

THE MODERN-DAY SIGNIFICANCE OF THE YOUNG TURKS' TRIALS: 1919-1921

Meline Anumyan*

Research Centre of Western Armenian Issues, Armenia

ORCID ID: <https://orcid.org/0009-0001-2369-9796>

During the past years in the historiography of the Armenian Genocide increased attention has been focused on the fact that the policy of the Ittihatists and the Ottoman Empire to annihilate the Armenians was condemned in 1919-21 by the Extraordinary Military Tribunal through sentences rendered in more than 60 trials. All those judicial cases arose on the basis of charges for deporting and massacring Armenians of the Ottoman Empire during WWI, which served as a basis for the trial of the Young Turks party and government members during the months of April-June, 1919. Those cases were not only the charges for creating the Special Organization, which played a crucial role in carrying out the deportation, annihilation and Genocide of Armenians, but also for drawing the country into the war. In fact, there was no substantiated reason, enabling wartime profiteering and black market activities, and risking the country's security. Additionally, research on these trials is important for the affirmation of the facts about the Genocide of Armenians. The 1919-1921 trial sessions for the deportations and massacres as well as the testimonies of witnesses and defendants, the encrypted telegrams and especially the final verdicts contained important information about the mechanism implemented in the Genocide of Armenians.

Keywords: *Armenian Genocide, Young Turks, Committee of Union and Progress, Extraordinary Military Tribunal, Special Courts-martial, Deporting and Massacring.*

Introduction

Even during WWI the news of massive forced exile and massacres of Western Armenians spread throughout the world. Allied countries through governments of France, Great Britain and Russia sent a note of protest to the Sublime Porte,

* melanumyan@gmail.com

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publicly announcing that these new crimes of the Ottoman Empire are directed against all humanity and civilization, for which the Allies will recognize responsible all the members of the government as well as local authorities who participated in the implementation of massacres (Nersisyan, 1982, pp. 602-603).

During the period of the Armistice the initiative for revealing and punishing those who were responsible for the Armenian Genocide by the rapid succession of governments of the Ottoman Empire first of all emanated from the effort to soften the terms of peace treaty, as well as the position of victorious states, since the empire was threatened by a final collapse. The international public opinion had a particularly strong influence over Turkey in its demand to bring the guilty criminals to an international court.

Yielding to the pressures of the international public opinion, Sultan Mehmed VI Vahideddin (1918-1922) and representatives of the government replacing one another in quick succession, hastened to punish those responsible for the wartime crimes and especially the perpetrators of the deportations and massacres of Armenians. An important role in this matter was played by the Ottoman government which came to power in December, 1918 and was formed by the opponents of the Ittihat, members of the Freedom and Accord Party (*Hürriyet ve İtilaf Fırkası*) persecuted during the war.

The investigations of those responsible for the Genocide of Armenians

The investigation of the perpetrators accused of the Armenian Genocide was taking place almost simultaneously by two different investigative commissions. The most well-known among them was the interrogation conducted by the Fifth Commission of the Ottoman Parliament, which was formed based of a motion made by Fuad Bey, the elected Arab deputy from *Divaniye*. According to the clauses contained in the internal by-laws of the Ottoman Parliament's Chamber of Deputies, five commissions were simultaneously in operation. At the beginning of each session, through lottery-like drawing, one of the five commissions assumed the responsibilities of the Supreme Court (Ata, 2005, p. 35). Fuad Bey's motion contained a suggestion that presupposed bringing all government members of Said Halim's and Enver Pasha's leadership period. The body, formed on the basis of lottery drawing was named the Fifth Commission and assumed the responsibility of interrogations and investigations (Ata, 2005, p. 36).

The Fifth Commission began its work in November of 1918. Although the majority of members were Turks, but Armenian, Greek, and Arab deputies were also included (Kocahanoğlu, 1998, p. 31). It should be mentioned that among the members of the commission there were also individuals who should have been

among the accused (Dadrian & Akçam, 2008, p. 38). Until December 7, 1918, in the course of 15 sessions, fifteen ministers, one Prime Minister (Said Halim Pasha) and two Sheikh-ul-Islams were interrogated.

The members of the Fifth Commission, primarily Ittihatists, refrained from directing questions concerning the deportations and massacres of Armenians, leaving that to the Arab deputies. Nevertheless, all those who were interrogated were asked the same questions, based on the ten points introduced by Fuad Bey. Although wartime government members avoided giving truthful responses during the interrogations, even lied or stated that the government was unaware of the deportations and tried to justify the deportations as "military measures" and "important measures," still, certain confessions contained significant information. For example, Minister of Justice Ibrahim Bey mentioned that the deportations began long before the passage of the law on deportation (Akçam, 2002a, p. 423).

