official and socially acknowledged truth.\textsuperscript{772} That is why I suggested to place it on the expressive rather than the receptive side in human interaction, and I think this can also nicely be linked to Cohen’s own theory of denial I presented in section 4.13.3: denial involves not only “literal denial” which means denying knowledge about the past, or denying that the allegations are true, but also denying the interpretation these events are given or denying the moral and emotional consequences which should be drawn from them: “Officials do not claim that »nothing happened«, but what happened is not what you think it is, not what it does look like, not what you call it.”\textsuperscript{773} The acknowledgment of the meta-narrative, if I may extend Cohen’s reasoning at my own risk, involves also accepting, i.e. acknowledging, certain interpretations that are attached to these events in light of our current belief systems and political principles, as well as acknowledging the consequences which should be drawn from these.

Yet the importance of acknowledgment is not limited to some (more or less mystical) improvement of the self and affirmation of certain norms and values. It is also of crucial importance with regard to prevention since it expresses a renunciation of the mindsets which brought these events about – though not necessarily a renunciation of the people who enacted them. This approach to prevention is sometimes paraphrased as the very “learning from history” which I have tried to belittle above (see section 4.1), not in order to dismiss it altogether but to reduce its postulated theoretical and principled value. Its pragmatic force of illustration or of providing an acute incentive to reflect and change one’s mind is hard to deny. Anyway, thereby this process may reinforce a wide range of values, depending on the

\textsuperscript{771} It is perhaps worthwhile to note that Nadler (2004: 231) listed among the pre-conditions for what he dubbed “socio-emotional reconciliation” also a consensus about who is indeed a perpetrator and who is a victim – I think that distributing these statuses simply along the lines of nationhood would be too simple a scheme.
actual design of the eventual narrative. It could for instance undermine the nationalist orientation prevailing in the Turkish preoccupation with its past – not necessarily by designing it in an outright anti-nationalist fashion, but already by stripping it of the nationalist sentiment which it currently inspires.

However, and this brings me to the pragmatic requirement of the humane meta-narrative, to accomplish recognition and acknowledgment it must also be acceptable to those from whom recognition and acknowledgment are expected – and as can be illustrated so well by the case studied here, this is far from being self-evident or easy to achieve. Elazar Barkan has tried to express the fundamental tension of any narrative dealing with past injustice as follows:

“If we want to increase the likelihood of addressing past injustices, the illegitimacy of the past has to be explicated. The studies here suggest that for the illegitimacy to resonate with the descendants of the perpetrators, the narratives have to be constructed in a way that can be accepted by them. This does not mean minimizing the crimes or pandering to the perpetrators, but it does mean that the fairness of the narrative has to be established in the eyes of all parties. The narrative has to be rhetorically persuasive. Thus, if the claims are unreasonable – presenting, for example, the status quo as ideal, or describing the crimes only from the perspective of the victims who see the perpetrators as a homogeneous whole, ignoring distinctions between active perpetrators and accomplices or uninvolved individuals – the persuasive narrative would be weaker than if a complex narrative acknowledges the intricacies involved and thereby provides a road map for compromise.”774

To nail down this janus-faced requirement: on the one side the meta-narrative needs to clearly address the injustice, to bring its repelling quality to the fore. Yet on the other side it needs to be persuasive, i.e., acceptable to everyone, including perpetrators, associates, bystanders and so forth. Therefore the frame must not be developed by only one party and then simply imposed on the other. Since the currently prevailing narratives have been cultivated or even cemented over decades, it appears appropriate to engage in some kind of frame reconciliation with the ultimate aim of generating an integrated meta-narrative. For any party which does not willingly embrace this humane meta-narrative is unlikely to autonomously recognize and acknowledge the pain and injustice in the past – recognition and acknowledgment cannot be imposed from above, and would remain superficial or hypocritical if they do not develop for the right reasons: the underlying meta-narrative.775 If this one is not

775 And this is certainly also a strong case against what I have called foreign interference: as Margalit (in Honneth and Margalit (2001): 136) in my view convincingly points out, the autonomy of the person performing the recognizing act is a seminal characteristic of recognition. If it is missing, recognition is worthless.
persuasive, it clearly fails its mission of prompting us to draw the “right” inferences from this episode.

This must not be misunderstood as an unconditional imperative to compromise, whatever shape this compromise eventually would take. But it is a plea to reflect about the essential features which absolutely must be either explicitly mentioned or tacitly assumed in any particular narratives for this event – and about which ingredients compromise, dissens and variations are possible.\(^776\) It is certainly possible to pressure someone into respecting someone else’s rights, or to compensate for suffered losses, but if the goal is as ambitious as establishing some obscure “good” social relations, it can hardly be accomplished by external force.

„Nach einem Bürgerkrieg muss das politische Ziel der Erinnerungspolitik deshalb vorrangig auf einen Ausgleich gerichtet sein. Solange die schmerzhafte Asymmetrie des Erinnerns anhält, hält auch der Krieg an; durch das Triumphieren der Sieger wird die Oppression in die Friedenszeit hinein verlängert. Der Bürgerkrieg ist erst überwunden, wenn die Symmetrie der Erinnerung wieder hergestellt ist und beide Seiten ihre entgegengesetzten Perspektiven in einem gemeinsamen höheren Rahmen aufheben können. Erst durch diese Integration durch Orientierung auf gemeinsame Ziele in der Zukunft, können schneidende Ressentiments abgeschliffen, kann die Hitze des Hasses und Revanchismus abgekühlt werden. Erinnerungspolitik nach Bürgerkriegen hat die Aufgabe, die destruktiv spaltende Energie der Erinnerung aufzulösen, was niemals durch Unterdrückung einer Erinnerung, sondern nur über ein gegenseitiges Einverständnis erreicht werden kann.”\(^777\)

To repeat my criticism one last time: the current narrative of the Republic of Turkey does not allow for these different functions, because of its insistence that it was right to do what has been done to the Ottoman Armenians or by diluting the agency and therefore responsibility involved in these events. Thereby the official Turkish narrative fails to recognize the wrong that has been inflicted upon the Armenians and the narrative sustained by Armenians for so many decades since, and it fails to acknowledge the responsibility the perpetrators carried, respectively their own responsibility of distancing themselves from such acts. The alternative terms proposed in the documents I have reviewed - “tragedy”, “inter-communal strife” and so forth – ostensibly ignore any responsibility because they obfuscate Ottoman agency.

Moving from the impact on the presumably “Armenian” side and instead considering the consequences of such argumentation for the Turkish public in light of a humane metanarrative: I insinuate that the current Turkish official argumentation affirms the glory and

\(^776\) Obviously, this process requires recognition and acknowledgment to occur on all sides, at least if the relationship is really understood as one of mutuality and reciprocity.

persistence of the nation-state (the nation and/or the state) as being above the well-being of its subjects. And it thereby wastes a great chance for the dissemination and promotion of humane values and critical self-reflection in Turkish society. This, in turn, could contribute to its transformation into a post-national society,\(^{778}\) including a step toward a non-violent, non-authoritarian resolution of a number of its current political and social problems – of which a political reconciliation with the Republic of Armenia could be part of.\(^{779}\)

Apparently this has major implications for the controversy about genocide as well. For one thing, if the essential elements in the ultimate narrative are recognition and acknowledgment, how does this relate to the quarrel of genocide which dominates this entire discussion? Is it really “genocide” which is being debated, or rather something else, for instance a disagreement if the eventual narrative should express recognition of the past wrong and acknowledgment of responsibility? And if that is true, would it then not be appropriate to reflect some more on the very concept of genocide itself, to re-emphasize again the qualities which should be stressed in terms of a humane concept of genocide? I shall come back to this in section 5.3.7.

### 5.2.2. Minimal Meaning and Multiple Narratives.

To put this jabbering about a humane meta-narrative in the right perspective: I am very well aware that the postulations made above are very general and indeed naïve, leaving ample room for the persistence of profound differences and controversies about the specifics of the narrative(s) ultimately passed on to future generations. But that can also be seen as an (admittedly unintended) advantage, more honestly as a fortunate shortcoming of mine, because (a) it leaves the large bulk of designing this specific narrative to those who have a heavier and more direct interest in this topic, and most likely know far more about it anyway. And secondly, because (b) it remains open to debate whether it would be beneficial to establish one single and binding narrative for these events, or whether it would not rather be preferable to allow for diversity, at least to a certain extent. This certainly must sound

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\(^{778}\) Barkan (2000: 357) claimed that liberal societies are more prone to admit to the injustice they have committed. See also the idea by Helmut König (2008) that societies may develop a “postnationales Gedächtnis” which differs from the traditional national memory in its ability to incorporate also the dark and shameful episodes of its past.

\(^{779}\) And just to make this very clear: recognition and acknowledgment need to be embraced by any agent involved in a „good“ social relationship, it is not a perpetual obligation imposed on only one party. Thus, there is also a need to recognize the great harm which numerous Ottoman Turks experienced, and to acknowledge the responsibility which non-Turkish offenders hold just as well. But here I am concentrating on the recognition and acknowledgment required by the „Turkish“ side, first because it is the subject of this paper, and second because as argued above there still are reasons to differentiate the responsibility of the Ottoman Empire from the one acquired by other perpetrators.
Allegation and Denial

provocative again to those who might conceive this as randomness in history or as opening a
door for historical revisionism. As Stanley Cohen rightly observed, such historical liberalism
harbors the danger of “post-modern forgetting”, in which historical truth is dissolved by the
proclaimed equality among a cacophony of narratives, where ultimately skepticism, relativism
and irony prevail. As Yves Ternon expressed the case for truth to settle historical disputes:

“I wish to repeat once more that established truth should not be challenged in the
absence of new evidence. […] Truth, once established, is not negotiable. The
Armenian Genocide is not a hypothesis but a certainty.”

I honestly respect both their pleas for what they consider a good cause, and their
commitment to advance their position. But it does not fully align with the approach I am
pursuing here, first of all with my constructionist reservations about the concept of truth, and
even more with my reluctance to establish some kind of historical tribunal to assess the truth
value of any narrative. Yet more importantly I want to return to my presupposition that this
struggle is less one about historical facts than about their meaning. “Genocide” is most of
all a device to express meaning, a meaning which is at least as much a reflection of the
present as it is of the past. Any attempt to carve meaning in stone, to confound it with eternal
and objective truth, deprives a later interpreter of the imperative (or: the opportunity) to
become engaged with the past, to struggle to find a meaning which is viable for herself. I
guess it is also a question how the past shall be transmitted to future generations: as a matter
of telling them what has happened and how to think about it, or as something they should at
least have the chance to think through themselves and find a way to make sense of it. As
Helen Macdonald put it, what should be accomplished is primarily a public awareness and
consciousness of the past event, while the narratives should be allowed to diverge.

Similarly, Gesine Schwan argues that the main purpose is to ensure an open public discourse
about history, since this is ultimately the best guarantee that it will be remembered and people
will indeed confront it, rather than having an urge for remembrance being satisfied by public
rituals. Any fixation of meaning risks mirroring the more authoritarian or at least
paternalistic approach pursued by the contemporary Republic of Turkey, where challenges to
the official narrative are a priori discredited or potentially even prosecuted.

781 Ternon (1998): 240-244.
782 As also Blustein (2008: 114) sees this as the pivotal task in any historical debates.
Especially in a historical event as enormous as this one, there certainly is an abundance of individual stories which will certainly create a heterogeneous picture of the entire episode. Prescribing one very clear and concrete narrative might therefore risk alienating all those who know of deviating stories as well. This could thereby generate far worse consequences, with the official narrative failing to convince its audience and to attract social support, and thereby opening the doors for a virtual mayhem of competing narratives where none is bestowed broad social acceptance. My counterproposal was therefore to establish first of all a shared frame, which should reflect today’s political ideology and serve as a shared background to interpret the past and develop our political myth. The ideal-type recipe then asks to add some of the historical events which are widely accepted by the responsible historians – the historical “facts”. The combination of a shared moral frame with some guidance about the course of events should then generate a meta-narrative which expresses some kind of a minimal meaning of this event. At this point I would like to refrain from suggesting what these minimal facts might be, and therefore at this place the meta-narrative consists most of all in a “minimal meaning”, a core which still allows for a range of variations with regard to concrete narratives, interpretations, emphases etc.

Such variations and deviations are maybe even welcome since they also make the underlying values and the importance of these events visible. Where they clearly contradict these underlying values they might become problematic, not because they violate the way we interpret and transmit the past but rather because they violate some basic principles of contemporary society. That is at least my political perspective, and not to make any stipulations about any legal implications. Likewise, just as I wanted to abstain from outlining the “historical facts” of the meta-narrative, so do I not want to digress at this point about any deviations of these historical facts.

5.2.3. Turkish Responsibility.

After all this moralistic gobbledygook about humane values and the like, I want to draw the line back to a term discussed earlier: responsibility. This leads back also to the differentiation between justifications and excuses (see section 4.13.2). I have dealt with my concerns about justifications when I discussed Turkish nationalism (see section 5.1), so now it may be indicated to deal with the case of excuses, particularly since according to my rough classificatory table in section 4.13.2 should have visualized that most of the arguments are

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785 It may be added that Schneider and Jochum (1999: 9) argue the more narratives are voiced, the more inclusive the entire discourse ends up.
closer to excuses than justifications – and that is maybe also a reason to remain optimistic that there is still potential in this debate to come closer to a shared meta-narrative. To recall, the critical point about an excuse is not denial of injury but denial of responsibility, which in turn manifests in two kinds at least: first there is the responsibility of the agents back then, most important for my work here the Ottoman Empire and all the persons who supported its activities. Speaking now of excuses, it is important to emphasize that an excuse, even if fully correct, does not accomplish what a justification does: it does not make the critical event right. All it does is diminish the responsibility of the alleged wrongdoer, possibly up to the point where none is left. But that is another squishy discussion, in which we would have to assess if all the excuses brought forward vindicate the refutation of any responsibility. In my layman opinion, that is not the case. And second there is our own responsibility today. To reiterate the point once more: it is not the Turkish people of today being responsible for what happened almost one hundred years ago. But what we today can acknowledge is the responsibility of the agents back then, and our own responsibility today which, as discussed in section 2.3, rests in how we continue to deal with these events.

In this work I am primarily or maybe even exclusively concerned with the issues of narrative and meaning because I think these determine a number of other elements in dealing with the past, such as compensation. For instance, depending on the eventual meaning we give these events and how we discursively deal with the matter of responsibility, I do not think activities such as restitution need necessarily be conceived as punishment; instead I would suggest they could also be described as a function of taking responsibility in four different dimensions: (a) first, as an expression of social solidarity with the victims, as the realization that some people’s chances in life were reduced by injustice and this calls for collective action to undo this disadvantage. In a sense, this resembles very much the solidarity present in social care of disadvantaged and needy groups in society anyway. In another sense, (b) compensation could be seen as taking responsibility on behalf of the perpetrators, thereby expressing solidarity with the offenders (rather than only the victims) despite the wrong they have inflicted: driven by the understanding that these past actions were not right or just, but that obviously these perpetrators cannot rectify their wrongs anymore. So compensations could be viewed as a desire to remain in a relationship of solidarity with them and at the same resuming responsibility to ensure the integrity of this relationship.

Going beyond solidarity, compensation could also be seen as (c) the acknowledgment that the people of today may have profited from these wrongs, and therefore take responsibility to give some of these benefits back to those at whose costs they were generated. These benefits
need not only be understood as material ones, but may encompass the influence the past policies might have had on the formation of a Turkish national identity, and thereby on Turkish nation-building etc.\textsuperscript{786} And a last dimension in which I think compensation could be understood beyond crude punishment is (d) an educational or at least future-oriented one: as an expression that a wrong does not pass by unnoticed, and that it does involve costs to rectify such a wrong. It is the rough expression that injustice must not pay, even if the self is the indirect beneficiary, even if the actual perpetrator and the actual victim are not available for restitution anymore.

