

**R**emembering and commemorating the past events experienced by peoples or nations is an ordinary thing to do. However, freshening up past grudges and reviving those events in the present day, in a time when peaceful notions and behaviors gain more importance, should be seen as unapprovable. Also, instrumentalization of commemoration of the past events to bring up problems that were previously solved by international agreements creates a legally unacceptable situation.

In this context, another point to dwell on are the efforts to show events that took place a century ago as having political significance or to create a new political significance for those events. If this method is adopted or at least is excused, it will provide opportunity to reopen the files formerly closed by a legal process and to get back to deal with the previously resolved issues with other countries or communities. This will result in the questioning of the present political system and for this reason, it may cause new crisis triggered by focusing on past events. It is impossible for such a position to be adopted by some of the few countries and communities which have not yet faced the past events, accepted their fate and the foundation of a new political system.

Let us try to explain this thought by an example. For instance, at the present, if Turkey, the successor of the Ottoman Empire, would start to question and even refuse the legal consequences of the Balkan Wars and the First World War that happened one century ago in the era of the Ottoman Empire, this would amount to the non-recognition of the sovereignty of the Balkan and Arab countries. Insisting on such a stance would cause new crises in the Balkans and Middle East. However, despite the power it currently possesses, Turkey does not try to break the status quo in its favor, but on the contrary, Turkey struggles to preserve it.

On the other hand, Armenia and especially the Armenian Diaspora continues to have a particularly hostile attitude of questioning the political system established a century ago in the South Caucasus region. Although it might be thought that such attempts will bear no results due Armenia's frailty, there is still a potential danger arising from the absence of bilateral political trust. Thus, constantly living under the effects of the past events, creates a situation which obstructs the building of a future.

Neither Armenia nor the diaspora have been able to forget their century old ambitions despite the fact that there is no possibility for them to become true.

The ostentatious ceremonies and activities regarding the centennial of the Law of Resettlement reminds Turkish public opinion of these ambitions, builds up the existing racial hatred and revanchist emotions towards Turkey and Turks, and resurrects demands from Turkey.

What sort of demands do Armenians have from Turkey?

First and foremost, is the recognition of the “genocide”. But, referring to the 1915 events as genocide is just an assumption, because according to Article 6 of the 1948 Convention on the Prevention and Punishment of the Crime of Genocide by the United Nations, an authorized court in the country where the offence took place or an international criminal court judgement on the character of the event. As long as there is no such judgement, it is legally impossible to characterize the 1915 events as genocide. Therefore, Turkey does not have any obligation to recognize those events as genocide.

The second demand is compensations to be paid to the resettled people or their descendants. This demand does not have any legal basis, compensations to be paid to the resettled people or their descendants. There is no such provision at the Treaty of Kars -which had settled the Armenian issue, or no provision regarding this issue in any international treaty. Despite this, especially the Diaspora insists on the compensation issue and they put forth fantastical numbers ranging from 104 to 850 billion dollars of compensation.

The third demand is the restitution of the properties of Armenians subjected to resettlement. An important fact that is overlooked many times is that, following the Armistice of Mudanya, Ottoman Governments restituted their properties to the Armenians that returned. It is understood that this process took at least four years. As for the period after the establishment of the Republic of Turkey, a law titled “Emlâk-ı Metruke” was passed on this issue. According to this law, it is essential to appeal to the courts. It is known that properties were restituted following the appeals in accordance with this law. However, since a long time has passed regarding this issue, it should be remembered that many properties have ended up being inherited by the state.

The fourth demand is Turkey giving land to Armenia, which is a subject frequently spoken about in the Diaspora and the Armenian public, is not or cannot be brought forward as an official claim by the Armenian state. Since the Turkey-Armenia border was settled with the 1921 Treaty of Kars which includes the signature of the Armenian representative, Armenia’s territorial claims from Turkey do not have any legal basis. Even though some Armenian authors and Armenian political parties such as the Dashnaks claim

that the Treaty of Kars is invalid, there is no doubt that the Treaty of Kars, which has been implemented to this day since its signing, is valid as there has been no objection from any countries including Armenia, and there are international provisions proving the validity of treaties determining borders.