To the interpretations and confessions the commission also added numerous documents, some of which contained highly classified orders concerning the massacres. These documents were later handed over to the prosecutors of the Military Tribunals (Dadrian, 1995, p. 81). The final objective of the Fifth Commission was to turn over the suspects to the Supreme Court – a decision voted on by the Mejlis, however, the Parliament was dissolved on December 21, 1918 by a decree of Sultan, whereby it became impossible for the Mejlis to carry out its own decision (Akçam, 2002a, p. 424).

Another important investigation searching for the responsible parties for the Armenian Genocide was conducted by the Commission for the Investigation of Crimes (*Tedkîk-i Seyyi'ât/Tahkîk-i Seyyi'ât Komisyonu*), created by the Ministry of Internal Affairs of the Ottoman Empire. The commission is known as Mazhar Inquiry Commission (*Mazhar Komisyonu*) because its president was Hasan Mazhar, governor of Bitlis (Baghesh) till April 1914. The investigations preceding the trials were basically completed by this commission.

On December 5, 1918, the Ottoman government decided to create mixed commissions comprised of members of the Ministries of Justice and Internal Affairs joined with the Mazhar Commission. These new commissions were meant to be dispatched to different parts of the Empire for the purpose of conducting on-site investigations. Although those commissions were considered a part of the police system, they were expected to work independently (Dadrian and Akçam, 2008, p. 44).

The Mazhar Commission undertook certain additional initiatives. The commission officially appealed to the government, demanding its action in ordering the state press office to collect all articles related to the wartime atrocities,

published during the armistice. The commission considered the testimonies of Turks and other Muslims most important (Dadrian and Akçam, 2008, pp. 44-45).

The commission, directing ten printed questions to each interrogee, which included questions regarding dragging the country into the war, and issues involving the Special Organization. The commission took written and oral testimonies, among others, also from 26 members of the Parliament. Dossiers on 130 persons were prepared and the commission requested to put them on trial (Akçam, 2002a, pp. 453-454). Within two months the Mazhar Commission collected incriminating evidence of massacres of Armenians, including ciphered telegrams (Dadrian, 1996, p. 507), official correspondence, orders and directives, as well as eyewitness testimonies. Incidentally, the witnesses testified only after being sworn-in (Kévorkian, 2003, p. 189). After three weeks of investigations, the Mazhar Commission announced that it had already accumulated sufficient evidence to start the trials. In January of 1919 these documents were given to the Military Tribunal of Istanbul (Akçam, 2002 a, p. 454). All eyewitness testimonies, ciphered the telegrams and other evidence collected by these five commissions and made them available to the military courts for initiating trials of those charged with the deportations and mass murder of Armenians.

The first arrests of the accused took place in early December 1918 in Ankara, Çorum and Adana. The arrested persons were moved to Istanbul. Among them were leaders of the Young Turk party (CUP), deputies, regional secretaries, high-ranking military and other officials (Şimşir, 1985, p. 35). The mass arrests continued in February 1919. As of early January, forty high-ranking persons were apprehended and by the end of January the number of the arrested suspects reached 112. In February, Ittihatist¹ deputies and former ministers were arrested, including İsmail Canbolat, the former Minister of Interior; Hacı Âdil, former President of the Senate; Mithat Şükrü Bleda, former secretary of the CUP; deputies Hüseyin Cahit Yalçın and Ziya Gökalp (Şimşir, 1985, pp. 57-58).

On March 5, 1919 the High Commission of Great Britain through Admiral Richard Webb informed the Sublime Porte of Great Britain's intention with regard to the war criminals, which was a demand to arrest the accused (Sarıhan, 1982, p. 160). On March 9, 1919, Prime Minister Damat Ferid Pasha visited the headquarters of the High Commissioner and stated that he would work in accordance with the wishes of the British government (Şimşir, 1985, p. 63). On the same day, heeding the orders of the British, members of the Ottoman government in power during the war were arrested (Sarıhan, 1982, p. 160). The wide-sweeping arrests continued on the following day, March 10, when Prime Minister Said Halim, Sheikh-ul-Islam Musa Kazım, deputy from Istanbul Salah Cingöz, president

of the Senate Rifat, Minister of Internal Affairs Ali Münif, Minister of Public Education Şükrü, Minister of Foreign Affairs Ahmed Nesimi, Minister of Internal Affairs Fethi, deputy from Bolu province Habib, deputy from Sinop Hasan Fehmi and other high-ranking officials were taken into custody (“Yeni Tevkîfler”, Memleket, March 11, 1919). Most of the arrests were made based on the list drawn by the British (Şimşir, 1985, p. 68). In the "black list" of criminals, submitted to the Ottoman government by the government of Great Britain, the names of 61 individuals whose names appeared on the list between March 19th and April 7, 1919 should be singled out. These individuals were suspects in the organization of deportations and annihilation of Armenians. "Black lists" were also submitted to the Turkish government by the USA (5 persons), and France (12 persons). Incidentally, the names of all suspects in the French list matched the names found on the British list with the exception of Yunus Nadi. Let us add that lists of those responsible for the Armenian massacres were also submitted to Prime Minister Damat Ferid by Archbishop Zaven Der-Yeghiayan, the Patriarch of Istanbul and members of the Mekhitarist order of Armenian Catholics (Ertürk, 1996, pp. 288-289).

