

"When Does Genocide End? The Armenian Case"

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"When does genocide end? The expected answer is "when the killing stops." The Holocaust can be said to have ended with the liberation of the extermination camps or the termination of the Second World War or perhaps the Nuremberg Trials. In any case it is an historical fact universally accepted even by the perpetrator state. The more recent genocide in Cambodia is also clearly over even though those responsible have not been properly brought to account. The genocide in Rwanda can also be said to have ended and punishment for the perpetrators has been in progress. Yet other genocides or genocidal acts remain unacknowledged, unpunished, unknown, or simply denied. Some have claimed that the destruction of Indian nations in America falls in this category, arguing that the process can be said to be continuing in other forms. The question needs to be considered more closely in genocide and Holocaust studies. I do not intend to do that in this paper. My interest is in the Armenian Genocide, the first of the 20th century, which some say was the model for Hitler and the Nazi party in their attempt to liquidate the Jews as well as the Gypsies and other ethnic and social groups from Europe.

The Armenian Genocide is unacknowledged, unpunished, little known, and still denied by its perpetrators. It began in the spring of 1915 in the Ottoman Empire after the Turks entered World War I on the side of the Axis Powers, that is Germany and the Austro-Hungarian Empire. It was preceded by broadly executed massacres and pogroms against the Empire's Armenian population in 1894 -1896 and again in 1909. These were widely reported in the international press. Western governments called upon the ruler of the Ottoman Empire, Sultan Abdul Hamid, to bring his house in order many times during those years and insisted that reforms be initiated to protect the Christian citizens of the state, especially the Armenians. Hope that such reforms would take place in the Armenian Provinces was high in 1914 on the eve of the Great War. But six months later, the plan to wipe out the Armenian population of Armenia was put into motion and during the first year of that concerted action throughout the Ottoman State more than a million Armenians were put to death, often in the most savage ways imaginable or were dying during the forced marches into the Syrian deserts.

The genocidal process against Armenians continued even after the armistice of 1918; by the time of the establishment of the Turkish Republic under Mustapha Kemal Ataturk in 1923, some one million five hundred thousand to two million Armenians had perished. Already by 1916, barely a year after the genocide started, the British Parliament published *The Treatment of the Armenians in the Ottoman Empire, Documents Presented to Viscount Gray of Fallodon, Secretary of State for Foreign Affairs*, a massive collection of eyewitness accounts of the details of the annihilation of the Armenians compiled by none other than the young Arnold Toynbee. The historical homeland of the Armenians, the cradle of its civilization going back to the first millenium BC was cleansed of its indigenous population. Today, there are no Armenians at all in historic Armenia.

Did then the Armenian Genocide end with the end of the war in 1918 or the Peace Conference in 1923? No, unfortunately it did not - for two major reasons. First, the perpetrators refused to acknowledge the genocide and, second, successive governments of Turkey have continued a genocidal process towards their current and former Armenian citizenry through, A) discriminatory practices, B) what one might call a cultural genocide, that is, the neglect, even willful destruction, of Armenian cultural monuments; and C) an official government policy of denying the historical existence of an Armenian presence in what used to be called the Armenian Plateau.

The refusal to acknowledge the genocide, indeed, to vigorously deny it, has been a tenet of every Turkish government since the formation of the republic in 1923, despite the holding of formal government war crimes trials in Constantinople, the capital of Turkey in the spring of 1919. Unlike the Nuremberg Trials, which were dominated by the Allied Powers, courts constituted entirely of high Ottoman Turkish officials and jurists conducted these trials. The culprits in the willful destruction of the Armenian citizens of the Ottoman state were not the forces of the despotic Sultan as in the earlier massacres, but the leaders of a political party, the Committee of Union and Progress, known by the more familiar name of the Young Turks. This party controlled the Turkish state in the early years leading up to and during the first World War, much like the Nazi Party controlled Germany during the Second World War. The ruling triumvirate of the Young Turks, all members of its central committee, were Talaat Pasha, Minister of the Interior and later Grand Vizier or Prime Minister, Enver Pasha, Minister of War, and Djemal Pasha, Minister of the Navy, and along with them, two ideologues, the actual architects of the genocidal process, Dr. Nazim and Dr. Shakir. These five individuals and others too were found guilty by these Turkish courts of planning and carrying out the destruction of the Armenian population. They were sentenced to death, unfortunately in absentia, because they had all already fled the country.

The trails were not only conducted by the Turkish state but the proceedings were duly published in the official Turkish journal Takvim-i Vekayi. The national archives of the United States, France, Great Britain, Italy, the Vatican, and more importantly, Turkey's wartime allies, Germany and Austria, contain massive files on the deportation and mass murder, millions of documents recording the day by day destruction of the Armenian population, through consular dispatches, missionary reports, personal accounts, and military communiqués. The world press also reported on it daily.

