AS RESPONSE TO THE CLAIMS OF GENOCIDE: THE ISSUE OF THE PROTECTION OF RIGHTS OF THE RELOCATED ARMENIANS (URFA EXAMPLE)

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ÖZ


ABSTRACT

In 27 May 1915, the relocation law that was introduced under the extraordinary conditions of the First World War and that forced Armenians to migrate has been an issue of distortion with an attempt to show it as genocide. However, there are no events justifying such a claim of genocide as evidenced in the developments during and after the relocation. The Armenian problem that started in Urfa in 1895 had begun to become more and more intense, and there had been many conflicts between Armenians and Muslims in the city. With the decision taken by the Ottoman State in 1915, a large part of the Armenian population in the city was sent to Syria. However, the rights of Armenians who were sent by relocation plan were protected. Based on the Urfa example, this paper aims to prove that the events of 1915 were not genocide, that the conditions of the period caused the events. We base our discussion on the historical records showing the funding to compensate the needs of Armenians and the repairs of the schools and the churches belonging to Armenia. Additionally, the documents show that the rights Armenian people were considered who wanted their goods back.

Introduction

The term “genocide” did not exist until 1944. Genocide is a very specific term that refers to violent crimes committed to the removal of a group’s presence. This term is related to the rights of individuals as seen in human rights, the US Charter of Rights or the 1948 United Nations Universal Declaration of Human Rights.

In 1944, a Polish-Jew named Raphael Lemkin (1900-1959) sought to define Nazi politics involving systematic murder including the destruction of European Jews. He coined the word “genocide”, combining the Greek “geno” word meaning race or tribe with the Latin word “cide” meaning killing. Lemkin sought to define planned actions to lift societies away, but the accusation that the International
Military Tribunal in Nuremberg, Germany, directed against high-ranking Nazi, was "crimes against humanity". The word "genocide" was included in the indictment as a descriptive term, not a legal one1.

On December 9, 1948, the United Nations endorsed the Convention on the Prevention and Punishment of the Genocide Criminal (Sayapin, 2010, 42). The convention designated genocide as an international offense in which the parties to the contract "take on the prevention and punishment" of nations. The genocide was defined in this agreement as follows:

For the purpose of this convention, any of the following acts committed in order to remove, in whole or in part, a national, ethnic, racial or religious group constitutes a crime of genocide:

- the killing of a group of people,
- serious bodily or mental harm to members of a group,
- deliberately changing the conditions of life, in whole or in part,
- taking measures to prevent births in a group,
- transporting a group of children to another group by force2.

Based on the discussions above, it could be claimed that the term genocide is not related to the 1915 events. At the same time, events that took place in 1915 don’t conform to the definition of genocide.

During the First World War, in particular in the Eastern Anatolia region and in some other regions, Ottoman State administrators took measures against Armenians events. One of these measures was the Relocation Law. The fact that the Ottoman Empire was in war and Armenians regarded it as an opportunity and carried out the massacres against the Turkish people influenced this law (Boy, 1918, 116-122), as to be proved in the following sections. The underlying motive behind the behavior of the Armenians during First World War dates a little further back. It is, therefore, necessary to briefly describe the developments leading up to the Relocation Law. In the process of bringing the Armenians to the point of massacre against the Turks, the work of the missionaries along with the religious factors and the policies applied by the European states had been influential.

The religious factors, not being the main reason, are at the basis of the Armenian issue. It was the ultimate aim of the Russians to destroy the Ottoman Empire and revive Byzantium. The Armenian Church thought that in such a case, the Armenian Church of Gregorian would lose its influence and its independent identity. As a matter of fact, the Armenian Church separated from the Byzantine Church in order to preserve its current independence. What made such a thing possible was the establishment of an autonomous Armenian state affiliated to the Ottoman State. The idea of the Armenian state emerged from the Armenian Church, not from the Armenian community (Gürün, 1985, 30). In addition, some religious factors had been influential in what European states had done to protect the Armenians.

Another reason underlying the Armenian issue was the work of the missionaries. Protestant missionaries came to Turkey in 1804 and they scattered into Anatolia from Izmir. American missionaries also began to come after 1814. Initially, the missionaries worked for the Eastern Church and the Muslims in two directions. When they could not be influential on Muslims, concentrated their activities on the Eastern Church. In the Eastern Church, there were Greeks and Bulgarians besides Armenians. Protestant missionaries brought the Armenians to the Protestant Church. With the intervention of Britain, the Ottoman government allowed the Protestant Church and the Protestant Armenian community thus formed (Gürün, 1985, 43). The activities of missionaries played an important role in preparing the Armenian rebellions.

