

# ANALYTICAL REPORT

## FROM SHRINKING SPACE TO POST-REVOLUTIONARY SPACE: REIMAGINING THE ROLE AND RELATIONS OF CIVIL SOCIETY IN ARMENIA





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RELATIONS OF CIVIL SOCIETY  
IN ARMENIA

**Based on findings of** “Research & Education for Building the Capacities of Civil Society in Armenia” project.

**Implemented by** Socioscope Societal Research & Consultancy Center NGO.

**Supported by** the Heinrich Boell Foundation South Caucasus Office.

**Prepared by:** Zhanna Andreasyan, Armine Ishkanian, Arpy Manusyan, Sona Manusyan and Anna Zhamakochyan.

**Contributed by:** Eduard Danielyan and Mariam Khalatyan.

The research has been implemented with the financial support of the Heinrich Boell Foundation South Caucasus Office. The content of the research, implemented by Socioscope, may not necessarily reflect the opinion of the Foundation.

**Cover photo by:** Narek Aleksanyan

**Design and layout by:** Nora Galfayan

*We at Socioscope NGO would like to extend our gratitude to all individuals and organizations that have assisted us in this work. We are deeply thankful to all interviewed civil society representatives both NGO members and individual activists, as well as representatives of donor organizations who have kindly agreed to share their insightful opinions, concerns and perspectives at both pre-revolution and post-revolution stages of our research project. We hope that the knowledge co-created in these discussions and reflected in this document will be a useful resource for further action of civil society aimed at strengthening democracy, human rights and good governance in this important period of social and political change.*



HEINRICH BÖLL STIFTUNG  
SOUTH CAUCASUS

2018

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## ACRONYMS AND ABBREVIATIONS

BONGO – business-organized non-governmental organization  
CSO – civil society organization  
GONGO – government-organized non-governmental organization  
HR – human rights  
HRD – human rights defender  
HRH Yerevan – Human Rights House - Yerevan  
LGBTIQ– lesbi, gay, bisexual, transsexual, intersex and queer  
LSE – London School of Economics and Political Science  
MP- member of parliament  
NA – National Assembly  
NGO – non-governmental organization  
PM - Prime Minister  
RA – Republic of Armenia  
RONGO – Russia-organized non-governmental organization  
RPA – Republican Party of Armenia

## INTRODUCTION

Following independence from the Soviet Union in 1991, civil society in Armenia began to develop and grow, not without Western donor aid. But it is only in the last five or six years that the nature and purpose of civic action has also become an important subject for (self-)reflection<sup>1</sup> within the NGO and activist communities (Socioscope 2016; Ishkanian 2015). These have also been years of both small- and large-scale street protests on various causes. During this period, Socioscope team members have been conducting a number of small-scale studies in an attempt to keep track of the dynamics of civil society processes, human rights situation and prospects for democracy in the country. During this brief period, understandings of civil society members about their role and their position in relation to government, as well as their perceptions and understandings about their work began to change. From the end of 2017 until

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1. And in particular following the ambivalent outcome of Mashtots Park (#SaveMashtotsPark) movement which commenced as a sit-in by members of “The City Belongs to Us” initiative in February 2012 against installing boutiques in an abandoned public park downtown Yerevan and soon grew into a full-scale movement. While the fight has been appreciated for bringing horizontality and decentralization into movement experience, it has been problematized within activists for the disillusioning outcome. In May, after three months of street struggle, the then president Serzh Sargsyan visited the park to demonstratively order the city mayor the removal of the boutiques on grounds of “being ugly” (rather than unlawful). This incident pushed the activist community to reflect seriously on insufficient politization of their cause and on the need to improve modes of counteraction to cooptation.

early 2018, the period immediately preceding the unexpected Armenian revolution, these perceptions were already marked by considerable anxiety and confusion. With the increasing centralization of power of then President Serzh Sargsyan and the Republican Party of Armenia (RPA), there were growing concerns about the future of civil society as pressure from the regime on civil society began to intensify and become increasingly overt. As the recent Human Rights House Yerevan annual report has documented, this pressure included systematic attempts of producing unfavorable media discourses about HR activists and NGOs by depicting them as “grant eaters” and servers of outside interests, harassments of HRDs and in particular gender/LGBTIQ rights and environmental activists, obstacles to the activities of attorneys involved in high profile cases with large public resonance, just to name a few (HRH Yerevan, 2017). It was during this tense period, February-March 2018, when the Socioscope team and Prof. Armine Ishkanian (from LSE) initiated a joint research examining civil society concerns and “*responses to the shrinking space of Armenian civil society*”. Shrinking or constricting space was how the situation was often described by many human rights NGO members, rights advocates and activists before the revolution. The interviews we had conducted with CS representatives and other key informants shortly before the revolution and prior to the start of this project, revealed apprehensions, concerns and analytical attempts that were informed by an underlying assumption that there was no room or possibility for a power shift. Yet, in less than two months, political life in Armenia took a dramatic and intense turn, which started with nationwide mass protests in April initiated by then opposition leader Nikol Pashinyan and ended with the May revolution with Pashinyan at the helm of a new government. Civil society groups – HR NGOs and informal groups/activists alike – played a key role in the revolution, as it will be discussed in more detail in subsequent parts of

this report. For example, they initiated and participated in a variety of protest activities, including demonstrating in front of government buildings, organizing sit-ins, blocking streets, etc. Importantly, the very realization of the possibility for change –something widely disbelieved in the public discourse– was an essential social change.