In the following years, immediately after the courts-martial of 1919, from the beginning of the Turkish nationalist movement led by Ataturk, a policy of discrimination toward the Armenian population was pursued. It involved the open confiscation of Armenian property which, no matter how the forced deportations of the population are described-whether as military expediency during wartime as Turks like to pretend, or as ethnic cleansing-that property still legally belongs to those killed and deported and ultimately to their descendants.

The Stealing of Armenian Wealth Armenian Gold and Bank Assets

Eight years ago newspapers in Europe and America published the names of individuals who had deposited money in Swiss bank accounts on the eve of and during the Second World War. Most were Jews. Those listed had never claimed their deposits because most were killed during the Holocaust. The banks broke fifty years of silence in the Swiss banking principle of secrecy in trying to defend themselves against charges of collaboration and acquiescence. Under pressure of public opinion encouraged by diasporan Jewish agencies defending the rights of the survivors of the Holocaust and by pressure from the United States the story was told how Jewish wealth sequestered by Nazi Germany made its way to Switzerland and other countries. Estimates of the value of illegally seized Jewish assets run into the hundreds of millions of dollars. As a result, a group of Swiss banks established a special fund for victims of the Holocaust. The settlement is in the billions.

The Young Turk Government seized Armenian wealth in 1915. The Ottoman treasury received detailed inventories of sequestered property; this was before the Armenians were slaughtered or marched out hundreds of miles toward the Syrian desert. Certificates were even issued for assets taken from Armenians killed or forcibly deported. The money, like Hitler's Jewish gold, was moved out of Turkey and placed in Austrian and German banks. In 1918 after the war, in an official memorandum presented to the British Prime Minister Ramsey McDonald on why aid must be given to help Armenian refugees, Sir James Baldwin, the

former prime minister, and Herbert Asquith, both authors of the report, state in paragraph four the following: "[T]he sum of five million Turkish pounds, (around 33 tons of gold) deposited by the Turkish government at the Reichs Bank in Berlin in 1916 was ... in large part, perhaps wholly Armenian money." After the forced deportations of the Armenians in 1915 their deposit accounts were transferred by government order to the state treasury in Constantinople, and from there to Europe.

In 1925 the United States Congress estimated the value of this transferred money at \$40 million. Today the same gold would be worth about \$320 million plus interest. Since the Turkish banks kept official records of the accounts in which money was deposited and later transferred abroad, one might legitimately ask: When will Turkish banks publish the names of the victims whose accounts were never claimed? When will the Turkish government make available the ledgers that carefully recorded the confiscated Armenian property? When will the Turkish government establish a fund for the victims of the genocide or their heirs? In addition to the slaughter and expulsion of more than a million and a half souls, the Turkish government stole Armenian assets, seized Armenian property, and destroyed Armenian historical monuments. Collectively, these actions represent an enormous illegal transfer of individual and community wealth from the Armenian to the Turkish population through a carefully planned crime. In genocide the profit motive for the perpetuating state as well as for the individuals responsible for carrying out the killings and the theft cannot be overestimated.

B. Insurance Policies

The avidity of the Young Turks was not satisfied merely with bank accounts. In 1916 Talaat Pasha, Minister of the Interior, during a conversation with Henry Morgenthau, asked the courageous U.S. ambassador - for the United States was not yet at war then - if he would kindly supply him with a complete list from American insurance companies of the names of all Armenians who held life insurance policies because, as Talaat stated, "...they are almost all dead without leaving behind any living survivors. Thus, since they were Ottoman citizens, the money from these policies should rightfully pass to the Ottoman Government." The Turkish government sent formal notices to all international insurers working with Ottoman clients demanding a thorough list of all Armenians with insurance policies. In this respect, the insistence that major insurance companies open their archives relating to the life insurance before and during the Holocaust should be of particular importance to those interested in the rights of the Armenian victims of genocide. In the past three years these insurance companies, with regard to the Jewish policies, have been giving or agreeing to give billions of dollars to the Jewish victims.

In the years leading up to the Armenian Genocide tens of thousands of insurance policies were purchased by individual Armenians. They were almost always life insurance. In November 1999, just a few years ago, a three billion dollar class action lawsuit was filed by a group of Armenians, legal heirs of their murdered ancestors, against the New York Life Insurance Company. The recent passage of California Senate Bill 1915 allows the heirs of victims of the Armenian Genocide who had insurance policies to sue those insurance companies in California courts. The Armenian case is not settled, so it is unclear how the courts will rule on Turkey's liability with regard to these policies, because Turkey claims to be the proud successor to the Ottoman state, which was responsible for the killing. The insurance companies already in the period just after the genocide argued that since the Ottoman government was responsible for the murder of the owners of the insurance policies the American government should put pressure on Turkey to assume financial responsibilities for these policies.