The fifth demand is the opening the Turkey-Armenia border. It goes without saying that this issue is not legal but political. Turkey closed its borders with Armenia in 1993 in response to Armenia's occupation of Azerbaijani territories despite all warnings and United Nations Security Council resolutions. There is no reason to open the borders as Armenia continues to occupy Azerbaijani territories.

Contrary to Armenia, Turkey has made serious efforts to establish normal relations with its neighbor since Armenia's independence. The most important one is Turkey's signing of two protocols with Armenia on October 10, 2009 despite not solving disagreements caused by genocide allegations and unclear statements on the recognition of borders between both countries. Turkey wanted to benefit from the Protocols for the settlement of the Nagorno-Karabakh conflict and for this purpose, it stated that the Protocols would be ratified in case of improvements in the Nagorno-Karabakh issue and thus the borders would be opened. On the other hand, Armenia opposed this, asserting that the normalization should be without preconditions and later withdrew the protocols from its parliament in the beginning of this year, thereby, *de facto*, ended the process opened up by the protocols.

Lastly, in order to overcome negative emotions against Turkey and the Turks created among the Armenians due to genocide allegations which pose a psychological obstacle for reconciliation between the two countries, Turkey, through the words of its prime minister, offered its condolences to the grandchildren of Armenians who died during the First World War. However, this meaningful gesture was not received well in Armenia and was prevented from assisting the normalization process.

Under the influence of a euphoria -created by ostentatious commemoration of the centennial of the resettlement- currently felt by both Armenia and the Diaspora, the constant accusations and certain demands against Turkey have created a climate that makes the reconciliation between both countries difficult, or at the least one that is being delayed. In brief, in the present context, it is not realistic to expect reconciliation between Turkey and Armenia neither in the short- nor even the medium-term.

\* \* \*

The centennial of the resettlement has resulted in the increase of worldwide increase of the publications on this incident and related questions. Worldwide about this incident and other aspects of the Armenian issue. Inspired by this trend, articles in more than the usual amount will be published in this issue of our journal.

Sina Akşin is a renowned Turkish historian specialized on the late-Ottoman and the early-Republican periods. The article titled **“A General Appraisal of the Armenian Issue”** was previously published in his book *Essays in Ottoman-Turkish Political History* (2011). In his article Prof. Akşin analyzes how Armenian issue emerged, and focuses on the effects of the nationalist movements in the Balkans and the resulting forced migration of the Moslem/Turkish population into the Ottoman lands.

Tal Buenos’ article titled **“Historiography and the Future of Multiculturalism in Europe: Perinçek v. Switzerland”** argues that the academic debate on multiculturalism neglects the existence of irreconcilable narratives of history that constitutes the foundations of the formation of group identities, leading to a misconception of the failed integration of Muslims in Europe. He focuses on the recent and very important case before the European Court of Human Rights, i.e. Perinçek v. Switzerland and explores how historiographical differences due to difference of national heritage stifle civil integration in Europe.

Sadi Çaycı’s article titled **“Lawfare Against Turkey: A Case Study on Armenian Claims on Insurgencies and Ottoman Counter-Measures During the WWI”** focuses on the importance of legal integrity and consistency while dealing with the events of 1915. He argues that abusing legal concepts for political objects does not foster harmonious relations.

Sevtap Demirci analyzes in her article titled **“From Sevres to Lausanne: The Armenian Question (1920-23)”** the brief and critical period that starts with signing of the Sevres Treaty in August 1920 until the Lausanne Treaty in July 1923. Demirci argues that during that period Allies were ready to endorse the Armenian claims on East Anatolia in return for the latter’s service to their cause during the First World War, but the nationalist victories both against the Armenians in the East and against the Greeks in the West resulted in the Lausanne, which did not contain any reference whatsoever to an Armenian National home, let alone a state, putting an end to the centuries old Eastern Question as well as the Armenian Question which became the integral part of it.

