

Armenian
Political Trials
PROCEEDINGS 1

THE CASE OF SOGHOMON TEHLIRIAN

Translated by

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FOREWORD

THE ENGLISH translation of the original trial proceedings in *The Case of Soghomon Tehlirian* is being published for its historic as well as current relevance: it introduces the first case during which the details and horrors of the Armenian Genocide of 1915 were introduced as evidence to justify political violence in the face of neglect by world governments.

This is the first in a series of publications incorporating the proceedings of recent trials of Armenian political prisoners around the world who have, as Tehlirian did in 1921, forced the Armenian Cause onto the streets and courts of world capitals.

Soghomon Tehlirian, a survivor of the Turkish genocide of Armenians in 1915-1917, assassinated Talaat Pasha in Berlin on March 15, 1921. Talaat, Minister of Interior and mastermind of the Genocide, had fled Turkey to seek refuge in Germany where he continued to labor for his Pan-Turanian schemes.

The assassination was the result of a decision by the Armenian Revolutionary Federation to seek justice for the 1.5 million Armenian victims of the first genocide of the twentieth century. This was done only after it became evident that no acknowledgement of the genocide was to be made nor legal action taken against the Turkish state or against individuals personally responsible for the crime. Several other assassinations of top Turkish officials responsible for the planning and execution of the genocide followed.

Tehlirian's trial on June 2-3, 1921 documents the facts and reasons for his action. Over six decades later, those same facts — compounded by Turkish denials — have motivated a new generation of survivors to use a variety of means in seeking justice and retribution for the Armenian people.

**Armenian Revolutionary Federation
Varantian Gomideh
Los Angeles**

PREFACE

On March 15, 1921, Talaat Pasha, President of the Committee of Union and Progress (the party of the Young Turk movement) and the Grand Vizir of Turkey, died of a bullet wound, in Berlin.

In 1943 Talaat's remains were exhumed in Berlin and sent by Hitler to Istanbul for permanent burial.

Today, Talaat Pasha rests in a mausoleum constructed on Liberty Hill in Istanbul.

Today, in Ankara, the capital of Turkey, one of the principal avenues bears Talaat's name.

IT WAS April 1960 when Zaven called to inform me that Soghomon Tehlirian had been taken ill and was recuperating at the University of California Hospital in San Francisco.

That evening we went to visit Soghomon. We found him seated on the edge of his bed talking to his wife, wearing striped pajamas rather than one of the usual colorless hospital overalls. He seemed to be in good spirits and was embarrassed that we were seeing him ungroomed and at a time when he was in frail condition.

Here was this usually dapper, impeccably dressed, proud individual unshaven, uncombed, seated barefoot in his crumpled pajamas.

To cover his embarrassment and in order to prevent us from making innocuous queries as to his condition, he questioned us as to our schooling, research, work and in a rather offhanded manner dismissed his hospitalization as an over-reaction on the part of his family and an unnecessary precaution on the part of his physician.

It was not long before he directed his attention to me and in a sardonic manner asked, "When are you going to translate my autobiography?" That took me back two years, when in one of my weekly visits to the office of George Mardikian Enterprises, Inc. where Soghomon worked, he autographed for me his recently published book and, handing the book to me, he asked whether I would translate it for him from Armenian to English.

I had at the time expressed my fear that, because my command of Eastern Armenian was inadequate, I could not translate the book competently.

He had continued that he did not expect a literal translation, but rather one that would be sufficient for his purposes — namely, for William Saroyan to read the translation and extract from it those sections which might serve as the basis for a novel on “the incident in Berlin.”

This subject was discussed numerous times in the ensuing two years, however, I did not feel I could change my stated position. I was not the right person for the job.

Now we were in the hospital and the subject was again at the forefront of Soghomon’s thoughts. He continued, “The reason I want you to translate it is because my trial is included in it and only an attorney can appreciate the nuances of the trial.”

In order not to prolong the agony, I replied, “I am willing to translate the section that relates to the trial, but someone else has to translate the rest.”

Soghomon got down from the bed, sat in an armchair, and to my astonishment said, “Then why don’t you translate the transcript of my trial?”

“What transcript?” I replied. “Are you telling me that in 1921 in Germany they took a verbatim transcript of a trial?”

