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# Reparations as Essential Element of any Just Resolution of Genocide

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For decades, the issue of reparations was largely absent from the discourse on the Armenian Genocide. For some, it was implicit in the issue. Once the case was recognized widely as genocide, they expected that reparations could become a central part of the discourse. For others, the notion was an impossible pipedream or a destabilizing fantasy. Mention of it betrayed a “nationalist” agenda and interfered with practical attempts to get international and ultimately Turkish recognition of the Armenian Genocide.



Turks today enjoy economic power built in part on the massive amount of expropriated wealth taken from Armenians and on land depopulated of Armenians. Not only has the wealth been passed down through the generations, it has been the basis for further economic development. This gain has been matched by the increasing loss of not only the initial wealth and land, but all the economic gains that would have been made with it by Armenians.

A decade ago, many of those considering the issue of the Armenian Genocide, including some deniers, recognized that some kind of development on the issue was necessary. Desires for a resolution of the issue were loaded into a vague notion of “dialogue” that dominated for a number of years. Hoped-for progress in Turkish-Armenian dialogue was presented as the path to the resolution of the Armenian Genocide issue. Dialogue about dialogue, however, did not engage substantively the issue of justice—or, in fact, that of differential power between Turks and Armenians in their national dimensions.<sup>[1]</sup> Some in the Armenian community, echoed by a few voices in Turkey such as Ragip Zarakolu and Temel Demirer, raised this challenge. The Armenian Genocide should be addressed not with just any resolution, but with a *just* resolution.

By perhaps three years ago, a critical mass of Armenians followed other victim groups in recognizing the importance of justness in any resolution of genocide, slavery, Apartheid, etc., and reparations as the most obvious and productive means of gaining that justice. As a result, reparations is now

recognized <http://www.armenianweekly.com/2011/04/23/reparations-as-essential-element-of-any-just-resolution-of-genocide/> as a legitimate concern regarding the Armenian Genocide. While in previous eras, the question was whether or not the concept of reparations would even be allowed a minimal presence in discourse concerning the Armenian Genocide—in scholarly works on it, in commemoration programs, in political discussions, etc.—the issue is now no longer whether reparations for the genocide will be a topic of discussion, but instead whether reparations are a requirement for a just, long-term resolution of the Armenian Genocide. Some genocide scholars, Armenian Genocide scholars, Turkish scholars, Turkish political activists, Turkish community members, Armenian community members, and others still reject reparations as a component of a just resolution, but even they now recognize that formulation of a legitimate plan for resolution of the Armenian Genocide issue must go through a consideration of and debate about reparations.

And so the reparations question is now on the radar screen of those inside and out of the global Armenian community, as well as scholars, political activists, and others who take up the genocide as a contemporary issue. The increase in community discussion of reparations has, however, been undermined somewhat by a lack of clarity regarding what the term “reparations” means in these discussions. There are, in fact, two very different concepts operating. The conflation of the concepts can be an innocent simplification of the issue, but it can also serve the cause of those who are against the second, more meaningful form of reparations.

The first concept of reparations is as individual compensation for particular material losses resulting from actions taken by members of the perpetrator group during the Armenian Genocide. While the harms referenced were certainly genocidal, and recognition of the Armenian Genocide would be helpful support for making the case that these individuals experienced unjust losses during the genocide period—of movable or fixed property that would have been available for inheritance by their descendants, and so the property in question should be returned or compensated in the present—such returns or compensation would not be reparation for the Armenian Genocide itself. It is this form of reparation that is the subject of recent lawsuits filed in the United States. [\[ii\]](#)

The second concept views reparations as a possible form of justice for the overall Armenian Genocide, taken as a single, cohesive process of destruction planned and orchestrated by a set of people, executed by a broader set of participants, and targeting Armenians generally. [\[iii\]](#) While reparation is not an exclusive form of justice for the genocide, because such things as criminal punishment are no longer possible, it is now a focal point. The key goal of reparations thus conceived is rehabilitation. “Rehabilitation” has two dimensions here: First is rehabilitation of the perpetrator society away from the genocidal elements that were embedded through broad elite and common participation in the genocide, and that have persisted in the military, political, economic, and cultural institutions and practices of the Turkish state and society since, because they have never been exposed for what they are and expunged. Second is rehabilitation of the victim group that continues to suffer and be disadvantaged in significant ways that are a direct result of the Armenian Genocide.

