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THE ARMENIAN GENOCIDE AFTER THE COLD WAR AND THE EIGHT PHASES OF G.H. STANTON

Key Words – Armenian Genocide, post Cold War period, Eight phases G.H. Stanton

Introduction

After the Cold War, the prevention of Genocide was stressed and not only its punishment, which, *a posteriori*, was of moral importance alone since the crimes had been committed and there had been victims¹. As a result, although Genocide is a great offence, the competent international organs and especially the Convention on Genocide were obviously inactive.

The 20th century and particularly the end of it, was marked by reappearance of this scourge - a fact equally alarming with the impunity that had benefited the responsible states or leaders (former Yugoslavia, Rwanda)². The General Assembly founded the position of High Commissioner for Human Rights in 1993, who: exercises his duties in the Framework of the Map of the United Nations, the International Declaration of Human Rights and other international organs for Human Rights.

The Security Council founded an international court in the same year:

with the purpose to put individuals, who are considered responsible for serious violations of the international humanistic law committed at the grounds of former Yugoslavia (the court came into operation in 1994) on trial. Additional it was emphasized that rapes under specific circumstances could constitute a crime of genocide. Furthermore, it was decided to found an International Criminal Court in 1994:

with the duty to trial individuals who are considered responsible for acts of genocide or other serious violation of the international humanitarian law committed at the grounds of Rwanda.

The United Nations has elaborated a framework of international organs and constitutes a large part of the source of international law concerning human rights. Its organs, and especially the Human Rights Committee, have at their disposal many clauses and procedures of applying them, in order to prevent the violation of human rights, to reveal them, to evaluate their importance to take measures to stop them and finally, to put those responsible on trial. However many times, interests and state priorities do not allow the truth to shine. As a result, since there was a Turkish reaction

¹ **Totten S., Charny I., Parsons W.**, Century of Genocide. Eyewitness Accounts and Critical Views, New York, 1997.

² **Horowitz I.**, Taking Lives: Genocide and State Power Transaction Books, New Brunswick, 1980.

against the interventions of the Armenians to the United Nations for the non-governmental organization¹ *International Union for the Rights of Freedom of Nations* (2002) for the issue of the Greek Genocide².

Ethnic cleansing as Genocide

Additionally, the issue of ethnic cleansing was pointed out with the war in the former Yugoslavia³. By ethnic cleansing means the isolation of a particular region by a national group without leaving traces⁴. The United Nations⁵ accepted the abhorrent policy of ethnic cleansing as a plan for Genocide.

The measures of applying ethnic cleansing are the following:

1. Government and bureaucracy (interventions to the legal, elected authorities, discriminations of humanistic goods and rights).

2. Other non-violent measures (guided negative reports to the media, public address of citizens by their national status, nameless threats against the life of the members of the suffering group).

3. Terrorist measures (systematic isolated acts, rapes, robberies massive transfers of members of the suffering group, which are carried out by security forces, go unpunished or are punished symbolically)⁶.

4. Military Measures (assassinations of leaders of the suffering group, politicians, officials, journalists teachers, grabbing of hostages and using them as shield).

The measures of ethnic cleansing do not have to be applied all at once in a particular region but partly as this policy directs. The application of particular decisions is either short-term or long term, according to the dominant national social classes of the region, in order that the acts of ethnic cleansing not be detected by external factors⁷. In some cases, ethnic cleansing evolves to be considered to be genocide and there was a special court for the crimes in the former Yugoslavia to punish those responsible.

G.H. Stanton: The eight phases of Genocide

Professor Gregory H. Stanton at Yale University, after the end of the Cold War, presented and analyzed the eight phases of genocide as follows:

1) factionalism;

¹ **Chiang H.**, *Non Governmental Organizations at the United Nations, Identity, Role and Function*, New York, 1981.

² M. Charalampidis *The Pontian Question Today. The Pontian Question in the United Nations*. Athens, 2006, p. 127.

³ ICTY. Carla Del Ponte releases Background Paper on Sexula Violence Investigation and Prosecution, The Hague 8 December 1999.

⁴ On 2 August 2001, the International Court of Crimes for Former Yugoslavia it Decided that the Makes in the Semprenitsa of Bosnia - Herzegovina They Constituted Genocide.

⁵ UN (47/121- 18/12/1992, 9).

⁶ **Cipolat U.**, *The Punishment of Rape under International Humanitarian Law: How to Deal with Perpetrators in the Yugoslav Context*, Yale Law School, 1996.

⁷ **Kuper L.**, *Genocide: Its political Use in the Twentieth Century* New York, 1981, **Ternon Y.**, *L'État criminel. Les génocides au XX^e siècle*, Paris, 1995.