“Of course,” he continued. “How else do you think I recall all the details of the trial?” He turned his gaze to his wife and then looking at me continued, “We have a copy of the transcript at home. Anahid will give it to you. Why don’t you read it, and in a day or two you can come back and we will discuss it.”

We had barely visited him for ten minutes, but he seemed very tired. As we left, his wife was imploring him to return to bed.

Zaven and I returned to Berkeley. I spent an uneasy night. Over the years, in all those hours I had spent with Soghomon, he never told me of the existence of the “transcript.” Or had he and I never really listened to one another? What was so important about it?

I recalled that only nine months before, when my father was visiting us from Ethiopia, I took him to San Francisco to pay a courtesy call to Mr. George Mardikian. While my father was talking to Mr. Mardikian I was in the adjoining room talking to Soghomon. Almost an hour had gone by before my father came looking for me. I introduced him to Soghomon as Soghomon Melikian (a pseudonym he used to evade the Turks). I had never used his pseudonym before and I wanted to correct myself, but they were having such a good time together that I refrained. Soghomon kept telling my father how he was keeping an eye on me and that the Armenian people needed more attorneys to pursue the Armenian Case. My father reiterated that he was glad one of his sons had chosen a career that could be of service to “our people.”

My father was a stickler for punctuality. I had to remind him that we

were late for our next meeting. We left Soghomon's office and as we descended in the elevator, I told him, "You of course know that you were talking to Soghomon Tehlirian." He immediately pushed the emergency button and stopped the elevator between floors. I could not believe my eyes. My father was not one who did anything in haste. "Take the elevator up," he told me in no uncertain terms.

We reentered Soghomon's office. My father went up to him and said, "I apologize for not recognizing you. May I. . ." and he kissed Soghomon on both cheeks. My father was not one to show such outward emotions. I was told to reschedule our appointment. My father and Soghomon spent an hour talking.

That night in Berkeley, I thought of how the name of Soghomon Tehlirian had evoked such strange behavior in my father. I also recalled how often friends of Soghomon had warned me not to talk to him about the "incident." Respecting his wishes I had never asked him for details. In fact in my conversations with Soghomon everything that related to his past was centered on his stories of life in Yugoslavia, Algeria, and France, events that took place subsequent to the "incident."

I woke up early the next morning and waited until a respectable hour before calling Mrs. Tehlirian to ask her when I could pick up the transcript.

The doorbell rang. It was Zaven. He told me that Soghomon had passed away in his sleep.

Not knowing what else to do, I sent a cable to my father in Ethiopia informing him of the passing away of Soghomon. A week later, I received a letter from him telling me how all Armenians in Addis Ababa closed their shops and attended religious services in memory of Soghomon Tehlirian. Armenian communities around the world had done the very same thing.

From one of Soghomon's colleagues I eventually obtained the transcript of the trial and translated it, as I had promised him I would do.

The "Trial of Soghomon Tehlirian" is taken from the pages of history. It is not a legend. The events which led to the trial are documented in Tehlirian's biography.

VARTKES YEGHIAYAN

INTRODUCTION

RECENT ARMENIAN history provides many examples of trials of political prisoners. During most of the last century Armenia was occupied by foreign powers: Ottoman Turkey and tsarist Russia; Armenians sought liberation from oppression and exploitation through successive waves of struggles. It was only natural that many of the struggling sons and daughters would end up in the prisons of the occupiers; a few were fortunate to be charged formally and tried in courts of law. Whether under Ottoman or tsarist Russian law, many such trials became forums, sometimes the only legal ones allowed, to air Armenian political grievances and articulate claims. As such, political trials capture the essence of the conflict between governments and their subjects; the legalized form of repression — the legitimization of inequality and the criminalization of the search for justice — through the use of courts helps raise fundamental issues regarding power and its legitimacy.

The trials of captured *fedayees* during the armed struggle at the turn of the century against Ottoman Turkish misrule, the trial of leaders of the Armenian Revolutionary Federation leaders in the 1910's in Russia are the most prominent such events preceding the Genocide. The Genocide of Western Armenians under Turkish administration in 1915-1917 forced the creation of a Diaspora; it also changed the character of the Armenian struggle against the Turkish state, whether the one that planned and executed the Genocide or its successors since the founding of the Republic of Turkey that have condoned and covered it up. The sovietization of the short-lived Armenian Republic in Eastern Armenia in 1920 produced a new situation there too; the hegemony of power by a single party and the subjection of Armenian interests to larger Soviet ones has also produced a new type of resistance in Soviet Armenia. Both developments have claimed new victims; the imprisonment and legal proceedings against some of these constitute a continuing chapter in the long history of political trials.

