

Genocide, or not?

Lawsuit addresses topic of Armenian killings

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BOSTON -- Was it genocide or was it just a horrible consequence of World War I?

The killing of up to 1.5 million Christian Armenians by Muslim Turks has been debated for nearly a century.

Now the issue is at the center of a lawsuit over how students in Massachusetts should be taught in public schools.

Two high school teachers, a student and the Assembly of Turkish-American Associations are suing state education officials in federal court, challenging a law that set guidelines for teaching students about human rights violations. The law, which went into effect in 1999, specifically lists the Holocaust, the Mussolini fascist regime, the trans-Atlantic slave trade, and "the Armenian genocide."

But the people who filed the lawsuit argue that whether the Armenian killings constitute genocide has not been firmly settled by history. Students, they say, should also be exposed to a "contra-genocide" version of events espoused by Turkish groups who claim the Armenian deaths were one of the tragic offshoots of the war.

"We are not taking sides on the ultimate issue of whether there was an Armenian genocide. We are simply insisting that both sides be allowed to have a place at the table," said Harvey Silverglate, a Boston civil rights lawyer who represents the plaintiffs.

"That is so students can look at historical resources and make their own decisions. That's what we call education," he said.

The debate has been going on since 1915, when Turkish Ottoman authorities began arresting and deporting Armenian leaders. Armenians say that over the next eight years, up to 1.5 million Armenians were killed as part of an ethnic cleansing campaign by the Turks.

Turkey acknowledges that large numbers of Armenians died, but says

the 1.5 million figure is inflated and that the deaths occurred in civil unrest during the collapse of the Ottoman Empire, when Armenians sided with invading Russian forces during the war.

The lawsuit, filed Wednesday, alleges that the state is violating the free-speech rights of the plaintiffs by excluding the Turkish point of view.

Silverglate argues that state education officials effectively engaged in censorship when they removed certain references from a draft set of the guidelines. Those references gave teachers the Web addresses and other contact information for organizations that promote the Turkish point of view.

The lawsuit claims that education officials bowed to political pressure from Armenian groups who called the Turkish resources "racist," including one organization they said had engaged in a "disgraceful denial of mass murder and genocide."

But James Peyser, chairman of the state Board of Education, who is named as a defendant in the lawsuit, said that the resources and Web sites suggested by the Turkish groups "are not academic sites."

"If there were intelligent, credible works of history that provide independent and academically sound treatment of these events that did not necessarily characterize them as genocide, I would certainly be willing to include them in the guidelines, but I haven't received any such material at this point, and the Web sites don't qualify," Peyser said.

Bill Schechter, a history teacher at Lincoln-Sudbury High School, said he does "not know enough to know which side is correct" in the genocide debate. He said he became a plaintiff in the lawsuit because he believes students should have access to all points of view.

"I want the freedom to study different perspectives and to be able to teach different perspectives and to offer them to students in my classroom," he said.

Narguiz Abbaszade, executive director of the Assembly of Turkish American Associations, said the lawsuit is not meant to decide the genocide question.

"The courts in Massachusetts do not have the jurisdiction or the expertise to settle it," she said. "This is us saying the students in school should have access to both sides of the story, to have access to the full picture."

Education Commissioner David Driscoll said any change to the guidelines would have to be made by the Legislature.

"We are required to follow the law as currently enacted, so if they want to change it and indicate that there wasn't a genocide, then they need to deal with the Legislature," he said.

The U.S. government, which considers Turkey an important ally and military partner, does not use the term "genocide" to describe the Armenian deaths. Last month, the Bush administration disavowed two resolutions passed by a Congressional committee that urged the United States to classify the 1915-1923 killings as genocide.