Why New Democrats Fail: Preserving the Old Role of *Siloviki* in Armenia

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Introduction

The phenomenon of hybrid regimes, or states that are unable to complete the democratic transition to form stable institutions and civil society, is not a new one. Synonyms such as transitional democracies, partially free or semi-democracies generally describe similar processes and highlight a unique political system in which democratic and autocratic features are mixed. Since such regimes often exhibit a tendency to democratic backsliding and, instead of solidifying democratic gains (usually after the pivotal democratic change), use their internal security services to consolidate the newly acquired power, the institutional tools that ensure an authoritarian reversal and their centrality in maintaining the well-preserved traditional (Soviet) construct of the power-pyramid, inevitably become the focal point of academic and policy analysis. Armenia is an interesting example of a similar trajectory. It experienced a massive democratic upheaval in the late 1980s and early 1990s, triggered by the increasingly fragile Soviet administration and escalating ethnic confrontation in the Karabakh region of Azerbaijan between the local Armenian and Azerbaijani populations. The early democratization process had subsided by 1998 when the former democratic leader and President Levon Ter-Petrosyan had to give up the power struggle and allow the so-called "Karabakh clan" to assume major positions in Armenia till 2018. This period is strongly associated with the monopolization of political power, the establishment of a patronage system, widespread corruption and political persecution, all this supported by the ever-growing influence of the internal security services. Despite the stunning victory in the aftermath of Velvet Revolution in May 2018 and expectations of radical democratic change and institutional transformation,

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as of November 2023 Armenia still ranks as only partially free, firmly occupying 54th place just above equally partially free Georgia in 58th place (Freedom House 2023).

The phenomenon of democratic backsliding cannot simply be explained by inefficient or absent democratic institutions, since these are in fact the effects of a lack of political motivation to transform. Not least the lack of motivation to carry through democratic institutional consolidation is strengthened by the (negative) role the internal security services play by offering a quick recipe for power consolidation to incoming new (and often) fragile political elites (Dzerdzinski 2009). Therefore, the motives, beliefs and value systems of the leading figures who initiate and lead democratic change must be thoroughly studied. Even more importantly, the institutional legacies of the various agencies that collectively belong to the so-called security apparatus need to be examined and may, as in the case of Armenia, intuitively reveal their great dependency on the Soviet totalitarian bureaucratic and political tradition. This chapter looks deeper into the Armenian experience of democratic transition since the early 1990s and attempts to establish a nexus between failed attempts at democratization, the visions and beliefs of political leaders, and the formal and informal power mechanisms that had been made possible through a constant reliance on the power-preserving (internal security) services pretty much in the old Soviet manner of the all-encompassing *police state*.

Methodology and structure

Since methodology consists largely in a consequent approach to the analytical (i.e., the research) design, which should serve as a solid foundation for rendering the empirical evidence (i.e. those findings that are valid) – as well as being a matter of additional interpretative coherency – my methodological choice is based, on one hand, on the rationale of its analytical utility, that is, the clarity of the objects of observation and their evaluation, while, on the other hand, being justified on the basis of an analysis of the literature and its empirical deficits or, better, by the potential for promising discoveries. Therefore, I shall combine the selection of analytical blocks that serve as the basis for the structural division of the chapter with a brief literature review, which will additionally support the logic of structurally organizing the argument. The objective is not to provide a general overview of the transitology literature, which is primarily occupied with the overall

assessment of the democratic transition by focusing on constitutive elements of governance, such as accountability, structural responsiveness, and resource distribution (Risse 2007; Linz and Stepan 1996; Finel and Lord 1999; Kaldor and Vejvoda 1997; McFaul and Stoner-Weiss 2004; O'Donnell 1999; Vanhanen 2003; Behn 2001; Ferejohn 1999; Philp 2009). Rather I shall attempt to focus on the more systemic factors of political change: institutional performance (the normative dimension), the role of elites (beliefs and value systems), and the nature of the bureaucratic tradition, matters especially relevant in those countries that were dominated by an internal security apparatus in the Soviet era.

Since the nature of institutional and bureaucratic arrangements is critical to our analysis and the normative aspect of institutional performance by no means excludes any informal practices that may exist and even proliferate, the interplay or rather the nexus between the leaders (representatives of the political elite), their interests, and the established institutional design, including the bureaucratic practices, must be examined. Not to mention that the legacy of totalitarian rule, especially in post-communist countries, must always be put under scrutiny due to the typical features post-communist regimes display such as clientelism and limited statehood. This is critical to understand, as even stable democracies frequently show little incentives on the institutional and organizational levels to advance the successful political outcomes that often result in policy reversals and government change, as Jane Mansbridge and Kathie Martin (2013) argue. In the case of Armenia, there are additional reasons for highlighting the socialist past as the critical variable determining institutional arrangements at all levels, where the expectations of consensual power-sharing have to be kept minimal. This comes as no surprise, due to the basic acknowledgement that socialism could be regarded as democratic as long as it allows for elite competition for power, and is not characterized by the rigid domination of politics and industry by a single elite (Medearis 2001). Abuse of power is directly associated with the monopolization of state institutions and public offices that operate as party branches and are tightly controlled (Jakala et al. 2018). It should also be noted, that the term *controlled institution* by no means excludes the existence of a hidden or informal centers of decision making. This phenomenon is not new and is very common in Russia, as pointed out by Jana Kunicová (2008) while commenting on distributive politics and formal institutions. Furthermore, informal institutions, so Michael Albertus and Victor Menaldo (2018) claim, can work in tandem with formal ones and even bolster them. Since formal institutions, in essence, function on

the basis of rules—laws, regulations and agreements—their effectiveness in theory has to be checked by implementation of their normative power, which is typically far from the reality. So, for instance, Jack Knight (1992) views institutions as the formalization of informal orders and norms, thus becoming the cultural phenomena and part of the cultural code that, as argued by Douglas North (1990), is much more stable and static than formal rules. Fuzzy legality, patronage, and clientelism are elements that are linked to the concept of informality and, especially in hybrid regimes like Armenia, have a negative proportional relation to the degree of democratic consolidation, often leading, for example, to a lack of institutional capacity to practice the rule of law consistently (especially against members of political or economic elite) (Iskandaryan et al. 2016). Not surprisingly, the informality concept becomes something like a *legal safe haven*, where interactions and relationships can be kept secret. Hence, it should not be a surprise that authoritarian regimes make changes in formal political institutions and informal political practices that significantly reduce citizens' capacity to control the government and keep it accountable, as Ellen Lust and David Waldner (2015) correctly conclude.

It seems that any attempt to illuminate the institutional aspect of democratic transformation in post-Soviet countries must include structural analysis of the functioning power-pyramid that serves the interests of the political elites. The role of political leaders and the elites cannot be underestimated here, as the bulk of the literature displays the relevance of power distribution between elites, security, interest conflicts (state vs. individual) and bureaucratic neutrality (Asmerom and Reis 1996; Etzioni-Halevy 1983; Johnston 2014; Adina Marina Stefan 2009; Graeme 2000; Albertus and Menaldo 2014). Regimes, whether incumbent or newly established, typically represent the conglomerate of group interests that are defined by the general notion of *elites*. And, as it appears, the basics for any change in political institutions is agreement on the very political and institutional arrangements (often the constitution) that serve the purpose of safeguarding the vital rights and interests of elites, especially those who are about to "exit the dictatorship on their terms" (Albertus and Menaldo 2018: 63). Yet, if agreement is not reached, as Justin Parkhurst (2017) argues, the incumbent regime (as well as its opponents) start treating politics as a "winner-takes-all" game and "abuse office with the purpose of permanently marginalizing oppositions". Despite the heavy criticism of elite-led bargaining and transition from dictatorship that, according to Barbara Geddes (Geddes et al. 2018), turns the models of democratization explanation to useful simplifica-

tions, leaders exert immense influence on political processes and decision making. Leaders, largely charismatic and heroic individuals, mobilize supporters and define the objectives to be reached. However, as Ilie Cornelia and Stephanie Schurr argue, along with the defining relevance of individual leadership, that shapes the human and institutional environment, this stereotypical approach should not overshadow the corporate context and cultural values, where managers additionally play a critical role in defining the process of change (Ilie and Schurr, 2017). Here we arrive at the point, where both approaches carry comparable value: in one, managers and corporate-bureaucratic officials define the mechanism of change, and in another the individual influence of a leader can be immense, extending even to the very ability to control resources, being extremely well informed and dominating the rank and file (Binder and Lee 2015). Not least important is to acknowledge that the existing institutional mechanisms that contributed to the longevity of the previous regime can be used by the new ruling party as well. Yet, despite the fact that the essence of democratic consolidation is adherence to the same rules of the game by all political groups, a degree of formal acceptance by no means prevents them from adopting practices of informal decision making, in other words, informal institutions. As Mehtap Söyler (2013) puts it, defective democracies exhibit gray zones, where formal institutions mask other structural units and institutions that often are "the actual rules that are being followed."