What are the outstanding unjust benefits and harms of the genocide that reparations would address? Turks today enjoy economic power built in part on the massive amount of expropriated wealth taken from Armenians and on land depopulated of Armenians. Not only has the wealth been passed down through the generations, it has been the basis for further economic development. This gain has been matched by the increasing loss of not only the initial wealth and land, but all the economic gains that would have been made with it by Armenians. Similarly, Turkey is a major regional power, with political supremacy and a large territory and population. Had no genocide occurred, or even a genocide occurred but Turkish nationalists left the new Armenian Republic alone after World War I, then Armenia would be much larger territorially and thus much more sustainable and secure than the small landlocked country now is. A large state would have supported much greater population growth. It

would have provided a safer and more secure place for the development of Armenian families and communities by survivors. This would have allowed survivors, including refugees who had fled far and Armenians forcibly Turkified during the Genocide, the space in which to reclaim their identity and rebuild their lives and communities. The population of this larger Armenian Republic might have been 20 million today, making Armenia a secure regional power next to a Turkey smaller than its current population.[\[iv\]](#)

This in turn would have meant a very different power relation between Armenia/Armenians and Turkey. For instance, with both having large territories and populations, it would be much more difficult if not impossible for Turkey to impose a blockade on Armenia, however much ethnic hatred might exist against Armenians. Turkey would have to treat Armenia and Armenians, including those within its borders, with at least outward shows of respect and care. Instead, today, as a result of the dominance existing under the *millet* system and maximized through the assertion of absolute Turkish power over life and property of Armenians through the genocide, Turkey and Turks exercise significant power over Armenia and Armenians in Turkey and around the world. They can denigrate Armenians, deny the genocide, interfere with the functioning of the Armenian state, and more, without consequences. They can destroy the Armenian cultural and architectural heritage still remaining in Turkey with impunity.[\[v\]](#) Armenians around the world remain subject to an asymmetrical domination relation that shows how much the genocide consolidated and extended the previous *millet* system.[\[vi\]](#) The genocide has ensured the long-term perpetuation of the *millet* system in effect, if not in formal legal structure. The “independence” of the Armenian Republic means only a constant struggle for survival and against forces of repression by a much more powerful—and unfairly powerful—Turkish state and society. Perhaps the most difficult irony to face is that much of the power of Turkey and Turks now deployed to further oppress Armenians is the direct or indirect product of the genocide. Of course, this is a common feature of large-scale systems and acts of oppression, as any study of the history of U.S. slavery and Jim Crow, Native American genocides, South African Apartheid, and so on will readily show.

Individual and culturally and institutionally embedded attitudes against Armenians persist in Turkey as well. According to these attitudes, Armenians are still fit targets of violence and frustration, and if an Armenian acts as an equal of a Turk—even in “progressive” Turkish circles—and demands to be treated as an equal human being with dignity and autonomy and to have his/her rights respected out of abstract ethical principle, not the whims of his/her overlords, s/he is subject to anger, hatred, and reprisals.[\[vii\]](#) Many Turks actually perceive Armenians acting as their equals as Armenians asserting dominance over Turks, because the presumption of Turkish superiority over Armenians is so deeply entrenched in Turkish culture.[\[viii\]](#)

To these effects of the genocide today, of course, many more can be added, not the least of which is the loss of 1.5 million Armenians who were killed and all those Armenians who would have been born to them, or their children, grandchildren, etc. There is also the suffering of hundreds of thousands of women and girls, as well as some boys, forced into sexual and/or domestic slavery. To this can also be added the effects of the trauma of genocide victimization for survivors and later generations.[\[ix\]](#) Indeed, a full listing and description of the impacts of the genocide on Armenians, and the gains for the Turkish state and society that correspond, could easily fill the pages of this publication and more.