Among the arrested were prominent members of the CUP, such as Minister of Finance Mehmet Cavit Bey; journalists Yunus Nadi and Celal Nuri; deputy from Ankara, Hilmi; Minister of Justice, Ibrahim Pirizade; deputy from Çankırı Fazil Berki; member of the CUP Central Committee Izzet; Minister of Foreign Affairs Halil Menteşe, and others (Sorgun, 1998, p. 295). Among those who were taken into custody 300 were charged with implementation of the deportations and massacres of Armenians. Among them were ministers, governors, district governors, police and gendarmes (Kocahanoğlu, 1998, p. 39).

The first step in establishing military tribunals in order to immediately try the criminals for the massacres of Armenians was taken on December 14, 1918, when Sultan Mehmet VI announced a special edict (Osmanlı Belgelerinde Ermeniler, 1994, pp. 189-190) in which it was noted that military tribunals were to be set up in different parts of the country for trials of the criminals charged with participation in deportations. The Empire was divided into 10 judicial districts (Kocahanoğlu, 1998, pp. 37-38).

The first Military Tribunal or Court-martial was created on December 16, 1918 with Mahmut Hayret Pasha as the appointed presiding judge (Ata, 2005, p. 75). The work of Military Tribunals was based on a resolution adopted on September 1, 1910, entitled "The Suppression of Armed Bands" (“*Müsellah Çetelerin Tenkîli*”). According to article 24 of this resolution, verdicts rendered by the Military Tribunal had to be confirmed by the appropriate military commander

and the death sentences ratified by the sultan (Ibid). The trials had to be open to the general public.² The verdicts could pass by simple majority of votes. The sentenced individuals did not have the right to appeal the decision of the court (Ibid).

According to the law, the criminals had to be tried at the location of the committed crime, however, on February 5, 1919, the Military Tribunal of Istanbul during its first session of the trial of those responsible for the deportation and massacres in Yozgat, issued a special ruling, whereby the trial would take place in Istanbul (Griker, 1980, pp. 309-310).

The trial of the CUP members (April-May 1919)

Reflecting on the investigation of the activities of the CUP members,³ one must take into account the following two points.⁴ First, during the trial, the authorities of the Ottoman Empire represented by Sultan Mehmet VI and the representatives of Prime Minister Damad Ferid Pasha's administration, sought to recognize as guilty for organizing the mass murder of Armenians only a limited group of people – the leadership of the *Ittihat ve Terakki* party and the government it headed, but not all others who were also responsible. Second, the Young Turks and their supporters tried in every way not to discredit the name of the party, but sought to heap the responsibility only on individuals and not on the organization.

On January 28, 1919, Ali Kemal⁵ wrote in the "*Sabah*" daily, "Four or five years ago a crime unprecedented in history was committed. A crime which induced fear throughout the world. If we want to imagine the magnitude of and conditions surrounding that crime, we must speak not about 5 to 10, but about hundreds of thousands of criminals. It has already been shown that in reality that tragedy was planned on the basis of the decision made by the Central Committee of the CUP" (Günel, 2006, p. 127).

In an interview published in March 17, 1919 issue of "*Alemdar*," Minister of the Interior, Cemal Pasha mentioned that the Ittihatists deported and massacred around 800.000 Armenians. He tried to suggest the innocence of the ordinary Turkish people and the government. The Minister of Interior also spoke about the necessity of punishing the Ittihatists by the hands of the government:⁶ "... first of all, the government is obliged to wipe clean the stain that the CUP has smeared on Ottomanism. For that, the government will undertake a necessary investigation of the authors of the tragic deportations and massacres. By saying the CUP we do not mean the Ottoman nation at large. The CUP consisted of a totally different band of thieves. Responsibility for the deportations and massacres does not fall on the shoulders of the government or the nation. The government and people would become responsible only if the authors of the deportations and massacres remained

unpunished.” (“Yalnız Taktik Değil, Tehcîr de Dahil: Cemal Beyefendi'nin Beyanâtı,” *Alemdar*, March 17, 1919). On March 12, 1919 the very same Cemal stressed that the arrests of Young Turks are legal since they were conducted within the framework of the law promulgated by the Council of Ministers and that, "... not only Turkey's but the interests of mankind demand that the criminal [authors] of that bizarre policy of deportation of Armenians and Greeks be punished." («Dzerbakalutyants patcharry. Nerkin gortsots nakhararutyanyan haytararutyunnery», «Chakatamart», March 13, 1919, N 104 (1925).)