The strategy of governments to isolate individuals by charging them with crimes and making examples of them has only helped crystallize issues and galvanize support for the oppressed and the weak; it has also created extremely charged and dramatic situations where the weight of governments against an individual could have only created heroes.

None of the Armenian political trials can claim to have produced the dramatic impact which was caused by the trial of Soghomon Tehlirian in Berlin in 1921 following his assassination of Talaat Pasha; and no one has been more of a hero than Soghomon Tehlirian for having committed that crime, particularly when his trial ended with a not guilty verdict,

thus fulfilling, if only partially, the need for justice felt by survivors of the Genocide and their offspring.

Soghomon Tehlirian was born in Pakarj, near Erzinga in Western Armenia. His family and most other Armenians he knew were among the victims of the deportations and massacres which he witnessed and survived accidentally. Talaat Pasha was the Minister of Interior, later Grand Vizir of the Ottoman Empire, and one of the triumvirate in the Ittihadist (Committee of Union and Progress) government that assumed dictatorial powers in the Ottoman Empire immediately preceeding and during the First World War. Talaat Pasha was the main architect of the policy of extermination of Armenians. Upon the defeat of the Ottoman Empire and the escape of the Ittihadist leaders, a new Turkish government found him and the other leaders guilty of the charge of massacres against Armenians during court-martial proceedings in Istanbul. Talaat and the leading figures were already in Europe; no government in Europe was willing to bring them to justice. Whether seen as the implementation of the death penalty imposed in absentia by the Turkish government against Talaat or an execution by one in the name of a murdered nation, the act of Tehlirian on March 15, 1921 in Berlin and his subsequent trial on June 23, 1921 were seen as acts of justice.

The assassination of Talaat was the first in a series of such acts of justice against the organizers of the Genocide. It was preceeded only by the execution of Khan Khoyski, prime minister and minister of foreign affairs of Azerbaijan; the act was committed by Aram Yerganian and Misak Garabedian in the spring of 1920 in Tiflis. Khan Khoyski was, along with his minister of interior Jivanshir, responsible for the massacres of Armenians in Baku. On July 19, 1921 Misak Torlakian brought to justice Jivanshir in Constantinople. In December of the same year a youthful Arshavir Shirakian implemented the death penalty upon Said Halim Pasha, the prime minister under whose supervision the deportations and massacres had been implemented. Arshavir Shirakian then joined Aram Yerganian in Berlin and on April 17, 1922 executed Behaeddin Shakir and Jemal Azmi, the two leaders of the "Special Organization" that was in charge of the execution of the Genocide.

Three months later, Stepan Dzaghigian assassinated Jemal Pasha, the second member of the Ittihadist triumvirate. Jemal was in Tiflis then and cooperating with the Bolsheviks. Dzaghigian was supported in this most daring act in front of the Cheka building by Bedros Der Boghosian and Ardashes Kevorkian. Soon after, a young Armenian executed the third member of the Ittihadist dictatorship, Enver Pasha, who was then in Russia pursuing his Pan-Turanian dreams under new colors.¹

Soghomon Tehlirian and Misak Torlakian were apprehended and tried

publicly in Berlin and Rome, respectively. Both were acquitted. The proceedings of the trial of Soghomon Tehlirian reveal the trauma of genocide, as lived by individuals and families, in fact by a whole nation. For reasons still unclear, testimony presented was limited to supporting the defense argument that Tehlirian acted alone to bring to justice, compelled by the haunting memories of the destruction of his family and mass murders. It is highly improbable that the execution in series of those primarily responsible for the genocide and the superb organization required to track down protected fugitives and to punish them could have been incidental.