The reshaped conditions after the revolution implied a reshaping of state – civil society relations. In this dramatically changed political context, it is important to rethink and re-examine the role of civil society in Armenia. Here we understand civil society to include both formally organised and professionally staffed NGOs as well as grassroots groups, civic initiatives, and movements. Drawing on the definition developed by scholars at the LSE Centre for Civil Society, we broadly define civil society as “...the arena of uncoerced collective action around shared interests, purposes and values...Civil society commonly embraces a diversity of spaces, actors and institutional forms, varying in their degree of formality, autonomy and power”. (LSE Centre for Civil Society 2006: p. ii)<sup>2</sup>. Further to this, within our research we have specifically discussed the role of the *resistant* or *progressive* segment of that civil society. We define *resistant* or *progressive* civil society as the groups that embrace a politically contentious stance and that challenge the conservative status-quo, acting on behalf of and defending the rights and interests of vulnerable groups in society who are largely oppressed, persecuted, unnoticed (ignored) and unheard (voiceless). Progressive civil society actors aim to advance the protection of vulnerable groups and to rally for social change.

After the revolution and the dramatic changes in Armenia’s

2. [http://eprints.lse.ac.uk/29398/1/CCSReport05\\_06.pdf](http://eprints.lse.ac.uk/29398/1/CCSReport05_06.pdf)

political life, our research continued and we sought to capture the shifts that began to occur in civil society-state relations. Our aim was to examine and analyse the role of CS organizations and activists in the Armenian Revolution and to define both the opportunities and challenges for civil society in this new situation.

### *Methodology and our positioning*

When using various parts of this report, it is essential to know the research stance that has been taken. In this research work, Socioscope acts from a position and in an area where we are concerned and related, and instead of veiling this relatedness, which is a common practice in objectivist sociology, we define, articulate and include it as a methodological position. Participatory action research has been used, thus involving in the study the impacted people and groups as research participants (rather than just informants) who share their experience of having acted towards the solution of the issues under research. In this research relationship, we also partake in the dialogue by drawing on our own experiences, thus making the researcher-interviewee relationships reversible and fluid.

The study is based on retrospect analysis of interviews with CS representatives conducted prior to the revolution<sup>3</sup>, 3 focus-group discussions with activists and CSO representatives conducted after the revolution, desk research and media monitoring for background analysis as well as for comparative examination of the points of dialogue and divergence between civil society demands and interim Government talks and policy program.

3. These interviews, 24 in total, were conducted in the frames of a research we had started months before the revolution with the support of Prague Civil Society Center.

We first present the global context and local experience prior to the revolution<sup>4</sup>, we then move on to discuss the revolutionary process, considering how this process was impacted by and in turn impacted civil society. Here we explore how the situation with shrinking space of civil society and its perception impacted the mobilization during the May revolution in Armenia by adding to the analysis the results of 3 focus group discussions with CS organizations and activists working in three fields: *environmental protection, fundamental human rights and gender/LGBTIQ rights*. In the analysis, we also examine the relations of CS representatives with political actors in the above directions. For that purpose, the interim government's policy program, related documents and official speeches have been analysed from the point of view of responding to the demands of progressive civil society. And finally, we consider the challenges of the post-revolutionary period for the civic sector and its renewed relationships with the state, the public, and the donors. For this purpose, we review the experience of other post-revolutionary contexts.

The analysis will conclude with policy-oriented recommendations relevant to the role and relations of civil society and will outline paths forward.

The report is structured in chronological logic and in the form of discreet but interrelated articles.

Our research demonstrates how progressive civil society groups became the avant-garde of the Armenian revolution by acting as an inspiration and role model for larger social groups by popularizing various mechanisms and techniques of resistance. While some individuals from these groups became

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4. For this purpose, we have used the interviews conducted prior to this project start with the same CSO representatives and donors that we interviewed/met again after revolution within this project.

part of the interim government or local self-government bodies shortly after the revolution and were more recently, in the December 9th parliamentary elections voted into the Armenian National Assembly<sup>5</sup>, others have preferred to remain outside of government and to continue their work as human rights advocates in the civic sector. Hence not only the political map, but also that of civil society, has been and is likely to continue to transform considerably.

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5. At the time of finalizing the writing, the parliamentary elections took place on December 9, 2018 with Pashinyan's widely supported "My Step" as a confident majority.

## 1.1. The Global Context of Civil Society and Activism

In 2010, two years after the 2008 global financial crisis, we witnessed the explosion of protest movements throughout the globe. Alongside the global anti-austerity (e.g. Occupy Wall Street, the *Indignados* in Spain, etc.) and pro-democracy movements of the Arab Spring, there was also a rise of civic activism across some former Soviet countries including Armenia, Georgia, Russia and Ukraine (Lutsevych 2013, Ishkanian 2015).

In Armenia, both small and large-scale protests against corruption and the absence of democracy and the rule of law had become commonplace in the years leading up to the Armenian Revolution. The revolution, which took place in the Spring of 2018, led to the downfall of the Republican Party of Armenia (RPA) which had ruled the country for two decades. While many acknowledge that current Prime Minister Nikol Pashinyan is a charismatic leader who was able to mobilize and motivate people, leading to the success of the revolution, it is also unlikely that the revolution would have succeeded had there not been a politically active constituency ready to take to the streets in the initial days of the revolution.