Hence, the nature of political culture and especially, the legacy and impact of the communist past with its all-encompassing presence of power-preserving internal security services must be carefully studied. The Armenian case is interesting not only because of the general fact of belonging to the camp of post-Soviet countries, but also because of the decades of very close political (including geopolitical) and security cooperation between Yerevan and Moscow, which decisively shaped the country's economic and social fabric and led to the intensive symbiosis of political and economic elites, as well as the bureaucracy and power-agencies (in Russian, *siloviki*). In the context of institutional inertia in relation to formal structures (in the sense of institutionalized and sanctioned norms of behavior) it is impossible to avoid the role of the middle- and higher-ranking bureaucratic officials, who held exceptional power and influence in the times of the Soviet (communist) rule. To put it more precisely, the role of security elites, that is, the high-profile bureaucrats in state organizations who controlled the mechanisms of internal security and autocratic coercion, their corporate code (belief system), and the persistence of their corporate tradition,

make up a crucial element of the research puzzle. This inevitably makes the other side of the "coin," the new generation of public servants (managers) and bureaucrats, even more interesting for our analysis. Whether they continued to show strong dependence on the practices of the feared Soviet persecution system, or managed to transform and abandon the essence of the political police (*Cheka*) is yet to be established. Additionally, the degree of autonomy of the internal security services and the general bureaucratic *nomenklatura* in shaping and implementing reforms in such a way as to secure their own interests (as in the case of Russia, see Ozernoy and Samsonova 1995: 275) opens up another promising path of investigation. The self-serving nature of the bureaucracy and state institutions can be very instrumental and effectively utilized in bringing them under the full control of the regime and even of personal or party loyalty. The depth of such control and state infiltration to the level of deep intrusion into the public and private spheres are very indicative of "autocratic quality" and have to be intensively studied (Vasilache 2009; 2012). It is interesting that the phenomenon of the ever-growing influence of the members of the internal security services can, in extreme cases, lead to the formation of a new elite—a mix between *nomenklatura* and *siloviki*—to destroy competitors and secure the economic and political instruments of power, including the very means of coercion, as brilliantly uncovered by Andrei Kovalev (2017). This type of *nomenkaltura-siloviki*-based bureaucracy is intimately linked to the ability of the ruling regime to control and monitor at all levels of governance to ensure collaboration and prevent sabotage. However, it also, as Barbara Geddes points out, increases the power of the so-called inner circle of the regime and the clientele networks, as well as often requires a concentration of power by chief executives and the replacement of the bureaucracy by regime supporters (Geddes et al. 2018: 129; Huntington 1991: 137). These people, as shown in the extreme case of Russia, are united by the same value system and identity and can gradually take over in key positions across the country and be accountable to no one but the president himself, being the driving force behind authoritarian policies (Treisman 2018: 111–12).

Institutions that are captured by party members or regime supporters are very difficult to control, given the fact that parliamentary oversight is either limited or similarly under the control of the ruling party (regime). Often national legislatures simply refuse to execute control or even delegate legislative initiative to the concerned security agency themselves (Treisman 2018: 115). Excessive state control and unchecked administrative harass-

ment, a typical feature of the Soviet institutional legacy, can produce a significant impact on economic and business life (due to the interests of the clientele network) and take the form of direct state racketeering (Dabrowski 2023: 63). This can turn into a systematic practice if not detected and limited by a strong civil society. Yet if the grass-root activities are organized and controlled from above (by the state), the ConGos (government-controlled NGOs) can do little if anything to increase the quality of democratic control. Therefore, the institutional mechanisms of accountability that include the intrinsic interplay of roles and relational dependencies between the political leaders (elites), the bureaucratic body and the internal security services are the central elements of the analytical inquiry in this paper. These are the key variables, assumed to be the central ones that will determine the success or failure of democratic transformation and institutional change in Armenia, the adoption, that is to say, of democratic standards in institutional practices (good governance). In other words, if the ruling political elite's *modus operandi* for consolidating power had not experienced a radical change since the collapse of the Soviet Union, so that a corresponding (inner) institutional change in the power agencies and bureaucracy essentially was not required, there is no logical foundation for expecting democratic consolidation, even if the regime change was caused by a seemingly prevailing democratic movement (party).

The review of the empirical evidence in this chapter is primarily focused on the key events and individuals that decisively shaped the political and institutional fabric of Armenia after 1990. The periodic division of analysis could not be avoided due to the methodological approach selected that favors a closer historical lens for analysis by tracing the major junctures in (or through) which the crucial decisions were made (or triggered). I rely on extensive use of open-ended interviews, albeit with a similar structure and question topics (not limited) that serve the purpose of empirical verification of the links to be established. The institutional aspect of transformation, in other words, the bureaucratic body and the policies of the internal security agencies will be scrutinized from the normative legal perspectives as well as from the standpoint of the practical implementation of respective legislative efforts. Consequently, the structure of the chapter follows the logic of the historical development and focuses on three major periods in Armenia that can be easily distinguished from each other. The first one covers the early democratization efforts and approach to internal security from the early nineties to 1998, when a major political (regime) change took place. The second period of analysis embraces 20 years of political power

and institutional consolidation in Armenia from 1998 to 2018, that can symbolically be described as—*in the service of (heads of) state*. The third and last section of the historical review draws attention to the events of the 2018 "Velvet Revolution," the hopes associated with it and post-revolutionary efforts of political change. In all three periods the major events and decisions will be presented and explained in the context of elite interests and security practices for the purpose of power consolidation. Not least, the chapter will attempt to shed light on the bureaucratic nature and interests of the internal security apparatus, typically represented by the Ministry of the Interior, prosecution office and the national security service, with others playing much lesser roles in the institutional power-pyramid of the state. The last section will sum up all the evidence collected in previous sections and, with the additional (external) variable of influence, such as foreign assistance with democratic reforms, will conclude and formulate key findings relevant to our inquiry.

Early democratization and the approach to (internal) security

The Soviet political system in the late 1970s and early 1980s was approaching the peak of the so-called *Zastoi* (standstill) period. The need for political change was realized not only by Gorbachev and his allies but by KGB ranks as well, who often visited capitalist countries resulting in open suggestions for reforms "to get richer."[3] The general administrative fabric of Soviet rule (although there were regional differences) was characterized by a high degree of regulatory systems at all levels being controlled by party officials (*Gorsovet, Oblkom, Raikom etc.*). The bureaucracy, marked by an impressive implementatory discipline, was nonetheless plagued by a general lack of initiative and responsibility, with empty and formal accountability, informality, struggling to get more resources from the center (Moscow) and thus inhibiting the complex and structured (hierarchical) system of corruption.[4] The all-encompassing *Pokazukha* (fake show of activity) extended to certain control elements as well, such as the *people's*

3 Interview with Aram Sargsyan, former (First) Secretary of Central Committee of the Communist Party in Armenia 1990–1991, April 19, 2023.

4 Interview with Armen Darbinyan, former prime minister from 1998 to 1999 and minister of finance in 1997, April 17, 2023; Interview with Khosrov Harutyunyan, the former Prime Minster from 1992 to 1993, April 20, 2023.

control committee or the OBKHSS (Department Against Misappropriation of Socialist Property, i.e. the financial police), the most corrupt body in the Ministry of the Interior that could always be used for selective punishment; and, despite the fact that the police force (*Militsia*) was massively used to control political opponents, ultimate power lay in the hands of the KGB, pretty much in line with the popular saying " и ЦК ЧК и ЧК ЦК" (the Party Central Committee is the KGB and the KGB is the Party Central Committee).[5]

Civil society activism was largely controlled from above during the Soviet time (Paturyan and Gevorgyan, 2014). It is interesting that the initial mass movements had nothing to do with the anti-Soviet political agenda or national independence. As many of the early national leaders reiterate, ecological issues such as the functioning of the nuclear power plant and the Nairi chemical factory, as well as the Armenian genocide of 1915, were the key questions that occupied the minds of the majority and the core of democracy understanding.[6] The demand for a more free society led the group of activists chaired by Vazgen Manukyan to issue a declaration of human rights (similar to the US declaration of independence) and to create in 1988 the so-called Karabakh Committee (henceforth KC) that was joined by Levon Ter-Petrosyan and Babken Ararktsyan.[7] Developing events in the Armenian-populated autonomous region of Karabakh in Azerbaijan, and the devastating earthquake in December 1988 strengthened the spirit of national unity and the influence of the KC inside the country and among the Armenian diaspora (for financial support). The Soviet regime responded with the mobilization of the 7th army deployed in Armenia, and a massive arrest of KC members, who were then sent to Moscow (and imprisoned).[8] Undeterred by that, hundreds of thousands of people continued to rally behind the Karabakh cause (especially after the Sumgait pogrom on February 27, 1998), so that even communist party and KGB members could not stand

5 Interview with Paruir Hairikyan, the Soviet dissident, former aide to the President of Armenia in late 1990ies, Ombudsman from 1998 to 2003, and presidential candidate in 2013, April 17, 2023.