The series of acts were, in fact, the Armenian Nuremberg. In his memoirs, Tehlirian relates his brief stay in Boston, preceeding the act that made him the most respected Armenian hero of modern times for survivors of the Genocide:

Here in America too our people were following with intense interest events in Armenia. Armenians were most tortured by the fact that the Turkish butchers had escaped punishment. At the start of the war Allied leaders had made solemn promises that members of the Ottoman government were going to be held personally responsible for the massacres. The war ended, the Allies were victorious; yet those responsible for the Armenian Holocaust remained unpunished and were even protected.

Within the American Armenian community the idea that Armenians must bring those leaders to justice by their own means had matured. . . . It is necessary to add that this attitude was common to Armenians everywhere: Armenians were disturbed by the position of the Allies. A whole nation had been butchered with such cruel methods and, despite formal statements, the Allies had done nothing. . . . Naturally, the Armenian Revolutionary Federation could not remain indifferent and was thinking of bringing those leaders to justice. The Ninth World Congress of the ARF in the spring of 1919 had discussed the matter. And here in America I realized, that what had become an obsession for me had been transformed into an actual project and under the leadership of Armen Garo much preliminary work had already been accomplished.²

Indeed, the Ninth Congress had also compiled a list of the 101 most important criminals and passed it on to the Allies, with the expectation that an international court of justice would bring them to justice.³ The ARF or Dashnaktsutiun, a party that had a legacy of struggling against the Ottoman and Russian despotisms, had adopted assassinations as part of its tactics since its founding in 1892. It had been argued that in despotic societies particularly cruel and lawless officials can add substan-

¹ According to Soviet Armenian sources, the terrorist was an Armenian soldier in the Red Army.

² Soghomon Tehlirian, *Verhishumner* [Remembrances], Cairo, 1956.

³ *Armenian Review*, 3(1982) and 4(1982).

tially to the misery of the people; and since the system protected, in fact produced, such individuals, popular justice must be implemented to protect the larger public from state terror.

It was not surprising, therefore, that the ARF took the initiative to organize the "special task" or the Nemesis project. Tehlirian and the others were given guidance, assistance, and continued financial and logistical support by a tightly knit network of researchers and tacticians. The group, which included Hrach Papazian and Shahan Natali, designed strategy, located the criminals, selected the targets ensuring that the most important leaders be punished first, and secured funds and weapons.

The project came to a halt with the punishment of the top leaders among the Ittihadists.

The proceedings of the Tehlirian trial were first published in German in 1921 (Berlin) under the title of *Der Process Talaat Pascha* [The Trial of Talaat Pasha], with an introduction of the German health official, Armin T. Wegner, who had witnessed and photographed the Genocide. Soon after, the volume was translated to Armenian and published by the Mekhitarist Congregation of Vienna (Vienna, 1921). A Spanish translation by Bedros Agopyan appeared in Buenos Aires in 1973 under the title *Un Proceso Historico* [A Historic Trial]. In 1980 a French translation, with appendices, appeared in Paris under the title of *Jucticier de Genocide Arménien* [The Vindication of the Armenian Genocide]. A second Armenian translation was published in Beirut, Lebanon in 1981, edited by Haroutiun Kurkjian; released under the title of *Tehlirian: Artarahduytse* [Vindication], this second translation is the most comprehensive collection of documents on the case yet. This volume is the first English translation of the proceedings of the trial.

PROCEEDINGS

PARTICIPANTS AT COURT

Presiding Justice of the District Court *Dr. Lehmborg*
Associate Justice of the District Court *Dr. Bathe*
Assistant Justice of the District Court *Dr. Lachs*
Recording Secretary *Warmburg*
District Attorney *Gollnick*

JURY

Wilhelm Grau mason, Nawen, near Berlin
Rudolf Grosser merchant, Bernow (Mark)
Kurt Bartel jeweler, Berlin
Adolf Kühne landlord, Berlin — Bankov
Otto Ewald landlord, Charlottenburg
Otto Wagner roofer, Charlottenburg
Otto Binde locksmith, Schönerlinde
Otto Reinecke executive, Degel
Eugene de Price painter, Wilmersdorf, Berlin
Albert Belling pharmacist, Charlottenburg
Hermann Golde locksmith, Charlottenburg
Robert Heise brick manufacturer, Charlottenburg

ALTERNATE JURORS

Julius Furch landlord, Charlottenburg
August Bliesener butcher, Degel

DEFENSE ATTORNEYS

Dr. Adolf von Gordon privy legal counselor, Berlin
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