Two more comments on this issue of responsibility: My explanation seems in contrast for instance with the stance of Donald Bloxham, who considers the contemporary Republic of Turkey responsible for the past events because some of its founding fathers were indeed involved in these past events, because they were actually perpetrated in the name of the Turkish collective identity, because the Republic prolonged the nationalist and discriminatory policies of the Young Turks, benefited from their genocidal policies, and continued to deny these crimes.\textsuperscript{787} I guess one element which gives backing to his claim could be the concept of state responsibility, which I have neglected so far. Given its involved complexity, I do not want to pursue this path here and focus instead on an abridged understanding of Bloxham’s demand, which alludes more to a sense of collective guilt or responsibility. Anxious about my own consistency with regard to the transfer of certain qualities such as guilt by (national, ethnic or other) affiliation, I have to reject some of these responsibilities, or rather refine them a little. I would suggest the Republic of Turkey respectively the people individually are only responsible for their own actions. So they personally cannot be blamed for the actions of their founding fathers, or whatever crimes were committed on behalf of their presumed identity or their welfare. Moreover, even though it is important to emphasize continuities in policies just as well, I believe these merit evaluation of their own and may be evaluated independently from what has occurred earlier on. So, with regard to the events of 1915, the point where I agree with Bloxham is that the people of today are responsible for their own position concerning these events.

Nevertheless, I have then enumerated a few further responsibilities, which may even overlap with Bloxham’s suggestions. To account for that, I would like to pick up a distinction

\textsuperscript{786} As then Minister of Defense Vecdi Gönül stated at the Turkish embassy in Brussel on November 10, 2008: “If there were Greeks in the Aegean and Armenians in most places in Turkey today, would it be the same nation-state? I don't know with which words I can explain the importance of the population exchange, but if you look at the former state of affairs, its importance will become very clear” (quoted in \textit{Today's Zaman}, November 12, 2008).

\textsuperscript{787} Bloxham (2005): 228.
by Jeffrey Blustein between being responsible and taking responsibility. As far as I understood his differentiation, I would suggest that a person can be responsible, i.e. receive blame or credits, only for her (in-)actions, but she can take responsibility also for events where she cannot be blamed at all. I am not sure this is included in Blustein’s theory, but I would suggest this includes taking responsibility for someone else’s (in-)actions, as for instance a mother taking responsibility for her adolescent daughter’s misdemeanor, or any citizen taking responsibility for a particular action she perceives as a wrong and wishes to rectify again. Pathetic to the end, I would suggest being responsible is a matter of an agent’s relationship to herself and her actions, while taking responsibility transcends this relationship and instead expresses an attitude toward the outside world, an interest in what it should be like and the willingness to invest something in the pursuit of her ideal. Being responsible could then be understood as a reaction which follows an external allegation against the self, such as social norms or blaming, whereas taking responsibility is a proactive activity by an individual, without a necessary connection to personal misbehavior.

The second comment I wish to add is that despite offering some points which may suggest compensation would be appropriate, I think this is far more complex a question which I cannot decide at this point. It certainly involves difficult issues about how to avoid new injustices in the process of restitution, how to quantify the damages and losses, what harm can be attributed to what agent, how to weigh in damages suffered by Turkish victims, and so forth. It even requires discussion if compensation is actually desired or rather perceived as an infamous attempt to compensate for something which cannot be compensated, an opprobrious effort to wipe off what cannot be wiped off. So ultimately this issue certainly needs to be settled by the involved parties themselves and under due consideration of the political and economic realities and possibilities.

5.2.4. “Genocide” and the Meaning of these Events.

Finally, the question how to classify and label these events will most certainly not fade away. In other words: should they be called “genocide”? If we deem an event worthwhile remembering which nevertheless fails to attract sufficient attention from students around the world, then it appears reasonable to strive for an appropriate label so people will at least know

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788 Blustein (2008): 63-67. I wish to add that I have some doubts I really grasped Blustein’s differentiation; it may be his intention was primarily to differentiate between the dimension of being subject to blame/credit, and the activity of complying with this blame/credit, of acknowledging one’s agency or character. Anyway, I happily take all the blame any for conceptual errors. And the responsibility for them, of course.

789 In the end the Turkish caveat is of course right that everything occurred in the turmoil of war, and even though this in my opinion does not invalidate calls for responsibility, it needs to be considered in our calculations.
what *kind* of event it has been. Thereby the concept under which we subsume this past episode heavily influences narrative and argument, excluding certain options while suggesting some others: “Like characters in a novel, concepts in a theory shape the narrative or the argument in which they figure.” My point here is that when choosing this label we must take care to consider also the meaning this label shall convey, since it is its meaning which ultimately matters. Among the alternative offers by the contra-genocide authors are for instance “civil war” or “inter-communal strife”, “relocations”, “turmoils of war”, and so forth. I think all of these are inappropriate since they fail to express certain essential components of these events, such as the Ottoman state’s determinate position to shed collective suspicion on their Ottoman Armenian subjects, thereby affirming resentment and prejudice, as well as its proactive policy of repression, all of which culminates in quite some responsibility. In a stern judgment the alternative designations offered may therefore be described with Stanley Cohen as euphemisms, which he identified as one element in the strategy of denial by reinterpretation. He brings it to a point by quoting Hannah Arendt:

> “The net effect of this language system was not to keep people ignorant of what they were doing, but to prevent them from equating it with their old, »normal« knowledge of murder and lies.”

There are certainly numerous similar terms which were proposed to identify similar events and whose relationships to the term “genocide” are contested. These include for instance “genocidal massacres”, “ethnocide”, “cultural genocide”, “ethnic cleansing”, “partial genocide”, “collective violence”, “democide”, and so forth. It is certainly indicated to develop further concepts and refine existing ones for the sake of scientific

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792 Quoted in Cohen (2001): 81. Arendt’s comment was originally intended to describe the usage of specific language by the Nazis in the Third Reich.
799 Rummel (1994).
800 Also further neologisms were created for more specific forms of mass violence. So did Anna Quindlen for instance designate measures targeting specifically women and procreation among the victim group as “gynocide” (see Fein (1999): 61), and Mary Ann Warren understood “gendercide” as some kind of gender-selective mass-killings (see Joeden-Forgey (2010): 65-68). The conceptual ambiguity of these concepts with “genocide” can be exemplified by the term “ethnic cleansing”, which the UN General Assembly resolution 47/121 (December 1992) explained as a form of genocide (see Schabas (2000): 9). However, William Schabas (2000: 199f, 229; 2010: 130), citing the *travaux préparatoires* of the UNGC and a ruling of the ICJ, objected that ethnic cleansing, unlike genocide, does not necessarily involve the intention to physically destroy a group.
dynamic, but I remain skeptical to what extent they will succeed in penetrating public discourse. In the end, the subtle variations between these concepts might be of little interest for anyone who does not share my sensational voyeurism for mass atrocities and conceptional quibble. So, where the objective of classification is public transmission of meaning, there breaking up mass atrocities into a polyarchy of concepts does not seem to be served very well.

Thus, before we decide which label is the best, maybe it is interesting to approach the matter from another angle, to pose the crucial question differently: why is it important if these events are called “genocide” in the first place (or any other label, by the way)? The bottom line is that I am not convinced if the question about genocide is as important as it is presumed to be. I think the seminal task is to develop the appropriate meaning incorporated and conveyed in a meta-narrative which meets the requirements outlined above (see section 5.2.1). But this is not necessarily bound to the question whether we call these events genocide or not. In the end it must not be forgotten that “genocide”, if understood as a scientific concept, is first of all a name representing a category, ultimately: a label. Ideally, with regard to its social significance, the label should follow the narrative, not the other way around: the description of the events should inspire a common denominator, not the denominator drive the description of the events. Moreover, this label is designed to represent an entire class of events. By consequence it must be of a generic nature. Depending on how restrictive we want to make use of it, it can comprise more or less characteristics. But no matter how specific we design it, as an abstract taxonomic concept, if taken just by itself it will always fail to adequately reflect any particular phenomenon. By its inherent generic essence, genocide will always miss some essential parts of any historical event. What Alexandre Métraux stated with regard to the language we use to portray the Holocaust may be extended to the term genocide in general: it congealed to a catchword which serves as a scheme for interpretation and accentuation in semantic inertia, bare of any contextual particularities.801 And therefore if the label is applied to a particular event it will always need to be supplemented by a specific narrative in order to add certain elements and dimensions.

By the same token, and aggravated by its heavy political and moral weight, “genocide” will always put some additional shadings to any event it is applied to. Most people have very disparate knowledge of the various genocidal events in human history, in the sense of knowing maybe more about one or two events than about most other instances often considered genocide. They will hence – rightly – be prone to extrapolate from this familiar

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genocide to all the other genocides they discursively encounter. This is the essence of
classification. And therefore the term genocide will always suggest some additional qualities
to these events in the Ottoman Empire, which then would need to be rectified again by its own
particular narrative.\footnote{I think this can be easily demonstrated in this case: by its collectivist nature, genocide suggests a clearly
identified and coherent victim group, and less clearly but often interpreted like this, a similarly easy to identify
and coherent perpetrator group. Moreover, by (common) imputation, genocide implies that the arrow of violence
is unidirectional, and hence guilt can be attributed unequivocally. Apparently this is far too simple a plot for any
event which involves hundreds of thousands of people, and therefore evokes resistance and stories which
challenge these assumptions.}

To put this clearly: I see there is a desire to evaluate whether these events amount to
genocide, and I think it is appropriate to do so – in the end a certain classification as a
stereotype is important to cope with the complexity of the world and its history. But I think
this question of classification is far less important than the issue of finding an accurate and
appropriate narrative.\footnote{This may seem ridiculous or implausible after devoting this entire paper to the question about classifying this
event as genocide or not. Maybe it is.} Classification should come after description, and I think it is wrong
to expect that the Republic of Turkey would first or easier change its classification, and only
afterwards or by consequence it would endeavor to change also its very narrative: “The
important thing, however, is not the term, but rather the moral position that recognizes the
crime and condemns it.”\footnote{Akçam (2006): 9.} Just by itself, “genocide” is neither an indication of nor an impulse
for a personal or reflexive preoccupation with the past event and its meaning.

I cede to the caveat by many a pro-genocide author, namely the stipulation to have already
developed an accurate and appropriate narrative for this event, and therefore this event is long
overdue for corresponding classification. However, to date this narrative has failed to be
convincing in the sense of being acceptable for the contra-genociders – and vice versa. The
result was an abundance of works which reiterated and elaborated the various arguments and
positions, or tried to refute the counter-arguments. However, as far as this was done, these
counter-arguments were rejected primarily by resorting to historical or legal claims. This has
led, I believe, to a rather superficial understanding about where exactly the differences come
from and how they shall be tackled, and eventually also a hardening of positions, rendering
them somewhat stereotypical, fossilized.

I think the main reason why the question of genocide has become so paramount is the
symbolic quality it has attained over time: it is the “keyword” that determines the entire
debate about these events.\footnote{For the idea of a keyword and its symbolic importance see Rigotti and Rocci (2005): 125-132.} Eventually the controversy has been perpetuated for so long that
it can be reduced at least in the eyes of the global audience to the question if it was genocide or not. Recognizing it as genocide implicitly suggests that the Armenian version of history is correct – has triumphed – whereas refusing recognition indicates that the Turkish narrative is the right one – has triumphed. I think that is a pity. I think that the importance of this event, its meaning for those who took part in it as well as for us who learn about it through historical narratives, should neither be reduced to classification nor to symbolically trumping the antagonist. And the pity lies in the unfortunate result that this past tragedy is curtailed to the genocide question, neglecting its important other dimensions:

“In fact, to question whether or not genocide occurred only serves to cloud the issue. Rather, a more appropriate direction of investigation lies in the study of the causes for the genocide, its implementation and dimensions, its consequences, and its relevance today.”806

And with regard to reconciliation between the Republic of Armenia and the Republic of Turkey, the genocide question makes compromise incredibly difficult since it brought the entire discourse down to an either-or question: either it is genocide, or it is not. A conciliation between these two positions is intricate, since any compromise, even if its coming about is elaborated very well, still has to use “genocide” – or not. Therefore any resolution will carry at least a slight taste that some party eventually had to back down.807 This makes the entire controversy a zero-sum game, while chances for a meaningful agreement are much more likely if all involved agents could think of it in terms of a positive-sum game, in which a well-conceived reconciliation could yield benefits for both parties, at the expense of no one. This gets more complicated the more we strive for simple solutions.

5.3. Genocide.

The primary motivation of this work was to examine and analyze the argumentation about the massacres against the Armenians in the late Ottoman Empire. The persisting conflict, at least in public discourse, is largely reduced to the question whether the past events amount to genocide or not. Furthermore, one seminal characteristic of genocide is the concept of the victim group, and from a constructionist perspective it is of course a tempting challenge to spend some time on how such groups are constituted. I therefore invested quite some time trying to understand the very idea of genocide, and how it relates to the conflict studied here.

806 Hovannisian (1988): 112.
807 Although I need to add I consider this a tough challenge, not a real obstacle for reconciliation. Language certainly provides the flexibility to express the fundamental idea behind any tradeoff. And just as well diplomats are very well trained and used to invent such formulations.
So after all this discussion about genocide with regard to this specific debate, I would like to
make a few suggestions how this debate could feed back to the concept of genocide.

5.3.1. The Meaning of Genocide.
Resorting once again to my constructionist premises, I repeat my continual mantra that the
importance of genocide lies in the meaning this concept conveys. Therefore in a first step I
would like to discriminate certain meanings of genocide I believed to find in the texts
analyzed above. I would like to suggest three dimensions with one of them divided into three
subcategories, each one carrying its own twist of meaning. I propose that these different
meanings are at stake when we use, support or refute various arguments about genocide. The
crucial point is that each of these can be expressed by using the concept “genocide”.
Depending on the interlocutor’s intention some dimensions will be more pronounced in her
statement, while she may not appeal to some others. However, this multidimensionality and
the impossibility of clearly demarcating which dimension we are referring to certainly
contributes to the overall discord here, given that so different meanings are amalgamated in
one single concept. I think it also helps understanding why the term genocide is so dear to
some while so invidious to others.

I do not think the dimensions I am going to suggest are exclusive. Indeed some of them
may build upon another one. Still, I believe it is important to keep them separate, not because
they apply to different kinds of events but because they reflect different kinds of discourses
about events, i.e., different frames or themes. Anyway, the first dimension I wish to propose
for the usage of “genocide” is (1) its social dimension, which is of heavy moral load and
therefore of prominent political relevance. I would suggest it consists in turn of three
subcategories of meaning: (1.1) Suffering: this meaning I think is essentially reflected in what
I have previously called recognition (see section 5.2.1), i.e. recognizing that something
terrible has happened to some people, and that this terrible experience deserves attention. As I
envision an ideal-typical discussion which is centered primarily on this dimension, it would
revolve largely around issues of empathy, compassion, solidarity, charity and so forth. I think
this dimension is hardly contested, very few contra-genocide authors would declare that what
the Ottoman Armenians went through was not a horrible experience for most of them. So, if
this was the only meaning of genocide, there might not be much debate about it – but
apparently there is more to it.

(1.2) Injustice: another meaning which can be enunciated by referring to “genocide” in a
social/political/moral sense is that this terrible event was inherently unjust. At this stage, this
is to say nothing but that the victims did not deserve to experience this particular hardship. In other words, this dimension focuses on the victims and the questions of their innocence respectively their own share in what was to come. Apparently, if we want to express that an injustice was inflicted on somebody we somehow imply her suffering. Nevertheless, the emphasis here is shifted to a discourse of justice, and how to rectify and restore the balance of justice. Topics likely to be discussed here may be cloaked in terms of restitution, restoration etc.