C. Confiscated property (immovable wealth) and the inventories

Besides bank deposits, stocks, bonds, and insurance policies, or what are called liquid assets, Armenians owned an enormous amount of property in Ottoman Turkey - first of all, their homes. Yet there are no statistics on the aggregate number of Armenian families who were householders. Neither are there proper estimates of how much land Armenians owned, although in the provinces it was considerable. Our knowledge is better for certain towns and villages but a serious effort to enumerate such holdings still waits to be undertaken. Nor to my knowledge are there approximate data on the number of factories, farms, businesses, stores, or workshops, belonging to Armenians. On the other hand, information on community-owned property is available. The Catholicosate of Cilicia, the headquarters of the Armenian Church in the southwestern part of historical Armenia, maintained detailed accounts of its lands and buildings. Among the various Armenian religious authorities in Turkey, it lost the most. All of its properties, including the buildings of the Catholicosate at the city of Sis, near the Mediterranean Sea, were seized or destroyed, and the Catholicos and all the priests who survived were forced to settle in neighboring Syria and eventually Lebanon.

The Armenian Patriarch in Istanbul was the official head of the Armenian community because the Ottoman Empire was structured on the basis of religious communities. Thus the Armenian Patriarch represented all Armenians and other Christians except for the Greek Orthodox who were under the Ecumenical Patriarch, and the Jewish community, which was under the Chief Rabbi in Constantinople. The Armenian Patriarch, who reported directly to the Sultan, kept an inventory of the churches, monasteries, and schools under his

jurisdiction. In 1912, the Young Turk government ordered the minority communities—Greeks, Armenians, Jews, mainly—to prepare inventories of all their assets throughout the empire. Remember that the empire extended from Iraq to the middle of Europe, from the Black Sea down to Arabia. It was vast.

The Armenian Patriarch had already established a province-by-province record of churches, monasteries, schools, and even population statistics as an appendix to his book *The Armenian Church* first published in France in 1910. A few years later, 1913-1914, on the eve of the First World War, the Patriarch sent a special mission to the provinces to prepare an up-to-date survey. These records survive. This information served as the basis for the post genocide calculations of the destruction of Armenian property. The list enumerates 2,039 functioning Armenian Apostolic churches in the Ottoman Empire, excluding those of Constantinople, and excluding those of Armenian Catholics and Armenian Protestants—there were small but active communities of each.

At the Paris Peace conference of 1919 the Armenian delegations presented a joint report with the long title "Approximate Survey of Reparations and Indemnities for the Harm Suffered by the Armenian Nation in Turkish Armenia and the Armenian Republic." It spoke of 1,860 Armenian churches, 229 monasteries, 1,439 schools, 29 high schools and seminaries, and 42 orphanages. The most authoritative figures, however, are those carefully compiled fairly recently by Dr. Raymond Kévorkian in Paris in a vast 1992 publication entitled *Les Arméniens dans l'Empire Ottoman à la veille du génocide*. The data, largely based on the unpublished archives of the Armenian Patriarchate of Istanbul for the years 1913 and 1914, lists 2,538 churches, 451 monasteries, and nearly 2,000 schools. Today, outside of Istanbul, Armenians possess six churches, no monasteries, and no schools. What happened to the other 2500 churches and to the rest of Armenian property? What is the value of this Armenian patrimony usurped through systematic massacre and exile?

The greatest single loss to the Armenian nation during the genocide, the lives of the victims, cannot be calculated, though as it will be seen a price was assigned to each dead person. Monetary assets and property were carefully evaluated in the joint report presented at the Paris Peace Conference. Basing figures on 1,800,000 individuals who were either killed or forced into exile, the "Approximate Survey" sought to establish the worth of Armenian possessions left behind.

The loss to rural inhabitants, which made up three-quarters of the total Armenian population, included buildings - homes, stables, barns, mills—cultivated and uncultivated land, farm equipment, personal possessions, furniture, clothes, jewelry, annual crop losses, livestock, reserves of food, feed

for animals, and capital. The composite total came to an estimated 17,000 francs for each of the 270,000 Armenian families living in the countryside, or a total of 4,600,000,000 francs. The estimated value of the damage suffered by the 90,000 Armenian families living in cities outside of the capital Constantinople, today's Istanbul, was 36,000 francs per family. The total for that came to 3,235,000,000 French francs. Comparatively less was proposed for the worth of the thousands of schools, churches, and other community buildings - 75,000,000 francs total. Total property and labor losses were nearly 8 billion francs. To this was added the value of human life, nearly 7 billion francs, including an assigned value of 5,000 francs for each Armenian killed during the genocide. The grand total of these damages expressed in 1919 French francs was 14,500,000,000 francs. In today's currency, it would run into trillions of francs. And at 1990 values, the last year that I had comparable updating of values, the amount of all this represented one hundred billion dollars. II. The Seizure of Armenian Property.