Maxime Gauin’s article titled **“The Armenian Forced Relocation: To Put End to Misleading Simplifications”** deals with three aspects of the Turkish-

Armenian conflict; first Armenians who were exempted from relocation; second the protective character of the Ottoman government's policy vis-a-vis the Armenian exiles although a failed one; and third the need to consider the Russian relocation of Armenians and the responsibility of the Armenian extremists in the emigration of Armenians from Cilicia as well as Greek policy that forced the Christians out of Western Anatolia..

In his article titled **“The Rise and the Fall of Armenian Secret Army for the Liberation of Armenia (ASALA) and Armenian Revolutionary Federation (ARF) Terrorism”**, Christopher Gunn analyzes why ASALA and ARF took up arms in 1975, how they sustained themselves and the reasons behind their abrupt disappearance. Gunn argues that Armenian terrorism was the end result of anti-Turkish nationalism rooted in short-term local political gains by the ARF, which eventually witnessed positive response and the emergence of favorable international conditions, followed by the emergence of ASALA and Justice Commandos of the Armenian Genocide. He concludes that in the end, these terrorist movements not only became an end themselves but also disintegrated due to inter-group struggle among their ranks.

Michael M. Gunter's article titled **“A Century Later: Towards Turkish-Armenian Rapprochement?”** deals with several attempts for the reconciliation between Turks and Armenians. He argues Zurich Protocols is a sign of progress and future possible reconciliation. Gunter argues that civil society engagement will help lessen stereotypes and confidence-building in both sides.

In his article titled **“The Malta Tribunals”**, Uluç Gürkan argues that there is an international court ruling in hand which refutes genocide claims, which when an investigation conducted by the Crown Prosecution Service during the Malta tribunals. Gürkan shows that British government's attempts to sentence Turkish detainees were fruitless on the grounds that “it was unlikely that such charges could be proven in a British court of law.”

Birsen Karaca's article titled **“Armenian Terror in the Period of Change in the Perception of Terrorism and in the Reaction Toward Terrorism”** analyzes the evolution of Armenian terrorism by contextualizing it within the history of terrorism, the turning point of which was French Revolution. It is argued that the Armenian terrorism was resistant and mutated in time thus adopting to the transforming international perception towards terrorism.

In his article titled **“Droshak Newspaper: A Newspaper that Openly Supported Terrorism”** Jean Louis Mattei examines newspaper published in

January 1897, a newspaper which was the official news organ of the Armenian Revolutionary Federation (ARF or Dashnaksutyun). Mattei shows that the newspaper served as an organ of the ARF that openly promoted and praised the terrorist movements within and against the Ottoman Empire and those Armenians of the Empire who refused to cooperate. Accordingly the same Droshak newspaper gave birth to the French ProArmenia newspaper, which also became a tool of ARF.

Armand Sağ critically examines Bas Kromhout's article published in Dutch newspaper 'Historisch Nieuwsblad' in his article titled "**The Perfect Ethnocide: A Review of Bas Kromhout's 'De Perfecte Genocide'**". He argues that the article uses academic or scholarly debate to disturb and distort historical and juridical facts surrounding the events of 1915. .

Turgut Kerem Tuncel's article titled "**A Look at the Perinçek v. Switzerland Case: Examination of a Lawsuit to Understand the Current State of the Armenian-Turkish Dispute and Prospective Developments**" analyzes in detail the legal process that led to the Perinçek v. Switzerland case and critically examines the current condition of the Turkish-Armenian dispute with a view towards the near future.

Lastly, Jeremy Salt reviews the book by Geoffrey Robertson QC "An Inconvenient Genocide: Who Now Remembers the Armenians?" in his article titled "**A lawyer's blundering foray into history**". Salt shows how Robertson's book cannot and should not be seen as a serious study of the Armenian question or a legal consideration of the events surrounding the 1915 events. Salt shows how Robertson's piece is problematic and absurd as he attempts to distort history.

Have a nice reading and best regards,

Editor