As far as the Ittihatists are concerned, according to Turkish historian Osman Selim Kocahanoğlu, during the trial of party members under no circumstances did they divulge their party's secrets. "The Ittihat ve Terakki party was born as a secret organization whose members, by swearing on the Koran and a firearm, gave their word of honor that they would remain true to that oath till death. Even at the cost of their lives they did not reveal the secrets of their party. For example, during the interrogation and the trial of those who had more than enough information about the Special Organization they did not disclose any secrets about its formation or its supporters." (Kocahanoğlu, 1998, p. 18)

On March 8, 1919, by a special edict of Sultan Mehmet VI Vahideddin, leaders of the Young Turk party and ministers were handed over to the Extraordinary Military Tribunal of Constantinople (Papazyan, 2005, p. 23).

The trial of the members of the CUP began on April 28, 1919 and continued until May 17 of the same year.⁷ During the trial, eleven members were charged in absentia. Charged were also twenty party officials and high-ranking officers who were present. The following officials faced trial: Prime Minister Said Halim Pasha, ministers of Foreign Affairs Halil Menteşe and Ahmed Nesimi, Minister of Justice Ibrahim Pirizade, member of the party's Central Committee Küçük Talât, member of the party's Central Committee and the Special Organization Rıza Bey, chief secretary of the party's Central Committee Mithat Şükrü, member of the Central Committee and the Special Organization Ziya Gökalp, Minister of Provisions and member of the party's Central Committee Kara Kemal, Minister of Public Education and member of the Special Organization Şükrü Bey, commander of the Istanbul garrison and member of the Special Organization Ahmet Cevad, the deputy from Ankara and member of the Special Organization Atif Bey.

Tried in absentia were: Minister of Internal Affairs and Prime Minister Talât Pasha; Minister of War Enver Pasha; Minister of the Navy and member of the party's Central Committee Cemal Pasha; Minister of Public Education and one of the leaders of the Special Organization Dr. Nazım; member of the Central Committee and director of the Special Organization's Division of Eastern Vilayets

Bahaeddin Şakir; member of the party's Central Committee Dr. Rüşühi and Minister of Public Security and member of the Special Organization Aziz Bey.

The indictment was based on 41 official and semi-official documents consisting of ciphered telegrams, testimonials of high-ranking officials and military personnel.⁸ The recorded material of the indictment used in the trial of CUP members was also utilized during other trials – a circumstance which confirms once more that the massacres of Armenians were coordinated by the Central Committee of the Young Turks party and the government. A great part of the documents contained in the principal indictment consisted of secret orders and cipher telegrams dispatched by members of the party's Central Committee. The indictment noted that the chief purpose of these trials was to investigate the tragedy which occurred during the deportations of Armenians. The indictment emphasized that the annihilation of Armenians was decided by the Ittihat ve Terakki party's Central Committee as a result of serious and detailed discussions. Thus, through written testimony given by Mehmet Vehib (Vehip) Pasha,⁹ commander of Third Ottoman Army, the atrocities and massacres committed against Armenians, as well as the pillage of their possessions were decided by the Central Committee of the CUP, and for the implementation of those crimes Bahaeddin Şakir,¹⁰ operating within the Third Army, prepared special slaughterers whom he instructed personally.¹¹ The indictment accentuated that the real purpose of the Special Organization, consisting of criminals released from prisons by leaders of the CUP, was to commit atrocities and noted that said organization was in close touch with the CUP and the chief officials of this organization were members of the party's Central Committee. It was further stressed that the bandits of the Special Organization were later used for enactment of the annihilation of the Armenians who were subjected to forced deportations. The indictment also mentions the disappearance of documents and records of the CUP's Central Committee. Also stated in the indictment was the observation that the investigation of crimes committed against Armenians during their deportation in different locations and at different times proved that those crimes were not local or isolated incidents, but were premeditated and perpetrated through oral directives and orders from the "special center" consisting of criminals. It was decisively proven that all acts were executed with full knowledge of the orders given by Talât, Enver and Cemal. The charges included the pivotal role of the party's secretaries, delegates and superintendents played in the perpetration of the Genocide. As an example, it was pointed out that the deportations from Bolu and other areas were directed by Mithat, the responsible secretary from Bursa, as well as the organizers of the Armenian massacres Nazım, the superintendent of Balıkesir; Cemal Oğuz, the

responsible secretary of Çankırı; Necattin, the responsible secretary of Ankara and others.¹² The indictment also noted that the Ittihatists took advantage of the opportunity afforded by WWI to realize their secret plan, i.e. the Armenian Genocide. The flimsy argument of the authors of the Great Crime and Genocide denier Turkish historians, that the deportation was executed as a necessary military measure, was also refuted in the indictment. According to the indictment as well as the consideration of the fact that Bolu, for example, was not within the war zone unquestionably confirms that the deportation of Armenians was aimed to realize the intentions of the party, as not at all the actions were dictated by strategic military necessity. As such, the atrocities were neither ordinary punitive, nor disciplinary measures.