When we began this project, our focus was on understanding and analysing the causes and consequences of the shrinking space for civil society action in Armenia. The shrinking space phenomenon, as it has come to be called, has been growing around the globe and has particularly intensified in recent years. According to a recent EU report (2017), over one

# 1. Armenian Civil Society before the Revolution: A Snapshot



hundred governments, both democratic and non-democratic, have introduced “restrictive laws limiting the operations of civil society organisations (CSOs)” (Youngs and Echague 2017: 5). Some argue that the shrinking space phenomenon may be due to the general decline of democracy across the world (Keane 2009, Flinders 2016), but given that this phenomenon is also occurring in democratic countries, this is not the only explanation.

While after the revolution space for civil society action in Armenia is no longer shrinking as it was under the RPA regime, it is certainly undergoing a significant transformation. Later in the text, we will consider prospects for the future development of civil society in Armenia.

## 1.2. Progressive Civil Society in Pre-Revolution Armenia: Concerns, Competences, Perspectives for Change

We now outline what the shrinking space phenomenon meant for Armenian civil society and why, even after the May revolution and for the purposes of both understanding and shaping the post-revolution, it is still relevant to examine the pre-revolutionary issues that both the state and public domains have now inherited.

A retrospective review of our first wave of interviews with human rights NGO workers and activists before the revolution allows us to observe those social-political (pre)conditions that led NGO workers and activists to mobilize around a process initiated by a then poorly trusted political force.

The social and political conditions of Armenian civil society can be viewed in several interrelated planes: (1) the internal political environment: the power structure, (2) the internal environment of civil society: tensions and ruptures, and (3) civil society - international/donor community relationships.

As a general trend, the pre-revolutionary environment of domestic policy was characterized by interviewed CS representatives as one of general mistrust towards the authorities and the political opposition of the time, including towards Pashinyan’s “Civic Contract” party<sup>6</sup> as well as by growing doubts, self-mistrust, and a sense of despair.

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6. Many activists and CSOs were particularly critical of and distanced from the party after they refused to question the 2015 Constitutional amendments proposed by S. Sargsyan’s government and subsequently accepted the referendum results in 2015, characterizing the campaign of civic groups against the amendments as an “artificial agenda”.

### *The Internal Political Environment*

There was a shift from a presidential to parliamentary political system, which resulted from constitutional changes initiated by Sargsyan in 2015. Interviewees largely perceived this shift in governance type as evidence of the consolidation of conservative ideology, the increased centralization of economic and cultural capital, and the growing authoritarian tendencies of Sargsyan and the RPA-led government. They viewed these tendencies as directly contributing to the shrinking of space for civil society action. For those interviewed, the rapid legislative amendments which occurred during 2017-2018 were providing the legal reinforcement for this state of affairs. During this period, various civil society groups only managed to pessimistically reflect on the chain of new introductions implying that these would have unfavorable consequences for human rights organizations. Among the amendments, there were various legislative documents that could undermine the freedom of attorneys and limit the transparency of the government's activities. The shrinking space of civil society and the complicated domestic political situation were also affected by the rise of militarism and active media propaganda of military and patriotic rhetoric, educational and church institutions, which also sought to engender negative public perceptions about civic protest groups. The 2017 amendment to the Law on NGOs restricted the ability of NGOs to advocate public interests in Armenian courts. The shrinking of civil society space was taking place against the general backdrop of formal democracy and relative free speech, which allowed the civic sector to criticize albeit in circles with limited political and social impact, the existing system. This allowed for the letting off of the social energy in protest struggles around specific, narrowly framed issues, but subsequently limited the possibility of real systemic and structural changes. Yet these criticisms, conversations, and even

the scattered and inconsistent acts of resistance – including all the fragmented achievements and failures- should be seen as essential political precursors in that they contributed to the accumulation of experiences of resistance that would later open the space for (revolutionary) changes.

These conditions were of particular significance at the time when the then opposition, which had been weakened as a result of the political machinations of the regime, failed to be seen as an agent of real political changes and was considered by most people as a nominal or non-existent political force. On the other hand, despite the declining space for action, progressive or resistant civil society in its both institutionalized and informal segments had accumulated vast experience and competences in recent years of advocacy, self-education, and street struggle. It is therefore exactly in the civic sector that the enactment of politics, political agenda setting and the formation of narratives regarding the need for systemic change became possible. At the same time, however, this was a period when they were being criticized, both internally within apolitically positioned groups and by the donor community, for being an overly politized and unconstructive civil society that should instead be sitting around a discussion table with the government to assist in reforms.

In the context of the domestic political situation, it is also important to consider the role and influence of Russia, local big businesses as well as state financing streams (RONGOs, BONGOs and GONGOs) in forming an alternative, controlled, and then government-loyal civil society (HRH Yerevan, 2017). These policies had opened up room for either shaping or strengthening a civic sector that was oriented towards the reproduction of the conservative ideology and values among the wider public towards Russian anti-democratic and controlling politics, as well as towards patronage of large corporate interests

as opposed to public interests. Many of these are still part of the current situation that the new authorities will have to deal with.

*The internal environment of civil society: tensions and the donor community*

Civil society's internal milieu and the tensions therein will mainly be discussed from the angle of the complicated relationships between CSOs and activists and CSOs and international donors.

The Western donor assistance entered Armenian civil society in the early 1990s. At that time, Western aid was primarily aimed at the promotion of democracy and human rights in post-soviet Armenia and the making of CSOs as carriers and promoters of those liberal ideologies (Ishkanian 2008). By the mid-1990s, the Western financial support had considerably increased to support diversified topics and causes ranging from poverty elimination to reforming the education system, at that time donors were supporting mainly apolitical and predominately humanitarian or service delivery organizations. Such practices by donors can also be observed in other transition and developing countries (Howell and Pearce 2002). This is largely due to Western donors' preference to represent aid as a form of technical assistance so as to avoid it being viewed by recipient governments as a form of political intervention (Ferguson 1994). Subsequently during this period, CSOs were institutionalized and became more professional in terms of fundraising and niching (Ishkanian 2008).