As conceived by the Armenian Genocide Reparations Study Group and explained in its draft report,[\[x\]](#) the second form of reparations seeks to address these kinds of losses/gains, imbalances/dominations, and their continuing effects through a complex set of financial, territorial, educational, social, and symbolic initiatives. Reparations are not about a cash payment, for instance, though financial compensation should be part of the comprehensive approach. Instead, reparations are about the Turkish state and society taking responsibility for the ways in which they have benefited from the Genocide

territorially, economically, politically, militarily, etc., and how much Armenians continue to be affected in terms of their identity, psychologies, culture, political prospects, economics, and more; reparations are about addressing both the morally wrong benefits and the desperate political and material needs of Armenians and their undermined identity and dignity resulting from the Genocide. These problems must be addressed, if not fully, at least to a reasonable degree, to change the horrific legacy of the Armenian Genocide. Reparations are the most appropriate means to do this.<sup>[xi]</sup> Offering substantive reparations would be a choice by the Turkish state and society to make some kind of meaningful sacrifice to share the burden of genocide in some very partial ways with Armenians, for whom the burden will always be much more than for Turks, even if Turks do as much as possible to address the genocide's outstanding harms.

It is certainly true that the effects of genocidal violence and individual property theft have deeply affected specific Armenian individuals and families, and have been intertwined with the effects of the overall genocidal process for many Armenian individuals. At the same time, these two approaches to reparations are profoundly different, and in the coming discussions and debates about reparations must be kept clearly distinct. As more than a century of bitter experience with Turkish denial (starting in relation to the massacres of 1894-96) should have taught Armenians and others concerned with Armenians' basic just existence, in the emerging debate on Armenian Genocide reparations, there will be those supporting Turkish impunity and genocidal gain who will do all they can to confuse the reparations issue. There will also be those in the Armenian community—from the Turkish Republic to the United States—who for their own agendas will subvert and manipulate discussions about reparations and any reparations process that ultimately comes out of them. While pursuit of individual compensation is an individual choice and no individual should be prevented from doing so by any kind of pressure, but should be supported in such endeavors, individual compensation lawsuits and related approaches should never be mistaken for a comprehensive reparations process toward justice for the Armenian Genocide. Successful individual claims should never be misrepresented as justice for the genocide and used to interfere with pursuit of justice. Individual suits could produce justice, but only justice for individual wrongful killings and wrongful thefts, not the whole genocide. Even class-action suits remain aggregations of individual concerns. Individual reparations payments go to individual Armenians. There is no requirement that they benefit any other Armenians or Armenian social, cultural, and political institutions and structures. Even if suit winners donate what they are awarded to Armenian organizations or invest them in the Armenian Republic, this still remains a private choice and activity that cannot address the Armenian Genocide on the broad political, cultural, and psychological levels it affects so deeply. Individual reparations as simply lawsuit processes do not function symbolically as justice. They cannot drive social rehabilitation in Turkey or support repair to the dignity and human worth of Armenians as Armenians. Such individual efforts at most complement rather than replace a broader, justice-focused approach.

The difference between these two concepts of reparations goes to the very core of genocide. There is a long-standing philosophical debate over whether groups are aggregates of individuals or have aspects that are not reducible to properties of the individuals who make them up. In specific terms, is the harming of a group merely the harming of each or many individuals within it, or are there added dimensions such that we can differentiate truly group harm from individual harm? Is justice for a group simply a just resolution for each member of the group, or is there something more that concerns the group that cannot be reduced to individual results? It would seem that this is the fault line between the two forms of reparation discussed in this paper, but this is not the case. Even those who reject the notion of "group harm" as anything more than an aggregate of individual harms recognize that when a group of individuals—with its social, cultural, and political interdependencies, shared interests, etc.—is harmed, the harm to the group as it affects individuals (they each lose aspects of their identity, dignity, social support network, supports for economic livelihoods, possibilities for political impact, etc.) is not

simply a set of individual harms as would exist were there no group.<sup>[xii]</sup> The loss of the group is an individual harm, but not like individual harms in the absence of a group. As Raphael Lemkin, who coined the term “genocide” in 1943, conceived it, “genocide” is the destruction not just of the physical lives of a population but of the “essential foundations of the life of national groups,” including “the disintegration of the political and social institutions of culture, language, national feelings, religion, and the economic existence of national groups.”<sup>[xiii]</sup> Addressing the Armenian Genocide requires addressing these harms, which means supporting reconstitution of the group structure insofar as it supports individual wellbeing. Individual compensation might help an individual balance a genocide’s long-term impact on him/her, but it will not support reconstitution of the group itself. Group reparation is required for this. And, if group reparation is required to address the harm of genocide as genocide—that is, as a group harm—then a just resolution of a genocide must include a reparative dimension.