The indictment contained description of the methods used for the annihilation of Armenians, the confiscation of their property and excessive abuses. It was further stated that the majority of Young Turk party members gained wealth as a direct result of the pilfering of the moveable and immovable properties of the Armenians.¹³

It was also noted in the indictment that the party and government issued blatantly apparent orders for massacring Armenians. As evidence, a ciphered telegram dictating the annihilation of Armenians was introduced. The document underscored that in realizing the Armenian massacres civilian and military authorities were involved with the party network and that the massacres were led and supervised by the Ministry of Internal Affairs and personally by Talât. Moreover, the indictment stated that officials and ordinary people who dared to protect the Armenians were threatened with the loss of their positions and even a death sentence. As an example, the telegram bearing the signature of the Third Army commander Mahmud Kâmil Pasha was presented and according to its contents, any Moslem who protected an Armenian would be led to the gallows in front of his home and his house would be burned to the ground. If the person protecting an Armenian were an official, he would be removed from office and turned over to the Court-martial.

The principal indictment contained a series of statistics pertaining to the number of deported and murdered Armenians. Per the indictment, 61.000 Armenians were deported from Ankara and 120.000 from Diyarbakir (Takvîm-i Vekayi, May 5, 1335 (1919), No 3540, p. 7).

The indictment made a reference to the insistence of the defendants and their defense attorneys on transferring proceedings to the Supreme Court because the Military Tribunal has no jurisdiction over the cases at hand. The prosecutor

considered the crimes committed by the ministers not in their official capacity or ex-officio, but ordinary crimes.

Per the indictment, Talât, Enver, Cemal, Cevad, Bahaeddin Şakir, Dr. Nazım, Atif, Rıza and Aziz Beys were considered chief criminals, while Mithat Şükrü, Dr. Rüşühi, Küçük Talât, Ziya Gökalp, Kara Kemal, Ahmed Nesimi, Şükrü, Halil and Said Halim were accomplices.

The trial of the Young Turk government members of WWI period (June-July 1919)

The main trial by the Extraordinary Military Tribunal restarted on June 3, 1919. Although the names of the criminals exiled to Malta were also read during the session, however, after Major-General Seyid Pasha, Commandant of Istanbul, read the report regarding turning those defendants to the British, their cases were separated.

Thus, during the second phase of the main trial, or during the questioning of the government members, the following defendants were present: Sheik-Ul-Islam Musa Kazim, former Minister of Post and Telegraph Hüseyin Haşım and the former Chairman of the Senate Rifat. During this session, former Prime Minister Talât Pasha, former Minister of War Enver Pasha, former Minister of the Navy Cemal Pasha and former Minister of Public Education Dr. Nazım were tried in absentia.

During sessions of the second part of the trials, the direct examination of the defendants was basically focused on the activities of the CUP during the war; the initiative taken to participate in the war, and the serious abuses committed.

The most curious characteristic of this litigation process is that during the trials no witnesses were presented and no testimonies were given. In contrast to the other court proceedings involving the same charges, during these trials only the defendants were examined. In our opinion, the departure from common practice was the fact that the indictments for these trials were based on highly detailed investigations, evidence, official ciphered telegrams and testimonies of witnesses.

The general verdict of the trials of party and government members, i.e. the Main trials, was rendered on July 5, 1919.

The defendants present at the trial were former Sheikh-Ul-Islam Musa Kazim, former Speaker of the Senate Rifat, former Minister of Post and Telegraph Hüseyin Haşım. Verdicts were announced in absentia for former Prime Minister Talât Pasha, former War Minister Enver Pasha, former Minister of the Navy Cemal Pasha, former Minister of Public Education Dr. Nazım, former Minister of Finances Cavid, former Minister of Post and Telegraph Oskan Effendi, former

Ministers of Commerce and Agriculture Süleyman Elbistan and Mustafa Şeref, respectively.