(1.3) Guilt: in a third meaning the emphasis is shifted from the victim to the perpetrator. Here injustice is still implied, but a perpetrator is identified and blamed. It is in this kind of discourse where we encounter controversies about who is responsible, collective guilt etc. If the emphasis of genocide is primarily on this dimension, then the succeeding discourse probably would revolve around demands for an apology, compensation, punishment, atonement, redemption.

These first three instances of meaning are the ones which are directly tied to moral concepts such as pity, justice, guilt. I have therefore summarized them in one single dimension. Furthermore, these moral concepts are designed to describe our social relations and our community, and to offer orientation how to run them – and how we actually run them. Therefore I think they are eminently social and political. From an empirical perspective I hold that by the same token it is these three meanings which lie at the root of the ongoing conflict around the Armenian Genocide. For that reason I thought it appropriate to summarize them under the umbrella of a social/political/moral dimension. These meanings are certainly far from exhaustive, but they appeared to me the most meaningful to distinguish at this point, and the most relevant ones in this particular case study. Yet as this controversy examined here demonstrates, there are some more dimensions involved as well, two of which I would like to mention here:

(2) Classification: this is what I would snobbily understand as the scientific dimension, as engaging in an effort of comparing this event to some others, of identifying certain traits it has in common with them or which differentiate it from them. The point is that this debate could function without assigning a seminal importance to terms such as guilt, pain, punishment. Instead its main preoccupation would be the distillation of characteristic features of this class

808 It should be apparent by now that my command of the English language is somewhat, “deficient”, at times; but to my usage and experience to say “I am sorry” expresses more the first two dimensions, since I can feel sorry for something which I do not think to be an injustice at all, or for which I personally do not experience any guilt. By contrast, saying “I apologize” indicates in my everyday usage that I experience some personal responsibility for an injustice I have committed against the person I am talking to.
of phenomena, and the discussions about its specificity, its overlaps with other classes, the identification of particular cases and so forth.809

(3) Legal judgment: the final dimension I would like to discriminate is the legal one. It is again a form of classification, but for different purposes and under different terms. As the previous dimensions suggest, there is something involved in genocide which may be described as invidious, and therefore it makes sense that the concept also implies some legal ramifications. Here we arrive at the legal aspect of responsibility and guilt, as laid out in criminal law. This includes a definition, a process, and some consequences – which are all legally viable and purposive. The concepts around which this discourse may revolve are similar to the social discourse on guilt, but the rules guiding it are fundamentally different. In the legal context, there (ideally) is a far stronger urge to make all one’s definitions and claims explicit, there is less flexibility in the options available for communicative moves, and, most importantly, the procedural rules themselves already can serve as a legitimate basis for the overall outcome. Noteworthy is also that legal systems ideally adhere to the principle of in dubio pro reo, which does not hold true for public discourse. It therefore appeared appropriate in my eyes to reserve a distinct dimension for the legal meaning of genocide as well.

The point I want to make is that “genocide” can be understood as a symbol which reflects these (and maybe further) dimensions, depending on the interlocutor’s perspective. Of course a scientific classification or a legal judgment may be understood in some cases as implying a moral judgment, a call for political consequences – but not necessarily so. This interrelationship in my opinion echoes the blending of these different dimensions. The curious point is that the concept of genocide is of pivotal relevance in all these dimensions. It therefore also needs to reflect all these dimensions properly. I have already elaborated on the difficulties with the definition of genocide, what problems scholars struggle with to adequately grasp the phenomenon of genocide (see section 2.4). This hassle about the “right” understanding of genocide has in turn created scholarly critique of the preoccupation with the definition itself. Israel Charny has decried this as “definitionalism”, as disproportional and scholarly examination of certain microaspects, which actually distracts attention from the essential and most abhorrent aspects of the underlying phenomenon, thereby discouraging

809 As discussed above, classification can also serve another pivotal social function, namely comparison for competitive or hierarchical reasons. So it might be worthwhile considering another social meaning of genocide, such as „distinction”, but I decided to neglect this for now.
contributions to its better understanding and prevention. In my opinion this charge expresses an accurate concern if more refined: as I understand Charny, it is the definition of genocide which is utterly overrated – this task should not impede us in our efforts for a consensual and convincing and consistent interpretation of the past. But I do not think he wanted to strike a blow for the backlash claim of suggesting that a definition was dispensable to begin with. I think a sound definition of genocide is imperative, and I shall try to explain why.

5.3.2. On Definition.

First, if there is to be a crime of genocide which shall be legally prosecuted, then there is need for a clear-cut and manageable legal definition of that crime called “genocide”. I am neither a lawyer nor a philosopher of law so a serious discussion of this matter is beyond my capabilities. What seems clear is that not only the punishable acts need to be defined well, but also the punishable entity, such as a person or a state, and how the criminal act can be ascribed to that entity (e.g. if it can be attributed to a representative or even a citizen of a state because the state is convicted of committing genocide; or rather if a state can be convicted because one of its citizens or representatives engaged in genocide; or if only individuals can be accused by virtue of their own personal acts). Apparently, one big task here is to clarify about the nature of guilt, its individual or collective dimension and the relationship between them. Likewise, also the nature and status of the victim need to be explicated, and so do the criminal acts which constitute the crime of genocide. As I have already noted in section 2.4, there is still wide disagreement about these points when it comes to genocide.

However, also other academic disciplines have engaged in research on genocide, and already by virtue of the paradigmatic orientation of their fields they may be more interested to express other elements in their genocide definition, instead of culpability. For instance social sciences are less concerned with (personal) guilt than with structural components, which are harder to prove or ascribe to a certain entity but nevertheless valuable to describe a phenomenon. The objective is not punishment or compensation, but to develop a cluster of structural indicators which could serve as an early-warning tool and thereby add value to the task of genocide prevention. Therefore, a legal definition may substantially differ from a

810 Charny (2001): 12. See also Charny (1996). Chorbaijan (1999: xx) quotes Charny with a definition of definitionalism [sic] as “a damaging style of intellectual inquiry based on a perverse, fetishistic involvement with definitions to the point […] that the real enormity of the subject no longer guides or impacts on the deliberations”.
social scientific one, even though of course both concepts are interrelated and contribute to each other.

_Føllesdal, Walløe and Elster_ offer a taxonomy of different types of definitions, with one of the differentiations they offer being between (a) stipulative definitions, i.e. such which try to regulate the correct application of a term, as compared to (b) explicatory or analytical definitions, which try to clarify about the actual usage of a term. I would suggest that the definitions discussed so far have all been coming from the stipulative angle, which in my understanding departs from the premise that there is a certain pre-existing phenomenon in the social world which awaits identification and description. In that sense the task for a scientific definition is to offer the terminology to accurately describe and understand this phenomenon, and for a legal definition to identify and prosecute its occurrence. Here I want to introduce a slightly different approach which resembles more the explicatory version of a definition.

Departing from the idea that a term is (also) designed and deployed to serve specific functions, I think it might be worthwhile to take a step back again and contemplate why the application of the concept of genocide is of importance to the person using it. And here I want to recall my stipulation that the concept of genocide is (also) of tremendous social and political interest, aside from its legal or scholarly relevance. Moreover, and this is just another reckless proposition of mine, I would even dare to argue that the legal and the scientific relevance of genocide are a function of its social and political significance. If we would not think that genocide was such an abhorrent phenomenon, we may not consider it worthwhile of criminal prosecution, of establishing early warning schemes or of thorough scientific analysis. As Marie Jahoda put it:

“Definitionen sind in den Humanwissenschaften nicht wertfrei. Sie sind Wegweiser für die Identifikation der Phänomene, die erforscht werden müssen und – absichtlich oder unabsichtlich – oft Werturteile darüber enthalten, was in einer zivilisierten Gesellschaft hinnehmbar ist und was nicht.”

With that being said, I would not want to go as far as concluding that scientific and legal definitions should _follow_ the social meaning of genocide. But I think they should consider it, and try to reflect its essence in their own conceptualizations. In other words, if the social relevance of genocide resides in its abhorrent nature, then the primary task is to establish what exactly it is that makes genocide so horrific, and reflect this specific characteristic in the ensuing definitions. If I was expected to express this reasoning of mine in semiotic

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811 As already argued by Chalk and Jonassohn (1983): 295.
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terminology, what I propose might be viewed not as a semantic understanding of genocide (one based on the relation between sign and signified, the term “genocide” and the event), but as a pragmatic one (one based on the relation between sign and signifying person, the term “genocide” and its user).

Such an approach to the generation of scientific concepts and definitions, in which first of all social and political relevance is established and the substantive essentials of this concept then consolidated around it, such an approach may appear hopelessly naïve or irrational. But the point is that the relevance of a concept is not established by the legal and scientific aspects, and therefore cannot be intrinsically generated by legal or scientific theory only. Where legal and scientific concepts or their consequences are important, the source of their importance is exogenous, resting in their social and political dimension.

Anyway, I do not necessarily consider such a pragmatic definition unscientific – that evaluation depends on the paradigm which is being followed. It may indeed deflect from a phenomenological paradigm. If we are to generate the meaning of a scientific concept, doing so by departing from the intentions of some scholarly minds is just one way, pursued for instance (by tendency, I believe) in the humanities. By contrast, desiring to express certain dominant meanings in a society would be another origin to generate definitions, and for what reason would it necessarily be inferior? The first one may (again: by tendency) be a bit more top-down, prescriptive, “telling you what it is really like”; the second one seems tentatively more social-scientific, maybe constructionist, maybe descriptive. Which in no way implies that it would need to be a concept of lesser social critique.814

The concept of genocide may be less important to describe objective “truth” than to express a violation of fundamental principles of our social existence, with all its political implications. If we lose sight of this salient quality in all our ambitions, then we risk being lost in the aforementioned “definitionalism” which dwells on “microaspects of information” and by which ultimately “the experience of moral sensitivity to the tragedy and infamy of killing of masses of people is lost”.815 It is here that a concept which emerged from a particular desire to express a specific socio-political meaning is disowned from public discourse by being transformed into an expert concept:

“The translation of the moral and pictorial image of atrocities into the legalistic, diplomatic, UN-speak and decidedly non-pictorial language of »human rights

814 I think for this reason it would also be too narrow a perspective for a sociological theory of genocide to outline “only” its structural components and its various stages. I think equally important to mark the scientific value of the concept itself would be to outline its social relevance, its intrinsic differences to similar phenomena, and why these differences are important enough to warrant a separate concept in the first place.

violations« passes ownership of the problem into the professional and bureaucratic cartel.»^816

To summarize, within legal and social scientific discourse there exist claims that genocide is a phenomenon distinguishable from others, such as mass violence, ethnocide etc. For this reason there is indeed a need for a definition of genocide which permits discriminating it from such other phenomena. However, in different disciplines the concept of genocide is used for different ends (i.e. functions) and within different contexts, and hence also their definitions may diverge. Instead of outlining concepts for other scientific disciplines which I know too little about anyway, I would now like to suggest a third function, in addition to the legal and social scientific, which is constitutive for my understanding of the conflict examined here.

This third function is detached from the expert discourse led by a number of specialists. Rather, to put it pathetically, it is one fundamental for our daily discourse in private and public, and therefore also for our political discourse. In this paradigm, the concept of genocide is deployed as a concept to make sense of the social world, to interpret and give meaning to the events occurring in it. Here, the concept of genocide itself is far less explicit and hence less clearly defined, but instead implicitly interwoven with other meanings and connotations, including some moral and emotional ones. It is not a fixed but a dynamic concept which may be applied to a wide range of events. In that sense, in its application it is a polyvalent concept and constituted by the various usages of it. However, since it can be described as the “public” or “societal concept” of genocide, it is the one conceptualization which drives the political process, at least ideally in societies where the political process embraces a bottom-up feedback loop as well. Finally, since the public notion of genocide is of course interrelated with the one used in law or in social sciences, it is influenced to a very large extent by the media and those with the strongest voice with regard to genocide in public – presumably politicians.

To my perception the meaning of genocide and the meaning of these events, at least in the last few years, has been widely left out of the controversy whether the events around 1915 should be branded “genocide”. Maybe this was different in previous years, or maybe people are indeed very aware of it in the countries most affected (i.e. the Republic of Turkey and the Republic of Armenia), yet in the contemporary international forum it is hardly ever contemplated. Making explicit what this concept is which is argued for and against, and why it is worthwhile to argue about this event may be a modest contribution to this debate. Not

necessarily to an agreement or a consensus, but to move the discussion a bit further or even to sketch alternative paths to pursue and engage in this discord.

So, after a lot of wise guy indoctrination about how to understand and conceptualize genocide, I suppose it is time for the ultimate confession that I will not be capable (or willing) to produce another definition of genocide, not to speak of one which would meet the pragmatic requirements outlined above. Instead I will clumsily assume that the social relevance of genocide lies in its violation of most basic human rights. This may sound trivial at first sight. But I do not think it is that commonplace, or at least it is often neglected in discussions about genocide, where usually other features of genocide are put to the fore. For the remainder of this paper I shall try to make a case for such a more human rights-based approach to the relevance of genocide, and I shall do so by excessively dwelling on a specific tension already reverberating in various discourses but at least to my knowledge not explicitly discussed with regard to genocide: the tension between the individual and the collective in social and political thought, including the theoretical difficulties of conceptualizing “the collective” itself.

I confess that the neglect of this issue was a bit surprising to me since most definitions of genocide I can recall delineate genocide as an injustice perpetrated against a collective, whereas human rights are most commonly understood as individual rights. This, of course, is already predetermined by the root of the very term “genocide”, being derived from the Greek *genos* for “race” or “tribe”, and the Latin *cidere* for “to kill”. In the UNGC, this is conspicuously affirmed by the clause that genocide involves the “intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such”. Ultimately the concept of genocide essentially presupposes the concept of collectivity, and the possibility to do injustice to this collectivity. In some notions it may go as far as considering the collective a legal entity with certain rights of its own which deserve protection. It seems thus indicated to contemplate this notion of collectivity a little, and how an injustice can be committed against a community of whatever form or content (including humanity as a whole). Given my constructionist bias it may come as no surprise that my “discussion” will wind up more as a “challenge” to this paradigm. That may be due to my shortcomings to grasp some points about such collective notions, but hopefully it is at least of some polemical use.

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817 By contrast, the relationship of collectives and past wrongs in general is already contemplated by several authors, even though in most instances the problem is then considered either in debates on “collective guilt”, “collective victimization” and the ensuing discussions about punishment and restitution. For a place where a number of questions are raised how a collective can be considered to resume responsibility in the first place, see for instance Blustein (2008): 115f.

5.3.3. What Collective?

First of all, it appears quite accepted that the notion of human collectives is essential to the idea of genocide (see also below). Therefore the questions must be addressed which groups are protected by the concept of genocide, and how they can be identified. As already discussed, the UNGC extends its scope to national, religious, ethnical and racial groups – none else. At this point I do not intend to reiterate the critique of the UNGC for excluding political, socio-economic or other groups, which I have mentioned already above (see section 2.4). Understanding constructionism as a theory of how knowledge is produced rather than what is actually known, I want to linger not over the content of this group definition but on the methodology by which this definition is established.