Yet after this initial period, Armenian civil society continued to develop its own character, albeit also being shaped by fluctuating waves of global political and economic processes. In the aftermath of the 2008 global economic crisis, these processes underwent further shifts, giving rise to anti-system

grassroot movements similar to those which emerged in the developed democracies of the West. Today too, the civil societies in these countries are faced with a number of challenges brought about by the crisis of democracy, such as the rise of extreme right-wing and nationalist politics and the increased surveillance and regulation from their governments. For as research demonstrates, the shrinking space phenomenon is also occurring in developed democracies (Youngs 2017).

In Armenia, the impact of these global waves was coupled with the specifics of local political processes. For example, on the one hand Western grassroots movements were a major stimulus for the empowerment of grassroots in Armenia which identified with some of the demands raised by groups such as Occupy. On the other hand, Armenia's decision to join the Eurasian Customs Union was followed by significant shifts in the priorities of international (mainly Western) donor organizations regarding Armenia and Armenian civil society, resulting in altered approaches and schemes of financial aid, which were later revisited as CEPA (the EU-Armenia Comprehensive and Enhanced Partnership Agreement). The present stage of civil society development during the last decade is of particular importance in terms of the active and self-empowering work of activist and protest groups and civic initiatives and is also marked by flows from CSOs to activism and vice versa, as well as mutual flows between political parties and CSOs and activism. The experience of post-soviet countries is indicative of the fact that the internal fluidity between civil society and political groups allows the activists and CSOs to become important and even primary links in the mobilization and framing of the political struggles. This is what in fact took place in Armenia the spring of 2018.

The negative consequences of the global economic policies and the supportive positions of Western states and international

organizations towards local corrupt authorities in the last several years, have led activist groups and some CSOs to interrogate and criticize the present situation. They point to how financial dependence on international donors often determines the agenda of many civil society groups and can practically limit uncompromising approaches. The disillusionment among the civic sector regarding the possibility of freedom of action had been growing especially in the last two years leading up to the revolution. The situation was sometimes characterized, especially by activists, as a period of “dead activism” or the rise of “conformist NGOs”. In turn, those CS representatives who had opted to continue working towards transformative change with small steps that involved joint work with government structures, felt unappreciated and pressured by activists who criticized them based on own confrontational and uncompromising position. For those NGO representatives that were maintaining ties with the street struggles and activism, this was a difficult period characterized by isolation, political apathy, exhaustion, fruitless struggles, as well as the search for new forms of struggle which were taking place under growing nationalism.

Despite the tensions and obstructions, CSO-activist interactions became the space in which CSOs could enact more radical and dynamic action, while activists were able to use the institutionalized resources of CSOs. This has been characterized as a symbiotic relationship which allowed for fruitful interactions between CSOs and activists (Glasius and Ishkanian 2015).

With regards to CSO-donor relationships, the latter mostly sought to support the development of “constructive” civil society organisations that would “work at the discussion table” with the government, which for many NGOs implied the undesirable preservation of the status-quo. Many CSO representatives have been dismayed with the recently visible

trend of large Western donors becoming more comfortable with financing organizations known in the CS community as GONGOs with their justification being that this is a policy of balancing. For these donors, change is perceived as being achieved by sitting around the negotiation tables rather than going out to streets and they demonstrate a disdain for direct action. Further to this, many Western donor organizations were increasingly cutting the financing of select NGOs (e.g. cutting several times the amount of money for the submitted project). Simultaneously, large donors were introducing the principle of financing divergent, often conflicting coalitions of NGOs, which again led to discontent among CSOs. Furthermore, the local civic sector was often burdened with complicated bureaucratic procedures, which essentially compromised the effectiveness of their substantive activity and their mission to contribute to the public good or to partake in agenda setting.

In this financially unstable and politically static environment, the civic sector viewed its work as fragmented and its impact as inconsistent and un-generalizable. All being said, the domain of civil society was still (self-)perceived as an important sphere of shaping the political discourse and perspective, as a space that is formative of places and people for future change. Thus, during the period immediately preceding the May 2018 revolution, civic action among resistance groups had actually become a value-based end in itself that had meaning independent of immediate outcomes. Continuing to act was seen as an alternative to inaction against the growing pressure and shrinking space. In hindsight, this seems to have been a productive position in the sense of becoming a latently accumulated capital of “highly skilled resistance” that was utilized and multiplied during revolution.

*Pressures, cooptation attempts: search for repertoires of contention*

Repertoire is the entirety of strategies, skills and forms that protest movements utilize to achieve political change and that enable organisations to counteract external pressure and cooptation attempts. Counteraction repertoires involve not only what people do during resistance or struggle, but also the knowledge and experience that prompts them how to act in a given situation.