6 Interview with Khosrov Harutyunyan; Interview with Levon Zurabyan, aide to President Levon Ter-Petrosyan and head of Armenian National Congress parliamentary faction from 2012 to 2017, April 19, 2023.

7 Interview with Vazgen Manukyan, former leader of the Karabakh Committee, prime minister from 1991 to 1992, and defense minister from1992 to 1993, April 21, 2023.

8 Interview with Valery Poghosyan, head of the Directorate of National Security from 1992 to 1993, April 20, 2023; Interview with Vazgen Manukyan.

aside, and it became increasingly clear that the Karabakh issue could only be solved in the context of Armenian independence.[9] The mass character of the Karabakh movement made many Armenian KGB and police officers so patriotic that the option of using state violence to disperse protesters was out of the question.[10] The tension inside the communist regime forced the first secretary of the party Karen Demirchyan to resign on May 25, 1988 with the words "I can't take Karabakh out of my pocket and give it to you".

A power vacuum was created, as the Kremlin displayed a kind of uncertainty about "working" with the Armenian communist party leadership (including the MOI and KGB) and with the Karabakh movement as well.[11] This weakness was increasingly utilized by the KC. The second committee (after ousting its first leader Igor Muradyan), which had eleven official members and five secret ones, quickly realized that without changing the agenda from the naive demands for democracy to full independence and without fully taking power in the country, the defense of Karabakh would not be possible.[12] Amazingly, most of the KC members were not former military or driven by opportunistic interests, but very well educated people from the *intelligentsia* (writers, scientists, engineers etc.), as many key figures admitted, who nonetheless were very successful at turning the protests into a truly national movement. By 1989 the KC (later transformed into the AOD—Armenian United Movement) already possessed its own armed groups, was able to send delegates to the USSR Supreme Council and arranged a meeting with Michail Gorbachev, though only via the chief of the Soviet KGB Vladimir Kryuchkov.[13] There could be no illusion that the communists would easily surrender power. A number of provocations were organized to simulate armed robbery (stealing of weapons) from Soviet army units turning into bloody clashes (near the metro station Shengavit) and mass protests against Soviet military. AOD accused the communists, but was also facing a revolt of the KGB-run armed group called HAB (Armenian National Army) and was directly engaged in talks with Russian

9 Interview with Karapet Rubinyan, vice-chairman of the National Assembly of Armenia from 1995 to 1998, April 18, 2023; Interview with Valery Poghosyan; Interview with Levon Zurabyan.

10 Interview with Aram Sargsyan.

11 Interview with Aram Sargsyan.

12 Interview with David Shahnazaryan, chief of the Directorate for National Security from 1994 to 1995, former member of the Karabakh Committee, April 27, 2023; Interview with Karapet Rubinyan.

13 Interview with David Shahnazaryan; Interview with Vazgen Manukyan.

generals to calm down the situation.[14] Despite the change of agenda and multiple change of its leadership (Russian speaking Igor Muradyan, was replaced by Vazgen Manukyan and he himself by Levon Ter-Petrosyan) the KC/AOD managed to have close contacts with both the members and supporters of GKCHP (e.g. General Makashov, ГКЧП–State Committee of Emergency Situation in 1991), as well as with Boris Yeltsin and the democratic camp (Vazgen Sargsyan kept up a warm relationship with Pavel Grachov, and Hrant Bagratyan was a friend of Igor Gaydar).[15] Similarly, the AOD kept intensive contacts with the Armenian communist administration on various levels, including heads of the communist party (Karen Demirchyan and Vladimir Movsesyan), the ministers of the interior or the Yerevan GORKOM (city committee).[16]

Close relationships of this kind enabled the AOD to win the elections to the Supreme Council (parliament) in 1990 despite the fact that the communists won a majority (114) of the seats (97 were won by the AOD) and there were no strong expectations of defeating the communists. However, the intensive and individual "work" with the communist members (often visiting them at home, encircling the Assembly building etc.) on the part of the Supreme Council, resulted in many communists changing sides and allowing Levon Ter-Petrosyan to win against the communist candidate Vladimir Movsesyan in the fourth round and become the Chair of the Supreme Council, once the support of the communist group around Vigen Khachatryan was secured.[17] As Vazgen Manukyan recalls, the victory against the communists was made possible because of a lack of support from Moscow and the great coalition of forces that united the entire society on the other side. However, as he continues, there was a general understanding of the need to cooperate with the communist machinery, due to the lack of administrative experience and expertise on the AOD side, which was clearly recognized by the AOD itself — "a romantic brotherhood with rosy visions of the country's paradisal future economic prospects."[18]

14 Interview with Levon Zurabyan; Interview with Karapet Rubinyan.

15 Interview with David Shahnazaryan; Interview with Khosrov Harutyunyan; Interview with Hrant Bagratyan, the former prime minister from 1993 to 1996, leader of the Freedom Party, April 25, 2023.

16 Interview with Aram Manukyan, member of the National Assembly since 1990 and the Armenian National Congress, April 28, 2023; Interview with David Shahnazaryan.

17 Interview with Levon Zurabyan; Interview with David Shahnazaryan.

18 Interview with Karapet Rubinyan.

Consequently, after the elections and becoming President of Armenia, Ter-Petrosyan selected communist Gagik Harutunyan as prime minister (after Vazgen Manukyan) till 1992 and as his vice-president until 1996, when he was elected as the chair of the constitutional court.[19] Many senior communist appointees took positions as deputy ministers and heads of departments. A process of massive administrative takeover was underway, in which the AOD was basically replacing the communist administration. As the first secretary of the Armenian communist party Aram Sargsyan recalls, he had the impression that Ter-Petrosyan wanted to destroy everything related to the communist party.[20] Surprisingly, however, there was no purge of communists as well as no great fear of communist revanche, resulting in the bulk of the government, except for prime minister Vazgen Manukyan and the minister of economy Hrant Bagratyan, remaining predominantly communist. As the former prime minister (1992–1993) Khosrov Arutyunyan recalls, Vazgen Manukyan openly declared that there would be no *raskulachivanie* (political and economic punishment of communists), thus securing the support of *red directors* and so-called *zekhaviks* and allowing many *apparatchiki* to remain in their places.[21] This policy, the rejection of purges, continued after Manukyan resigned, especially in the governmental branches of economy, industry, and finance. Communist members of the National Assembly even supported the push by the new government (led by Hrant Bagratyan) for liberal reforms (including land reforms), privatization, and the distribution of property vouchers. Interestingly, the law on the expropriation of the property of the communist party was supported by the vast majority of the communist Assembly members, and it was only the Kremlin's harsh response (Gorbachev kept silent), when officers of the 7th army visited first secretary Aram Sargsyan and showed Soviet defense minister Yazov's order to protect the Soviet/communist property in Armenia.[22] This was a pretty tense episode. The Russian (Soviet) forces initiated operation KOLJCO (Ring) encircling 24 Armenian villages in Karabakh and parading units on the streets of Yerevan.[23] Yet the communist leadership of Armenia rejected any option involving bloodshed, and the AOD placed all its hopes in Yeltsin. Once GKCHP (the coup d'état in

19 Interview with Valery Poghosyan; Interview with Karapet Rubinyan.
20 Interview with Aram Sargsyan.
21 Interview with Khosrov Harutyunyan.
22 Interview with Aram Manukyan; Interview with Aram Sargsyan.
23 Interview with David Shahnazaryan.

Moscow in August 1991) failed, it became clear even to the communists that from now on the AOD was unstoppable.[24]

At this point a brief excursus regarding the nature of the bureaucratic body in the early transformatory period in Armenia is required. As was typical of every Soviet republic, bureaucratic (professional) promotion was extensively organized, structured, and linked to party membership, which implied a long pathway of professional experience and competence. It by no means excluded, however, the possibility of there being a large number of opportunists, who would betray the communist party for personal benefits if possible. Large numbers of the old bureaucratic cadre did not share the enthusiasm for independence, but nonetheless decided to cooperate with the new government (some left the country).[25] The AOD itself was aware of the high degree of incompetence among its cadres and did not hurry to replace communist *apparatchiki* (administrative staff members) with own its loyal but incompetent supporters, thus mainly occupying the top level and leaving more than 60% of government positions to former communists.[26] Despite the fact, that the question of lustration and political purge was debated in the AOD's leadership, fear of societal division with the consequent loss of massive popular support was too great to ignore. Therefore, as Vazgen Manukyan (former prime minister in 1991–1992) admits, even Karen Demirchyan, the communist party leader was offered a position as the director of a large factory. Others also had the green light, such as the director of GOSSNAB (state procurement), Gevork Vartanyan (nicknamed *Zhoko*) and a certain Tataryan, who were extremely corrupt, but did their work so effectively and quickly, especially in economy and industry (e.g. solving a coffins shortage in Yerevan after the earthquake, or organizing the construction of a gas pipeline via Georgia during the blockade from Azerbaijan) that the AOD had no option but to show patience.