Departing from a highly informing paper by Guglielmo Verdirma on the interpretations of the concept of genocide by the International Criminal Tribunals for Rwanda and Yugoslavia, I would like to suggest that there are two ways by which the groups enlisted in the UNGC can be identified, with the first being (a) along objective criteria. Initially, in the case of Akayesu, it appears that the ICTR wanted to follow this path and therefore tried to enumerate the objective criteria along which the racial, national, ethnical, or religious groups mentioned in the UNGC could be differentiated.819 Verdirame remains critical of this approach, explaining that if such an understanding was consistently applied then even many people who were persecuted and massacred by the Nazis for presumably being Jewish would not qualify as Jews. He therefore concludes that objective criteria may not be the ultimate solution, claiming that also racial, ethnical, national and religious groups are social constructions.820 Anticipating mounting weariness with social constructionism, I would like to refine this a little: I would not claim that there are no objective variables by which people differ from one another;821 but what matters in the organization of our social lives are not objective but rather social differences, i.e. how we perceive such differences and how we establish them as relevant by organizing our lives around them. And these social differences in turn may be more or less mirroring any objective differences we believe to have “discovered”, but they are

821 Even though I am very skeptical about our efforts to discover and proclaim these. Just consider the many problems we face when we need to categorize people by religious groups, or just the identification of these religious groups as such. Returning to the case in point, Turkey, where it is far from being a consensual decision if Alevi, a significant religious group of several millions, are Muslims or not. And who is to decide on this? On what grounds? And would this make it an objective decision? Finally, one crucial dimension which is often neglected is that human groups are dynamic, simply for the reason human beings are dynamic. Given that ethnic or religious groups change over time, so do their characteristics. And therefore the very criteria which may at some point in time have been useful to draw a clear boundary now turn into nothing but a blurred one or even no boundary at all. And in the end, is that dynamic something to lament and deplore, or something valuable?
not necessarily identical. We mostly just give our socially constructed differences an objective appearance, thereby accredit them with a little more credence – i.e., with objectivity. To give a clumsy example: if a perpetrator wished to exterminate a religious group, but for whatever reason deployed a definition of this religious group which does not meet the exact “objective” definition of this religious group – would this not constitute a “real” genocide? Or would we classify only those as victims of genocide who objectively belong to this religious group, while those slaughtered by “mistake” or in the general mayhem as … “collateral damage”?

Anyway, Verdirame for this reason goes on to suggest a second mode of group identification, which is (b) along subjective criteria. According to his presentation, it appears that this was also the approach gradually adopted by the International Criminal Tribunals, for the ICTR in the later case of Kayishema and Ruzindana determined ethnicity as “a group which distinguishes itself, as such (self-identification); or, a group identified as such by others, including perpetrators of the crimes (identification by others).” And the ICTY in its case Prosecutor v. Jelisic explained:

“Although the objective determination of a religious group still remains possible, to attempt to define a national, ethnical or racial group today using objective and scientifically irreproachable criteria would be a perilous exercise whose result would not necessarily correspond to the perception of the persons concerned by such categorisation. Therefore, it is more appropriate to evaluate the status of a national, ethnical or racial group from the point of view of those persons who wish to single out that group from the rest of the community. The Trial Chamber consequently elects to evaluate membership in a national, ethnical or racial group using a subjective criterion. It is the stigmatisation of a group as a distinct national, ethnical or racial unit by the community which allows it to be determined whether a targeted population constitutes a national, ethnical or racial group in the eyes of the alleged perpetrators.”

And finally, the ICTR in Ruzindanda went even further than the ICTY and asserted also religious groups as being conceptualized by subjective criteria, stating that

“the concepts of national, ethnical, racial and religious groups have been researched extensively and that, at present, there are no generally and internationally accepted precise definitions thereof. Each of these concepts must be assessed in the light of a particular, political, social and cultural context […] for the purposes of applying the Genocide convention, membership of a group is, in essence, a subjective rather than an objective concept.”

822 In this respect it might be interesting to note that the ICTR in Akayesu ruled that to be considered a victim of genocide, the offended person must actually belong to the targeted victim group. Therefore, the Hutu victims of the Hutu militias were not victims of genocide, whereas the Tutsi victims were (see Schabas (2000): 158f).
The point I wish to make here is that ultimately the establishment of groups is far from being a trivial issue, and it may be more a political question than one of truth or law. I think this is widely neglected in discussions on genocide, and it is also suggested neither by the definition of the UNGC nor those of many other scholars, nor reflected in common understanding of genocide.\textsuperscript{827}

There is also another point which follows from the above. Obviously, subjective identification implies that different individuals may construe groups in different ways. This of course raises the question whose definition matters in the end. For instance, it seems reasonable to imagine instances where a person was victimized because others believed her to be member of a particular group, while this does not at all correspond to her own description of her self. She may have a very different understanding of herself than for instance her offenders or the “actual” members of the victim group. I indeed do not even think this is a very far-fetched example, given the common practice of deliberately inflating or understating the size of groups for various (political) purposes, not to speak of other, “innocent” differences in the construction of such groups.

But I agree that this is a very distorting objection which indeed may not be that relevant after all. For eventually I think it is reasonable to assert that what matters is the mindset of the perpetrator because in the end it is her definition only by which it can be assessed whether a perpetrator wanted to destroy a group, respectively why she targeted another human being. For how can we say she intended to destroy a given target if we do not grant her the privilege to determine that very target? We might then be able to identify and prosecute genocide in a few instances where objective and subjective criteria overlap, but that overlap will never be a full one and ultimately more a matter of coincidence.

Now, I fully understand the reluctance to simply adopt a perpetrator’s identification of the victims, which is highly problematic not only for its factual consequences. First of all because in many cases the criterion by which this identification is achieved is very dubious and ill- reflected. Second, because at the same time the offenders often present their identification in an essentialist manner. Since this criterion is supposed to legitimize extreme actions on the side of the offender, to say the least, also the significance and certainty of it needs to be proven beyond doubt. Therefore the perpetrators usually need to present the relevant variable as something objective, essentialist, eclipsing its social construction. Third, because of the

\textsuperscript{827} However, of course there are noteworthy exceptions here, attempts by scholars who in their definition of genocide clearly express that the definition of the victim group is e.g. all up to the perpetrator. This becomes most explicit for example in the definition given by Chalk and Jonassohn which was discussed above (see section 2.4.2).
impact of the actions derived from this criterion, it must be possible to determine for each single person living in the affected society on which side of the divide she falls. In other words, there is a double reduction of complexity going on: every single person is reduced to one (primary) identity which is attributed according to the relevant criterion, thereby neglecting the multiple identities she may nourish; and therefore all the many identities which can be found in any society are neglected or even outrightly denied, leaving one simple divide and the very few identities which can be conceived within the framework of this simple divide. Fourth and by consequence of the objective and essentialist understanding of this criterion, individuals are deprived of the chance to select and affirm their identity themselves. They are classified from outside, without having a say in this classification. It may therefore contradict the identity they claim for themselves, or it may be at least something which is not what they consider an essential part of their identity.

My argument is now that when we are talking about genocide, all these points must not be omitted. By conceptualizing genocide and adopting the perspective of the perpetrator, we tend to adopt also her definition of the victims. I think there is the danger of thereby confirming and perpetuating this perpetrator perspective, of misrepresenting it as a true description of society rather than exposing the insolence and even brutality already implied in this perspective and imposed categorization. Not only the goals and activities of the perpetrators but already the descriptions of society on which they are based are problematic.

Again, adopting the perpetrator’s vantage point is absolutely necessary when it comes to understanding the crime and prosecuting the offender, yet this imperative vanishes when it comes to commemoration and social meaning. Here I think it makes perfect sense to integrate also other perspectives, most importantly the victim’s. This would not only diminish the importance to the offender’s version of the past, it would also enhance the relevance of the victim’s perception, representing another way of rectifying the power imbalance between perpetrator and victim, by exposing and dismantling the perpetrator’s view of the world. It means to publicly declare that already the very first premisses of the perpetrators were wrong: that they were already wrong to consider their own classification of the world as an ultimate truth, the ascribed identities they found to discriminate between human beings as some natural, objective given, taking them as a starting point for their various policies – and not only their decision that these policies should then be violent and fatal ones.

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So my point here was primarily to claim that indeed a history of “genocide” is first of all a history written on certain premisses adopted from the perpetrator perspective, denying the diversity within any person and thereby also denying the diversity within any human group. Polemically speaking, a history of “genocide” is a history which works only by ignoring the complexity within the individual as well as within the group.

I just want to reiterate here that in the context of debating genocide the question of how we construe the relevant groups is not (only) a matter of some studious pettiness. I think it even points to the core of some of the contra-genocide arguments. For instance, some of the arguments discussed above relate to Armenian perpetrators and Turkish victims. Now, it may be argued for instance that the Turkish victims of that time (or the Armenian perpetrators) are not as relevant because they are of a different numerical dimension. But is that really the kind of argument we want to pursue? Is this not exactly what many authors lament as part of the injustice and the false commemoration of the past: that we disregard the past suffering and responsibility; or that we disregard the personality and the autonomy of the victims, their individuality? We certainly are incapable of remembering this incredible complexity, at least I am incapable of grasping the very same complexity in my own world today. But I think we can remember the fact that there was (is) this complexity to begin with, that part of the perpetrators’ crime was the attempt to reduce this complexity in thought and, even worse, in deed. And in order to object to this crime we may not only reject their deeds but already the thoughts which facilitated it, of which their simplicity is a major component.

5.3.4. The Construction of Manichaean Groups.

Alternatively, the concept of genocide could have been developed as pertaining to individual perpetrators as well as individual victims only. Indeed Martha Minow lauds that the International Criminal Tribunals for Rwanda and Yugoslavia hold individuals rather than entire peoples responsible.829 But I do not think this is how “genocide” is understood by most of its users, neither in public discourse nor in academic literature. In almost every instance at least the victim is established as a collective, and this victim collective is united not by the quality of being victimized but some other feature, such as a shared ethnicity, nationhood etc. Likewise, given that genocide thus understood is an endeavor requiring a coordinated effort on a larger scale, there is usually also a presumed group of offenders.830 And just as the victim

830 That is why some argue that genocide is essentially or at least practically a state crime. See for instance Weiss-Wendt (2010); Schabas (2010): 138.
collective is primarily identified by virtue not of its being victimized but by another variable, so the same variable is used to locate the perpetrator group:

“As a crime against a collectivity, it [genocide] sets aside the whole question of individual responsibility; it is a denial of individuality. All members of the group are guilty solely by virtue of their membership in it.”

Now, if we insist on the perpetuation of such group-think, of genocide as an event occurring between a victim group and a perpetrator group, then obviously we reduce the complexity of the events to a simple dichotomy. There is the victim on the one side, presumably the Armenian collective, and the perpetrator on the other, presumably the Turkish collective. I think this simplification may bring grave consequences and pose great obstacles for reconciliation:

„Es ist heute – ganz gleich mit welcher historischen Sicht – unproduktiv und gefährlich, die Völker in »Opfer« und »Henker« zu teilen und über die Vergangenheit in Kategorien »historischer Schuld« der einen gegenüber den anderen zu urteilen.“

Admittedly, this thinking in groups, and this particular way of constructing the victim and perpetrator group in any specific case, may also correspond to the dominant perspective among the victim group at the time of the event. Nevertheless, even if the victims or any third parties had alternative approaches to contemplate the social disposition of their society, in any case the history of any genocide will necessarily reflect the group construction by the perpetrators – it would not make much sense to write the history of any specific genocide in disregard of the perpetrators’ way of constituting the victim community. Above I argued that thereby the history of genocide tends to confirm this particular group construction and thereby sustains and promotes it. Here I would like to add that this, in turn, tends to supports the continuation of the initial conflict: it establishes these communities as clearly distinct, most likely even antagonistic, and also gives them a historical origin (i.e., the genocide) from which to derive mistrust and resentment. To summarize it with Taner Akçam:

“My point is that Armenians and Turks have developed a certain discourse, that is, separate narratives about the past which are an important part of each collective group identity and are used only to reinforce existing national stereotypes. In this way, the perception of each party of itself and others, quite apart from the historical outcome, becomes an obstacle to common understanding. In the discussion between the two groups about the Armenian Genocide, the same arguments are constantly reiterated; each side seems interested only in scoring points against the other or in

832 I am leaving aside here the roles played by third parties.
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gathering evidence to confirm long-held views about the other. Instead of thinking about the ways towards an eventual solution, each side makes »deposits« into a kind of World Bank of trauma and guilt. We can also think of this process as stockpiling rhetorical weapons to be used in political debates. We can argue that the main reasons for such an attitude lie in how the parties think about the relationship between the past and the present, in how they construct the »self« and »other«, as well as the relationship between the »self« and »other«.835

It may be objected that certainly everyone is aware that many Turks did not take part in any of these wrongs, that any notion of a collective guilt or victimhood is not what the dichotomous genocide-narrative is up to anyway. However, if this is not what we are trying to say, why are we saying it? Taken literally, that is the message which seems to be conveyed. And to think that the public audience will know how to read and understand our simplified message and expand it to its accurate complexity, well, that appears as naïve as any idealistic assumption I have been promoting here. Eventually the dichotomous group-think narrative supports a mindset bound to yield stereotypes and prejudice – possibly not the one which is most apt to cope with the challenges in a globalizing world, with all its intercultural affairs and mixtures. This brings us back to the issue of nationalism I discussed above (see section 5.1.1), and illustrates why and how history, our narrative about the past, is an important device in contemporary policy making: “Memory is, in fine, one of the most dangerous tools of identity politics.”836 That is because discourses overlap, I would add, and therefore historical narratives enter political discourses and supply us with identity, legitimacy, and explanations.

5.3.5. What Victim?

The admittedly commonplace observations on groupism in the previous sections were in part to prepare for the seminal question: what is it that makes genocide so terrible a crime, indeed “the crime of crimes”? I would suggest to approach this question by presupposing that the gravity of a crime is a function of its impact on the victim. But who is the victim of genocide? Is it an individual human being, or is it a human collective?837

837 It could be argued that in fact genocide is a „crime against humanity“, in the sense of being a crime against humankind, the human collective at large. For instance because genocide reduces the diversity of human cultures on earth, or because it puts humanity (understood as our human nature) into question, or because it violates core human values, or the like. I think this is a very useful way of legitimizing solidarity against genocide and concrete action by third parties, but it might be overbearance to stylize humanity as a whole the victim of genocide. I do not want to digress in a theoretical discussion of this here, yet already the comparison with the direct victims of genocide makes the significance of the general human victimhood fade away, I believe.
My claim here is that this point is not fully clarified in most concepts of genocide, including the UNGC. This, in my opinion, creates a theoretical dilemma which causes a lot of disagreement and confusion, at least on my end. First, there are several hints and interpretations which suggest that it is the collective which is the victim of genocide, which should be protected by the concept of genocide.

For instance, the United Nations Resolution on the Crime of Genocide, which was adopted by the United Nations General Assembly on December 11, 1946, and prepared the grounds for the UNGC, starts out by declaring that “[g]enocide is the denial of the right of existence of entire human groups, as homicide is the denial of the right to live of individual human beings”\(^{838}\). As I understand it, here genocide is seen as an analogous or parallel concept to homicide, an analogy, but therefore clearly distinct. That is, it is not intended to defend an individual’s right to existence, which is covered by the protection against homicide, but rather the existence of an entire group. Also the final definition of genocide by the UNGC puts the “intent to destroy, in whole or in part, a national, ethnical, racial or religious group, as such” at a prominent place\(^{839}\). This does certainly not rule out that individuals are harmed as well, but obviously individual victims do not suffice to make up for genocide: the target of genocide is the collective.

To my understanding this is widely echoed in the academic literature. For instance Yves Ternon argued that “the victim [of genocide] is necessarily a human group, such as categorized by the convention [i.e., the UNGC]”.\(^{840}\) This also differentiates the crime of genocide from crimes against humanity, as the ICTR explicated in its ruling against Jean-Paul Akayesu: these two

> “have different elements, and, moreover, are intended to protect different interests. The crime of genocide exists to protect certain groups from extermination or attempted extermination. The concept of crimes against humanity exists to protect civilian populations from persecution.”\(^{841}\)

I think this not only refers to the specific kinds of groups protected by the concept of genocide, but also to a collectivist tendency. Any human being can complain of a violation of her individual human rights, but to sue for genocide requires something more: the collective dimension. It should be noted that by the same token the UNGC differs also from what in contemporary dictum is often called “hate crime”: the victimization of a person, individually

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838 United Nations Resolution 96 (I), December 11, 1946.
840 Ternon (1938): 238.
841 Quoted in Greenawalt (1999): 2293.
or in a group, because of her/their ascribed group identity.\textsuperscript{842} As long as the perpetrator did not intend to destroy the group as such, this does not amount to genocide.