The most important cause of the Armenian question has been the politics of the European states. It was after this date that Armenians, who were not on the agenda of the Western states until 1870, entered the policy fields of the Western States. Russia’s attitude towards Turkey was obvious for a long time; they wanted to take Istanbul and to resurrect Byzantium. In addition, the Russians wanted to build a buffer zone to the east of Anatolia to go to the warm waters to the south. Armenians were an important opportunity for the Russian plan. Russia has made a provision to the Treaty of Kucuk

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1 http://endgenocide.org/learn/what-is-genocide. Date of access: 12.09.2018
Kaynarca to protect the rights of the Christian Orthodox people living in the Ottoman State. The tactic used by Russia was; To provoke minorities in the Ottoman Empire and to refer to the rebellion. Later, on the pretext of protecting the rights of minorities, to proclaim war and to break down the Ottoman state with the help of minorities.

Britain, which is troubled by these aims of Russia, has been included in the Armenian case to get this trump card from the hands of Russia. Thus the Armenian issue began to emerge on the grounds of the struggle for influence of the two imperialist states. Britain wanted to create a buffer zone against Russia, which wanted to go to the Mediterranean. In fact, the aims of both states were not to ensure that the Armenians establish an independent state, but to use them under their own influence (Kocaoğlu, 1996, 114).

In the emergence of the Armenian Issue France played role, though not as much as Russia or England. In the Crimean War of 1853 and in the Paris Conference of 1856 ended Russia’s demands with the military and diplomatic repression of Britain and France, but the incitement on the Armenians was a turning point between these three states. France, along with other European states and the United States, played a role in the Armenian question with missionary activities (Tosun, 2004, 150).

United States also had a role in the emergence of the Armenian Issue. Since the 1800’s, American merchants, adventurers and missionaries had played an important role in the Ottoman lands as well as in the four corners of the world. The raising of the Armenians with national consciousness and Christianity has been the first aim of American missionaries. The greatest success of these missionaries was seen after the opening of Robert College. The college in Istanbul was founded by Cyrus Hamlin. The first students were Armenian and Bulgarian young people. Graduates from this college had become famous committee leaders over time. Teachers in these missionary organizations, mostly established in places where Armenians were located, educated Armenian youth as enemies of Turks and taught them to do weapons (Tosun, 2004, 152).

The Ottoman Empire gave rights to Armenia by making arrangements with the Tanzimat and Islahat Ferman, against the activities of the European states. However, after the Ottoman Empire weakened, these rights, which were recognized in religious, cultural and legal fields, became a tool used by various states. England and America succeeded in creating a Protestant community with their work. At this point, they had the Ottoman State accept a community they would control (Açıkses, 2007, 43). The activities of the Armenians to leave the Ottoman Empire were contributed by American missionaries and the schools they opened.

In addition to the policies of the imperialist states, there was the establishment of Armenian commissions in the process of relocation. The Armenian Committees were established with the provocations and supports of the imperialist states, to initiate the Armenian rebellions and to lead these rebellions. These committees were not only about killing thousands of innocent Turks, but also dragging their own societies to adventure. The UK’s Erzurum Consul Mr. Graves assessed this situation by responded the New York Herald newspaper reporter Sidney Whitman’s a question;

“- If this country (Turkey) no Armenian committee had not come and they did not instigate and encourage the Armenian revolt, did this fight arise?

- Of course not. I do not think that even one Armenians would be killed” (Tosun, 2004, 155).

The same situation is also included in a report which The Russian general, Mayewski, gave his government;

“In Turkey, Armenians are comfortable in some place where committee members didn’t enter. Where these committees are active, the Armenians are miserable. Until the year 1895 in Turkey, Armenian suffering and distress were apocryphal tales. Armenians in Turkey are not worse than elsewhere” (Tosun, 2004, 156).

The Hinchak Committee was established in 1887 and the program of this committee;

3 Matter 3 of the Agreement; “Russia will protect the rights of Orthodox and Wallachia”. With this matter, Russia has obtained the protection of the Orthodox, the right to intervene in the Ottoman internal affairs and the opportunity to implement the Panslavist policy.
"In Turkey, it will be used to reach the objectives to be achieved by revolution methods, propaganda, incitement, and is organized peasant and workers movements. Syrians and Kurds must take our side to fight against the Turks"

The Dashnak Committee was established in 1890 and the program of this committee;

"To establish gangs, to prepare these gangs of activity, to arm Armenians, to form revolutionary committees, to fight, to encourage anarchism, to pillage and destroy government institutions" (Tosun, 2004, 159).

