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Mark Zuckerberg
c/o Facebook, Inc.
1 Hacker Way
Menlo Park, California 94025

RE: Armenian American Hate Speech Inciting Terrorism Against Turkish Americans, Turkey, and Turkish Officials: Armenian Genocide Scholarship Contest To Browbeat Mark Zuckerberg Into Parroting Unproven Incendiary Armenian Genocide Allegations.

Dear Mr. Zuckerberg:

I represent the Turkish Anti-Defamation Alliance (TADA), a non-profit 501 (c) (3) organization.

This letter is to warn you against an impending tsunami of petitions from more than 2 million California High Schools students urging you to embrace their unproven Armenian Genocide allegations by falsely equating them to the grisly, proven Holocaust of 6 million Jews because of their race or religious convictions.

The high school student Armenian Genocide campaign targeting Facebook is orchestrated by the California Department of Education and the California Armenian Legislative Caucus through sponsorship of a hate-filled "Armenian Genocide Scholarship Contest." It offers financial rewards to students for unscholarly, counter-historical polemics malignantly likening the treatment of Armenians by the Ottoman Empire during World War I to the Holocaust. The objective is to browbeat you into censoring from Facebook, reminiscent of Nazi Germany book burnings, scholarly and judicial speech and views that dispute or refute Armenian Genocide allegations. See attached Exhibits 1 and 2. TADA's letter to the Department of Education and the California Armenian Legislative Caucus objecting to the ill-inspired, unscholarly Scholarship Contest is attached as Exhibit 3.

TADA is dedicated, among other things, to civilized, respectful, and scholarly discourse about Armenian Genocide allegations that regularly burst into assassinations or terrorism against Turkish Americans, Turkey, or Turkish officials. In 1982, for instance, 19-year-old Harry Sassounian assassinated Turkey's consul general in Los Angeles, Kemal Arikan, because the Armenian American youth had been inculcated from birth in the apodictic conviction that

Turkey was guilty of an Armenian Genocide in World War I; and that Turkey's refusal to acknowledge guilt bespoke hatred of Armenians.

The Armenian Genocide narrative gave birth to twin notorious terrorist organizations with grisly histories of violence against Turkey, Turkish officials, and Turkish Americans: the Armenian Secret Army for the Liberation of Armenia and the Justice Commandos of the Armenian Genocide. Armenian Americans have never disowned the terrorist organizations. Some heroize them.

Unlike the Holocaust, Armenian Genocide allegations have never been tested in a court of law. No person or entity has ever been convicted of genocide of Armenians during World War I or otherwise. The crime of genocide did not exist until after World War II and the ratification of the Convention Against Genocide. The European Court of Human Rights noted in *Perincek v. Switzerland* (October 15, 2015) the free speech interest in free and open debate of Armenian Genocide allegations, and expressed the conviction that the issue does not lend itself to absolute truths as Armenians maintain:

“[T]he question whether the events that took place in 1915 and subsequent years may be characterized as ‘genocide’ is of considerable interest to the public...[I]t is even doubtful that there can be a ‘general consensus,’ particularly among academics, about such events as those at issue in this case, given that historical research is by definition subject to controversy and dispute and does not readily lend itself to definitive conclusions or the assertion of objective and absolute truths.”

The evidence that Armenians enlisted with the Triple Entente to fight as enemy soldiers of the Ottoman Empire during World War I is overwhelming. Boghos Nubar, an Armenian representative at the Paris Peace Conference, elaborated on February 26, 1919:

“I wish, however, to recall that at the beginning of the War the Turkish Government had offered to grant the Armenians a sort of autonomy, asking from them in exchange, volunteers to rouse the Caucasus against Russia. The Armenians rejected this proposal and placed themselves without hesitation on the side of the Entente Powers from whom they expected liberation...”

“The Armenians, therefore, have been belligerents [in World War I].”

Killing soldiers in wartime is not genocide. Killings to prevent groups from secession and national independence through violence is not genocide. The Union Army did not commit genocide against Confederate soldiers.

The Holocaust bears no resemblance to the fate of Armenians in World War I. Jews did not defect wholesale to the enemy to fight Nazi Germany. Jews were not slaughtering the Wehrmacht or the S.S. on behalf of the Allied Powers. Israeli Prime Minister and Nobel Peace Prize winner Shimon Peres disputed Armenian Genocide allegations: “We reject attempts to create a similarity between the Holocaust and the Armenian allegations. Nothing similar to the

Holocaust occurred. It is a tragedy what the Armenians went through but not a genocide.” Indeed, the Armenian Legion fought as a military unit with Nazi Germany during World War II.

It is unsurprising that renowned scholars such as Princeton Professor Bernard Lewis, Gunter Lewy of the University of Massachusetts, Justin McCarthy of the University of Louisville, and Stanford Shaw of UCLA dispute Armenian Genocide allegations.

The transparent attempt by California public officials to intimidate you into censoring constitutionally protected speech disputing Armenian Genocide allegations is unconstitutional. We expect you to do the right thing and defend free speech. California’s censorship campaign through the Armenian Genocide Scholarship Contest is indistinguishable from the informal censorship of allegedly immoral books condemned by the United States Supreme Court in *Bantam Books v. Sullivan*, 372 U.S. 58 (1963).

In that case, a Rhode Island Commission to Encourage Morality in Youth notified book distributors and retailers of allegedly objectionable magazines and books irrespective of their protection under the First Amendment, thanked them in advance for their cooperation, and alerted them of its duty to recommend to the Attorney General prosecution of obscenity. The predictable result of the Commission’s notices was the suppression of the sale and circulation of the books listed as immoral despite the absence of any finding of illegality.

The Court explained (*Id.* at 68):

“What Rhode Island has done...has been to subject the distribution of publications to a system of prior administrative restraints, since the Commission is not a judicial body and its decisions to list particular publications as objectionable do not follow judicial determinations that such publications may lawfully be banned.”

California’s hate-inspired Scholarship Contest is comparable. It seeks to intimidate Facebook into censoring speech that diverges from the Armenian Genocide narrative notwithstanding the absence of any judicial determination that the speech may lawfully be banned.

The unscholarly Scholarship Contest should further be rejected by Facebook because of its predictable encouragement of violence or bullying against Turkish Americans. The Scholarship Contest seeks to inculcate assassin Harry Sassounian’s warped and murderous thinking into the minds of millions of impressionable and hormone-driven high school students. It seeks to inculcate precisely the same view of Armenian Genocide allegations that provoked Sassounian to assassinate Kemal Arıkan.

Finally, Facebook is an electronic public square performing the same public function in hosting free speech activity as parks and streets did in yesteryear. The latter are saddled with an obligation of viewpoint neutrality in establishing time, place, and manner limitations and issuing licenses. See *Hague v. CIO*, 307 U.S. 496, 515 (1939); *Forsyth County, Ga. v. Nationalist Movement*, 505 U.S. 123, 130 (1992). Facebook is similarly obligated to honor viewpoint or content neutrality in duplicating the function of parks and streets to provide a platform for constitutionally protected speech. *Marsh v. Alabama*, 326 U.S. 501 (1946). The First

Amendment forbids Facebook from censoring views or content that dispute Armenian Genocide allegations.

We would welcome an opportunity to elaborate on this letter with you or your staff at your earliest convenience.

Sincerely,

/s/Bruce Fein

Bruce Fein

Counsel for the Turkish Anti-Defamation Alliance