However, there are overtones which mitigate this collectivist base, bringing genocide again closer to an individualist understanding. First, there is the parenthesis in the UNGC which claims that the intention can be to destroy a group “in whole or in part”. This was reaffirmed by the United Nations Yearbook 1948-1949, where the curious distinction is introduced between “genocide-in-whole” and “genocide-in-part”\textsuperscript{843}, a source of contention for what may be considered staunch collectivists, who cherish the idea that a “genuine” genocide must seek the total annihilation of a people, not just a part of it.

The point I want to make about this clause is not that it somehow brings the individual back into the concept, but that it alleviates the significance of the group by affirming that not necessarily the entire group is the victim of genocide. However, since the UNGC does not offer any specification of this “in part”, neither in quantitative nor in qualitative terms, it remains open to speculation what a part of a group is. I guess most would agree that this part is to be interpreted as a “substantial part”.\textsuperscript{844} But that only defers the problem, for what is a substantial part? For instance, it could be understood as a symbolically “significant part”\textsuperscript{845}, or a regionally circumscribed part,\textsuperscript{846} or a numerically substantial part. Obviously all of these

\textsuperscript{842} See for instance the definition by Martha Minow (2002: 33): “A hate crime involves criminal conduct such as vandalism, assaults, and murder where the object or victim is selected because of antipathy for the associated group.” By consequence, these offenses are sometimes also treated under the label of “bias crimes” (for instance Lawrence (2002)).

\textsuperscript{843} Melson (1992): 2. While this allows for a differentiation between a total and a partial genocide, it makes clear that both types constitute genocide. I personally still remain remain hesitant about this discrimination, given that (a) I have not learned about a convincing and viable way to distinguish between these two concepts. Distinguished genocide scholars like Katz (1996) and Horowitz (1998: 20f) claim that the Shoah was essentially different from the Armenian massacres because only the Shoah was seeking the total annihilation of the victim group. However, other renown scientists like Melson (1992) claim that the Shoah and the Armenian Genocide are the only [sic] instances of genocide-in-whole, and Hovannisian (1998: 226) argues that the Young Turks aspired to exterminate Armenians outside of the Ottoman territory, by inference again all Armenians. More troublesome, (b) I have still to be persuaded about the benefit or even necessity to distinguish between those two types of genocide – other than research interests or a hierarchical order of victimhood.

\textsuperscript{844} As for instance by the Appeals Chamber of the ICTY in\textsuperscript{Prosecutor v. Krstić} on August 18, 2004 (see Schabas (2010): 136; Hayden (2008): 399). This understanding is also endorsed by Greenwalt (1999: 2290). And also the implementation of the UNGC in US national law, the Genocide Convention Implementation Act of 1987, defined genocide as the destruction of a group “in whole or in substantial part” (quoted in Schabas (2000): 5).

\textsuperscript{845} As argued for instance by UN special rapporteur on genocide Benjamin Whitaker, thereby referring to cases where parts of the groups such as the elite, women or men are particularly targeted (see Schabas (2010): 137). In this context it may be noteworthy that also the ICTY ruled that the massacre in Srebrenica amounted to genocide on grounds of the victims being primarily men in a patriarchal society and thereby endangering the future procreation of the Bosnian Muslim society (see for instance Joeden-Frogey (2010): 68f).

\textsuperscript{846} As for instance mentioned as another potential interpretation by Hayden (2008) why the ICTY considered the massacres in Srebrenica genocide.
still require further specification, and I suspect it was with good reason the UNGC did not offer further guidance how to interpret this “part”.

Taken to the extreme, even a single individual killed could be understood as the crucial part of a group, be it in numeric or in symbolic terms. It is such a rather lenient interpretation of „in part“, understanding it as very few victims only, which allows Ankara University Professor Mümtaz Soysal to describe the attacks by Armenian terrorists against Turkish Airlines planes as „genocide“ in a court testimony published on the website of the Turkish Foreign Ministry:

„This is why Armenian terrorists prefer to distort history and to describe as genocide a human tragedy shared by two people [sic] in circumstances of war. This serves them, as a pretext to commit further acts of terrorism. But according to the juridical definition given by the United Nations Convention which speaks of an intent to destroy, even in part, the members of a national, ethnic, racial or religious group, because they are members of that group, their own actions take on a genocidal aspect: to kill Turks because they are Turks and to attempt to place a bomb in an airplane simply because it belongs to the Turkish Airlines, transporting Turkish passengers; that in itself is »genocidal« act, if not genocide itself.“

Anyway, and maybe more importantly, despite the insertion of “in whole or in part” the UNGC adds that the target must be the group “as such”. This could in my opinion be read as the strongest support of a collectivist reading of the UNGC, since it appears to affirm the group as a distinct entity: the group is not targeted by intending to destroy all its individual members, but rather by intending to destroy the group as such. Which, I think, might even occur without attacking any of its individual members.

This phenomenon originates from the diffuseness of the concept of “collectivity”, which makes the “destruction” of a collective not as easy to conceptualize as we may think. In the end, the physical destruction of a group’s members can be seen as only a specific way of destroying a group “as such”, as a distinct entity. Already the UNGC lists also other acts, such as causing serious mental harm or forcibly transferring children from one group to another, as acts of genocide, i.e. acts of destroying the group “as such”, even though that does not implicate the physical destruction of its members. And certainly, there are further ways which could be considered the destruction of a group, and which are not encompassed at all by the UNGC. These could include attempts to prohibit the group’s capabilities of performing its core practices, maintaining its language, protecting its cultural artefacts and so forth. This could be assumed to destroy the very features which constitute the group, thereby destroying the group’s foundations and eventually the group itself. It is a destruction of those foundations.

847 Soysal (1985, Source 28): 52, italics in the original text.
which the individual members need in order to identify one another as members of that group, to unite themselves, to express their community and solidarity. Of course such “spiritual” elements are often bound to or expressed in very material forms, such as artefacts, but their importance to the group lies in their spiritual dimension. Apparently this is not covered by the UNGC, and some authors have rightly asserted that this as well constitutes a crime and should be examined and conceptualized. Efforts to do so are often expressed in terms of “cultural genocide” or “ethnocide”, but as implied above, the UNGC only desultorily incorporated acts of cultural genocide. As William Schabas argued, the idea of cultural genocide was highly contested and then deliberately rejected during the drafting of the UNGC, and retaining the act of transferring children from one group to another might be a compromise to console the proponents of cultural genocide.848

In my opinion, if the genuine victim of genocide is really the group, and most notably the group as an entity disparate from the aggregation of its individual members, then this might be better conceptualized as such a cultural genocide or ethnocide. The victim would then not be an individual member (disregarding now that of course also individual members are hurt by preventing them from speaking in their mother tongue, from performing certain practices and so forth) but the abstract group as such, at least in a metaphorical sense. Therefore also restoration would need to consider this abstract dimension of the group, for instance by supporting the re-establishment and maintenance of these (or other) spiritual elements. But again, it should be clear that the crime of genocide in this understanding is not killing or torturing human individuals, but the destruction of the foundations of a human collective. This is not to belittle the relevance of cultural genocide or genocide in general – it would be pretentious to deny the salient qualities for our social lives which are destroyed by cultural genocide. But I do not think this is what most have in mind when debating genocide, including the drafters of the UNGC and the participants in the controversy studied here.

Aside from this unresolved ambiguity about cultural genocide there is another phenomenon originating in the difficulty of how to conceptualize collective victimization which unobtrusively reclaims the individual for the concept of genocide. For if we ask for the more tangible actions by which genocide can manifest itself, by virtue of what acts can we indeed speak of a collective being victimized? It may be responded: by all those activities which constitute the crime of genocide, which in the case of the UNGC are listed as

“(a) Killing members of the group;
(b) Causing serious bodily or mental harm to members of the group;

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(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.849

Obviously, all these misdeeds can only be inflicted against individual human beings: methodological individualism appears not to be confined to some schools of social research, but to be embraced also by the perpetrators of genocide (and/or those who developed this concept). In my opinion, the crimes listed in the UNGC are crimes against individuals to begin with – having ruled out the notion of cultural genocide, it is only when we (a) take into consideration the intention of the perpetrator, or when we (b) aggregate these individual crimes that we may discern a crime against a pre-defined collective. If this observation is correct, then the crimes enlisted in the UNGC are essentially crimes against individuals. In other words: the genocidal actions themselves are necessarily actions against individuals, and the collective dimension in the crime of genocide rests in the perpetrator’s intent or the inference of the observer. The group is harmed only by indirect means, i.e. by inflicting immediate harm to individuals. This certainly is a commonplace, given that it appears pretty hard to damage an abstract concept other than by harming the material components which constitute it. But it is also the source of this ambiguity, indetermination and confusion which resonates through many discussions about genocide: that for many the stipulated purpose of the concept of genocide is to protect human groups, not so much individual human beings. For instance Nehemiah Robinson stated that

“The main characteristic of genocide is its object; the act must be directed toward the destruction of a group. Groups consist of individuals, and therefore, destructive action must, in the last analysis, be taken against individuals. However, these individuals are important not per se but only as members of the group to which they belong.”850

To emphasize the point: it is the human group which shall be protected, and human beings shall only be covered as far as they are members of such a group.

This individual victimization becomes apparent also when it comes to questions of restitution and compensation: for if we deem a collective the victim of genocide, who essentially could claim the title of victim afterwards? All the people we endow with this particular group identity?851 Would that not include also individuals who were never subjected in the slightest way to any of these measures? Do we want to assert that there is no

851 Leaving aside the question if it should rather be established by self-identification of the concerned people.
difference between those who actually went through these hardships, and those who fortunately were spared this fate? This question may remind us of the issue of collective guilt discussed earlier – in fact I suppose it is indeed its mirror question: can victimhood somehow be transferred from one member of a group to the other, simply by virtue of both being bestowed the same collective identity? I do not think there is a good reason to adopt one while refuting the other. And if there is, this still should be handled with great care, since eventually the abundant usage of collective terminology emphatically suggests that indeed all members of the collective are held guilty/innocent, victimized/spared. Maybe this dilemma of collective victimhood and responsibility was also a reason why issues of restitution and reparation were not considered in the final text of the UNGC.852

Ultimately, I think that if both, collective guilt and collective victimhood are adopted, would then not a fictive but very realistic Anatolian peasant who suffered greatly during the war without ever inflicting any harm on any Armenian, maybe even helping some of them, later be accused of genocide? Would she be expected to apologize, would she be held liable to compensate even those few Armenians who fortunately never had to go through any such hardships? Would it be appropriate to consider those who perished and received the harshest treatment conceivable to be of the same quality as those who did comparatively well during this period?853 I think just as the notion of collective guilt, understood as a quality attributed to a collective and from this collective then being expanded to all its ascribed members, so is the idea of collective victimhood inherently problematic from a conceptual point of view.

Of course there are ways to conceptualize all members of a collective as victims of genocide, for instance by considering all members were hurt because the perpetrator desired to harm all of them.854 But that would render genocide essentially an ideational crime, with

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852 Also Schabas (2000: 400) makes note of this lacking provision for reparation, although he does not trace it back to the difficulties in a collectivist paradigm. However, he does note that a draft version of the UNGC, prepared by the UN Secretariat, had still included such reparation, arguing a population is to a certain extent answerable to the crimes committed by its government since it has condoned or allowed these crimes. 853 One important point to add here: my polemical juxtaposition of those Armenians who were themselves victims and some who by my rude insinuation “did well” is in no way intended as any kind of (implicit) allegation against the later. I think this would be completely out of place. Rather than wishing to increase the number of victims, we should be grateful and happy for everyone who fared comparatively well in those days. 854 For instance Lawrence (2002) argues in favor of a special status of hate or „bias crimes“ since they also cause additional psychological harm by stigmatization, harming all members of a group by their feeling threatened and experiencing feelings of inferiority (similarly Rosenblum (2002: 90). That certainly is a legitimate and prominent idea, and also used to explain the very concept of „crimes against humanity“: as Natan Sznaider argues (2008: 110): „Menschen umzubringen, weil sie einer Gruppe angehören, bedeutet folglich, Menschen aufgrund ihrer Unterschiedlichkeit umzubringen. Damit ist der Angriff auf die Unterschiedlichkeit gleichzeitig ein Angriff auf unsere Menschheit [...].“ I do not at all want to object to this reasoning, but only to put the emphasis back in place: is this (the feelings of inferiority, the reduction of our diversity etc.) what actually renders genocide so heinous a crime?
the \textit{actus reus} consisting in the discrimination and defamation of the victim group – and it would not be the actual murder of some members of that group.

On the other hand, if we determine the victim group as consisting only of those who indeed endured the brutal treatment (instead of all members of the targeted larger group), then what sense is there in holding a collective being victimized? The identification/construction of the victimized collective would become tautological: the group is victimized because all its members were victimized, and the members belong to a victim group because they were all individually victimized. Obviously this is circular (yet conclusive), and it totally disregards any other group identities. If the victim group is construed that way it comprises (and by the same token also excludes) a number of Armenians just as of Turks – which certainly would not impede further differentiation later on, for instance between Armenian and Turkish victims.

My intent is not to atomize victimhood, to isolate victims in their grief. But it is to stipulate that the social boundaries between human beings might need more reflection than we currently grant them. Maybe (a) an Anatolian Turkish peasant who experienced grief and victimization, and (b) an Anatolian Armenian peasant who experienced grief and victimization have far more in common with each other than with other people of their ethnic identity – including the experience of victimhood or perpetration. If we disregard or even deny these cases which run against any social divide identified in the literature on genocide, then we are running into the same error which caused all this suffering in the first place: neglecting the individuality of each person and treating her only by virtue of the associations we ascribe to her.\footnote{I have tried to emphasize the point about \textit{ascribed} group identity – I think it remains one very illuminating point that just as those who commit genocide also those who describe it pursue a top-down approach in how groups are construed. It is not the individual’s own identification which matters, but the one ascribed by the perpetrator or observer.}

Reading again through this chapter, I hope I succeeded to utterly confuse about the triangle of individual, collective and genocide, or at least illustrate my own confusion. I want to now venture on a humble attempt to demonstrate how I have endeavored to bring this triangle in a more concrete and more meaningful shape for myself.

\textbf{5.3.6. Individual and Collective Combined: Physical Destruction of a Group.}

I suspect my critique stems from my difficulty to establish the value which should be protected by “genocide”: is it the individual or the collective? As demonstrated in the previous section, I believe the response to this question is not as easy and straightforward as I
wanted it to be. The concept of genocide does not aim to identify respectively protect against
the destruction of a group as such – otherwise it would need to resemble much more the
notions of cultural genocide or ethnocide, something many would object to. I believe few
would be delighted about a concept of genocide which does not reference the actual, physical
killing of at least some of its members as a prerequisite. Likewise, the concept of genocide
does not identify respectively protect against the destruction of individuals, even of
individuals belonging to one and the same community – it requires the additional element of
intending to destroy the group as such. This is what makes it different from human rights and
hate crimes.

So, my suggestion here would be that the concept of genocide seeks to identify and
protect neither the individual human being nor the human group as such, but instead a
combined destruction of individual and group. That is, its object is the physical destruction of
a human group. This combination results from the fact that the intention to genocidal
action must be aimed at the group as such; however, since a group as such does not have a
physis, the execution of these actions must be enacted against its individual members.