- 2) stigmatizing or symbolism;
- 3) dehumanization;
- 4) organization;
- 5) polarization;
- 6) preparation;
- 7) extermination;
- 8) disclaiming responsibility¹.

Stanton claims that according to reports of United Nations and non-governmental organizations, genocide could have been prevented until its fourth phase. He posed another issue as well. It is important to put emphasis not only on who committed the crime but also on whom organized it because it is considered to be genocide even if the individuals who committed the crimes followed commands or had a relationship with government functionaries, who have not expressed their views in public. The accusation is extended if there is a para-state interference for the committing of the crime.

During the preparation of the Genocide, victims are separated from the mass, secret situations are prepared, would be victims become targets. Properties are confiscated, movements are limited by creating blocked places, camps are created and house arrest imposed. It is the phase when the foreign powers must intervene in order to avoid outrages, to help organize self-defense and if the United Nations and foreign powers cannot prevent the genocide, then the seventh, phase of the actual Genocide begins.

Then, state and paramilitary powers are used, groups which will support the genocide, whereas the last phase is of the great interest for the final outcome of the genocide since the persecutor, creates mass graves, attempts to wipe out evidence and terrifies witnesses, denies that there has been a crime committed, blocks research until the final destruction of evidence. The persecutors and the masterminds are left unpunished, they declare inability to find those guilty and arrest them, and point to the victims as the main ones responsible for the genocide.

In the Armenian case, the eight phases of genocide developed as follows:

1) Factionalism.

The factionalism of the Armenians was intense by the middle of the 19th century. It had started quite earlier, when the Ottoman Empire factionalized non-Muslims, who had a different confrontation. At the same time, the sub-group of the Armenians was factionalized after several acts against other groups (the Armenians).

As soon as Kemalism dominated after 1919, the Armenians were factionalized further, since the racist views of the new status quo spoke about one nation and language. The Kemalists declared the Turkish nation to be in persecution and roused the people to fight; whoever did not conform was considered to be an enemy.

2) Stigmatizing/Symbolism.

In the Ottoman Empire and during the reign of the Young Turks, anyone of another religion constituted a different reality. Stigmatizing was the result of imposing

¹ **Stanton G. H.**, The Eight Stages of Genocide, Yale University, 1998. This article was originally written in 1996 and was presented as the first Working Paper (GS 01) of the Yale Program in Genocide Studies in 1998.

governmental and other measures against the Armenians since it was forbidden for non-Muslims to be involved in a range of occupations. Those who were still able to stand up, were led to forced labor and, there, exterminated.

3) Dehumanization.

Christians, infidels, ('unbeliever' or non-Muslim) meant their dehumanization¹. The propaganda of the Kemalist regime mentioned Christians as cunning individuals, cruel beings, led by business demons that took advantage of the innocent Turks and robbed their national property, which most of the times was transferred abroad.

Kemalism considered Armenians to be a foreign and dangerous element, both for the natural continuity of the state and for its financial future. Genocide, at the times, was the plundering of properties, since the urban, Moslem-Turkish class was created only after the Armenian Genocide.

4) Organization.

The Young Turks decided to create a nation-state. This effort became more intense with the Kemalists, who propagandized the homogenization of the state. These two politically and martially dominant groups in the Ottoman Empire created a striking unit, army corps and plans of exterminating the Armenians.

5) Polarization.

World War I, gave the state and para-state powers the ability to create the appropriate the framework for the extermination of the Armenians. As a result, the conditions of life in both cities and villages went worse and the first acts for the deportation of the Armenians began.

6) Preparation.

The Ottoman, Young Turk and Kemalist regimes created a ghetto of the Armenians, mobilizing them and using them as forced laborer after exhausting marches, imposing exhausting taxes and deporting them. The creation of the Armenian ghetto was carried out by the regime methodically, with organization and effectiveness.

7) Extermination.

The murders of the Armenians in various ways was followed looting of property. In the 60's, Tatiana Gritsi-Millex wrote the following book, which, on grounds of expediency of Hellenic-Turkish 'friendship', was not made available until after 1974²:

The martyrdom of the march of the people of Tripolis to the white death lasted 25 days. On 9th December, it was officially announced to the deported that the Armenian village Birk, which had been deserted since the 500 families who lived there had been slaughtered the previous year, would be the place of their permanent accommodation...

The climate of the village did not seem to be good, because the water was brackish and insipid and nobody could drink it, not even patients with burning fever. Without water, in this constant dirt, we were all full of lice and we could not, even the cleanest of us, deal with the problem. So, with the overcrowding of people, the dirt, the lice we were ready to "welcome" the diseases which "knocked our door" soon after. First, dysentery; then typhus; in the end, plague. The white death the Turks had so carefully planned was killing the Christians day after day. At the beginning of

¹ **Erbil E.**, Niovi Cries for the Asia Minor, Athens, 2004.