From the point of view of responding to cooptation attempts, the pre-revolutionary state of civil society can be considered a period of ability to detect and understand them while at the same time being in the early search for counteracting mechanisms. The cooptation itself can be characterized as attempts to marginalize resistant-political civil society and to form a civil a government-controlled civil society (non-resistant, friendly, reform-oriented GONGOs, BONGOs as well as RONGOs). The resistant groups within civil society had actually developed various approaches and strategies in response to these pre-revolution cooptation attempts. Thus, for those with a more radical positioning (or the more “desperate” ones), the way forward in this situation was the temporary suspension of active visible (street) work and rethinking of own activity and thinking of new methods of struggle for change, with emphasis on education and self-education. Apart from being skeptical about positive political change in Armenia, evaluations of representatives of this group were marked with self-criticism as to own potentials and consolidation attempts. Another group of civil society representatives believed in the need for continued activity and struggle notwithstanding frequent failures, low effectiveness and the resulting fatigue. Struggle was seen as a small but important chance to resist to the internal as well as external (mainly Russian) cooptation policies. Within this perspective,

consolidation of forces with the like-minded groups and everyday work – both locally and on international (mainly Western) platform were the strategies of pursuing positive change and voicing civil society concerns. Under growing pressure and obstacles, such as centralization of the power, worsened socio-economic and demographic situation, unrestrained activity of the global capital and local oligarchy and big businesses, the increasing influence of Russia and the lessening of Western donor aid, civil society groups were becoming increasingly aware of the need to *strengthen the networks and platforms of trust, redefine own agenda, to search for partners in Western societies* for and form international networks.

Thus, ahead of the revolution, civil society was full of concerns regarding cooptation and repressive policies, whereas the revolutionary process was indicative of how the unexpected, crucial change of the political situation led to previously unrecorded forms of cooperation between the political opposition and various resistant civil society groups and, as a result, to expanded perspectives for political change. How did this happen and how are these perspectives made sense of by various voices within the changing civil society space in a situation that continues to change on almost daily basis?

## 2. Armenian Civil Society from a Revolutionary Angle

### 2.1. Mobilization and Framing

In the above discussion, we already touched upon the pre-revolutionary state of civil society and the strategies and repertoires of responding to its shrinking space. We have also noted that under Armenia's political situation of the time, civil society had become the public domain in which, despite but also owing to the contradictions and tensions therein, it was possible to discuss, interrogate, and elaborate the politics and practices of contention. During the episodes of contention in different years, protest groups of the progressive civil society had been able to experience as well as frame actions and practices of questioning the authorities that relied on a number of principles including *volunteerism, decentralization, coordinated self-organization, inclusion, horizontal solidarity, peaceful and non-violent collective action through each and every individual's effort and agentic participation*. These principles penetrated the revolution and were largely enacted during the days with the coordinating efforts of the leading center ("My step" initiative of Civic Contract Party with Nikol Pashinyan at the head and "Reject Serzh" civic initiative). This secured the success of network mobilization at a scale that was unprecedented in Armenia. An important aspect of this process was the cooperation of civil society with a political force and thus taking political responsibility of a joint agenda, which did not have a precedent in Armenia's civil society experience and was a genuinely innovative element. As a reminder, the most remarkable precedent of attracting wide public support through such network practices was the "100 drams" movement against the public transportation fare

hike in Yerevan<sup>7</sup>, which had among its coordinating members today's "experienced" or "professional" activists (that is, activists that have accumulated years of experience of street struggle, starting from environmental and public space causes) as well as founders of Civic Contract party, including MP and a "My Step" alliance member running for 2018 parliamentary elections, Lena Nazaryan.

Mobilization and cognitive involvement of various social layers during the revolution days was made possible, importantly, also through the already existing formal and informal networks between different parts of the civic sector (including novice youth initiatives, more experienced activists, NGO members, free online media platforms, some radio channels). Through Facebook<sup>8</sup> and the Telegram, they were able to not only self-organize but also to influence wider segments of society. In this mass mobilization, the scale of youth participation was unprecedented too: unlike previous episodes of joining street struggles, students demonstrated a lot more consolidated and voiced participation, with a separate slogan of "Free and Independent Student".

Civic initiatives in Armenia now have years of experience of using (whether successfully or with failures) the aforementioned principles of volunteerism, decentralization, non-violent, concerted effort and so forth. Thanks to these experiences, protest practices have been applied, interrogated, polished, made sense of and revised. It is a period when (leftist) ideas

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7. The protests started on 19 July, 2013 with several protesters performing a sit-in against the fare increase on the steps of the Yerevan City Hall in reaction to the decision to increase the transportation fare by 50%. The protests grew in scale in the following days to include ordinary citizens as well as many celebrities joining the civic disobedience. Under public pressure, the mayor issued a statement canceling the new fares on 25 July.

8. In post-socialist (semi)authoritarian societies in particular, Facebook rather than Tweeter has proved to become the main medium backing the coordination of "hot street" movements.

concerning the use of public spaces, the protection of public interests, and social justice have emerged and somewhat developed in Armenia, and the previously established progressive rights advocacy discourses have been restored and popularized.

Within these very transgressive discourses (in some instances even involving the infringement of some unfair and illegitimate laws), a number of techniques were included in the repertoire of mobilizing wide masses, such as obstructing speed detectors and the temporary occupations of buildings of public significance (of Yerevan State University and Public Radio in particular), blocking of buildings and even the call to refuse to pay for utilities. It was important to use a diverse toolkit of direct action tactics so as to translate the widely shared themes of social discontent into participatory action, as well as to break the usual response schemes of state structures, including the police. More common practices of blocking streets and marching were also refreshed with dynamism and decentralization. Demonstrators in the capital would simultaneously close many streets rather than just one main street, and they would keep it blocked until the police force would seem to prevail over the demonstrator's force and would quickly attempt to disperse at danger and to block another street in another part of the city. This "unorganized" organization of races and addressless marches proved to be a real challenge for the police – both the unwieldy special police vehicles and the lumpish police officers themselves, who had been accustomed to implementing precise instructions under static conditions. These methods that were based on the principles of free self-expression, citizens' ownership, peaceful and non-violent disobedience, rather than on the inviolability of ritual, had created a wide space for creativity and even amusement for protesters (particularly for the dynamic youth) even in a quite tense situation as it was. Each social group had the opportunity to join the process with their