Eventually, I believe this is a very peculiar combination, by far not as straightforward as it
may appear. First of all because it is a paradoxical one, I think, merging different qualities of
one genocidal activity: the target of the group and the action against the individual member;
the physical existence of a group, which is “only” the aggregation of its individual members,
and the ideational assault against the metaphysical notion of a group, which is beyond the
aggregation of its members. The only way to resolve this riddle is by defining the mens rea of
the crime as being directed against the abstract notion of the group, but the actus reus as
directed against individual members. As a consequence, and second, contrary to common
understanding it does hence not necessarily prevent the destruction of a group as such: the
group, essentially an abstract entity, could be targeted and destroyed by non-physical assaults
just as well, but that is not the essence of genocide, at least as understood here. And likewise
it does not necessarily prevent the destruction of its members, even on an aggregate level, as
long as the malevolent intention against the abstract entity is not present as well.

And third but most importantly to many of the debates about the “classical” and most
prominent cases of genocide, at least according to the UNGC, article 2, “genocide” is not the
physical destruction per se but any act which contributes to this physical destruction. And I
think this is rightly so, because otherwise genocide would in almost all cases remain an

856 Which I here take as including also the sometimes differentiated concept of biological destruction.
inchoate offense, essentially “only” an attempt to commit genocide: in none of the “classical” and most prominent cases we today deem genocide did the perpetrators (fortunately!) succeed to physically destroy the entire victim group. This, again, adds to the complexity of the overall concept, since it again points the concept of genocide in the direction of individual criminal acts.

I believe the above is not a description of genocide, something which would reveal its true essence and meaning. However, I believe it is a representation of the tensions and paradoxes inherent in the bustling understandings and usages of the various concepts of genocide, and the grounds for quite a number of disagreements and contestations. The ambiguous position and oscillation between individual and collective, combining both in one concept and eventually protecting neither of them as such but both of them in a curious combination; the fusion of these different qualities being possible only by orienting the mens rea at one quality and the actus reus at the other; the understanding of genocide not as the actual destruction of the group (which is only the aggregate target of genocidal actions) but instead all the activities which contribute to this physical destruction; I believe these are all very complex elements which are hardly reflected in the ordinary usage of the term. At least I had to distill them for myself in a long and tedious process, and I am far from being convinced I succeeded. Add to this the issues about collectives I have discussed earlier, the notions of agency, victimhood and responsibility, the debates about intention in general, the types of protected groups, the kinds of prohibited genocidal actions, the discrimination of other forms of mass violence – is it any wonder genocide is still such a highly controversial subject, not only in specific cases but also as a general concept?

5.3.7. The Relevance of “Genocide”.

To quickly summarize my reasoning so far: in my opinion the concept of genocide has among its disadvantages that it builds extensively on groupism, thereby stirring some theoretical discomforts discussed in the previous sections. As a very practical disadvantage it is therefore easily affiliated with nationalist ideas dreaded on my part, which are based on a similar groupist paradigm and indeed even appeal to the very same types of groups. Among its benefits the concept of genocide tries to bring to consciousness a very specific kind of destruction, one which combines the destruction of a group with the destruction of its members. However, by virtue of its integrated character, it should be clear that the concept of genocide refers neither to the destruction of a group per se, nor to the destruction of human beings in large numbers per se – only to their combination.
Now, clearly the crimes included in the concept of genocide, destruction of a group and destruction of large numbers of people, should be prevented and prosecuted anyway, irrespective if occurring together or independently. In the end I hope we want to prevent and prosecute any destruction of human beings (individually or on an aggregate level), just as any destruction of a group, not only in the quite restricted cases defined in the concept of genocide. It is not their combination and not concept of genocide which delegitimizes these kinds of activities – they are already illegitimate by virtue of other principles which indeed take effect at much lower levels, grasping the offense earlier than “genocide”.

Moreover, I bluntly presuppose at this point that any activities to destroy an individual just as any activities to destroy a group inevitably affect the individual first, for instance by restrictions on language, education, practices etc. And only indirectly, via the concrete individual, may these actions be considered then as reaching and destroying the concept of “group”. And only by another inference (not by another offensive action), which is the mental combination of individual and group destruction, finally the crime of genocide is then identified. By consequence I would suggest that focusing on oppression against the individual rather than the group is closer to the act, and is therefore easier and with less ambiguity to identify, and second allows for interference and thus prevention at an earlier stage.

But if “genocide” is not an indispensable concept to prevent or prosecute such criminal activity anyway, where then does the benefit of “genocide” reside? In my opinion the primary function and utility of genocide is to attract attention (and thereby facilitate intervention and prosecution) by adding a further mark to some a priori delegitimized activities, by highlighting them as more serious or grave than in their “usual” or “normal” occurrence. In other words: to establish a hierarchy of crimes. But then the crucial question is where this additional seriousness and gravity remains, which quality justifies treating this activity as of a “higher” rank in some contexts but of lesser in others. In other words, my recurrent mantra: “Why is it important?”

When it comes to the destruction of a collective, then this additional element which makes it more serious an offense is its coupling with the destruction of individual human beings. Ultimately, I believe it makes sense to discriminate between different types of group destruction when it comes to prosecution or prevention. Simply because in my opinion destroying a group by killing its members is more serious an offense than for instance

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857 It may be worthwhile to mention that according to Verdirame (2000: 581), some authors have accepted the restrictions on protected groups in the UNGC by acknowledging that other groups are protected by humanitarian law anyway.
prohibiting its members to use their language in public spaces or other activities which could be assumed to destroy a group as such. For that reason I believe that genocide is more serious a crime compared to other (i.e. cultural) forms of destroying a group *per se*. So, to me, in my personal value system, the concept of genocide appropriately identifies particularly grave forms of destroying a group as such. But I believe this is different for the individual component in genocide, the destruction of human lives, and this might be where my unease with “genocide” hides.

With the individual component, the destruction of human beings, what is the element which differentiates genocide and puts it above other events where human beings are slain, which we might then treat as “mass murder” or the like? To let the creator of the term “genocide”, Raphael Lemkin, respond to this question by quoting a comment of his on the Nuremberg trials:

> “It appears in light of this evidence that the term genocide is a correct one since the defendants aimed to destroy, or degrade entire nations, racial and religious groups. The terms mass-murder or mass-extermination in the light of hitherto produced evidence seems [sic] to be inadequate since they do not convey the racial and national motivation of the crime. [M]ass-murder or extermination do not convey the elements of selection and do not indicate the losses in terms of culture represented by the nation’s victims.”

So the two ingredients which differentiate genocide from mass murder and therefore marks it as more serious are first the specific way of selection, i.e. the intention to destroy the group as such, and second the cultural loss such destruction carries in its wake. While these two elements are noteworthy aspects to mass murder, I think it is not self-evident or factual that they bestow another, a *higher* quality upon it. This, instead, is again a question of values, of choice. So, let’s have another sacrilegious look at this choice.

Actually, taking the UNGC as the ultimate definition of genocide, the cultural-loss component may be misleading anyway: the crime of “genocide” does not consist in the completed destruction of a group but can already be seen as committed by activities which *intend* to destroy this culture. I think this makes perfect sense, otherwise we would certainly have far less instances of actual genocides in the history of humankind, leaving us with a large amount of *attempted* genocides instead. And I would imagine that in many of these fortunately not fully executed genocides the culture of the targeted group did not get lost. If that is reasonable, then the cultural-loss argument could not be applied in order to assign these events a higher status – unless it is defined as an “attempted cultural loss”…

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Beyond that, I believe there are several further reasons why the cultural-loss claim appears a bit peculiar. In the end it introduces another collectivist component (“culture”) which is again tremendously difficult to operationalize: to identify a culture, to separate it from another one, and so forth. And it is also a peculiar step to equate a religious, or ethnic, or racial, or national group with a cultural group. If it is the cultural element which makes genocide so horrific, why not reduce genocides to cultural groups? Instead, cultural groups are not even mentioned in the UNGC, and it is quite confusing to me then that many manifestations of cultural genocide were excluded from this definition. Moreover, it appears to assume a pretty static concept of culture, where a culture either is present or not. What about the many instances of cultural innovation and change: are these also cases where culture is “lost”? And finally, who is the victim of this cultural loss? Is it the members of the targeted group, the carriers of this culture? Of course for survivors it is a terrible experience not to be able to resume one’s way of life and one’s orientation in the world – but they have to cope with a vast number of incredible experiences and restrictions of which cultural loss is but one, and it is certainly open to debate if cultural loss is what makes their trauma so intense and massive. Or is the victim humanity as a whole? But would that not be a bit overbearing, to claim that the horrible element in genocide is what it does to third parties or the abstract concept of humanity, rather than the immediate violence enacted against the immediate victims?

Similar points can be made about the modes of selection, and I have already discussed the mens rea element at length, so I want to spare this discussion at this point. To repeat my position: I fully see the point to consider these aspects and to make them known, but I also see a number of theoretical difficulties and possibly worrisome consequences. But what I do not see is a cogent reason why it is exactly this groupist and intentional element which makes violence generally more terrible? Why not refer for instance to the cruelty of the act or the number of victims to make murder more serious an offense, deserving special attention? To confess right away, I am honestly very relieved we did not resort to these attributes to establish a hierarchy of crimes, but I feel a slight unease that we have instead resorted to the groupist and intentional element to do so.859

859 For instance, rightly venerated political scientist and genocide scholar Robert Melson (1992: 28f) concedes that genocides are neither intrinsically more cruel than other forms of violence, nor does it matter to the victims if they are subjected to such abundant suffering because what is going on is genocide or some other form of mass violence. However, the crucial difference between genocide and these other forms of mass violence was “the perspective of group survival”. And also Michael Walzer (1977: 254) holds that “the survival and freedom of political communities – whose members share a way of life, developed by their ancestors, to be passed on to their children – are the highest values of international society”. And for him any threat to these highest values constitutes a case of “supreme emergency”, a situation in which political leaders are exempted from moral
The point why this is worrisome, I believe, is because this hierarchical component not only upgrades some events (which certainly deserve our attention) but by the same token necessarily downgrades other events. These then receive less attention and less recognition, which in my opinion is highly unfortunate and very hard to justify. The bitter consequences of such an experience of downgrading may be illustrated particularly well by the case studied here, the sustained efforts of pro-genociders to see the events of 1915 recognized as genocide. What they struggle against is also the meaning of non-genocide, which is, just as every other meaning, always relative to other phenomena. It is the meaning that these events were “normal” in the best or even “justified” in the worst case. But the case I am making here is not about the Armenian Genocide: who would have the authority to assess any (mass) murder as “normal” compared to some other?

This is not a rejection of the concept of genocide as such. For heuristic purposes it does make perfect sense to discriminate between different types of murder, different types of mass murder, and thereby identify different paths of these activities and facilitate more specific counter-action. And I am equally fine to adopt these different concepts also legally, to enlarge our abilities to differentiate between crimes. But I believe it becomes problematic when one concept, one form of violence and destruction, is singled out in discourse and politics to acquire such a preeminent position. It then might assume a hegemonic status, becoming the “crime of crimes”, possibly even sanctioned by our political or legal system. In our predominant competitive orientation it might end up, ironically, as being the benchmark for all other and indeed akin offenses, and at the same time being assumed to surpass them all. We thereby risk trivializing these other human disasters and, ultimately, to remain inactive in the face of them: “Since the »gold standard« of humanitarian emergencies is genocide, everything that does not resemble it falls beneath the radar of international public opinion.”

That most certainly is not the intention of the concept of genocide, and I believe we must take care it does not become its inadvertent consequence. Therefore this critique of the concept of genocide, not in order to reject it but to shed light on its unfortunate aspects and thereby reject the hierarchy of crimes that is often proclaimed by referring to genocide.

restraints in order to avert this looming destruction of our highest values. I have to confess that I remain stubbornly unconvinced.
860 For instance, the collective element on the perpetrator side, i.e. when a larger number of people engage in the same criminal conduct, is relevant as it points to a wider social phenomenon. On the victim side the collective dimension, for instance by victim selection due to membership in one and the same group, matters because it more clearly delineates the origin and motivation of the crime, and what other potential victims require protection at this point. Therefore I have also no objections at all to using it as a heuristic device, as for instance Melson (1992: 24) explicitly cherishes it.
It is for all these reasons, my various reservations about the theoretical validity of the concept of genocide, the need to find an appropriate narrative for these events of 1915, and the desire to mitigate the role of "genocide" in discourses on humane catastrophe, that I want to conclude by reintroducing another paradigm to frame such events. Due to my predisposing bias in favor of individualistic rather than groupist models, this alternative suggestion will resort to what I blatantly imagine to be crimes against humanity.

5.3.8. Crimes Against Humanity.

First of all, I want to make clear that I possess hardly any knowledge about crimes against humanity, about their legal, philosophical or political background. So I am not going to offer a more detailed description or discussion of these. At this point I just assume them to represent a systematic and widespread violation of human rights, which in turn are held by individual human beings by virtue of their human nature. I hope this does not contradict their actual conception too much…

Indeed the concept of crimes against humanity is closely tied to the concept of genocide anyway. In the opinion of legal scholar William Schabas, "genocide" essentially intends to protect "national minorities", whereas other kinds of groups (such as political or socio-economic groups, see also section 2.4) could easily be protected by the concept of crimes against humanity. But it is not just a question of the protected groups, also the very concept of genocide itself is intersecting with crimes against humanity. When the UNGC was drafted some countries voiced their confusion about their relationship and the requirement to distinguish between those two. For instance, the French delegation at one pointed described "genocide" as a dangerous neologism and proposed to treat it as another aspect of crimes against humanity instead. In order to contrast those two concepts, the Ad Hoc-Committee of the United Nations in its draft convention thus defined genocide as a "crime against mankind". And for the purpose of the discussion here it is emblematic that eventually the United Nations General Assembly adopted two distinct resolutions on two consecutive days: the Convention on the Prevention and Punishment of the Crime of Genocide on December 9, 1948, and on the following day, December 10, 1948, the Universal Declaration of Human

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862 Schabas (2000): 119. Considering the postulation (quoted also by Schabas in his excellent overview’s title) that genocide is the "crime of crimes", the question then arises why the destruction of these groups is of more merit than the annihilation of other groups, which are based for instance on lifestyle, political or sexual orientation. To quote the Soviet Union representative at the Sixth Committee of the United Nations during the drafting of the UNGC, Platon D. Morozov: "Genocide therefore applied to racial and national groups, although that did not make crimes against other groups any the less odious" (also taken from Schabas (2000): 137).


864 Schabas (2000): 64.
Allegation and Denial

Rights. The result is that until today, genocide is not considered a crime against humanity, at least they are usually kept separate in legal documents, such as the Rome Statute of the International Criminal Court, where article 5 lists the crime of genocide, crimes against humanity, war crimes and the crime of aggression as its four objects of jurisdiction.\textsuperscript{865} And I have to add that I agree that such a distinction makes sense, because there is an important difference between genocide and crimes against humanity: the collectivist element in genocide. But maybe this is but an epistemological difference?

Now, among the advantages of tackling the reprehensible activities listed in the UNGC under the umbrella of crimes against the humanity is certainly that it avoids a sanctified hierarchy of crimes: they embrace a number of criminal actions and do not single out any of them, none of them necessarily obtains a superior status by attributes which transcend these actions. While differences between such violations certainly persist and while it makes perfectly sense to emphasize those differences, if inevitably to even bring them in hierarchic order, still, all such acts remain crimes against humanity, without an internally sanctified stratification among them.