In May 1915 - remember that the genocide began in April 1915 - so in the second month of this planned policy of extermination, the Ottoman government through the Minister of the Interior, Talaat Pasha, issued an elaborate decree against its own Armenian citizens entitled "Administrative Instructions Regarding Moveable and Immovable Property 'Abandoned' by Armenians Deported as a Result of the War and the Unusual Political Circumstances."

The law called for the formation of special committees that would establish lists and draft reports of all property abandoned. The property was to be placed in safe custody in the names of the deportees. Such list receipts were in fact prepared and given to Armenians. The local committees kept copies and other copies were forwarded to the Ottoman treasury. Perishable goods and animals were to be sold and the money deposited in the names of the Armenian owners. The law stipulated that Turkish refugees from the Balkan Wars were to be resettled in Armenian homes and on Armenian lands, a movement of about a thousand miles, but only with proper documentation and official registration. This latter point makes clear that as much as the perpetrators or their present day defenders regard the genocide as simply the movement of Armenians away from the war zone - which is what the Turks and their apologists say - the resettlement of Turks from the Balkans onto Armenian lands and property makes it clear the government knew there would be no Armenians returning from the forced exile. However, land and property, not wanted by Turkish refugees were to be sold at public auction and the sums deposited in the names of the Armenian owners.

In reality, most of the moveable property was looted by mobs, and the houses, farms, lands, and shops were sold at a fraction of their value by members of the special committees to friends, and the money was either kept by committee

members or sent to the Central Treasury in Constantinople. Four months later, a second decree of 26 September 1915 explained in detail how claims could be registered and executed against 'abandoned' Armenian property.

After the genocide, towards the end of the First World War, Armenia, along with two other Caucasian states, Georgia and Azerbaijan, declared independence in May 1918. The new Armenian Republic became directly involved with Turkey, which was right next to it. The question of 'abandoned property' later came up in the first treaty between the new Republic of Armenia and Turkey, the Treaty of Batum, of June 1918, discussed abandoned properties, and according to that treaty, the property rights were guaranteed and in case of government seizure appropriate compensation was to be given to the owners. Armenian rights to officially reclaim inventoried properties was again underlined in Article 144 of the Treaty of Sèvres of August 1920 - that was the treaty immediately after the World War. In that treaty provision was made for, 1) the cancellation of the law of 1915 relating to abandoned properties; 2) return of Armenians to their homes; and 3) the restoration of businesses and all moveable and immovable property. Commissions of Arbitration were to be appointed by the Council of the League of Nations to consider Armenian claims. Even if former Ottoman subjects, that is Armenians, had acquired citizenship in new countries, that is those survivors who were able to get away, their property and interests in Turkey, according to the Treaty, were to be restored in their original condition. Turkey was a signatory of the Treaty of Sèvres, as was the Armenian Republic, and even though the treaty was never ratified by the signatory governments, legal experts maintain that obligations under it must be respected.

Subsequent treaties and agreements, those of Alexandropol of Dec 1920, Moscow of 1921, Kars of October 1921, Ankara of April 1922 - all signed by Turkey contained specific provisions on minority properties. Of course, these were never implemented. Worse, the Turkish government began issuing new laws of confiscation. The 1922 Ankara agreement with France protecting Armenian property in Cilicia after French withdrawal - the French had occupied the eastern part of the Mediterranean which was the coastal area known from antiquity as Cilicia - was made a mockery by a new Turkish law confiscating all abandoned property in areas liberated from the enemy, i.e. French controlled areas where Armenians had sought refuge. A year later, on April 15, 1923, just before the signing of the revised Treaty of Lausanne, or the final Peace Treaty between the Axis and the Allied Powers, a new regulation, the Law of Abandoned Properties, called for the seizure of all possessions of Armenians no longer living in Turkey whatever the reason or the circumstances of their departure. The reason for the foregoing discussion is to convey an idea of how a legally constituted government, by incrementally passing new laws, can

eventually end up disenfranchising its own citizens of a great many of their rights.