The difficulties the new political regime encountered were primarily economic and institutional in nature. The urgency and aim of economic liberalization were not equally shared by the prime minister Vazgen Manukyan, the minister of economy (then prime minister) Hrant Bagratyan, and the President Ter-Petrosyan. The former was against radical privatization and voucherization due to the incapacity of aging Soviet factories to function in the market economy; the second, who also realized the problem of the

24 Interview with Levon Zurabyan.
25 Interview with David Shahnazaryan.
26 Interview with Hrant Bagratyan.

Soviet economic legacy (the collapsed Soviet supply chain and market) nevertheless was pushing for more reforms in agriculture, the food chain, trade, and industry; and the president generally did not share the urgency of needed economic reforms.[27] Therefore, the legal efforts to change the normative foundation of the national economy were predominantly focused on deregulation and demonopolization, often being confronted with the irrelevant and ill-developed assistance models of foreign organizations (e.g. the World Bank).[28] Naturally, the efforts at economic liberalization could have no impact on the socio-economic fabric of the nation. As Khosrov Harutyunyan argues, there was no coherent plan of action, and not enough Western-type businessmen who could jump in and keep up with reforms. Social effects were disregarded and with the old economic system collapsed, President Ter-Petrosyan had already lost legitimacy among the wider populace by 1993 and the *Tsekhaviki* (red factory directors) gained a great deal of power.[29] All these provided the setting for the formation of a new political and economic elite in Armenia. As Vazgen Manukyan recalls, the AOD leadership was concerned with the massive influx of opportunistic individuals (*Barakhlo* - Garbage) in their ranks, who were active during the protest movements and now were pushing for an active takeover in political, administrative, and economic positions out of a fear that "if we don't, others will take them and get that much richer."[30] Khachatur Sukiasyan (nicknamed Grzo) and Gagik Tsarukyan were archetypes of the new emerging business elite and formed very close relationships with the highest ranks of government (the former linked with the interior minister Vano Siradegyan, and the latter with the Kocharyan), a development made even more possible by the inadequate remuneration of government officials (600 rubles being the salary of a minister in 1992), galloping inflation and the resulting opportunities for corruption.[31] Under these circumstances, by 1995 a new group of leaders from Karabakh led by Vazgen Sargsyan were increasingly demanding more political and economic power in Armenia.

27 Interview with Hrant Bagratyan; Interview with Vazgen Manukyan.
28 Interview with David Harutyunyan, minister of justice from 1998 to 2007, April 27, 2023.
29 Interview with Khosrov Harutyunyan.
30 Interview with Vazgen Manukyan.
31 Interview with Vazgen Manukyan.

Power of the Siloviki before 1998

The case of the ANA (Armenian National Army), supposedly created and controlled by the local Armenian branch of the KGB, is pretty telling with respect to the capacity of the Karabakh Committee, that is, the AOD, to exercise power when necessary. The ANA was encircled and disbanded and all armed units and formations became either part of the Ministry of the Interior (MOI) or the Ministry of Defense.[32] Another example is the night-time "special operation" conducted by the AOD in 1993—storming the KGB building (HQ) and establishing control over it with the subsequent release of senior officials over the next few days. The Soviet-type Ministry of the Interior, that after Khrushchev's reign gradually increased its influence, was controlling the massive police force. Yet in the early 1990s, given the MOI's massive tendencies to disintegration, the most unchanged and relatively coherent structure remained the Armenian KGB (the State Department for National Security [SDNS] at that time). Despite the rapid changes of leadership — once a year till 1995 — the internal structure and missions remained the same. As David Shahnazaryan, the chief of the SDNS in 1994–1995 and later Ter-Petrosyan's son in law, recalls, police officials (e.g. Yerevan police chief Aram Sazaryan) frequently asked him for help against the armed gangs, and some MOI officials had to learn through tough lessons like incarceration.[33] The tense situation in power ministries lasted for quite a time. As former PM Hrant Bagratyan points out, despite the physical takeover of the KGB HQ (not least to gain control over local weaponry caches), the replacement of its leadership, and the general desire to purge the system, there was no clear idea what to do with the large body of old Soviet-molded KGB service members.[34] Interestingly, before 1993 the KC/AOD was much more cautious in dealing with the local KGB and, for instance, had to discuss Husik Surenovitch Harutyunyan's candidacy to be head of the KGB with the Kremlin. This fact, along with the state of uncertainty among senior Armenian KGB officials, who were actually ready to arrest anybody if ordered to do so by Moscow and were waiting for the situation to get back to "normality" very soon, is corroborated by Vazgen Manukyan.[35] Once it was clear, that there was no way back to the

32 Interview with Levon Zurabyan.
33 Interview with David Shahnazaryan.
34 Interview with Hrant Bagratyan.
35 Interview with Vazgen Manukyan.

USSR, the Armenian KGB started looking for personal benefits, thus the new government was able to start massively reforming it. Appointed as the head of the SDNS in 1994, David Shahnazaryan fired hundreds of people and almost shut the service down completely, leaving only a few major operational sections (for communication etc.) functioning.[36] Once the new laws and regulations were adopted, the hiring of new people started.

Several events can serve here as evidence of the stormy nature of the early 1990s in relation to the role of internal security agencies in Armenia: the assassination of the former head of SDNS Marius Yuzbashyan in July 22, 1993, who, according to Paruir Hairikyan, published the documents proving President Levon Ter-Petrosyan's links to the KGB, and even informed Hairikyan about the assassination plot against him.[37] It is not clear, whether the killing of Yuzbashyan can be attributed to one of the internal security services in Armenia (*New York Times* 1993). Yet to understand contextually whether this was a genuine possibility, the role of the key individuals in the power pyramid and their influence in shaping the nature of nascent internal security institutions in Armenia must be examined in the context of a general situation where, for nearly 25,000 police officers with no regular salaries and material resources, corruption was the only way to survive.[38] After trying several weak candidates in the position of minister of interior, it became clear to the new government that radical change could only be brought about by an individual who possessed a very strong personality, motivation, and loyalty. This figure was Vano Siradegyan, a talented writer, who became in the end something of a legend, subject to numerous controversies, but nonetheless admired by the overwhelming majority of his contemporaries. As Karapet Rubinyan recalls, in one of the government sessions Vano (chair of the AOD) passionately stated that chaos and *bespredel* (lawlessness) could no longer be tolerated and, according to Levon Zurabyan, he literally proposed himself for the position of the minister of interior.[39] Ter-Petrosyan, who was generally averse to unilateral decisions, feared to "spoil" Vano as a good writer and key member of the Committee. But he was the only high-profile party member with enough authority and energy to act. In 1992 Vano was appointed as the head of MOI and in a very short time the situation changed dramatically for the

36 Interview with David Shahnazaryan.
37 Interview with Paruir Hairikyan.
38 Interview with Valery Poghosyan.
39 Interview with Karapet Rubinyan; Interview with Levon Zurabyan.

better. All gangs and armed bands were eradicated, criminality went down and peace was restored on the streets albeit with drastic methods. Restoring stability and police authority required a good portion of influence on Ter-Petrosyan and a strong carte-blanche, which Vano Siradegyan possessed for sure. He could fire and appoint anybody in a matter of seconds, did not care about the complexities, details, and rules of *Justizia*, yet developed the ability to grasp quickly the core of the problem and deal with it in a very extraordinary but effective way.[40] For instance, he frequently "asked" local businessmen to help certain groups of people (e.g. artists or writers) by implying the threat of using the police force; personally intervened in market regulation processes by abolishing (by force) the middleman function in local food markets; and used the language of the radical ultimatum (including the killer squad) when talking directly to criminal bosses.[41] This type of voluntarist behavior, left no chance of establishing proper institutional policies and procedures in the MOI and significantly contributed to the vast amount of informality and corrupt practices in the government and police system.[42] Vano had no private property but loved comfort and always had enough money, letting his cronies, such as local police chiefs, enrich themselves as well (frequent corruption cases were even regarded by the minister as proof of the restored authority of the police).[43] The same corrupt practices continued and acquired a much more hierarchical nature later, when other powerful individuals replaced Siradegyan in the Ministry. His influence was immense: he was one of the powerful members of the *Gruppa na Datche* (Dacha *or* Holiday Home Group), the inner circle comprising Ter-Petrosyan, Vazgen Sargsyan, Vano Siradegyan and Babken Ararktsyan. Within this group Vano often acted independently, disregarding the others' opinions, so that Ter-Petrosyan started to rely more on Vazgen Sargsyan ultimately appointing him as the head of all power agencies—*siloviki*.[44] Other figures gradually gained importance along with Sargsyan. These were Robert Kocharyan and Serzh Sargsyan, who entered the system where private relationships, friendships and preferences were key to gaining power and later became prime minister