Moreover, their individual nature also appeals to obstinate group-skeptics like myself.\textsuperscript{866} The emphasis on individual rights brings the individual victimization and wrongdoing more to the fore. This is not to deny or belittle the significance of whether a group ceases to exist as a group or not, yet it must not be forgotten that all genocides are also, and maybe even primarily individual catastrophes. It is individuals, not groups, who experience violence. And it is this experience which is so horrible about genocide, not watching others making this experience (too). Moreover, these experiences differ. Murder, torture, rape, persecution, deportation, disruption of families, loss of beloved ones, fear, loneliness – you name it, and they are all part of genocide, but fortunately not all of them are experienced by all victims. At the same time it is important to remember that they also remain deeply personal experiences. If the same or other forms of violence are imposed on other people we identify with, this might add another grain (or even another quality) to the overall experience, be it to the better or the worse, but it must not cover the experience of the actual victim, and the incredible differences between their disparate experiences by pointing to a collective fate. In that sense, as polemical as it sounds, “genocide” is also a simplification, a trivialization and a monopolization of the individual victimizations:


\textsuperscript{866} Which is not necessarily a positioning against group rights, as promoted for instance by Kymlicka (1995); Taylor (1993); Canovan (1998).
"Den oder die einen zu betrauern bedeutet bereits, den oder die anderen zu vergessen. Man kann nicht um mehrere oder gar um alle zugleich als schlechterdings singuläre, unvergleichliche Andere trauern. Jede dem Anderen als Anderen geltende Trauer lässt die anderen Anderen außen vor, unter denen der Andere nur einer unter anderen war. Gerade deshalb muß sie sich gegen die indifferente Gleichmacherei einer pauschalen Trauer wenden, die aller Gefallenen, Opfer oder Toten im allgemeinen, aber keines einzelnen im besonderen gedenkt und sich somit als Trauer selber in Frage stellt. […] Eine alle einschließende Trauer verspricht das Unmögliche. […] Verglichen wird das in letzter Instanz Unvergleichbare, kategorisiert wird das schlechterdings Nicht-Kategorisierbare!"

Again, this is not a pledge to totally disregard the collective element in events of mass violence. I already mentioned its importance for analytical and heuristic purposes in the previous section. Moreover, it is rightly said that it is easy to be liberal and individual when you identify (and are identified) as white, male, Austrian, Christian, healthy, heterosexual, and so forth, whatever the attributes of the presumably dominant group may be. In short, you can afford to disregard and minimize group affiliations and attributions when you fit well into the presumably “normal”, indeed the normative group(s). This is absolutely different when you do not fit, when you repeatedly face discrimination and reminders of being “abnormal”. The most extreme of such manifestations is described by the concept of genocide, where discrimination extends to acts of murder. And the other members of the victim group are victims not (only) because their group or their identity are under attack, but because they have to fear to be targeted next, by some stranger on the street or some impersonal force striking irrespective of one’s own conduct and without issuing any prior warning. And this fear, I imagine, is a fundamental one and deserves recognition too.

But I am not sure, for all the downsides touched upon above, if “genocide” is the best device to analyze and narrate these types of events – at least it is certainly not the only one, and I do not think it should be the most important one. Legal and social sciences did progress a bit since the creation of the UNGC, and produced for instance the interesting concept of bias crimes (or hate crimes), which might be defined as an offense against an individual who is selected as victim by virtue of her group identity. This is genocide within the framework of methodological individualism, and it fits wonderfully into the (my?) scheme of crimes against humanity. It gives leeway to the irrational danger which emanates from the offender, and the omnipresent fear it may unleash among the targeted group, the targeted group’s members. But at the same time the concept of bias crimes avoids some of the drawbacks of the collectivist paradigm.

867 Liebsch (1998): 54f, italics in original.
Ultimately also the concept of genocide is a product of its time, which is particularly conspicuous in the definition of the protected groups: at the time of its preparation national, religious, ethnic and national groups were certainly on top of the agenda. But as time progressed, so did social thought and social stratification, and by today there are other or at least further collective identities which fortunately receive increasing social recognition and which may indeed be much dearer to their carriers than those enshrined in the UNGC. I am thinking for instance of sexual orientation or various disabilities, and I most certainly do not see any good reason why they should receive a lesser status or protection than national groups. The victims are exactly the same: human beings, and their identities if you wish.

By this methodological individualism inherent in crimes against humanity, they in turn avoid the theoretical difficulties inherent in groupist paradigms, such as objectively establishing the concerned groups. By departing from the individual and ending with the individual, the focus is clearly different than in “genocide”, and thereby also its functional arrow: crimes against humanity protect the group by offering its protection to the individual – and not the other way around.

And by the same methodological individualism they might counter nationalist abuse and construction of Manichaean groups – the very ingredients of genocide in the first place. An individualist perspective obviously also allows for the pain which an incredibly large number of Turks went through at the same time. It may be there are some important differences in the circumstances under which this suffering came about, and it is certainly appropriate to examine these differences and raise awareness about them; but, I think, it would be wrong to disregard or even dismiss them altogether, just because for example on an aggregate level members of another group suffered more, or because the intention of the perpetrator was different. This would be just another form of Aufrechnung, of trivialization and insensitivity by survivors and descendants toward the experiences of actual victims. And just as the official Turkish policy of dealing with the past continues to be experienced as a wound by many Armenian descendants, so a neglect of the pain of many Ottoman Turks runs to risk of hurting many of their descendants. And therefore whatever the ultimate narrative should be which emerges from these interactions, it must also be able to allow for these disparate stories of victimization. This could potentially be of twofold benefit: for one thing it may reduce the reluctance of some circles to decry Armenian suffering too. Recognizing the pain of all victims, establishing the victim group by who was actually victimized, maybe that is how the genocidal act is challenged the most, since it negates the genocidal group construction and thereby the genocidal act, and ultimately reaffirms the shared humanity intrinsic to all victims.
And on the other hand it could boost attempts for reconciliation between the entrenched communities by facilitating what is sometimes dubbed a “cosmopolitan memory”, i.e. a memory which overcomes the various invoked divides, such as ethnicity, nationality, religion etc.: „Die emotionale Solidarisierung mit Opfern der »Anderen« schuf Ansätze einer kosmopolitischen Erinnerung.”868 If we want a history which reflects the complexity of these events, then we need to allow for the complexity of individuality, and not simplify it with a generalizing collective fallacy. That is why I believe that maybe framing these events under the perspective of human rights and crimes against humanity is a chance to develop a new historical narrative which might support positive developments within both Turkish and Armenian society, and ultimately also a reconciliation between both countries. To quote Ulrich Beck:


I believe (or: hope) that a further preoccupation with the concept of crimes against humanity would lead me to similar concerns and doubts as I have raised for “genocide”. But to date I have had the opportunity for a closer preoccupation with the concept of genocide only, and in this process I have concluded for myself that “genocide” is based on the very same paradigm which causes genocides: the collectivist fallacy. And thereby “genocide” facilitates the promotion and perseverance of the paradigm which is in itself an indispensable ingredient in any intergroup conflicts.870 By contrast, an individualized approach might attenuate the significance and bindingness of the groups themselves, respectively the boundary drawn between them. This is admittedly a very difficult and protracted task, but also

868 Sznaider (2008): (125). For more on the notion of a cosmopolitan memory see also Beck (2004); Beck and Grande (2004). For the benefits of seeing also the perpetrator perspective, see also Enright et al. (1998); Elder (1998): 152.
870 In that respect it is interesting to note Robert Hayden’s (2008: 405) warning that also those who raise genocide allegations can pursue a nationalist program. The case which Hayden mentions for illustration is the allegation of genocide raised by Serb nationalists in 1990 and 1991, claiming that Serbs were victims of “genocide” in the Independent State of Croatia between 1941 and 1945 (see also Carmichael (2010: 517)), who adds that Serbs also lamented of being subject to a contemporary “genocide” in Kosovo by the local Kosovars in the 1980s). Note that Hayden does not claim these events did not constitute genocide, or that Serbs were not victimized; his allegations have nothing to do with those past events themselves, only with those who today refer to them. Of course one must not go as far as Hayden with his somewhat provocative conclusion that genocide allegations can be a form of hate speech too. They might, though far from necessarily so, just as genocide denial is not necessarily hate speech.
an incredibly powerful one if successful, since it not only thwarts intergroup violence but resentment in general. And its potential drawbacks, such as an abatement of solidarity, identity, feelings of belonging and so forth – these are definitely points that need to be considered, but I do not see a necessary correlation of these phenomena with the particularization of humanity into certain (particularly national) groups. Beyond all my innuendo lies certainly one basic assumption, which is that the appalling element in genocide consists in the violence imposed on the victims, more than the intention of the perpetrators or what genocide attempts to do to anthropomorphic hypostases of collectives, and what they mean to our lives. Thence my hesitance about considering genocide an *intrinsically* more serious offense than other forms of mass violence. And obviously this utterly subject value judgment is bound to critique – and so is the opposite position.

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871 See also Straub (2000: 369) who argues that it was impossible to predict which form mass violence might eventually take in any evolving case, be it genocide or any other form. He therefore opts not to linger too long with any discussion of genocide definition, since ultimately *any* forms of mass violence should be understood and prevented, and the focus on genocide might rather hinder this endeavor than support it.

To slowly slip out of this altiloquence on history, identity, violence and human groups, I would like to chronologically recapitulate what I have endeavored in this paper. The topic I was supposed to embark upon was the continuing debate about the Armenian Genocide. From a social science perspective it seemed alluring to approach it from the questions of why, after all those years, it is still such a contested subject that it continues to impair Turkish-Armenian relations, politically and socially. I decided to limit my investigation to the contra-genocide part of this row, represented most prominently by the Turkish government, since it appeared the most controversial position, and to me as a layperson the most confusing one, leaving me undecided what to really make of it. Given the subject of the contention – the “right” version of history –, and my fondness of constructionist theory and discourse analysis, it seemed tempting to conduct my investigation under the paradigm of historical narratives. I thence understood the debate mostly as one about the “right” meaning of these past events, and as being enacted in a competition between contesting narratives. This also facilitated the inclusion of another topic, highly complex and disputed within the academic realm: collective identity. This concept also supplied a (suspiciously) convenient account for the persistent excitement this topic is still arousing within the Republic of Turkey.

Under all these assumptions, the focus of my investigation quickly shifted from the term “genocide”, which I considered merely offering a specific form and thus a forum to stage this debate, to the disputed meanings and the collective identities at stake. Thence, I read this debate not so much as one about genocide or not genocide, but in a broader sense about right and wrong, and by extension about responsibility. For that reason the critique I offered and the language by which it was conveyed was at times obnoxiously moralistic – but on the other side, that is how many works on international relations (or interhuman and specifically intergroup affairs) and notably genocide are presented anyway, especially those carrying on the debate I studied here.

More specifically I then opted to discuss the arguments of the Turkish government in more detail, which displays a decisive contra-genocide position. My hope was that this focus on arguments would in a very condensed form reveal why exactly the Turkish government so strongly rejects the genocide thesis, and what its alternative offer for meaning would be. Moreover, I also assumed that a discussion of arguments might be a feasible and purposive enterprise despite my imperfect or rather non-existent Turkish language skills.
Ultimately, due to my anchoring in the concept of collective identity, my interest was not oriented at the “right” meaning of these past events, but what this meaning implied for our present identities and social relations. So, ultimately the work I did was to examine the arguments put forward by the Turkish government as to what meaning for this historical event was offered with regard to injustice and responsibility. To cut a long story short, those contra-genocide arguments did not persuade me that the Ottoman Armenians were not subjected to an outrageous iniquity, or that the Ottoman government did not carry significant responsibility for this wrong. When we limit ourselves to a discussion of genocide some of these claims might still retain force, but this is slightly different when we broaden the stakes to a moral debate about injustice and responsibility.

I then tried to show that ultimately also many of the arguments put forward by the Turkish government are in little or even no relation at all to the (legal) concept of genocide, instead rather alluring to our (or at least my own) vague images of right and wrong, and what genocide “really” means. By inference, the official Turkish position is not just a refutation of the genocide allegation, but essentially a refusal to recognize the past wrong and thereby to acknowledge any moral responsibility. The contra-genocide claims included both excuses and justifications, and particularly the presence of the later, combined with the specific content of these justifications led me to the possibly overhasty conclusion that these contra-genocide arguments essentially help to sustain a nationalist orientation, with some of them even openly resting on and promoting it. The overall and very understandable objective seems to be a desire to keep the own identity immaculate, yet some of the arguments appear to be overdoing their share in these efforts, enunciating quite nationalist positions or at least allowing for such a reading.

And it was this nationalist position which troubled me more than the rejection of the genocide allegations. The worrisome dimension of this alleged nationalism is that the underlying narrative is relevant to the victims, as a form of recognition of their suffering and their present selves, and it is relevant to the perpetrators, as an expression of how they deal with injustice and responsibility and how they construe their own selves. A nationalist narrative thereby is not only problematic since it risks to constitute another, a different wrong against the victims by failing to address their suffering, but also because it might generate an inaccurate, mystical conception of the self which might even turn aggressive too as it is not willing to incorporate and therefore to tolerate challenges to its (moral) status. This potential for aggression is exacerbated by the immanent justification of human rights violations on grounds of “national security” or the like.
Of all my stipulations, maybe the one I remain most suspicious of is my criticism of the concept of genocide. Even if one does not agree with William Schabas’ assessment that the essence of groups protected by the UNGC are national groups, I still believe genocide is a nationalist concept. Not at all in the sense of promoting a particular nation, or even of inciting chauvinist violence, but in the sense of resting on a groupist paradigm, notably one where the essential groups are national groups. Given that a history of genocide is somehow inevitably one of antagonism, a history of genocide which adopts the distinction established by the perpetrators also risks of reaffirming and perpetuating the social cleavages which produced the violence in the first place. This is certainly not to say that a history of genocide necessarily foments intergroup violence, but it may easily be abused or misunderstood to facilitate such resentment.

Moreover, there is our peculiar tendency to establish hierarchies in each and any social realm, including criminal conduct, with genocide somehow being assumed to rank on top of the pyramid. I guess it would be another and very different paper to see why our hierarchies need to have a pyramidal shape to begin with. What matters here is that even though this might again be a well-intended effort to emphasize the suffering of the victims of genocide, it at the same time may nourish devastating consequences for victims of events of violence which, for whatever reason, are not considered genocidal, and who are thus treated as “normal” or “second-class” victims. A concern which not only applies to victims but just as well to perpetrators, to be sure!

Anyway, the disturbing feature of a nationalist history is its regressive vision of our past, and thereby for our future. It might be a naïve belief, though maybe not more than its realist contraries, to hold that a “successful” acknowledgment of one’s own wrongs is among the most important means to actually develop the self in a positive way (though certainly not the only one), and thereby not only render it more open and liberal but also less vulnerable to provocation and aggression. As Martha Minow put it: “Someone once said that a civilization progresses when what was once viewed as a misfortune comes to be seen as an injustice.”872

For this reason I have produced an admittedly biased and critical discussion of the argumentation put forward by the Republic of Turkey – and this is independent of the designation finally agreed upon. Likewise, it is a critique of our present activities, the way how we currently construe our histories and our identities, independent of any critique of the actual mass killings of Armenians in the late Ottoman Empire.

It is true, beyond doubt, that nationalism is a phenomenon in many if not all countries, and often to much more troubling degrees; that Turkish nationalism takes far more worrisome and extreme shapes than in the arguments I discussed above; that the Republic of Turkey has other and more urgent problems to deal with than the allegations about the Armenian Genocide; and that Armenian-Turkish relations are damaged by other issues presently more stinging than this topic. But the point is that it is also a topic for and in Turkey. Morality is not only about judging the other but also, and I would suggest even primarily, about judging the self (something this author should keep in mind for his next thesis). If the Republic of Turkey aspires to be a regional or even a global power not only by sheer force but also with legitimacy, if it wants to give credence to its claims of being a role model for a democratic and open society, then I believe it needs to make certain choices about the constitution of its identity, about its veracity with regard to moral responsibility, openness and tolerance, and thereby how it wishes to deal with dissent and discord. This issue is not the only or the most important problem of the Republic of Turkey, but maybe exactly for that reason it is a great opportunity for reflection and to demonstrate its current position and project its development in all these dimensions.