Armenian incidents began with impact of the western states and activities of the committees. When we look at the events that had taken place until the time of the rebellion and slaughter of the Armenians during the First World War: The Erzurum rebellion and the Kumkapi Demonstration in 1890, Merzifon, Yozgat and Kayseri Events in 1892, Sason Rebellions in 1894, the Babylonian Rebellion and the Zeytoun Rebellion in 1895, the Van Rebellion and the Ottoman Bank Raid in 1896 and the Adana Incidents in 1905⁴. Apart from these, small and medium sized events have occurred in different regions. The Armenian incidents in Urfa, which we will examine, also developed under the same conditions.

Although the previous events were influential in the removal of the relocation law, the Armenian outbreaks that took place during the First World War became effective. The Ottoman State participated in the First World War on 1 November 1914. On 3 August 1914, mobilization had already been declared by Ottoman Government. Many Armenians after declaration of mobilization, took refuge in Russia and Iran. In these times, Armenians were in close cooperation with the enemies of the Ottoman State⁵. Armenians armed against the Turks for potential conflicts in Erzurum, Trabzon, Bitlis Van cities. The Armenians were refused to be taken under arms in the Ottoman army, and the ones escaped with their weapons. In the declarations made in the Armenian newspapers in August 1914, it was recommended that the Armenians should not fight against Russians and take sides with Russia (Akbulut, 1995, 34)

Enver Pasha had stated the difficult and dangerous situation of Turkish army in Caucasus Front because of Armenian deception. Armenians were warned by the Ottoman government about the activities that make put the Turkish army in a difficult position (Çelik, 2015, 69). At a time the Entente States were preparing to carry out military operations against Gallipoli, Armenian committees threatened the logistical lines of the three fronts of the Turkish army. The Armenians, both the Turkish army to the difficult situation, but also began to massacres in the eastern provinces⁶. Enver Pasha stated that the Armenians in the eastern provinces should be sent to other places where they could not harm the Turkish army to remove this dangerous situation (Yalçın, 2000, 313).

Despite the warnings of the authorities of the Ottoman State, the activities and revolts of the Armenian committees had reached great proportions. On April 24, 1915, the Ottoman government decided to close down the centers of the Armenian Committee, arrest the elbows and confiscate all documents. Upon this decision, 2345 Armenians were arrested in Istanbul for crimes against the state (Akbulut, 1995, 35). April 24, the date of this decision, the day the Armenians brought their genocide allegations to the agenda.

On May 27, 1915, the Ottoman government made the following decision;

"Military measures will be taken against those who oppose the government's actions during the war" (Çelik, 2015, 69)⁷.

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⁴ For details of these events, see: Tosun, “Ermeni Meselesinin”, 159-163.
⁵ In the memoirs of a Russian general: Mentioned that they acted according to the information given by the Armenians about the operation of the Turkish troops and that there were Armenian troops in the Russian army. General Nikolski, Sarskası İpekçisi, (İstanbul: Kariyer Yay., 2010), 16-91-113.
⁶ The Armenians formed a gang of 8,000 men from the deserters, and the defenseless people living in the rebel region, launched in Van on April 20, 1915, were massacred. For details of these events, see: Dilek Akgümüş, “Birinci Dünya Savaşı Sırasında Ermeni Ayaklanmaları”, Askeri Tarih Belgeleri Dergisi, 12, (Ankara: 2013), 26-38.
⁷ For details of Relocation Law, look at appendix 1.
The law was not issued only to implement against Armenia. There was no "Armenian" in the text of the law. The law introduced for people who committed crime. Moreover, the deportation was not implemented in all parts of the country (Akbulut, 1995, 35). The Deportation Act was not an application aimed at destroying a nation collectively. This law was introduced to defend against the events that took place in the conditions of war. The boundaries of the applications had been set within the application of this law. It was noted that the legal rights of the Armenians were not violated.

Ottoman state had been examined negative situation of the relocated people and it took measures to regulate. The document, dated 12 December 1918;

"Some families who relocating in negative situation because of inadequate tram line. Ottoman government sent order to military line commands for correcting this negative situation"

1. Armenian Events in Urfa

The Relocated Law Act applied during First World War was also applied in Urfa. The process of formation of the Armenian question was also seen in Urfa. Before the deportation law was implemented, there were conflicts between Armenians and Muslims in Urfa.

In the 19th century, the population of Urfa city center was composed of basically three groups: Muslim, Armenian and Syriac. Most of the Armenians living in Urfa were Orthodox, and some were Catholic and Protestant. During the 1880s, the majority of people in Urfa were engaged in trade, and the city was provided with a battalion for safety. This peaceful atmosphere began to deteriorate from the 1890s after Armenians who completed education as committee members come back to Urfa from America and Europe. These committees were able to provide all kinds of financial support as well as arms assistance (Yurdakul, 2016, 137).