own performances in ways that worked better for them, and to show solidarity to the shared goal of the revolution. These were ideological rather than just performative novelties, and they manifested the questioning of the elite rule and the attempts of the groups outside of the elite to establish the people's power. Consequently, along with the national-liberal discourse already familiar to this society, new frames of questioning the elite power structure – including the leftist perspectives on establishing justice and equality – were present. Along with establishment of democracy, anticorruption policies, and need for legitimate elections, the revolutionary platform, although inconsiderably and only by discreet individuals, also articulated non-discriminatory attitudes towards marginalized groups (such as LGBTIQ people), feminist acts and speeches questioning patriarchy, as well as those advocating workers' rights and the rejection of oligarchy.

An important moment for mobilization with wide public support was the breaking of the reality framed with hegemonic ideologies and the demonstration of its contradictory nature. In early 2010s, the unifying ideology of “one nation - one culture” was used by the authorities in an attempt to silence existing contradictions and oppositional voices in the society. Over the years, this trend was scaling up and was linked to the politics of security which focused on the need to be united against the enemy. As an aftermath of the April escalation in Karabakh in 2016, however, which claimed many human lives as well as some retreat in the controlled borderline (loss of territory), the powers lost the monopoly of manipulating the discourse of “national unity” (public support for the “Sasna Dzerer”<sup>9</sup> being a

9. On 17 July 2016, a group of armed men calling themselves the Daredevils of Sasun (Armenian: Մասնա Չոռեր Sasna Tsrer; the name is taken from an epic poem) stormed a police station in Yerevan, Armenia, and took nine hostages. They demanded the release of opposition leader Jirair Sefilian, and the resignation of President Serzh Sargsyan.

vivid proof of it). Yet another, and as it later proved was their last attempt, the ruling elite reformulated national unity under the concept of “nation-army”, which demanded that all Armenians unite around the authorities' agenda against the external enemy. At the same time, economic and social failures were obscured with the smoke screen of the regime's willingness to adopt socio-economic reforms, under the leadership of the technocrat Prime Minister Karen Karapetyan who had returned from Russia.

During the revolution, the reality was made visible by demonstrating the existing fragmentation of the “nation-army” concept and the contradictions between the ruling elite and the other groups. This was done through the representation of protest narratives, using repertoires and tools ensuring the visibility of the movement's different participants.

The principle of decentralized networking had a multiplying effect on actions implemented in various parts of Armenia while pursuing the same goal (marches, strikes, blockages), as well as on narratives and representations about them. Online circulation of information and images about a dozen actions simultaneously taking place in different locations was one of the aspects providing the oxygen for mobilization. It ensured the visibility and representation of the previously disguised and suppressed protest, at the same time making the suppression attempts and practices by the repressive regime quite apparent. Of the same purpose of providing the visibility of contention and massiveness of the movement was the presence of flags, posters and other visual as well as audial significations on various buildings, trees, stores, including graffities of slogans. Another successful element of visibility and mobilization was the borrowing of the Icelandic clap, the borrowing of late-evening banging of pans and pots, as well as the very local yet politically significant mass honking of horns by car drivers, dancing and



singing, and youth games. In addition to the monitoring and human rights activities by CSOs and the online media, visibility was provided by the video- and photo capturing of the evening “summary” rallies in Republic Square from above with drones. It soon became one of the main indicators of the multitude of the demonstrations, which not only recorded the reality, but also had an obliging and therefore a mobilizing effect on movement supporters.

Thus, the mobilizing structures and means used for the revolution, as well as the ideological framing that constructed commitment (revolutionary identity) to participation, altogether sufficed for the making of the revolution. And this was made possible through exercising three concurring – competing but also complementary discourses and practices – national-local, liberal, and leftist. The latter two were yielded from the pool of knowledge and activities accumulated, processed, and repurposed by the progressive civil society. As an example, from the very first days the revolution was coined that of “love and solidarity”, referring to a poster which was spotted in Republic Square on April 25. It was quite noticeable, and one of the speakers read its message from the stage as an act of complete acceptance of this definition of the revolution. It was later reiterated many times, especially by the revolution leader Nikol Pashinyan. However, this poster had a concrete author and environment where it had emerged: it had been prepared by an artist activist, one of many who were actively involved in the revolutionary process and were mainly “artifying” leftist ideas). Another slogan, “Dukhov” (an Armenian-type declension of a Russian word that means “with courage”), was also prepared by an activist artist and ultimately transformed into the main source of popularization of the revolution, its both logo and motto. These are only a couple of many examples that the political platform initiating the revolution was open enough

to take in and internalize framings that were in line with their logic– whether emerging on the go or elaborated in advance.

As an unprecedented outcome, the struggle against power reproduction transformed into the breakthrough within monolithic society and into a fight against the power structures. The public demand for establishing social justice, though vaguely defined, was manifested through boycotting of supermarkets owned by oligarchs who were members of the RPA and loyal to Sargsyan and raising the issue of the workers’ rights.