40 Interview with Valery Poghosyan; Interview with Khosrov Harutyunyan.
41 Interview with Aram Manukyan.
42 Interview with Aram Sargsyan.
43 Interview with Aram Manukyan; Interview with Valery Poghosyan.
44 Ter-Petrosyan even declared to ministers at one meeting that nobody was worth as much as the fingernail of Vazgen. Interview with Khosrov Harutyunyan.

and the minister of interior. As Vazgen Manukyan and Hrant Bagratyan (both former prime ministers) recall, all of them were instrumental in cementing the newly acquired power, but, as Karapet Rubinyan admitted, quickly transformed into real monsters by engulfing the country in the mass *bespredel* of police. The lack of control meant lack of institutional and parliamentary accountability in the first place. Neither Vano nor Vazgen Sargsyan truly understood the essence of institutional transformation in a democracy, but both were rightfully recognized by prime ministers Vazgen Manukyan and Hrant Bagratyan as extraordinarily effective managers in finding policy solutions, therefore successfully claiming the positions of minister of the interior and defense.[45] With the victory in Karabakh in 1995 and the resolute support of the army behind him, Vazgen Sargsyan became the major challenger to Ter-Petrosyan. The introduction of the new constitution and the appointment of Robert Kocharyan as prime minister, shifted the balance of power even more in favor of the newly emerged elite.

By 1996 the legitimacy of the President Ter-Petrosyan was heavily shaken due to mass falsification of elections and the grave economic crisis that forced thousands of Armenians to emigrate (US Department of State 1997). Protesters, predominantly supporters of Vazgen Sargsyan, gathered in the streets and stormed the parliament building, where the speaker and his deputy were physically beaten (Levine 1996). In 1997 the Armenian *intelligentsia* (cultural elite) gathered in the House of Kino in Yerevan and declared their vote of no-confidence in Ter-Petrosyan and his government. The Karabakh issue, i.e. the readiness of Ter-Petrosyan to compromise with Baku, was the last straw that consolidated all *siloviki* (power ministers) with a strong Karabakh background such as Vazgen Sargsyan (MOD), Serzh Sargsyan (MOI) and Robert Kocharyan (prime minister). They personally visited the president and, by threatening to withdraw twenty thousand troops from Karabakh, convinced him to resign in 1998, resulting in a massive transfer of Petrosyan's supporters to Sargsyan's *Erkrapa* (later Republican) party and the election of Kocharyan as president in 1999 and Sargsyan as his presidential aide.[46] As Vazgen Sargsyan's deputy (prime minister) at the time, Khosrov Harutyunyan highlights Vazgen Sargsyan's increased awareness (in a coalition with the communist leader Karen Demirchyan) of the need to fight corruption and improve government by initiating institutional changes. As he claims:

45 Interview with Vazgen Manukyan.
46 Interview with Aram Sargsyan; Interview with Karapet Rubinyan.

> We often sat after work together in his office and sipped whiskey, and he was talking about the need of institutional changes. He wanted to clean up his entourage and fought corruption initially with fear, making it instantly punishable, but he also wanted to make it inherently not profitable.

After the assassination of Sargsyan and Demirchyan on October 27, 1999 the existing government collapsed, obviously, because of the major role of party leaders dominating the entire political structure, thus creating the foundation for the rising of authoritarian rule and preservation of weak formal institutions in future. There was no proper investigation of who masterminded the assassinations, however, as Aram Sargsyan reiterates, the Russian special force unit *Alfa* was flown to Yerevan during those days.[47] Conveniently, president Robert Kocharyan and his aide Serzh Sargsyan remained the only meaningful figures in the political landscape (the latter becoming the defense minister in 2000).

Despite the turbulent and often chaotic nature of events in the early 1990s that logically presupposes the huge role of the internal security services during the fragile transitional period, the period up to the 1996 elections could easily be entitled the golden era of Armenian parliamentarism insofar as it featured open debates, intensive discussions, and intellectual contestations.[48] Despite the fact that even before 1996 the *siloviki* were the major instrument of power, no oppressive political control was ever exercised and the respect shown for democratic procedures and the general sense of democracy was much greater than thereafter, when all the liberties started to be gradually rolled back.[49] The Ministry of the Interior, restored by the radical efforts of the extraordinary Vano Siradegyan, did not experience any radical institutional change in its rules and practices, so it continued to be plagued by the legacies of the Soviet past. An overcentralized hierarchy, overemphasis on legalism, lack of human rights standards, widespread corruption and the unwillingness of the police authorities to engage forced the foundation sponsored by George Soros to stop working directly with law enforcement agencies in Armenia (Douglas 2018). In 1996 the Ministry for National Security was merged with the Ministry of the

47 Interview with Aram Sargsyan.

48 Interview with Karapet Rubinyan.

49 "For instance, I often invited key newspaper editors to consult on information warfare in the war against Azerbaijan, and I had no problem with their criticism of me"—Interview with David Shahnazaryan.

Interior effectively creating a super agency: the Ministry of the Interior and National Security led by Serzh Sargsyan. In the same year the internal affairs departments were created in the ministry of the interior.[50] This indicates the growing concerns among the wider public with the practices adopted by the police, and an attempt by the political body to address the challenge. But, just as the ruling political establishment's commonly uses legalism to mask the absence of serious change, civil society, also lacking any influence on government policies due to its small size, centered around one charismatic individual to disguise an absence of activism and lobbying efforts (Paturyan and Gevorgyan 2014).

In the service of the (heads of) state

The terrorist attack on the parliament and the killing of Vazgen Sargsyan and Karen Demirchyan changed everything, from political loyalty to the prospects of geopolitical development. Most of Vazgen Sargsyan's supporters joined Kocharyan's camp, and Kocharyan, once a *Komsomol* leader and loyal member of the security services, started reshaping the state system in a Russian "patronal" manner, albeit less repressively and with more space for societal contestation than in Russia (Lanskoy and Suthers 2019). There are some indicators that point towards conflicting interests in the new ruling elite. Kocharyan, former justice minister David Harutyunyan claimed, had a very clear vision for the future of the state and wanted to create a political system that would be more stable and predictable. So, he started reforming the internal security services, separated the national security service (NSS) from the ministry of the interior and retained political control of the *siloviki* merely at the top level, namely, as the chair of the National Security Council.[51] However, the stability of the system, clearly also meant the monopolization of political institutions, which he, as quite a charismatic individual with strong leadership qualities, in fact achieved. Kocharyan's supporters and critics both admit that he was pretty authoritarian, though open at the same time, and by 2000 the ruling regime had fully embarked on the path of authoritarianism with the state institu-

50 "Regulation of the Ministry of Interior Affairs of the Republic of Armenia on Creating Interior Affairs Departments in the Regional and Yerevan City," Pub. L. No. 139 (1996).

51 Interview with David Harutyunyan.

tions under stable political control and a clear understanding that parliamentary elections alone could never guarantee a strong hold on power.[52] Naturally, this also meant establishing mutually beneficial relations with a wide class of clientele, which meant, for the sake of survival, often having to abandon former centers of political loyalty. From now on the state and oligarchic rule became conflated . Individuals controlling large businesses, like Michael Bagdasarov (aviation), Emil Grigoryan (jewelry factory), Gagik Tsarukyan (nicknamed Dodi Gago), Aleksanyan (hypermarkets) and Khachatur Sukiasyan (nicknamed Grzo) become close informal associates of the political power holders.[53] With the new (old) elite taking over the large swathes of the economy thanks to political patronage, corruption thrived. As Karapet Rubinyan claims, to solidify their personal power, Kocharyan and later Sargsyan chose the majority of their appointees based on their personal loyalty and did nothing to prevent the massive processes of personal enrichment, similar to those of ministers of interior or defense whose source of rapid and tremendous wealth was never explained or investigated. Kocharyan owns shares in the Russian state corporation "Systema," informally controls assets worth of six billion dollars and one of his major supporters, Andranik Margaryan, who changed sides after the assassination of Sargsyan and Demirchyan in 1999, received shares in several large companies and factories and was "allowed" to appoint his son as the mayor of Yerevan.[54]

Yet it should also be noted that Kocharyan clearly understood the need for more competent people and broader political consensus in national decision making. So, for instance, he invited Aram Sargsyan (former first secretary of the communist party) and Khosrov Harutyunyan to be his advisors in international politics and economy and did, in fact, achieve great results in economy and infrastructure in the initial years of his rule.[55] The same approach, in which the ruling political elite (i.e., the leader) tries to balance bad practices with a portion of competent professionals in the state body, continued during Serzh Sargsyan's time. He, for instance, was ready (after asking Vazgen Manukyan for help) to appoint 20–25 young professionals as deputy ministers and senior officials, but, despite the relatively progressive new law on public service introduced since Kocharyan,

52 Interview with David Shahnazaryan.
53 Interview with Armen Darbinyan; Interview with Hrant Bagratyan.
54 Interview with Aram Manukyan; Interview with Karapet Rubinyan.
55 Interview with Aram Sargsyan; Interview with Khosrov Harutyunyan.

many candidates refused the proposal due to the low salaries and unstable career prospects.[56] Ironically, the slogan used by Kocharyan during his presidential campaign was "to bring clean people," but it was exactly with his arrival at the top of the political scene that dozens and dozens of people who had connections to the ruling regime (former *tsekhaviks* or current business clans) entered politics to secure their businesses and make even more money.[57] The widespread practices of corruption are also captured by foreign observers. Transparency International attests the high value of corruption to Armenia throughout the period from 2000 to 2017.