The verdict stated that the interrogations and detailed examination of the matter, as well as the 5 articles of the Court-martial, listed in the verdict, prove that crimes were committed by the members of the CUP. The first of the 5 abovementioned articles stated that the investigations conducted by the Court-martial revealed that in Trabzon, Yozgat, Bogazliyan and other locations the massacres were organized and overseen by the leaders of the CUP. (Takvîm-i Vekayi, July 22, 1919, No 3604, p. 218)

According to the verdict, the decision to massacre the Armenians was essentially agreed upon by the triumvirate within the party leadership.¹⁴ Since the crimes committed by Talât, Enver, Cemal and Dr. Nazım are extremely malfeasant, it was decided to convict them based on the section 1 of article 45 of the Imperial Civil Criminal code. For Cavid, Mustafa Şeref, Sheikh-Ul-Islam Musa Kazim, section 2 of the same article and the last sections of article 55 were cited (*Ibid.*, p. 218). According to the verdict, Oskan Effendi, the former Minister of Post and Telegraph and Süleyman Elbistan, former Minister of Commerce, did not appear in court because they were in Europe.¹⁵

Thus, on July 5, 1919, death sentences were pronounced for Talât, Enver, Cemal Pashas and Dr. Nazım. Cavid, Mustafa Şeref, Sheik-Ul-Islam Musa Kazim were sentenced to 15 years in exile; Rifat and Hashim were acquitted (*Ibid.*).

Based on certain political events and calculations, the Great Britain decided to remove a number of Turkish war criminals, among them prisoners charged with active participation in deportations and massacres of Armenians, to a safer location, such as the island of Malta. Although initially the Great Britain intended to punish the war criminals exiled to Malta, including those responsible for the Genocide, but later its determination gradually subsided and eventually England exchanged those criminals with British prisoners of war. The Turkish exiles returned from Malta to Turkey, participated in the national movement and after the proclamation of the Republic of Turkey occupied important political posts. Thus, the perpetrators of the Armenian Genocide became the founding cadre of the Republic of Turkey.

The Extraordinary Military tribunals were more "generous" in pronouncing death sentences for the convicts charged with the implementation of deportations and massacres of Armenians, who had fled the country. Of 63 court cases related to the abovementioned charges a total of 20 death sentences were pronounced. Remarkably, only 3 sentences were actually carried out. Avoidance of pronouncing capital punishment for the organizers of the deportations and massacres of Armenians who were present at the trials is explained by the pro forma nature of

the trials. What impeded the government to conduct these trials was not the desire to establish justice, but to leave such an impression on the victorious states of WWI.

The trial of the regional responsible secretaries of the CUP

The trial of the CUP's regional responsible secretaries by Court-martial in Istanbul began on June 21, 1919 and ran for nearly seven months because after the session of June 28, 1919 the court was in recess till October 6, 1919, due to changes in the Extraordinary Military Tribunal.

At the beginning of the trial, there were seven defendants but during the third session one of them was acquitted. In the succeeding sessions the number of defendants was twelve and verdicts were reached for all twelve.

The defendants were Avni, the responsible secretary in Manisa; Salam Salaheddin, the responsible secretary in Beyoğlu; Dr. Besim Zuhti (Zühtü), responsible secretary in Eskişehir; Dr. Mithat, the responsible secretary in Bursa; Huseyin Cevdet, deputy responsible secretary in Mirgün; Cemal, the responsible secretary in Aleppo; Abdül Gani, the Inspector of Edirne; Abdül Kadir, the deputy responsible secretary in Konya; Münir and Hasan Fehmi, deputy responsible secretaries in Kastamonu; Hayreddin, former official responsible for the liquidation of enterprises in Afyonkarahisar.

The verdict was rendered on January 8, 1920. It stated that as a result of the trial of responsible secretaries and envoys of the CUP, after concentrating all governmental powers in CUP's hands, deportations, massacres and pillage were committed. The houses of several exiled and/or murdered Armenians were converted into clubs for the CUP members and furnished with abandoned possessions of the victims. (Takvîm-i Vekayi, February 10, 1920, No 3772, p. 3)

The verdict mentioned that all the evidence and facts confirm that the massacres of the Armenians were executed by the Special Organization founded by the CUP and the responsible secretaries of the party aided and facilitated its plans. (Takvîm-i Vekayi, February 10, 1920, No 3772, p. 4)

The trials for regional deportations and massacres of Armenians

The matter of responsibility of the organizers of the massacres of Armenians in different areas of the Ottoman Empire was examined by the Extraordinary Military Tribunals of Istanbul. There were around 63 individual court cases, including the principal trial, all of which were based on the charges for the deportations and massacres of Armenians. The trials in question refer specifically to the trials of the

Extraordinary Military Tribunals of Istanbul, since between 1919 and 1921 similar trials also took place in different provinces and counties of the Ottoman Empire.

The Yozgat and Trabzon trials for the deportations and massacres of Armenians were the first in the series of trials held in various regions of the Ottoman Empire, as already described above. Among all those trials, the Yozgat and Trabzon trials assumed greater importance because in the course of these two trials the largest number of testimonies and proofs were presented concerning direct orders from the government given to the local administrations, instructing the latter to coordinate and supervise the deportations and annihilation of Armenians. Besides, the witnesses were mostly Turks and Moslems of other nationalities and certainly not "*only Armenians*," as Turkish diplomat and historian Bilal N. Şimşir (Şimşir, 1985) and the representative of the Turkish official historiography, Ferudun Ata (Ata, 2005) attempt to present. Furthermore, during the Trabzon trial, testimonies against the defendants were given by such high-ranking officials as Nazım, the former Governor of Van; Tahsin, the former Governor of Erzurum; Avni, the former Minister of Navy; Judicial Inspector Kenan; Colonel Muhtar, chief of the Trabzon staff, and Lazistan Forces; Lieutenant Ahmet (Ahmed) and many others (Anumyan, 2017).