## 2.2 (Self-)Reflections after the May Revolution: Discussing the Emergent Situation with Civil Society Representatives

In this section, we will provide a more nuanced discussion of civil society's revised concerns and perspectives on civic sector-state relationships during and after the revolution based on the 3 focus group discussions with CSO representatives working in three areas of rights advocacy: fundamental human rights/courts; gender equality and LGBTIQ rights; and environmental activism. The thematic analysis is organized around several interrelated topics that were salient. All the quotes in the text are from these focus group discussions, and have intentionally been quoted without details on the area of activism the interviewees represented, since the accounts and even phrasings have had considerable overlaps.

### *“All of it”: hope, despair and anticipation*

In terms of its emotional charge, the revolution seems to have been fed from both hope and despair; neither just slight hope against the backdrop of general despair, nor total hopelessness, but rather the simultaneous, even synergistic presence of these two contradicting states of mind among many actors - both activists and the wider concerned public - was a driving force. Many interviewees spoke of both in their accounts. Neither only political optimism, nor political pessimism would be enough to bring that scale of the wave, as the experience of previous protests relying on either of them have shown.

In addition, many shared the sense of anticipation that something was “different this time”, and something larger that transcended social boundaries and urged them to be part of it,

or at least something that contained urgency for action without any reservation. Also, while revolutionary engagement looks like an end in itself at its start (“we have to fight regardless” could be the working motto for many), there has been a lot of intentionality in all stages of the move, as many accounts show. This intentionality was directed at stopping the reproduction of the regime and was seen as an uncompromising moment.

*“Engaging in the revolution came from the sense of despair. You either take part now at whatever cost, or you let “Serzh” reproduce himself”.*

*“You cannot not participate, since you're afraid to be withdrawn from processes”.*

*“On the other hand, you intuitively feel that there is something growing, there is anticipation of change. A moment had grown when diverse communities could come and merge and give a start to a process”.*

The process was emotionally stimulating; emotionality was an important dimension in general: a love, affection, and excitement were not just announced as principles or pronounced as words, but were also experienced as per interviewee accounts.

In terms of moods and their role, the *challenge* ahead is that the political optimism, which is so necessary for continued action, but also for work with the larger public, may fade with the new political shaping that has a number of perceived “compromise” appointments. In addition, the emotional dimension also deserves attention in the post-revolutionary phase of changing state-public relationships. Emotions will remain important also in light of the need for a sustained level but changed forms of political engagement. Whether moods will reverse

(as it happens in post-euphoric state) or will be capitalized to add to the solidarity, is a question that will affect the political participation of both activist groups and the wider public.

*Citizenship as equality: horizontality, de-centralization, and “suspension of differences”*

As the streets grew more populated with protesting ordinary citizens from many backgrounds – all the way from “experienced” activists to middle aged women engaging in any protest for the very first time, commonalities were becoming more important and differences and discord were “suspended” for the sake of the goal, and sharing the same citizenship had functionally become the unifying identity among diverse and even antagonistic social groups engaged in revolution. But the revolutionary space was also that of meeting friends, like-thinkers, and of experiencing an increased sense of closeness with them. The process has been described as “interesting”, “emotional”, where “one could meet people she knew”:

*“Sameness and commonalities were more important than the differences. Of course, differences were also visible, but there was general tolerance for the sake of not having Serzh... you could say many things, but the goal for the moment was the same”.*

*“You participate because you see schoolchildren and students participating”, “there are no concrete players, actors, observers, recorders, and there are no specific spaces unlike in previous movements”.*

Interviewees talked of citizenship as the primary basis of involvement and universal criteria of equality shared by all

participants – school students and human rights activists alike. Being in other stances (such as a journalist, HRD etc.), however, was not put aside but was used for increased flexibility or role switching for sustained engagement.

*“You participate as a citizen in the first instance. If needed, you also act as a rights defender in the course (...). You act both in front of the camera and beyond it”.*

*“The sense of respect to your own personality, own country and citizens was really of huge importance (...) There was the sense of we-ness and no leadership, of course it is to be asked how that horizontal turned to vertical again”.*

The “post”-revolution challenge here is that the described “functional solidarity” needs to be rethought and reworked to obtain form and substance as we switch from its taken-for-granted mode back to social and political relations marked by differences. How will CSOs, but also the authorities talk and act to retain or repurpose the sense of solidarity following the elections is a valid question for the coming period. Tied to this, a remaining question is how to sustain the fragile achievement of horizontality which some fear may gradually fold back to vertical?

*Citizen’s agency as an important yet insufficient achievement*

Empowered citizen is a bright spot and a spotlight for most interviewed activists. In one wording or another, interviewed CSO representatives believed that the authorities will have to “account” or “deal with” this more empowered and vocal citizenry much more than before. There is a belief in intrinsic social change that “dates from April 23”. While there are

problems seen ahead -to some quite worrying and to others manageable- there is a more common thought that at least some of this social change, such as the sense of ownership, is irreversible.

*“Whoever comes, they will have to deal with us and there is now no counting back”.*

*“...People are going to go until the end. A demanding, self-conscious citizen with sense of ownership is underway. And this is one of the biggest achievements of this revolution”.*

*Challenges ahead:* There are skeptical voices too; the reversibility of achievements is anticipated unless still dominant patriarchal patterns in political and social relationships are confronted and interrogated. Also, the citizens became empowered in the change process through their own actions, which were having visible and collective impact. Now, in the “post”-revolution period, a remaining question is what are going to be the spaces and actions that keep people engaged as citizens while living their everyday lives and doing their routine jobs?