The Treaty of Lausanne, signed July 1923, provided and still provides for the protection of minorities on the condition that they are citizens of Turkey. However, as will be seen, nothing prevented Turkey from depriving certain minority groups of their citizenship. The Turkish government, in the wake of its successes at Lausanne promulgated still another law in September 1923, which forbade Armenians from Cilicia and the eastern provinces who had emigrated from returning to Turkey. In August 1926, the Turkish government publicly declared it would "keep all property confiscated before the entry in force of the Treaty of Lausanne, i.e. August 6, 1924." And in May 1927 yet another law authorized the exclusion of Turkish nationality to anyone who had not taken part in the war of independence, and who had remained abroad between July 1923 and May 1927. This essentially sealed the fate of Armenian claims for confiscated property. Protests to the League of Nations from 1925 to 1928 by the Central Committee for Armenian Refugees were never acted on and were rejected by Turkey. The interests of the Allied powers were no longer with Armenia. By then the Armenian Republic had become a Soviet Republic. Diaspora Armenians and their friends represented little more than a moral force easily ignored. Armenian property claims were forgotten along with the Armenians.

Thus the Turkish Republic finished the work started by the Ottoman Government, adding to the horror of the first genocide of the 20th Century, the final touches to one of the greatest thefts of wealth and land in our time.

III. The Destruction of Armenian Historical Monuments.

Once the decision was carried out to rid the Armenian homeland of its Armenian population, the logical consequence was to complete the genocide by removing forever any association of the Armenian people with the newly sequestered lands. Thus, the name "Armenia" was completely dropped from all Turkish maps and documents. When it inadvertently surfaced in textbooks or popular literature, like airline maps, the addition was confiscated and destroyed. The Turkish government has gone to great lengths to efface all traces of Armenian civilization on its historical lands. In the late 1950s, Turkey, already a member of NATO, systematically changed the names of towns, villages, hamlets, and rural areas in the eastern provinces. As Turkish historians continue to revise the past, newer generations of Armenians will be hard pressed to find the localities inhabited by their ancestors.

In all parts of the former Ottoman Empire under Turkish control, except Istanbul, which had a high tourist profile, and an important Armenian community, the genocide has been persistently pursued by either destroying all Armenian cultural remains or depriving them of their distinguishing national elements.

Armenian churches, as witnesses to Armenian national life, represented intolerable embodiments of the historic Armenian presence. Religious monuments of the victims are a great embarrassment to the perpetrators of genocide. The greater their number, the more difficult is the campaign of disinformation. For this reason, all Armenian monuments were and are threatened. Today, I will only summarize some of the ways in which Armenian churches suffered, and still suffer, ruin or neutralization. Willful destruction by fire or explosives of churches, civil buildings, and homes during the period of the genocide, 1915-1917. Nearly every Armenian region was affected. During the years 1915-23, a period of eight years, some 1,000 Armenian churches and monasteries were leveled to the ground while nearly 700 other religious structures were half-destroyed. The city of Van is a good example of this. Four years after the genocide the historic city was completely gone, that is except for a few ruins such as those of a part of one Armenian church. Today, there is a new city of Van located about two miles away from the historic city of Van. It is a brand new and very large city. But it is not the old historic city where Armenians, Greeks, and Turks lived together for centuries. Not far from Van, about an hour's drive away in the mountains, is Varag one of those 429 monasteries I mentioned, which was a place of pilgrimage because it preserved a fragment of the True Cross on which Christ was crucified. There is not much left of that monastery today.

Deliberate post-genocide destruction of individual monuments by explosives or artillery. Close to the Armenian-Turkish border in an isolated area is the small tenth to eleventh century monastery of Khtskonk with five little round churches. It is located in a remote area where there is virtually nothing else. Much of the monastery was dynamited over the years and now only one of the churches remains. And that single eleventh century church was also dynamited pushing out all the walls, but the traditional inner concrete core of which all Armenian churches were made, held the church up and it is still erect, there is no way to tell how long it will remain standing.

Destruction by willful neglect and the encouragement of trespassing by peasants. It is well known that the finely cut stones used on the facades of Armenian churches make perfect prefabricated building material. Not far from the Turkish Armenian border, is the church of Tekor built in the fifth century, which contained the oldest Armenian lapidary inscriptions, dated around 480. It was already abandoned in 1906 and struck by an earthquake early in that century, yet though in ruins, it was still massive and impressive. By the 1970s there was little left and during our visit of 1999, there were only fragments, chunks of masonry walls. When one visits the Armenian church at Soradir near the Iranian border, a little village populated with Kurds, one sees how the villagers made use of the finely cut stones from the facades of Armenian churches for their houses and in walls. You see this all over Eastern Anatolia.