Thriving corruption in law enforcement and justice in the mid 1990s had already forced the new government (AOD) to fire many corrupt judges, and appoint someone who had proven impossible to corrupt (such as Artavaz Gevorkyan) as general prosecutor.[58] Nonetheless, official positions radiated power. New appointees (often talented and clean individuals) quickly adopted corrupt practices, establishing informal links with similarly corrupt representatives in the justice system, which has remained a largely Soviet one with the tradition of executing the political orders of the government (especially since Kocharyan's presidency).[59] It becomes evident that the entire system including the prosecutor's office became more corrupt (more systemic and hierarchical). The prosecutor's office got so powerful that it dictated everything to the courts and judges and controlled all cases.[60] As Ruben Vardazaryan, former head of the judiciary council, testifies, till the late 1990s the prosecutor's office "was like God," always dominated judges, dictating final verdicts to them so that they (the judges) had to consult the office beforehand. It was no wonder to him that corruption "revenues" were split accordingly, with 80% of bribes going to prosecutors and only 20% to judges.[61] Consequently, the internal security services (especially the police) were increasingly used to suppress political and social discontent. From the early 2000s the police were regarded by the public as not only extremely corrupt, but as the major body serving authoritarian rule rather than public order. The growing number of political prisoners and the arbitrary use of excessive violence became a routine

56 Interview with Vazgen Manukyan.
57 Interview with Aram Sargsyan; Interview with Valery Poghosyan.
58 Interview with Valery Poghosyan.
59 Interview with Valery Poghosyan.
60 Interview with Aram Manukyan.
61 Interview with Ruben Vardazaryan, former Chairman of the Supreme Judicial Council of Armenia, April 28, 2023.

practice, so that the mass protests during the presidential elections in 2008 ended with 10 people shot dead (Khylko and Tytachuk 2017). Many civil activists and associates of the former President Ter-Petrosyan (including Karapet Rubinyan and Nikol Pashinyan) were put in jail (more than 36 cases) (OSCE 2008). Similar things happened in July 2016, as the police used massive and disproportionate force to disperse crowds of protesters on July 29 (Human Rights Watch 2016). Despite the shift to more autocratic rule, the Armenian leadership nonetheless always tried to avoid a full-blown transition to autocracy. Early attempts to conduct institutional reforms were always accompanied by an eye to the overall democratization score in the region. Therefore foreign (western: EU and US) support was often appreciated. However, external partners faced a very difficult and complex challenge. By 2008 a massive police assistance program had been launched by the OSCE and coordinated by the national security council. Although it led to improvement in police working conditions and salaries, the overall culture, the mentality of the organization and therefore the behavioral patterns of the police) did not change, leading to the public assessment of the reforms as cosmetic and fake (Douglas 2018: 8). Still, during Serzh Sargsyan's administration in 2015 a decision was made to create an anticorruption council and a task force for the implementation and monitoring of anticorruption measures.[62] It was only a half measure, even more so, since the anticorruption council members were exactly those ministers, who were typically accused of highly corrupt practices. The cosmetic nature of the action was additionally highlighted by the envisaged 2015–2018 Action Plan, which had not yet been developed by January 2016 despite the financial support provided by USAID (Anticorruption Programmes Monitoring Division 2016). Even so, by 2017 the anticorruption council included a far wider representation of local and international watchdog organizations with a mission to participate in devising anticorruption policies in different relevant areas (e.g., the revenue collection agency) (Anticorruption Programmes Monitoring Division 2017).

The key figure in devising and implementing reforms in justice and law enforcement appears to have been David Harutyunyan, the minister of

62 "Decision of the Government of the Republic of Armenia on Establishing Anticorruption Council and Expert Task Force, on Approving the Composition of the Council and Rules of Procedure for the Council, Expert Task Force and Anticorruption Programmes Monitoring Division of the Staff of the Government of the Republic of Armenia," Pub. L. No. 165-N, 13 (2015).

justice with the longest period of service from 1998 to 2007 and protégé of former prime minister Khosrov Harutyunyan. According to him, it became possible to implement the bulk of institutional reforms after 1998, when AOD and resistance from it disappeared.[63] The dominating role of the Prosecutor's Office, led by Aghvan Hovsepyan (a figure "smart but evil at the same time"), who tried to keep control over the court system vis-à-vis the ministry of justice was eliminated by early 2000. Thousands of old Soviet laws and regulations adopted since SOVNARKOM (the Soviet Peoples Commissariat) in 1927 were reduced to only 200 relevant ones, and the practice of the independent selection/appointment of judges was restored.[64] These facts are corroborated by Ruben Vardazaryan, who certifies that "a very talented David Harutyunan" had the ability to implement his vision of the justice system and liberate judges from the yoke of the Prosecutor's Office. As he aptly puts it:

Since then they've (the judges) never been punished for a decision different from the prosecutor's office's demand. Never again could the prosecutor general visit a judge or the justice minister with a simple kick of the door, but had to make a telephone call in advance.[65]

The Ministry of Interior continued to be a controlling force rather than a service to the population. Unlike the NSS, the MOI was always an example of incompetence and tool of mass detention.[66] Structurally and mentality-wise it was suffering from the past and Soviet legacies, such as a responsibility to protect the regime, the old Soviet militarized ranking system, nepotism, poor training and facilities, and low wages that created strong incentives for corruption. The NSS was also structured as it was in the Soviet time. As the former head of NSS Artur Vanetsyan admits, the internal security services, being very conservative in nature, were and still are used for political control, always struggled to transform and till 2002/3 used the old Soviet work style, which included the massive application of Russian-language Soviet regulations and document forms.[67] All of these, he continues, caused the senior and mid-level personnel in the Soviet mold to

63 Interview with David Harutyunyan.
64 Interview with David Harutyunyan.
65 Interview with Ruben Vardazaryan, former Chairman of the Supreme Judicial Council of Armenia, April 28, 2023.
66 Interview with Ruben Vardazaryan.
67 Interview with Artur Vanetsyan, former head of the National Security Service from 2018 to 2019, April 26, 2023.

resist even the digitalization of thousands of archive documents and turned it into a hard task.

The leadership of Serzh Sargsyan, a much less charismatic figure than Kocharyan, bore nonetheless a clear sign of policy continuation. With less education but much more attention to rational argumentation and consultative decision making "he could call a council and listen for hours to others to make his decision."[68] For instance he appointed Arman Mkrtumyan, an MGU-professor (Moscow State University) as chairman of the supreme court, who introduced the precedent tradition into justice. Naturally, the mission of securing political control remained intact. However, in Sargsyan's time, typically, an intermediary individual (not an important one) from the government would ask a judge for a meeting, which was a clear indication that some political interest was involved, but implied no punitive consequences, if the judge came to an independent (different) decision.[69] Some changes (laws) were also initiated in 2003 to protect security service personnel from political influence and institutionalize career development procedures (rolled back by Pashinyan in 2020).[70] A significant increase in salaries for judges almost eliminated corruption cases at the lower level, but the need for a fundamental change grew even greater.

Promise of change and unchanged security practices

There is a clear similarity in the nature of events between 2018 in Armenia and 2003 in Georgia. A revolutionary euphoria engulfed Armenia, resembling the events of the late 1980s. Like Micheil Saakashvili, Nikol Pashinyan did not arrive as the leader of a strong party, but as a charismatic individual with excellent communication skills—or mass manipulation skills, as some of his opponents claim.[71] The major slogan he proclaimed was a fight against corruption and democracy as the hallmark of national policy (even of foreign policy). It is unclear why Serzh Sargsyan abstained from harsh measures similar to those used in 2016 or 2008 to subdue protests and keep power. There could be several reasons to consider such as his desire to remain as the head of the governing (Republican) party after leaving

68 Interview with Aram Manukyan; Interview with Ruben Vardazaryan.
69 Interview with Ruben Vardazaryan.
70 Interview with Artur Vanetsyan.
71 Interview with Ashotyan Armen, member of the Republican Party and minister of education and science from 2009 to 2016, April 20, 2023.

office. However, it seems that, despite facing thousands of protesters led by priests and soldiers, no one acceptable to the Kremlin as well as to local elites could be identified in the inner regime circle, who would "preserve the balance of power within Armenia's elite" (Lanskoy and Suthers 2019: 92–3).