² **Gritsi-Millex**, Tripolis of Pontus, Athens, 1974.

March, three months after we had reached Birk, only 800 out of 13,000 people were left and those were weak and unable to do any job.

8) Disclaiming Responsibility.

Today, the Republic of Turkey denies having committed the genocide as well as any interference in the massive crime. They try to hide the crime, accuse the Armenians of assassinations since they co-operated with the foreign powers during World War I and afterwards. For this reason, they turned to the familiar method of forgery of historic, ethnological and political facts.

At the same time, the Kemalist regime created the conditions to wipe out evidence, with the help of foreign Powers. The foreign Powers who stopped the work of the "Fact finding committee of the East" for the slaughter of the Armenians and for the allowance of any aggravating element.

The Armenian Genocide and the punishment

The events in the former Yugoslavia and in Rwanda in the early 1990s led to temporary international criminal tribunals for war crimes committed in the former Yugoslavia and Rwanda respectively, in 1994. The international committee for the right prepared an outline for Crimes against Humanity.

The following year the General Assembly of the United Nations appointed a committee to prepare a text of a treaty for the creation of an international criminal Code. The committee incorporated the 1948 definition of genocide verbatim¹.

The committee pointed out that genocide is a crime and therefore a historic or sociological phenomenon and it considers the citizens and the government responsible for reporting any of the crimes to the International Criminal Court.

In order not to sentence a country excessively the presuppositions in force are:

- 1) Conditional attacks which aim at hurting the members of the suffering group, with the offences that are registered in the law.
- 2) The performance of the acts has been organized or, are about to be, organized by command.
- 3) The suffering people have been chosen because they belong to a particular group.
- 4) The suffering people are defenseless and are murdered despite the fact that they have surrendered or they are defending themselves.
- 5) The destruction of a member of the group by murdering and the murder is protected by the persecutors.
- 6) The ideology and the persecutors' believers are supported by the policies that are included in the offences of Genocide.

According to the Treaty, the crimes against humanity are defined as any of the following acts when they are committed as part of a widespread or systematic attack directed to the unarmed civilians:

- a) assassination;
- b) extermination;
- c) enslavement;

¹ United Nations PCNICC/1999/L.5/Rev.1/Add.2.

- d) deportation or transfer of a population;
- e) imprisonment or other strict methods;
- f) banishment against any group or community in political, racial, national, cultural religious family as it is determined in paragraph 3 or any other reasons universally recognized according to international law, in relation with any act that is mentioned in this paragraph or any crime in the competence of the court.
- g) Violent disappearance of people
- h) the crime of Apartheid
- i) other cruel acts of the same character which causes great problems or serious physical or mental damage to the human body.

Until 3 May 2004, 94 countries had ratified the Treaty of Rome. Australia, Turkey, Israel, the United States, China, Japan, Russia and Pakistan are among the countries who have not either signed nor ratified the Treaty, limiting in a way the effectiveness of the International Criminal Court to succeed in these missions.

Two main weaknesses of the Charter are that it cannot try cases for crimes that have been committed before 1 July 2002 and that its competence is complementary to the national courts of the countries that have ratified the Treaty of Rome¹.

Conclusions

With the creation of the Young Turk nationalist movement in the Ottoman Empire, an extreme ideology appeared and consolidated. With the assumption of power in 1908, there was a desire for the Christian populations to become extinct, a dream which came true during World War I, with the Armenians as a central target. Massacres, atrocities, mass violence, arrests of women and children, forced conversions to Islam, marches of death. These facts are confirmed by survivors of the genocide as well as foreign eyewitnesses.

The Armenian Genocide continued even after the end of WW I. Operations of mass murder, deportation, destruction of cultural and religious places took place as well as burning of villages and city quarters. These are confirmed by Turks², foreigners and allies of Kemal's coup³.

More than 1.500.000 Armenians were lost due to massacre, deportation and death marches. This premeditated destruction constitutes Genocide according to the criteria of United Nations (Article 2 of the Convention for the Prevention and Punishment of Genocide, Paragraphs a, b, c, d and e), constitutes Genocide according the eight phases of G.H. Stanton.

The crime of Genocide opposes responsibilities not only on the state which committed it, but also to the whole international community:

- a) for not recognizing a situation created by global crime as legal;

¹ The Charter of Rome of the International Criminal Court 17/7/1998, no. 7(1) 2187, UNTS 90, starting from 1 July 2002.

² Speeches by Mustafa Kemal in the second congress of Democratic Popular Party (15-20 October 1927) Kemal, M. (1980). Nutuk. Ankara: Kultur Bakanligi Yayinlari. See also Proceedings of the Secret Meetings of the Grand National Assembly (1985) Türkiye Is Bankasi Kültür Yayinlari, vol. 3, Ankara.