To conclude pathetically with some self-righteous moralism: one imperative to change the world (though certainly not the only one) is one’s incapacity to change oneself – but would we want someone to change the world who is incapable or unwilling to change oneself? Moral integrity presupposes that one’s moral scrutiny and criticism is first of all focused on the self, and only subsidiarily on the other. In the end myself is the only person I have full right to criticize, and who I have authority to manipulate and change. A world where everyone is busy inspecting the other sounds like a tedious and dreadful place to live, while a world where people engage in genuine moral self-reflection might be a nicer one (if not too neurotic). Maybe that is something also persons writing a doctoral thesis about argument and meaning in the Armenian Genocide should be reminded of.
7. Appendices.

7.1. Appendix A: List of Sources.

The sources listed below were all retrieved from the internet homepage of the Turkish Ministry of Foreign Affairs (http://www.mfa.gov.tr) on June 24, 2008. Their sequence does not reflect any specific order but the random succession by which they were downloaded instead. The index numbers are the numbers used throughout this paper to refer to these texts. The titles are as reproduced on the ministry’s homepage. Additional remarks were added in square brackets, for instance when a text was not present anymore at the latest version of the homepage I accessed on November 1, 2011 (no additional texts were present in 2011 which were not included already in 2008).

   [No publication date or authorship mentioned. By November 1, 2011, this article had been removed and apparently replaced by a different introduction called “The Events of 1915 and the Turkish-Armenian Controversy over History: An Overview”. The newer document was not included in this analysis.]

2. Declaration by the Turkish Grand National Assembly.
   [Dated April 13, 2005]


4. Speech of H.E. Abdullah Gül, the Deputy Prime Minister and Minister of Foreign Affairs of the Republic of Turkey at the TGNA on the subject of “Armenian Allegations” on April 13, 2005.


6. Presentation made by Prof. Justin McCarthy (Seminar on Turkish-Armenian Relations Organized by the Democratic Principles Association 15 March 2001 /Istanbul).

7. Presentation by Ambassador Gündüz Aktan at the House Committee on International Relations on September 14, 2000.

   [A presentation given before the House Committee on International Relations, Subcommittee on International Operations and Human Rights.]

9. Statement by Farhan Haq, U.N. Spokesman, on October 5, 2000, and on April 9, 2007 About the Armenian Allegations on the UN position regarding the events in 1915.
10. Abstract of a talk on the Armenian issue given on March 15, 2001 at a meeting of the Society for the Promotion of Democratic Principles (DIA) in Istanbul by Dr. Andrew MANGO.

11. Israeli Foreign Minister Shimon Peres’ Statement on so-called Armenian genocide. [A quotation from an article in Turkish Daily News of April 10, 2001.]

12. UN Secretary General Ban-Ki Moon’s Remarks at the Opening of the Exhibition, “Lessons From The Rwanda Genocide” (New York, 30 April 2007).

13. Letter by Archbishop Mesrob Mutafyan, the Patriarch of Istanbul to Pope John Paul II following the Joint Communique of Pope John Paul II and Armenian Patriarch Karekin II on 10 November 2000.

14. The Armenian Allegation Of Genocide: The Issue And The Facts. [No date or authorship mentioned.]

15. The List of the Assasinated [sic!] Turkish Diplomats and Nationals. [A list of Turkish nationals and diplomats assassinated by Armenian organizations between 1973 and 1994.]


17. The Decision of Paris First Instance Court on the Lawsuit by the Armenian National Committee (CDCA) against Turkish Consul General in Paris. [Dated November 15, 2004.]

18. Armenians in Ottoman Bureaucracy. [No authorship or publication date mentioned.]

19. Hitler and the “Armenian Question” Prof. Dr. Türkkaya Ataöv, Chairman, International Relations Division, Faculty of Political Science, Ankara University. [No publication date available.]

20. A British Report (1895): “The Armenians Unmasked”. Prof. Dr. Türkkaya Ataöv, Chairman, International Relations Division, Faculty of Political Science, Ankara University. [No publication date available. Not present anymore on November 1, 2011.]


22. A “Statement” Wrongly Attributed to Mustafa Kemal Atatürk. Prof. Dr. Türkkaya Ataöv Ankara University. [No publication date available. Not present anymore on November 1, 2011.]
23. The Andonian "Documents" Attributed to Talat Pasha Are Forgeries! Prof. Dr. Türkkaya Ataöv. Ankara University.  
[No publication date available. Not present anymore on November 1, 2011.]

[No publication date or authorship available. Not present anymore on November 1, 2011.]

25. Massacres by the Armenians Against the Turks. General Mayewsky.  
[No publication date available. Not present anymore on November 1, 2011.]

[No publication date available. Not present anymore on November 1, 2011.]

[No publication date available. Not present anymore on November 1, 2011.]


Authored by the Center for Strategic Research, Ankara 2007]

[Authored by the Center for Strategic Research, Ankara 2007.]

31. The Armenians Problem and International Law by Gündüz Aktan.  
[Excerpt from a larger compendium but without specifications about origin or date.]

[Not present anymore on November 1, 2011.]

33. Jacques Dahanian's letter to the Consulate General of the Republic of Turkey in Marseille, on 9 October 2004 (in French).

34. Armenian Claims and Historical Facts. Questions and Answers.  
[Same document as Source 29, but in an earlier version dated 2005. Authored as well by the Center for Strategic Research, Ankara.]

Approved and proposed for signature and ratification or accession by General Assembly resolution 260 A (III) of 9 December 1948. Entry into force 12 January 1951, in accordance with article XIII.

The Contracting Parties,

Having considered the declaration made by the General Assembly of the United Nations in its resolution 96 (I) dated 11 December 1946 that genocide is a crime under international law, contrary to the spirit and aims of the United Nations and condemned by the civilized world,

Recognizing that at all periods of history genocide has inflicted great losses on humanity, and

Being convinced that, in order to liberate mankind from such an odious scourge, international co-operation is required,

Hereby agree as hereinafter provided:

**Article 1**

The Contracting Parties confirm that genocide, whether committed in time of peace or in time of war, is a crime under international law which they undertake to prevent and to punish.

**Article 2**

In the present Convention, 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.

**Article 3**

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.

**Article 4**

Persons committing genocide or any of the other acts enumerated in article III shall be punished, whether they are constitutionally responsible rulers, public officials or private individuals.

**Article 5**

The Contracting Parties undertake to enact, in accordance with their respective Constitutions, the necessary legislation to give effect to the provisions of the present Convention, and, in particular, to provide effective penalties for persons guilty of genocide or any of the other acts enumerated in article III.

**Article 6**
Persons charged with genocide or any of the other acts enumerated in article III shall be tried by a competent tribunal of the State in the territory of which the act was committed, or by such international penal tribunal as may have jurisdiction with respect to those Contracting Parties which shall have accepted its jurisdiction.

Article 7
Genocide and the other acts enumerated in article III shall not be considered as political crimes for the purpose of extradition. The Contracting Parties pledge themselves in such cases to grant extradition in accordance with their laws and treaties in force.

Article 8
Any Contracting Party may call upon the competent organs of the United Nations to take such action under the Charter of the United Nations as they consider appropriate for the prevention and suppression of acts of genocide or any of the other acts enumerated in article III.

Article 9
Disputes between the Contracting Parties relating to the interpretation, application or fulfilment of the present Convention, including those relating to the responsibility of a State for genocide or for any of the other acts enumerated in article III, shall be submitted to the International Court of Justice at the request of any of the parties to the dispute.

Article 10
The present Convention, of which the Chinese, English, French, Russian and Spanish texts are equally authentic, shall bear the date of 9 December 1948.

Article 11
The present Convention shall be open until 31 December 1949 for signature on behalf of any Member of the United Nations and of any non-member State to which an invitation to sign has been addressed by the General Assembly. The present Convention shall be ratified, and the instruments of ratification shall be deposited with the Secretary-General of the United Nations. After 1 January 1950, the present Convention may be acceded to on behalf of any Member of the United Nations and of any non-member State which has received an invitation as aforesaid. Instruments of accession shall be deposited with the Secretary-General of the United Nations.

Article 12
Any Contracting Party may at any time, by notification addressed to the Secretary-General of the United Nations, extend the application of the present Convention to all or any of the territories for the conduct of whose foreign relations that Contracting Party is responsible.

Article 13
On the day when the first twenty instruments of ratification or accession have been deposited, the Secretary-General shall draw up a proces-verbal and transmit a copy thereof to each Member of the United Nations and to each of the non-member States contemplated in article 11. The present Convention shall come into force on the ninetieth day following the date of deposit of the twentieth instrument of ratification or accession. Any ratification or accession effected, subsequent to the latter date shall become effective on the ninetieth day following the deposit of the instrument of ratification or accession.

Article 14
The present Convention shall remain in effect for a period of ten years as from the date of its coming into force. It shall thereafter remain in force for successive periods of five years for such Contracting Parties as have not denounced it at least six months before the expiration of the current period. Denunciation shall be effected by a written notification addressed to the Secretary-General of the United Nations.

**Article 15**

If, as a result of denunciations, the number of Parties to the present Convention should become less than sixteen, the Convention shall cease to be in force as from the date on which the last of these denunciations shall become effective.

**Article 16**

A request for the revision of the present Convention may be made at any time by any Contracting Party by means of a notification in writing addressed to the Secretary-General. The General Assembly shall decide upon the steps, if any, to be taken in respect of such request.

**Article 17**

The Secretary-General of the United Nations shall notify all Members of the United Nations and the non-member States contemplated in article XI of the following:

(a) Signatures, ratifications and accessions received in accordance with article 11;
(b) Notifications received in accordance with article 12;
(c) The date upon which the present Convention comes into force in accordance with article 13;
(d) Denunciations received in accordance with article 14;
(e) The abrogation of the Convention in accordance with article 15;
(f) Notifications received in accordance with article 16.

**Article 18**

The original of the present Convention shall be deposited in the archives of the United Nations. A certified copy of the Convention shall be transmitted to each Member of the United Nations and to each of the non-member States contemplated in article XI.

**Article 19**

The present Convention shall be registered by the Secretary-General of the United Nations on the date of its coming into force.
7.3. **Appendix C: List of Acronyms and Abbreviations.**

AAA ……… Armenian Assembly of America  
AKP ……… *Adalet ve Kalkınma Partisi* (Justice and Development Party)  
ANCA …… Armenian National Committee of America  
ANI ……… Armenian National Institute  
ARF ……… Armenian Revolutionary Federation (*Dashnaksutiun*)  
ASALA …… Armenian Secret Army for the Liberation of Armenia  
ATAA …… Assembly of Turkish American Associations  
CHP ……… *Cumhuriyet Halk Partisi* (Republican People’s Party)  
CUP ……… Committee for Union and Progress (*İttihat ve Terakki*)  
DEİK ……… *Diş Ekonomik İlişkiler Kurulu* (Foreign Economic Relations Council of Turkey)  
EU ………… European Union  
İP ………… *İşçi Partisi* (Turkish Worker’s Party)  
ICC ………… International Criminal Court  
ICTJ ……… International Center for Transitional Justice  
ICTR ……… International Criminal Tribunal for Rwanda  
ICTY ……… International Criminal Tribunal for the former Yugoslavia  
ILC ………… International Law Commission  
JCAG ……… Justice Commandos against Armenian Genocide  
MHP ………… *Milliyetçi Hareket Partisi* (Nationalist Action Party, or Nationalist Movement Party)  
OSCE ……… Organization for Security and Cooperation in Europe  
PKK ………… *Partiya Karkerên Kurdistan* (Kurdistan Workers’ Party)  
SAM ………… *Stratejik Arastirmalar Merkezi* (Center for Strategic Research)  
TAİK ……… Turkish-US Business Council  
TARC ……… Turkish-Armenian Reconciliation Commission  
TCK ………… *Türk Ceza Kanunu* (Turkish Penal Code)  
UN ………… United Nations  
US(A) …… United States (of America)
7.4. Appendix D: Bibliography.


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- Zoryan Institute: *Zoryan Institute Writes to Turkish Prime Minister on Turkish-Armenian Dialogue.* - Zoryan Institute, May 9, 2005.
7.5. Appendix E: Abstracts.

7.5.1. English.

Departing from a constructionist paradigm, the continuing debate about the fate of the Ottoman Armenians during World War I was approached here not as a historical or legal controversy about “genocide”, but as a discord closely intertwined with social and political themes: it was understood as the quest for the “right” meaning of these events, how to interpret them based on our present values and understanding of the world. The social relevance of this meaning was assumed to derive from its interdependent relationship to notions of (collective) identity or responsibility. The reduction to a quarrel about “genocide” was seen as concentrating attention to certain specific characteristics essential for “genocide”, and thereby as potentially distracting from other dimensions critical to a meaning of these events (respectively our present orientations). Ultimately meaning was suggested to be embedded and conveyed in historical narratives, which in turn are defended by arguments. Therefore the arguments against the genocide allegations were examined to determine what elements in the presupposed meaning of “genocide” inspired such fierce resistance and what alternative meaning these arguments suggested. Based on this analysis, it was proposed that some of these arguments allowed for or even promoted a nationalist mindset, and some others a concealment of responsibility. Finally, a brief discussion ensued if or in what respect the very concept of genocide itself already supported such nationalist orientations, presuming that it is fundamentally grounded in the assumption of distinct groups (nations), and their particular fates and mutual conflicts.

7.5.2. Deutsch.

Ausgehend von einem konstruktivistischen Ansatz wurde die anhaltende Kontroverse darüber, ob das Schicksal der armenischen Bevölkerung im Osmanischen Reich während des Ersten Weltkrieges als “Genozid” bezeichnet werden sollte, hier nicht als historische oder juristische, sondern als eminent soziale und politische Angelegenheit aufgegriffen. Demnach geht es zuallererst um die Bedeutung welche wir diesen Ereignissen zuschreiben (wollen), d.h. wie sie auf Basis gegenwärtiger Werthaltungen und Weltverständnisse interpretiert werden sollen. Soziale relevant wird diese Bedeutungszuschreibung u.a. durch ihr interdependentes Verhältnis zu Konzepten wie (kollektiver) Identität oder Verantwortung. In einer Reduktion der Debatte auf die Frage ob Genozid oder nicht wurde die Gefahr ausgemacht, sich in Diskussionen über typische Charakteristika von „Genozid“ zu verlieren, und darüber andere Dimensionen aus den Augen zu verlieren, welche aber für eine Bedeutung
7.6. **Appendix F: Curriculum Vitae.**

- Nikolaus Christoph Schrodt
- Born on October 26, 1981, in Vienna, Austria.
- Currently residing in Vienna, Austria.
- Currently employed as Senior Clinical Data Analyst at a pharmaceutical company (since January 2007).

**Formal Education:**
- October 2001 to June 2006 Studies of sociology and history at the University of Vienna (including a stay abroad in Nijmegen, NL, from August 2003 to January 2004), graduation with Master’s degree in June 2006.
- October 2004 to June 2006 Studies of psychology at the University of Vienna (termination without graduation).
- Since March 2008 Doctoral studies in political science at the University of Vienna.

**A Few Further Skills and Trainings:**
- May 2005 One weekend intensive training in leadership and conflict management at CISV.
- May 2006 One month course on statistics at the Institute for Advanced Studies (IHS) in Vienna.
- February 2009 Three day course on presentation techniques and methods with Sophie Posch.
- July 2009 Four day course on project management at Roland Gareis Consulting.
- September 2011 One week seminar on group dynamics organized by Teamconsulting-Network.