Expectations of a rapid fundamental catharsis in the political system began to crumble, as the new political leadership started displaying worrying symptoms. Despite visible effects that included renovating streets and buildings, increasing salaries and pensions, and liberating economic activities from excessive state control, attempts to consolidate political power by appointing close associates (based on personal loyalty) and dominating law enforcement as well as the judiciary, were very reminiscent of the old well-known bad practices being adopted again. According to Aram Sargsyan, Pashinyan has rejected his spiritual father Levon Ter-Petrosyan and is now forming a new elite but with no coherent ideology crystallized yet.[72] The revolutionary promises of erasing corruption hit some major figures from the former elite hard. Raids were conducted to apprehend General Manvel Grigoryan, revealing tremendous personal wealth and a stockpile of arms and other goods, which were followed by the detention of former president Kocharyan and the head of CSTO (Moscow-led military alliance), former deputy defense minister Yuri Khachaturov (Lanskoy and Suthers 2019: 94). Interestingly, however, Kocharyan's long-time partner and business mogul Gagik Tsarukyan and his parliamentary faction (Prosperous Armenia) were key to Pashinyan's confirmation as prime minister, which clearly pointed to an alliance being formed between these two figures. Similarly, Khachatur Sukiasyan, who began his oligarchic career in the 1990s and has had close relations with all administrations since Armenia's independence, is now a member of Pashinyan's party in parliament. According to claims from the political opposition, most of the corrupt figures from Sargsyan's time remained either untouched or support Pashinyan.[73] But from these sources it is also very noticeable that the old "heavyweights" are gradually becoming mixed up with the new elites. So, for instance, former prime minister and current mayor of Yerevan, Tigran Avinyan, de facto monopolist owner of the real estate in the downtown and brother of the parliamentary chairman (Alen Simonyan) controls all the road construction tenders.

72 Interview with Aram Sargsyan.
73 Interview with Ashotyan Armen; Interview with Ruben Vardazaryan.

The appointment practice for the highest-ranking officials in state agencies and ministries has received no less criticism. Valeri Osipyan, appointed head of the MOI from 2018 to 2019, was well known for being involved in violent attacks against protesters before 2018, while the minister of foreign affairs, Ararat Mirzoyan, who till 2018 had "no money to buy a vacuum cleaner" suddenly had no problem building a villa worth US$ 260,000.[74] The principle of personal loyalty (as opposed to competence) can be traced in other high-level appointees such as ambassadors to major countries (USA, Germany, Ukraine etc.), who typically happen to be either Pashinyan's close associates, friends, or subordinates. A slightly different situation existed in the internal security services, where the majority of the staff were, in fact, appointed and made their careers under the Kocharyan and Sargsyan administrations. This made the initial effort of tackling the old regime more challenging and, consequently, the initial raids and detentions were carried out under the leadership of the NSS, not the MOI. However, especially after the defeat in the Karabakh war of 2020, Pashinyan became even more distrustful and shifted his favor towards a much more massive security control body, that of the Ministry of the Interior.

As Artur Vanetsyan (former head of the NSS) argues, since Pashinyan appointed his classmate as the minister, the MOI has become much more powerful than the NSS, which has been stripped of technical surveillance, the anticorruption agency, and the state protection service, all of which have been transferred to the MOI while the foreign intelligence service has been made directly subordinate to the prime minister.[75] Artur Vanetsyan , the only high-ranking NSS career official who knew Pashinyan personally and who served as NSS head under his rule between 2018-2019, was arrested and charged (albeit unsuccessfully) with treason against the state. Increasingly, the MOI plays the role of the counterbalance to the NSS, which has significantly lost influence (major tasks) and is struggling to remain as a cohesive structure due to the "generational rifts" under the current head, Armen Abazyan, a compromise figure appointed to please Russia (*Intelligence Online* 2023). Pashinyan's distrust of the NSS and army is difficult to conceal. Whereas, even in public speeches, the prime minister underlines the necessity ("not a bit of mistrust") of the government being sure that the NSS is not crossing any red line, the MOI is getting more funding, and increasingly resembles a structure with army units (Prime Minister

74 Interview with Ashotyan Armen; Interview with Karapet Rubinyan.
75 Interview with Artur Vanetsyan.

of the Republic of Armenia 2019). The controversy around the MOI and NSS redoubled when former head of police Hayk Harutyunyan and the Yerevan police chief Ashot Karapetyan were found dead (the former in his Yerevan home and the latter in Russia) in September and November 2019 respectively, and in December 2020 the former NSS head (2017–18) Georgi Kutoyan was also found dead in his apartment (OC Media 2020). There were allegations linking the deaths with the disappearance of documents from the NSS relating to the 2008 and 2016 crackdowns on protesters on the eve of Serzh Sargsyan's resignation during the Velvet Revolution. But nothing decisive has been proved.

Worrying symptoms of the use of the internal security agencies to exert more political influence and pressure, are interpreted by some government critics as a move towards their becoming a new version of the old Soviet Cheka (political police), whose ideological foundation has now been replaced by the criterion of personal loyalty down to the very low ranks of government, which inherently carries a high risk of corruption.[76] The MOI and Prosecutor's Office are again being used to pressure political opponents in addition to other methods such as public intimidation (encircling court buildings with government supporters), reviews of "disobedient" judges in the judiciary council, or the introduction of anticorruption courts.[77] Ruben Vardazaryan (former head of the judicial council) claims that Pashinyan initially implemented many of his ideas on securing the independence of courts by increasing salaries (up to 8000 USD) and the budget and introducing autonomous use of budgetary appropriations, as well as a vetting system for judges, all of which (especially vetting) he started to reverse after the military defeat in Karabakh in 2020 and a public appeal by Vardazaryan to judges to be guided only by principles of law and justice (not political motives).[78] Only a couple of days after the ceasefire agreement in November 2020, Vardazaryan claims, Pashinyan directly demanded that opposition leaders to be detained and, once charges rejected by the courts, a criminal investigation to be opened against Vardazaryan on the grounds of obstruction of justice (leaked conversation with Gagik Jhangiryan, acting chairman of the Supreme Judicial Council [SJC]) (US Department of State 2021). Anna Vardapetyan (the prosecutor general), for instance, admitted that she was regularly briefing the prime minister, and the head of the

76 Interview with Artur Vanetsyan; Interview with David Shahnazaryan.
77 Interview with Khosrov Harutyunyan; Interview with Ashotyan Armen.
78 Interview with Ruben Vardazaryan.

judicial council, Karen Andreasyan, who also admitted having Pashinyan's picture on his office wall, but was able to charge only one judge with corruption on the evidence available despite multiple open cases.[79] Like Anna Vardapetyan, Argishti Karamyan, the chairman of the investigative committee is a close associate of the prime minister. Both agencies are engaged in informal competition to showcase their loyalty and professionalism to the prime minister, the former being very competent and experienced and the latter having little independent judiciary expertise except for serving as the deputy and the head of NSS in 2020, and the minister of justice in 2021–2022.[80] Interestingly, by eliminating the previously existing major preconditions (e.g. three years' experience) for being appointed to the top and key positions in government (ministries and services) in the law on public service, the prime minister effectively gained control over the entire administrative body of power agencies.[81] The Ministry of the Interior continues to be the key pillar of power preservation with no major change in political and public perception. As Hrant Bagratyan recalls, even Levon Ter-Petrosyan was against the idea of reducing the MOI's relevance, and Pashinyan's reliance on the police has grown even greater, in contrast to other *siloviki*, as shown by the award of higher salaries and financial bonuses.[82]

It should not go unnoticed that Pashinyan's administration did, in fact, implement some positive changes as well. For instance, businesses have been freed from the state's repressive and punitive measures, as well as from the criminal takeovers that used to be the daily practice before.[83] Pashinyan has also tried to revitalize the anticorruption council and its respective policies. The national security strategy adopted in 2020 introduces very strong language, declaring any form of corruption to be a threat to national security (principle of zero tolerance), and aspirational reforms to security institutions that are "distinctive to democratic, parliamentary states, thus ensuring ... higher levels of parliamentary, political, and civil oversight".[84]

79 Interview with Ruben Vardazaryan.
80 Interview with Ruben Vardazaryan.
81 "On amendment to the law of the Republic of Armenia 'On Public Service,'" Pub. L. No. Kh-192 2-14.06.2019-PI-011/0 (219AD).
82 Interview with Hrant Bagratyan; Interview with Khosrov Harutyunyan.
83 Interview with Armen Darbinyan.
84 "National Security Strategy of the Republic of Armenia: A Resilient Armenia in a Changing World," July 2020, 24, 25, https://www.gov.am/en/National-Security-Strategy/.