³ See the opinions of Soviet envoy in Turkey. The presence of Frunze in Turkey, İstanbul, 1978 (in Turkish).

b) for not helping the performance of an international crime to maintain the illegal situation; and

c) To help other countries with the application of the obligations above. That is, it imposes on the international community the obligation not to recognize an illegal situation as a result of Genocide¹.

A global struggle to ask for, and point out, the truth will find many nations in agreement. In order not to repeat the crimes, those responsible and the reasons that led to them have to be found out. The truth must be sought and presented to international public opinion, which knows how to judge and sentence without self-interest. Nowadays, when other nations suffer genocides from prejudiced states, it is time for the steps to be taken to recognize the Armenian Genocide.

On the other hand, the contemporary Turkish state has to answer for the Genocides, when 1.500.000² were murdered, without making propaganda and pleads inconsistency as a state in order to be exculpated from the charge. This state, as the creation of Young Turks and Mustafa Kemal are responsible for the crime of Genocide. Each nation has the right to intensely demand from the authorities of the crimes and offences committed against it to recognize them. The greater the harm and the longer the facts were hidden, the more intense the desire for such recognition becomes.

Recognition, which is a substantial way to fight against genocide; Recognition which constitutes the confirmation of a nation's right to the respect of its existence according to the international law and the historic truth.

Թեոֆանիս Մակկիդիս – Հայոց ցեղասպանությունը սատր պատերազմից հետո և Գ. Հ. Մթանթոնի ութ փուլերը

Օսմանյան կայսրությունում դարեր շարունակ ապրած հայերը անուրանալի ներդրում ունեն այդ տարածքում ապրող մյուս ժողովուրդների մշակութային, քաղաքական, ֆինանսական, սոցիալ-տնտեսական և այլ ոլորտներում: Մակայն հայերի ներկայությունը կայսրությունում նաև խոչընդոտ էր երիտթուրքերի և Մուստաֆա Քեմալի կողմնակիցների համար նրանց ազգայնամոլական-ռասիստական ծրագրերն իրականացնելու ճանապարհին: Առաջին աշխարհամարտի սկզբին սկսված հալածանքները հայերի նկատմամբ ավելի սրվեցին այս պատերազմի ընթացքում և շարունակվեցին նաև 1919-1923 թվականներին ու դրանից հետո, երբ Մուստաֆա Քեմալը ստանձնեց երեքացող Օսմանյան կայսրության իշխանությունը: Հայոց ցեղասպանությունը մարդկության դեմ ուղղված ամենամեծ հանցագործություններից է, որը դեռևս անպատիժ է մնացել: Ոչնչացվել է նաև Օսմանյան կայս-

¹ **Lauterpacht H.**, Recognition in International Law Cambridge University Press, 1947, **Bassiouni C.**, Crimes against Humanity in International Criminal Law Martinus Nijhof Dordrecht, 1992, **Shelton D.** (ed.), Encyclopaedia of Genocide and Crimes against Humanity, MacMillan reference, 2004, **Francillon J.**, Aspects juridiques des crimes contre l'humanité // L'actualité du génocide des Arméniens, Paris, 1999.

² **De Zayas A.**, The Genocide against the Armenians 1915-1923 and the Relevance of the 1948 Genocide Convention, Beirut, 2010.

րության տարածքում բնակված հույների պատմության կարևոր մասը: Մույն հոդվածը վերլուծում է Հայոց ցեղասպանության պատմությունը և ներկայիս այն դրույթները, որոնք վերաբերում են մի շարք միջազգային ակտերի՝ հատկապես ցեղասպանության հարցին սառը պատերազմից հետո և Գ. Հ. Մթանթոնի ուր փուլերին:

***Թեոֆանիս Մալկիդիս – Արмянский геноцид после холодной войны
и восемь стадий Г. Х. Стантона***

Армяне, проживающие на протяжении веков в Османской империи, внесли неоценимый вклад в культурную, политическую, финансовую, социальную и другие сферы других народов, проживавших на этой территории. Однако присутствие армян в империи также было серьезным препятствием для проведения шовинистско-расистских программ младотурок и сторонников Мустафа Кемалья. Гонения против армян, начавшиеся в начале Первой мировой войны, обострились во время этой войны и продолжились во время и после 1919-1923 гг., когда Мустафа Кемаль получил власть над пошатнувшейся Османской империей. Геноцид армян – одно из самых жестоких преступлений, совершенных против человечества, до сих пор оставшееся безнаказанным. Была стерта и важная часть истории греков, проживавших на территории Османской империи. Данная статья анализирует историю Геноцида армян и современные положения, касающиеся ряда международных актов, в частности, о вопросе Геноцида армян после холодной войны и восьми стадиях Г. Х. Стантона.