Conversion of Armenian churches into mosques, museums, prisons, sporting centers, granaries, stables, and farms. The same church of Soradir is also used by villagers as a storehouse for feed or hay for their animals. At Kars, the largest city before you get to the Armenian frontier, there is the tenth century Church of the Holy Apostles - one of the jewels of Armenian architecture. After the genocide it was converted first into a museum and was open to visitors. It had in it display cases filled with liturgical objects from some of the Armenian churches in the area. Today, there is no museum. The building was converted into a mosque in 1999.

Destruction by failure to provide minimal maintenance. All remaining Armenian churches in Turkey are endangered by this neglect. The two best examples are the Church of Aghtamar and the Cathedral of Ani. The Church of Aghtamar served as the headquarters of a Catholicos, one of three before the genocide, who was resident on the small island in Lake Van. From there he administered to all the Armenians around the lake where there were scores of villages and literally hundreds of churches. On the island there was not only the Church of the Holy Cross but also the cells for the monks, a school or seminary, and a large resident population of mostly clergy. Today there's nothing left of that compound, just the church, which is itself unique in the Christian world.

Built in 915-921 by the Armenian king Gagik Artzruni, its entire stone façade was carved in bas-relief with scenes from the Old Testament. It was a showpiece in the capital of his kingdom. Furthermore, unlike most Armenian churches the inside was entirely painted from floor to ceiling with frescoes of Gospel scenes, but today you can barely make them out. The church itself, because it is on an island, has not been damaged as much as other churches. Although in the 1950s and 60s it was used for artillery and gun practice when a Turkish battalion was stationed on the island. Even though the church has stood up for more than a thousand years, the roof, made of volcanic tufa stone, has had a whole strip missing for more than 25 years. Protests have been made to the Turkish Department of Antiquities and other agencies of the Turkish government to do something about it before the dome falls in or rain and moisture totally destroy the remaining frescoes.

The Cathedral of Ani is the second example of failure to provide care. Ani was the medieval capital of Armenia and is located in Turkey right on the present border with Armenia. The cathedral was built in 989-1001 and uses structural elements that predated by a century and a half similar elements used in Gothic architecture in Europe - pointed arches, clustered columns, and emphasis on height. The cathedral had not been used for centuries and Ani had been abandoned as a city around 1500. For years Armenian authorities and individuals, mostly non-Armenian art historians, complained to the Turkish government to do something about the fissure in the northwestern corner of the cathedral. The dome had fallen in long ago, probably due to earthquakes, but the gap in the northwest corner may cause an entire wall to collapse. The Turks have done nothing to repair it even though their very active Department of Antiquities has been made aware of the problem. After the 1988 earthquake in Armenia a whole corner of the church fell down but the Turks totally ignored this while paying attention to other Islamic parts of Ani. Aghtamar and Ani, the two most important tourist attractions in all of Eastern Turkey, are neglected by the authorities even though they profit economically from tourism to them.

Demolition for the construction of roads, bridges, or other public works. A good example of this is the eleventh century Church of the Holy Savior in Ani. It is sliced in half. Some local reports say it was struck by lightning, other accounts suggest it was half demolished to make way for a new road, but there is no where for a road to go at Ani. In any case, however, it was destroyed, the remaining half needs to be propped up if it is not to collapse. In Istanbul, Armenian cemeteries, schools, and church property have been demolished or damaged to make way for roads, bridges, and other public works.

Neutralizing of a monument's Armenian identity by effacing its Armenian inscriptions or its crosses. Once you do this, you can call the monuments

anything. Who can tell? What does the average tourist know of the difference between Armenian or Seljuk Turk? Even in Istanbul, Armenian inscriptions have been erased from at least one important community building.

The intentional reattribution of buildings, especially of monuments of touristic importance, to Turkish, usually medieval Seljuk architecture. The most notorious examples are the tenth century churches of Aghtamar and Kars which ironically were built well before the Seljuk Turks even entered history. At the cathedral of Kars, for example, one used to be able to read an inscription that said "Apostle Church Cathedral, built by Abbas, the Bagratid Armenian King of Kars..." and included a beautiful statement with dates, origin, etc. But no where is the word Armenian found on that tourist plaque today and when visitors read a name like Abbas (originally an Arabic word), they have no way of knowing that he was an Armenian. Finally, most recently the insidious restoration of a site, not to what it was when Armenians built it, but to how it was transformed centuries later by Turkic or Turkoman conquerors. An example of this is at the city of Ani with its most impressive walls, among the most extraordinary medieval fortifications anywhere in the world. Probably because of tourism, Turkish archaeologists have started to rebuild these walls. Unfortunately, they are rebuilding them in their conception of how they should look, that is to say without any suggestion of their having been Armenian-Christian walls and without consulting non-Turkish authorities. For instance, one can see from photographs taken a few years ago that parts of the walls had crosses worked in stone on them. Will these crosses be restored or ignored? Also, in restoring monuments in Ani, Turkish specialists choose to restore monuments not with their original Armenian design, but as they were altered by later Turkic and Mongol occupiers.