The national assembly approved the government's five-year plan that declared the "dictatorship of the law."[85] Furthermore the 2022–26 Strategy for Judicial and Legal Reforms significantly increases funding for the cassation, constitutional and anticorruption courts, and introduces two-level periodic integrity checks for judges.[86] All these formally highlight the government's desire to implement reforms quickly and comprehensively. However, along with the ever-increasing (informal) domination of the several key agencies, such as the SJC, the lack of independent or public and parliamentary control while executing the declared reforms and strategies provides nourishing soil for distrust and accusations that these actions are overly legalistic in nature. So, for instance, police major Gerasim Mardanyan, charged with torture in 2017, was appointed as a deputy chief of Tavush police, and Mnatsakyan Martirosyan, despite serious problems with his integrity checks (conducted by the corruption prevention commission) was cleared by SJC for a judge's position in the anticorruption court (later removed) (US Department of State 2021). The overall size of the police force remains disproportionately large (in relation to the size of the population), as it was in the times of Kocharyan and Sargsyan's administrations (Douglas 2018: 15). And what is more alarming is that the low level of training and education of the police force (patrol units or municipal police), the subject of criticism from the political opposition, has been indirectly confirmed at public events where foreign aid (from OSCE, UNDP, and UNICEF) is intensively considered and discussed (First Channel News 2022).

The lack of thorough parliamentary control, the basic element of transparency, accountability, and public trust, is understandable due to the fact that the majority belongs to the ruling party that has turned the legislature into the extended hand of the government. As Pashinyan's opponents point out, any criticism in parliament can lead to the threat of or actual physical punishment (beating) for the individual involved, as was the case with the chairman of the national assembly, Alen Simonyan, who was involved in assaulting critics on the street, or the opposition ombudsman candidate, who faced seriously intimidating remarks during the parliamentary session.[87] In fact, the current parliament, many argue, represents a regrettable contrast

85 "About giving approval to the program of the government of the Republic of Armenia," Pub. L. No. NDO-002-N (2021).

86 "2022–2026 Strategy for judicial and legal reforms of the Republic of Armenia," Pub. L. No. No 1133-L (2022), 31–33.

87 Interview with Artur Vanetsyan.

to the vibrant atmosphere of the national assembly in the early 1990s that was filled with intellectual contestation, failing to advance a truly developed democratic party system.[88] To a large extent, the deficits in political culture and tradition mentioned can certainly be attributed to the fact that the still existing gap between the state and the populace has not been able to be filled by an active civil society and NGO sector. Thanks to the Soviet legacy, people still believe that it is the state that is primarily responsible for people's well-being and are thus reluctant to take the initiative (Paturyan and Gevorgyan 2014: 29–30).

Conclusion

It seems that the power transition in Armenia and the respective "paralysis" of the internal security apparatus in the late 1980s and early 1990s was preconditioned by the power vacuum in the Kremlin and the inability of the Soviet central apparatus to formulate and implement restrictive measures at its periphery—in Armenia in particular. The destruction of the communist party at the central level (by Gorbachev) left the Armenian communist government and administrative body paralyzed and without legitimacy, effectively eliminating the power of resistance to new challengers.[89] The new elite was, in fact, represented by a large number of intellectually advanced individuals, with a strong sense of individuality, motivation, and enjoying vast popular support. They were able to neutralize (initially) the omnipotent Soviet internal security apparatus and communist bureaucratic body, but very soon developed a certain symbiotic relationship with the former communist apparatus (especially in the administration and economy) due to a lack of governing competence and subject matter expertise among their rank and file.

The inherited security sector, especially that of the Ministry of the Interior (MVD) as compared to the committee of state security (KGB), displayed close to zero authority, disarray, and a highly corrupt structure. By combining the inherited state security institutions with the new paramilitary forces and bringing them under firm personal loyalty to strong individuals (ministers like Vano Siradegyan or Vazgen Sargsyan) the new political elite managed to quickly eliminate the chaos and instability in the

88 Interview with Karapet Rubinyan; Interview with Aram Sargsyan.
89 Interview with Aram Sargsyan.

country. However, further steps strongly indicate that that their aim was rather to strengthen the internal security agencies by improving their legal foundations and material-financial base without radically changing their fundamental principles (Avagyan and Hiscock, 2005). The power transition process, in which the old communist elite was replaced by the new revolutionary party (AOD) leaders, gradually arrived at the point, where the preservation of political power (for President Ter-Petrosyan) could only be managed by excessive use of the *siloviki*, completely controlled, in turn, by strong, independently minded and charismatic party leaders (Siradegyan, Sargsyan, Kocharyan). By completing the full transfer from leadership of society to state leadership, the new elite left a gigantic hole behind, which could never be filled again by influential civil activism en masse, even if some efforts promoted by external (western) actors in the fields of justice and fighting corruption were, and still are, in place. Thus, the split between the state and society (people) remained, as well as the traditional attitude toward the state, that is, of government being the ultimate patron of the Armenian people. This perception of the model of patronage from above very much resembles the Soviet political tradition, and renders the entire process of democratization a literal hostage of the political elites and their respective modes of power-preservation. This continuation of the same understanding of the role of the internal security forces (*siloviki*) as the major instrument of political domination, persecution, and arbitrary law enforcement, was never challenged and is still clearly visible in Armenia.

Any attempt to reform the established power structure, in which personal loyalty is the key criterion for political or administrative promotion, consequently subsides to the level of formality (legalism), in which formal (e.g. legal) improvements do not reflect the existing reality, and often, on the contrary, support continuing the existing informal (i.e. bad) practices, especially in the internal security services. It should be noted that the new elite of the mid-1990s and its successors up to now have never resisted external support aimed at advancing institutional reforms. However, the efforts and funding provided by multilateral donors and organizations usually run afoul of legal amendments that still have enough ambiguous content, overregulation and oppressive criminal code, to allow the internal security services to interpret and enforce them arbitrarily (Dabrowski 2023: 63). As the US ambassador in Armenia Lynne M. Tracy's remarks at the Democracy Forum in 2022 suggest, western financial support for institutional reforms in the country was significant (over three billion USD), and

the spectrum of assistance included an intensive effort to reform the Ministry of the Interior, police force, justice and anticorruption mechanisms (US Embassy in Armenia 2022). Despite the wealth of assistance programs, including those (reform of municipal police forces) supported by the UNDP, UNICEF, UN, and OSCE, the ambassador's diplomatic language could not conceal the growing concern with the conduct of the police against political opposition and the low level of accountability of security services (Police of the Republic of Armenia 2023; US Embassy in Armenia 2022). Interestingly, it is the technical dimension, where the external support was typically highly appreciated and implemented. Whether bringing the new equipment and training courses to police centers or adapting laws and regulations to meet EU standards, the technical nature of the assistance provided largely determined its practical implementation and success—for instance, the German GIZ was highly appreciated in Yerevan due to its "extremely well termed and timely advises" (Avagyan and Hiscock 2005).[90]

Consequently, the Soviet legacy in Armenia presents a mixed picture with regard to governance and the relevance of the internal security services. Although the general mission of securing the domination of the power-holding regime remained the same (as it was in the Soviet era), loyalty to party and ideology was essentially replaced by personal loyalty to a new leader through the extensive replacement of top to mid-level management in the bureaucracy. The national security service (NSS) no longer enjoyed the same terrifying image as its Soviet predecessor (KGB) and the frequent reshuffling of service leadership, as well as of its structure and authority, downgraded the service to an ordinary tool of political control and persecution, similar to those run by the MOI and the prosecutor's office. Nonetheless, the general Soviet perception that internal security services, the *siloviki*, represent the very backbone of statehood and the power pyramid, remained unchanged among political elites, the services themselves, and the general public. The corrupt practices of the late Soviet period in 1980s found nourishing soil with the introduction of the market economy. Thus, the process of formation of the new economic and business elites (existing *red directors/zekhaviks* and emerging business figures) proceeded in parallel to, and in close "cooperation" with, the newly established political regime. This type of the symbiotic relationship between the state (power-holders) and the business class (oligarchs) represents another distinctive feature of the current political system in Armenia, in which a strong link to

90 Interview with David Harutyunyan; Interview with Ashotyan Armen.

the regime can guarantee and protect even the most corrupt oligarch from criminal charges. All these factors, along with the dominating (geopolitical) relevance of the Karabakh conflict on the general perception of security, played decisive roles in stalling security reforms and in a preference for formalism and informal practices over real efforts to transform institutions.

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