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[i] For an analysis of the Turkish-Armenian asymmetrical domination relation maximized through the Armenian Genocide and left intact ever since, see Theriault, “Genocide, Denial, and Domination: Armenian-Turkish Relations From Conflict Resolution to Just Transformation,” *Journal of African Conflicts and Peace Studies* 1:2 (September 2009), 82-96.

[ii] See, for instance, “Armenian Americans Sue Turkey for Genocide Losses,” *The Armenian Weekly*, July 30, 2010, [www.armenianweekly.com/2010/07/30/armenian-americans-sue-turkey-for-genocide-losses](http://www.armenianweekly.com/2010/07/30/armenian-americans-sue-turkey-for-genocide-losses).

[iii] The same Committee of Union and Progress/Young Turk genocidal process directed toward the destruction of Armenians targeted Assyrians and Greeks. While the present paper is focused on reparations for Armenians and the author does not have the expertise or standing to make claims about how Assyrians or Greeks should engage a reparations process, the basis of any reparations claims by Assyrians or Greeks, or made on their behalf, is the same basis of genocide that undergirds Armenian claims.

[iv] Alfred de Zayas, Jermaine McCalpin, Ara Papian, and Henry Theriault, *Resolution With Justice—Reparations for the Armenian Genocide: The Report of the Armenian Genocide Reparations Study Group*, unpublished draft, Oct. 20, 2010.

[v] Dickran Kouymjian, “Confiscation of Armenian Property and the Destruction of Armenian Historical Monuments as a Manifestation of the Genocidal Process,” Armenian Studies Program/California State University, Fresno, <http://armenianstudies.csufresno.edu/faculty/kouymjian/articles/confiscation.htm>.

[vi] Theriault, “Post-Genocide Imperial Domination,” in Khatchig Mouradian, editor, *Controversy and Debate: Special Armenian Genocide Insert of the Armenian Weekly*, April 24, 2007, pp. 6-8, 26.

[vii] Hrant Dink’s assassination is an example of this.

[viii] Theriault, “Rethinking Dehumanization in Genocide” in Richard G. Hovannisian, editor, *The Armenian Genocide: Cultural and Ethical Legacies* (New Brunswick, NJ: Transaction Press, 2007), pp. 27-40.

[ix] See, for instance, Anie Kalayjian, Siroon P. Shahinian, E.L. Gergerian, and L. Saraydian, “Coping with Ottoman Turkish Genocide: An Exploration of the Experience of Armenian Survivors,” *Journal of Traumatic Stress* 9 (1996): 87-97.

[x] De Zayas et al, *op. cit.*

[xi] See, for instance, Theriault, “Reparations as the Necessary Path to Improved Armenian-Turkish

Relations,” paper presented as part of the “Issue of Reinstating the Rights of the Armenian People and Armenian-Turkish Relations” panel at the Pan-Armenian Conference for the Discussion of Armenian-Turkish Relations and the Artsakh Conflict,

Parliament Building, Stepanakert, Republic of Mountainous Karabakh, July 10, 2009.

[xii] See, as an example, Stephen Winter, “On the Possibilities of Group Injury,” in Claudia Card and Armen Marsoobian, editors, *Genocide’s Aftermath: Responsibility and Repair* (Malden, MA: Blackwell, 2007), pp. 111-131.

[xiii] Israel Charny, “Classification of Genocide in Multiple Categories,” in Charny, editor, *The Encyclopedia of Genocide*, Vol. 1 (Santa Barbara, CA: ABC-Clio, 1999), pp. 3-7 at 5.