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Turkey continues its genocidal policy by allowing this destruction while carrying on the pretense of being a model member of the international community through its subscription to various national treaties on the protection of minority rights and monuments. A partial list of such agreements signed by the Turkish government includes:

Articles 38 to 44 of the 1923 revised peace Treaty of Lausanne deal especially with the guarantee and protection of minority rights. Yet Turkey has consistently violated its provisions as foreign observers have regularly reported. In Istanbul until 1998 repairs on existing Armenian structures require government permission, which is not always granted. Even in 2003 such permission has been denied. Rebuilding and expansion is not tolerated, and church and community property is often sequestered by invoking the right of eminent domain. Recently

the threat of taxation of minority churches and charitable institutions has been invoked. With such an attitude in Istanbul, the very visible and touristic former capital of Turkey, is it not naive to expect that monuments in the relatively deserted interior of Turkey will be cared for? And despite the highly publicized "reforms" that Turkey used as bait last year to be given a date for admission into the European Union, Armenian charitable foundations, despite the new reforms, are not allowed to inherit, or in some cases even own property.

Turkey subscribed and approved the International Covenant on Civil and Political Rights of the United Nations Charter recognizing, among other points, minority cultural rights.

In 1965, Turkey signed the 1954 Treaty of The Hague on the Preservation of Cultural Monuments during the time of War. On 7 January 1969 Turkey signed the International Treaty for the Preservation of Cultural Monuments, which includes clear provisions for the care and preservation of minority cultural monuments.

Many have suggested that UNESCO, with a vast section devoted exclusively to the preservation of historical monuments, play an active role in the safeguarding of at least those edifices of recognized importance to the general history of art. But UNESCO cannot engage in conservation unless the government ruling the area in which the monument stands invites it to intervene. Furthermore, many experts have cautioned about the possible adverse effect of UNESCO's overt concern with Armenian monuments. The Minority Rights Report no. 32, published in London in 1976 on Armenia, while detailing Turkish violations of international covenants on minorities concluded: "We would like to see the Armenian monuments in eastern Turkey better cared for, although we would warn any Western government (or UNESCO) from pressing the Turks on this matter, a course of action which would only hasten the destruction of the monuments that remain."

No where do the articles of UNESCO's Convention on World Culture - a very important convention designed to safeguard the world's cultural heritage- address the question of the cultural property of a minority or property which once belonged, or in some cases legally still belongs, to the population of another state. No article specifically forbids a member state from taking deliberate measures against cultural monuments in their own country, specifically those of minority or foreign cultures. Fortunately, there are many splendid examples of states that do carefully protect minority cultural property. In Germany, numerous German synagogues have been restored and opened as museums. In Israel, the Jewish state jealously protects both the Dome of the Rock and the Holy Sepulcher, two of the most important monuments for Muslims and

Christians. Here in the United States there is a growing movement to return sacred Native American burial grounds to their rightful owners and to restore them to their original condition. But this is not the case in Turkey. There are still hundreds of Armenian cultural monuments that suffer willful neglect and are abandoned to the elements or the abuse of local villagers.

Churches that have withstood sixteen centuries of earthquakes and erosion will disappear within a couple of generations, ironically during a great period of restoration and preservation. There is little hope that the destruction and vandalism will stop despite the courageous effort of scholars from many countries to survey, photograph, and publish articles about these monuments - unless and until Western governments publicly acknowledge the genocide and collectively persuade the Turkish state to do the same. So far entreaties and even threats on the part of the European Parliament and the European Community have had no effect. Turkey's current destructive policy against its large Kurdish population simply underlines its historic attitude toward minorities and its disregard of international conventions. Today Turkey still holds the lands and property illegally seized in 1915 contrary to international laws and conventions of which it is itself a signatory.

