Memories of Genocide Committed Against the Armenian People

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Introduction
France’s legislative battle to publicly recognize and subsequently criminalize the denial of the Armenian Genocide was met with much controversy. This research seeks to identify main arguments in the legislative debates, voting patterns among political parties, and how this particular case informs the larger discussion of Armenian Genocide memory laws.

French Legislation
29 January 2001
“France publicly recognizes the Armenian Genocide of 1915.”
23 January 2012
“Law No. 2001-­‐70 of January 2001 on the recognition of the Armenian Genocide is complemented by an article as follows:

Timeline
August 1789 – Declaration of the Rights of Man and of the Citizen
29 July 1881 – Press Law
July 1972 – Plenip Act (Prohibits incitement to hatred, discrimination, slander, and racial insults)
13 July 1990 – Gayssot Act (Prohibits any racist, anti-Semitic, or xenophobic activities, including Holocaust denial)
29 May 1998 – National Assembly introduces Resolution: “France publicly recognizes the Armenian Genocide of 1915”
7 November 2000 – Senate adopts bill recognizing Armenian Genocide
29 January 2001 – Recognition of the Armenian Genocide signed into law by President Jacques Chirac
18 May 2006 – National Assembly introduces and indefinitely postpones vote on bill to criminalize denial of the Armenian Genocide
12 October 2006 – National Assembly passes criminalization bill
4 May 2011 – Senate votes to reject criminalization bill
22 December 2011 – National Assembly passes bill to criminalize denial of recognized genocide
23 January 2012 – Senate passes criminalization bill
28 February 2012 – Law struck down by Constitutional Council

August

Results

Constitutional Council Decision
28 February 2012: “The Law on the punishment of denials of the existence of genocides recognized by law is unconstitutional.”
- The law referred violated the right of freedom of expression and communication under Article 11 of the 1789 Declaration of the Rights of Man and the Citizen.
- The law referred also violated Article 24 of the law of 29 July 1881 on the freedom of the press.

Conclusions
- Though the recognition law was passed ten years prior to the criminalization law, the role of Parliament in writing history was the most frequently discussed issue in 2011-­‐2012.
- The Nuremberg Trials following the Holocaust permitted the Constitutional Council to allow the Gayssot Act, but not the 2012 law.
- Though the 2011-­‐2012 debates were accused of being centered on the upcoming presidential elections, the Socialist party was heavily divided, and interviews must be conducted before determining the root of the divisions.

Future Work
Future research on this topic is planned for this coming summer, where Professor Savelsberg will be conducting interviews in France.
- I plan to undertake similar research in the fall of 2015 on the 2013 case of Periçek v. Switzerland, in which Doğu Periçek was convicted by a Swiss court for statements he made to deny the Armenian Genocide.
- My research functions as an aid to Professor Savelsberg’s beginning work on a multi-­‐year research project on legislative and legal struggles of the memories of genocide against the Armenian people.

Acknowledgements
Funding for this research was provided by the University of Minnesota Undergraduate Research Opportunities Program.
Thanks to Joachim Savelsberg for his mentorship throughout the research process.
Thanks to Erz Gamali and Caitlin Barden for their insight into other aspects of Armenian Genocide memory law.

References