The rebellion that Armenian committees launched almost everywhere in the country in July 1895 also affected Urfa. The Armenians in Urfa also attempted to revolt on 29 December 1895. 750 Armenian citizens were killed in the rebels supported by the missionaries. The wounds of this incident were tended to, but the practices of the First World War were also seen in Urfa. However, it is noteworthy that the rights of Armenians were protected in Urfa during and after the implementation of the deportation law. In fact, rights of all people who were relocated were protected. Even the documents we will examine through the Urfa example prove this.

2. Protection of the Rights of the Armenians in the Relocation Process

Scrutinizing the precautions taken during and after the deportation to protect the rights of relocated Armenians would justify the fact that deportation is not relevant to so-called genocide. The Council of Ministers had made decisions on how to implement deportation. With the instructions issued on May 30, 1915, measures had been taken to ensure the safety of life and property of those subject to deportation (Çiçek, 2005, 52). According to this; the people would be transported comfortably to the area that had been left to them, ensuring the safety of goods and life. The needs of the Armenians were met during the relocation and in the regions where they were settled. In addition, within the scope of citizenship rights, Armenians were paid salaries of retired Armenians, the returning Armenians' merchandise has been returned. The churches and schools belonging to Armenia were returned to the Armenian communities, the damaged ones were repaired, and the ones that became unusable were replaced with new ones. With the relocation of the Armenians, but after the relocation, the constitutions on the Armenian rights will be an answer to the approaches related to the genocide allegations.

We identify the documents for the protection of Armenian rights. These applications, which we could see similar in the whole country, were recorded.

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8 Prime Ministry Republican Archive (BCA), 272-0-0-14/75-19-19. For details of document, look at appendix 2.
First document dated December 11, 1917 about; "Transfer of 7500 Turkish Liras for the needs of the Armenians in Urfa"

The document concerns the needs of the Armenians who were sent to Rakka on the territory of Urfa province at the time, depending on the law of relocation. After the relocation law was declared, it was decided that the decision of the Council of Ministers would be met by the people who were subjected to the relocation. According to this, the wire drawn from Rakka to the center; "3,000 Turkish Liras sent on 19 May 1917 for the maintenance of the Armenians in Rakka were collected and used from the Rakka Governorate at different times and the current money was left, so that the 5,000 liras were immediately sent again for their needs"9 was asked.

It is understood from this document that some money was sent before, this money was used for the people and is finished, so asked for the money again. This request was answered on 18 December 1917.

The answer is as follows; "a total of 7,500 Turkish Liras was transferred to the 6th Corps Presidency to be given to the Urfa Governorate to be used for the maintenance of the Armenians. Applying to the provincial office for the payment of money"10

As this document reveals; The Armenian people who were displaced by the relocation law were paid to meet their needs in accordance with the decision of the Council of Ministers. It is understood from

9 Prime Ministry Republican Archive (BCA), 272-0-0-74/65-19-21, 1.
10 Ibid., 272-0-0-74/65-19-21, 3.
the fact that the Ottoman Empire was able to meet the needs of the Armenians at the time of the First World War and that the relocation law was not a hostile attitude towards a nationality but a solution. Another document dated May 5, 1918 is about the daily wage to be paid to retired Armenians in Urfa and to meet their needs such as refugees.

Ottoman State could not pay the pensioners due to the negative conditions in the First World War. However, because the pensioners could not meet their needs, they received a payment decision. Written about the money to be paid to the retired Armenian; “Daily wage couldn’t pay to pensioner Armenians, but will be paid now. However, information must be provided on the date that the payment was made by that date or that the money that could not be paid in the past is required to be paid”11

It was asked whether or not pay the money could not be paid in the past due to the negativity of war conditions. This question was answered on May 19, 1918.

11Ibid., 272-0-0-74/66-26-4, 1.
In the answer given: “It is not appropriate for the pensioner Armenians to pay for the needs from the date on which the decision is made. Which date of payment is stopped, payment must be made from that date”\textsuperscript{12}

As it is understood from this document, the Ottoman State still regards Armenians as citizens and does not host any hostility. Ottoman state had received a payment decision to retired Armenians like other Muslim retirees.

The Ottoman State had seen as a citizen all nations without discrimination. The Ottoman looked at relocation law as a temporary solution and paid attention to the fact that the Armenians should not be harmed and tried to get rid of the damage of the people who suffered.