IV. What Can Be Done Now?

In many respects circumstances have radically changed. In recent decades, with the adoption of the Genocide Convention by the United Nations in 1948 and the resolution on the non-prescriptability for legal action on the part of the victims of genocide adopted in 1968, a clear procedure has been established for prosecuting crimes against humanity. Theoretically, cases could be brought before the United Nations and the International Court of Justice. The problem was and is that such questions have to be sponsored by governments because the United Nations and the World Court were designed to serve a club of internationally recognized states. With the establishment of the third Republic of Armenia in 1991 after the collapse of the Soviet Union and Armenia's acceptance in the United Nations a new factor has been added to the quest for the recognition of both the moral and physical prejudice suffered by Armenian victims and the restitution of property. Clearly, under international law, the Republic of Armenia is invested with enormous legal power even though to this day it has rarely chosen to exercise it. Furthermore, with Armenian independence a new avenue of dialogue with Turkey is open, one between states, but to the best of my knowledge no serious discussion on the question of Armenian monuments or other property has yet taken place. In fact, there has been a systematic refusal on the part of the government of Turkey or any organized group of its citizens to begin a meaningful dialogue on the genocide. Armenia, as a member of the United Nations and other international bodies, may

be able to put direct pressure on Turkey through official channels. Certainly Armenia's authority to represent the rights of all victims of the genocide is clear.

Two additional courses of action may become available. With the unification of Europe and its own institutions of justice, a new vehicle of international law has been introduced - namely, the ability of individual citizens to make claims to the European Court of Human Rights against governments where previously only states were allowed to do so. As Turkey with the active sponsorship of the United States moves closer to joining the European community it risks becoming involved in litigation by Armenian victims or their descendents, especially those residing in member states like Belgium, Italy or France that have officially recognized the genocide. In the future, Turkey may have to contend with a legal system that it will not be able to manipulate. Furthermore, the recent establishment of an international genocide tribunal strengthens due process as applied to crimes against humanity, and I am happy to say that today in The Hague the formal activation of this new body, the International Genocide Tribunal, took place. So mark this day, March 11, 2003. It will be celebrated in the future.

Another window of opportunity only now being explored is the position of the Armenian Church towards its own confiscated property. Ownership of religious buildings has always been a much less controversial question than the property of individuals or secular institutions. We have recently witnessed a remarkable restitution of church buildings to religious authorities by the governments of Armenia, Russia, and other former Soviet states. If the wrongs of seventy years of atheistic Communism were corrected by a quick return of Church property seized in the 1920s, why cannot those properties despoiled by the Turkish government only five years earlier in 1915 be returned now at the beginning of the 21st century? With a strengthened Armenian church in both Armenia and the diaspora, with institutions in place to receive confiscated church property, that is the Armenian Patriarchate of Istanbul and the Catholicosate of Cilicia, there is nothing unreasonable about initiating a legal procedure before international institutions and the Turkish government for quick restitution of churches. Why shouldn't the Armenian Church administer its sanctuaries like Aghtamar and the Cathedral of Ani?

In this connection, a final reflection: Though it may be difficult to establish the names of more than a million and a half Armenians and locate their descendents in order to claim reparations, there would be no problem identifying Armenian churches, monasteries, and schools seized during and after the deportations and massacres. Those churches have names and they or their ruins are exactly where they were in 1915. Their legal owners are the Armenian Church and its officially recognized representatives, the Armenian Patriarchate of Istanbul and the

Catholicosate of Cilicia. The Patriarch never left Turkey and is still there today ready and waiting to accept the return of those confiscated properties. Perhaps such a restoration of church property will be a first step toward compensating Armenians for the prejudice they suffered as victims of genocide.

A year ago, in April 2002, Professor Vahakn Dadrian, the world's most eminent scholar on the Armenian Genocide, concluded a lecture at Harvard University with these thoughts and I quote:

People say that the cause of the Armenian Genocide was acute hostility; it was Turkish nationalism and fanaticism, etc., etc. True, but in my judgement, as in the case of the Holocaust, genocide, beyond these factors, emerges as a means to an end. It is therefore functional. A heterogeneous society, Turkey, the multiethnic Ottoman Empire, is transformed by violent lethal means into a more or less homogenous society. The slogans Germany "Judenrein" (Germany free of Jews) and Turkey for the Turks" are emblematic of these goal-directed genocides. Therefore, he concludes, ultimately genocide is a method of restructuring a social system through organized ethnic cleansing.

Well, as you can see, not all genocides are the same though they share many common characteristics. The Armenian Genocide, the first genocide of modern times, continues. Even if this current phase of genocide, the denial phase, as some call it, has caused no additional loss of life, it has not ceased to impair the victims of 1915 and their descendents causing continued anguish and psychological suffering. This aspect of genocide is not directly addressed in the United Nations Convention on Genocide. Denial prevents bringing an end to the worst crime humanity has given a name to. When the perpetrator denies its action, genocide remains unresolved, thus preventing the victims from properly forgiving and getting on with life. For forgiving those who have not repented is hollow and meaningless.

As a recent Holocaust and Genocide scholar has so eloquently established, the last phase of genocide is denial. So then, when does genocide end? Only when denial ceases.