Conducting the 1919-1921 trials connected to the massacres of the Armenians region-by-region was deemed more appropriate from a practical standpoint, however, they could have been dispensed in one case ending with an overall sentence, since the substance of the crime was the same. But processing the cases of the organizers of the massacres region-by-region gave the Courts-martial more time and opportunity to exploit the trials for leaving a favorable impression on Allied States.

Conclusion

The 1919-1921 trials of Young Turks were directed only against the leadership of the CUP whose crimes were compounded by the transgression of annihilation of the Armenians and drawing the Ottoman Empire into WWI. The plan was developed by Ittihat so that in the case of failure the reputation of the party would be saved and the responsibility for crimes would be borne solely by its leaders. This plan is further proven by the rule adopted for the newly-established *Teceddüt* party, whereby high-ranking officials of the Ittihat were precluded from joining the *Teceddüt* party.

As a party, the CUP was removed from the stage of history, but the 1919-1921 and 1926 trials of Young Turks neither intended to nor could remove from the political life the Ittihatist traditions, modus operandi, and ideology because nearly

all the parties functioning in the Republican era were offshoots of the İttihat party and utilized its ideas. After the proclamation of the Republic of Turkey, excluding the Turks, all other ethnic groups were alienated. The Turkish State pursued a policy of creating a nation with one language, one religion and one culture, thus embarking on Turkification of all other ethnic groups.

Notes

1. Per *Memleket daily*, published in Istanbul, on February 16, 1919 the arrested activists of the CUP were transported by automobiles from the police station to the detention center of the Military Court. Police had taken strict measures to prevent any incidents en route. See "Mevkûf İttihad Erkânı," *Memleket*, 17 Şubat, 1919 ("Arrested Young Turk Leaders," *Memleket*, February 17, 1919).

2. Although traditionally processes at the Military Tribunals were not open to the public, the proceedings of cases regarding deportations and massacres of Armenians were open to convince the public in the unbiased approach of the court. On December 14, 1918 the decision to make the proceedings open to public was attached to the decree regarding the establishment of Courts-Martial. However, a decision was made on April 23, 1920 to reverse the previous decision and further proceedings were held in closed courts. See *Akçam*, 2002 b, p. 98.

3. In the beginning, members of Young Turk party and the government officials were tried together. By the prosecutor's request at session 2, the cases for the government members were separated. Thus, the leaders of İttihat ve Terakki Cemiyeti and the chairman of the Special Organization were on trial from April 28 to May 17, 1919, in 7 sessions. Trials of the government members ran from June 3 to 26, 1919, also in 7 sessions.

4. In historiography, trials of the CUP and government officials are also referred to as Main Trials (*Ana Davalar*). The single sentence for all convicts of the Main Trials was pronounced on July 5, 1919.

5. Ali Kemal was the Minister of Public Education from March 4th to May 9th, 1919, and from May 19th to June 29th he held the position of the Minister of Internal Affairs.

6. It pertains to the government formed by the members of Freedom and Accord (*Hürriyet ve İtilâf*) party.

7. In *Takvîm-i Vekayi* newspaper the beginning of the trial has an erroneous date as April 27, 1919. See *Dadrian & Akçam*, 2008, s. 86.

8. The historical significance of this document was discerned by the contemporaneous Armenian press. "*Chakatamart*" daily noted that "... by their useful contents, these charges are bound to play a very important role. A historical

document, prepared by Turks and a refutation against all who dare and have the audacity to call the Armenian tragedy 'a few isolated homicides'." See "Yeprat gete ke hordi hayots diaknerov; patmakan karevor vaveratught me», «Chakatamart», 29 aprili, 1919, N 141 (1962) ["The Euphrates River is filled with Armenian corpses: an important historical document", *Chakatamart Daily*, April 29, 1919, No. 141 (1962)]. (in Armenian)

9. On March 29th, 1919 at session 2 of the trial of the suspects responsible for Trabzon deportations and massacres, Mehmet Vehib Pasha testified against Bahaeddin Şakir. For that, B. Şakir's wife attacked Vehib in the prison. The "Chakatamart" daily reported the incident. "The other day a Turkish woman visited the prison and asked to see Vehib Pasha. Shortly after Pasha was brought to the lady, he ran out, shouting, "Please, take this woman away! I can't fight with a woman." The visitor was Bahaeddin Şakir's wife, who assaulted the Pasha because of the disclosures he made at the court about her husband. She came prepared to beat him up with a staff." See "Vehip pashan hardzakman k'entarkvi", "Chakatamart", 5 april, 1919, N 122 (1943) ["Vehip Pasha will be attacked", *Chakatamart Daily*, April 5, 1919, No. 122 (1943)]. (in Armenian)