We can see that the Armenians could demand back their goods under the law. In a document, dated 18 April 1919, we see that; Shamian and his brothers of the Armenian nation demand the return of their goods in Urfa.

In this document; “A copy of the telegraph written by Shamian and his brothers from the Armenian nation was examined and the wishes of the merchants were accepted. However, these days, a law on this subject has been reported to the private prosecutor, The transaction will be made according to the applicable law”\textsuperscript{13}

\textsuperscript{12} Ibid., 272-0-0-74/66-26-4, 3.
\textsuperscript{13} Ibid., 272-0-0-11/13-47-4, 2.
According to document, properties, Shamian and his brothers demand back, were not related in relocation. As understood from the petition they wrote, the properties of Shamian and his brothers were confiscated for execution. In Written petition;

"We have mortgaged the land in the Rareli village against the money we have borrowed from Urfa Ziraat Bank. It is not appropriate to take our own properties by execution, against the interest of the money we receive"14

Ottoman Government decided that Ziraat Bank was giving the properties obtained in the interest rate, although not interested in relocation. Ottoman State, Whether or not Armenian or any other nationality, accepted all citizens equally.

The Ottoman State has not only provided the Armenian life and property security, but also protected their beliefs and cultures. In spite of the places where the Armenian's discriminatory thoughts were formed were churches and schools15 until relocation law, Ottoman State repaired churches and schools.

The document dated May 31, 1919 relates to the repair of the Armenian church and the school, which had been damaged in Urfa during the relocation.

In this document said that; "The Armenian church and school, which has been damaged due to relocation, are in need of repair. But since this church and school cannot be repaired, convenient to build a new church and school. New law is expected for this"16

By a decision of 31 December 1918, migrants with relocation had returned, their house and land given back, churches and school buildings were returned to their congregation, damaged churches and schools have been repaired (Çelik, 2015, 74).

In order to get rid of minority groups that exist in a region, it is necessary not only to remove the human factor, but also to remove religious structures and educational institutions belong them. However, after the implementation of the relocation law, churches and schools belonging to Armenia were not destroyed. Even the damaged churches and schools have been repaired by the state, and new ones have been built instead of those that could not be repaired.

16 BCA, 272-0-011/13-48-9, 2.
Conclusion

For the imperialist purposes of the Western states, the Armenian question was laid on grounds that they wanted to use the religious and ethnic differences of the Armenians against the Ottoman State. During First World War, as a result of attempting to use Armenians against the Ottoman State, the Ottoman State was obliged to remove the Law of Deportation for military reasons.

Although removal of the Relocation Law for military reasons, Ottoman State aimed protect the Armenians by this law. Because the Armenian gangs were forcing the Armenian people to join them. Because of the massacres carried out by the Armenian gangs, Turkish people started to dislike Armenians. For this reason also intended to protect the Armenians. Immigration made with the relocation law was a temporary migration. It was not exile and relocation applied within the borders of the Ottoman State.

The Relocation Law was not a law that targets Armenians. This law had not been mentioned as an application for Armenian. This law had not been applied in the whole country, only in areas where war had taken place. Security measures were taken during the relocation, and the needs of the Armenians were met by the state. After the end of the First World War and the end of the danger, the Armenians returned, the properties were given back, the churches and schools were opened.

Today, the events that took place in 1915, the parliament of 29 countries are known as genocide. However, it is understood that the imposition of relocation, which is not similar to the definition of genocide adopted by the United Nations in 1948, is not just a historical event, but also has a daily political implication.

The events against Jews during the Second World War are suitable for the definition of genocide. However, the applications of the relocation law and the applications of the Germans were not the same.

The Ottoman State did not remove the Armenians from view, and accepted them as citizens during and after the relocation. Ottoman State declared laws for the protection of the rights of Armenians. The protection of Armenian rights, which we try to explain with examples, has been applied in all countries.

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Appendix 1: Relocation Law\textsuperscript{17}

\textbf{Matter 1}: At the time of the expedition, the army, corps and division commanders and their deputies and independent regional commanders will immediately respond to military orders against the government orders, the defense of the country, the existing arrangements and security affairs, and if they see attack and resistance with arms, they will immediately attack and resist is responsible and liable to annihilate from the root.

\textbf{Matter 2}: The army and independent corps and division commanders can be sent the people of the region to other parts of the country, either individually or collectively, when they feel their espionage and treachery.

\textbf{Matter 3}: This law is effective from the date of publication.

Appendix 2: Improvement of the situation of the relocating people

Prime Ministry Republican Archive (BCA), 272-0-0-14/75-19-18.