10. Galip Vardar, a member of the Special Organization, wrote in his memoirs that after the decision to deport the Armenians was made, Bahaeddin Şakir asked prominent İttihatists Hüsrev Sami and Sabancalı Hakkı to join him in the deportation of Armenians from Erzurum. When Sami and Hakkı asked B. Şakir, what the plans regarding the possessions of the Armenians were, he answered, "What plan should there be? I said, they will be deported ... you should guess the rest." (See *İttihat ve Terakki İçinde Dönenler*, 2003, p. 442.)

11. A significant part of Vehib Pasha's dossier was stolen from the Military Tribunal in September 1919. The stolen papers contained official documents and dispatches confirming the massacres of Armenians. See «Zhoghovurd» kaghakakan yev hasarakakan oratert, 9 September, 1919, N 35 (281) ["Zhoghovurd" political and social daily newspaper, September 9, 1919, N 35 (281)]; «Hayk. yeghernin tughtere anhaytatsats», «Chakatamart», 9 September, 1919) ["The documents of the Armenian Genocide have disappeared," "Chakatamart," September 9, 1919]. (in Armenian)

12. The investigations of Responsible Secretaries of the party were conducted from June 21, 1919 to January 3, 1920. The sentence was pronounced on January 8, 1920. See *Takvîm-i Vekayi*, No. 3586, 3589, 3596, 3772.

13. Turkish historian Tarık Zafer Tunaya also notes that a vast part of the possessions of the Armenians was taken by the Young Turk Party. See Tunaya T. Z., *Türkiye'de Siyasal Partiler*, cilt III, s. 264.

14. Possibly, it meant Talaat-Enver-Cemal triumvirate.

15. The court was well aware of whereabouts of the abovementioned suspects, yet never initiated an inquiry against them.

Conflict of Interests

The author declares no ethical issues or conflict of interests in this research.

Ethical standards

The author affirms this research did not involve human subjects.

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Մեղինե Անույան

Վերջին տարիներին Հայոց ցեղասպանության պատմագրության մեջ ավելի շատ է ուշադրություն հատկացվում այն փաստին, որ երիտթուրքերի՝ հայերի բնաջնջմանն ուղղված քաղաքականությունը դատապարտվել է դեռևս 1919-1921 թթ. Օսմանյան կայսրության ռազմական արտակարգ ատյաններում կայացած 60-ից ավել դատավարությունների արդյունքում ընդունված դատավճիռների միջոցով: Այդ բոլոր դատական գործերը հարուցվել են Առաջին համաշխարհային պատերազմի ժամանակ Օսմանյան կայսրությունում հայերի տեղահանության և կոտորածների մեղադրանքով: Երիտթուրքերի կուսակցության և կառավարության անդամների՝ 1919 թ. ապրիլ-հուլիս ամիսներին տեղի ունեցած դատաքննությունների համար հիմք են ծառայել ոչ միայն հայերի տեղահանման և ոչնչացման ու Հայոց ցեղասպանության իրականացման մեջ կարևոր դեր ունեցած Հատուկ կազմակերպություն հիմնելու, այլև առանց հիմնավոր պատճառի երկիրը պատերազմի մեջ ներքաշելու, տնտեսական չարաշահումներ թույլ տալու, սև շուկայում գործունեություն ծավալելու և երկրի անվտանգությունը խախտելու մեղադրանքները:

1919-1921 թթ. երիտթուրքերի դատավարությունների ուսումնասիրությունը կարևորվում է նաև Հայոց ցեղասպանության փաստագրման առումով: 1919-1921 թթ. հայերի տեղահանության և կոտորածների մեղադրանքով հարուցված դատական գործերի նիստերում, հատկապես՝ 1919 թ. երիտթուրքերի կուսակցության և կառավարության անդամների դատավարության ժամանակ ներկայացված մեղադրական եզրակացությունները, վկաների և ամբաստանյալների ցուցմունքները, ընթերցված ծածկագիր հեռագրերը և, հատկապես, դատավճիռները կարևոր տեղեկություններ են պարունակում Հայոց ցեղասպանության իրականացման մեխանիզմների մասին:

Բանալի բառեր՝ *Հայոց ցեղասպանություն, երիտթուրքեր, Միություն և առաջադիմության կոմիտե, Արտակարգ ռազմական դատարան, Ռազմական արտակարգ ատյան, տեղահանություն և կոտորածներ:*