*Non-engagement as another agency: saving energy for a tougher fight ahead against neoliberalism*

Non-involvement with a radical critical stance can be seen as equally participatory. The movement practices used during the revolution added a lot to the sense of uniqueness, excitement and strength among the public (experiencing the process as organic was one important widely shared moment), although many of them are within a known, previously practiced and trainable methodology. While this is not as such a problem, and it's even an asset to be able to organically build the existing

international experience into homegrown processes, there is little likelihood that “post”-revolutionary agenda will reflect as much of the people's wishes and will be shaped internally. Parallels are drawn with the Georgian case, discussed later in the report, where regime change following the Rose revolution in 2003 was followed by the rooting of neoliberal policies.

*“There is another side, that of not participating (...) The revolution to me was without agenda and looked artificial in a sense that I felt we may find ourselves in a situation similar to Georgia's, whereby the true work and activity of the people leads to regime change to only establish a far more neoliberal rule as a matter of fact”.*

*“I realized that I will personally need enormous resource in terms of physical energy and mental preparedness after the power shift, because I have realized that there will be a strong need to fight against neoliberalism to follow, and I am to do it”.*

One important *challenge ahead* for a stronger civil society is whether these radical voices and questionings will find their space too and will be heard by the new government.

*Unresolved patriarchy*

On the same radical side, there is the feminist critique, in which the revolution is problematized for its “unresolved” patriarchy. While new relationship forms, such as the closeness between strangers in the streets and the genuine solidarity between lay people during the revolution are acknowledged, they don't seem backed by change of patriarchal political values, which makes some even hesitate in naming the process revolutionary.

*“You see interesting emerging practices in the streets, strange people befriending and feeling close to each other, and genuine people’s solidarity, but now the concept of solidarity has been distorted, and those practices fail to become political values, they fade. Therefore, the revolution wasn’t actually a revolution, because the values, I mean the patriarchal values haven’t changed”.*

*Challenges ahead:* Overall, patriarchy and lack of female voices in the new political scene, despite women’s remarkable and even formative participation, is what some activists agree on, and what they see as a potential limit to prospects of bringing gender-sensitive topics on the agenda. Another question is whether and how the emergent relationship forms/practices will survive in the process of institutionalization, given that they will have to overlay the existent institutions where a lot of older generation/old-regime figures are still on their posts.

#### *Institutionalization vs. Networks of trust*

Networks of trust have been mentioned as important yet dangerous resource and as only a temporary solution mainly before the elections. HR activists/NGOs currently interact with the new government predominately through networks of trust, including personal ties. While this is functional in the short term, there is an awareness of the need to refrain from this practice in the longer run and to move towards institutionalization of relationships. This requires determination and self-reflection, otherwise the inertia of friendship and the ease of solving emergent individual problems may take over. In addition, friendships can also compromise open and sharp criticism

where needed and make their once-activist government friends more defensive and less receptive of differing perspectives.

*“It is now our task to make up our mind to not use any personal ties. Cases that involve human lives aside, we should do this especially when we are working on institutional things. I think the former power started eroding from this personal stuff”.*

*“As of now, it is possible to cooperate with the government, to apply to them, to expect a response or assistance. It’s hard to say how long this “nice” government will last”.*

*“The fact that there are people in today’s government that are our friends from civil society, is a considerable support for solving problems such as human rights violations, health issues... It is now possible to turn to them personally and get the problem solved. But this should be avoided from now on. We have a question of institutionalizing our relationships”.*

#### *The new political fabric: to be “handled with care”*

There has been a lot of balancing, weighing and caution in dealing with the new government following the revolution, with two main considerations behind this “temporary” approach. First, the “*newborn, fragile body*” that was given life in joint effort, as worded by one of the interviewed rights activists, still needs time to grow stronger and to become immune to “counter-revolution”. Unrestricted, reactive critique, as it was the case in relation to the former regime, is seen as potentially harmful especially because it can and will be manipulated in the media. Tied to this, another apprehension is that sharp

critique can evoke increased defensiveness and toughen the position of the new team. Such tension is undesirable for the purpose of furthering sensitive human rights topics in this shaky period. When uneasy with the civic sector, the new power may increasingly rely on its main resource - the public majority – which is not quite receptive of a number of human rights issues, including around gender issues but also with relation to environmental concerns.

*“We certainly spare this government a lot, as if the fragile body that we have formed together is yet to grow strong, so that we know what is to criticize and what is to protect. You refrain from asking a question that may hurt their identity, from doing anything that may change their perception and toughen their position”.*

*“There are indeed few people in Armenia with an awareness and understanding of human rights and diversity”, “I have fears that the authorities, being not firm enough, may be oriented towards majority, I mean, the majority that is insensitive to human rights” .*

Thus, there is a very well-reflected “post”-revolution challenge that the line between this balancing and dangerous overprotection is subtle, and stagnation may await both the civic sector and the political rule if criticism doesn’t return to full scale soon.

### *“Impending neoliberalism” and environmental issues as a frontline*

This game of balancing is especially subtle in the area of environmental issues, in the Amulsar gold mine<sup>10</sup> in particular, where previous forms of antagonism and direct confrontation with the government have been replaced by some negotiation and softer forms of discontent, considering also the problematic aspect of the presence of international capital. On the other hand, there are fears this cooperation is already beginning to be misinterpreted and taken advantage of by the new team.

The issue of the insufficient ideological basis of the revolution, which was mainly based on the shared sense of urgency to get rid of the former regime and halting the anti-democracy but did not have many answers to the “how” or “what’s next” questions, is likely to become a challenging gap in post-revolution that should be filled. In this context, left-leaning activists have problematized Pashinyan’s announcement about the “end of “isms”” as a dangerous avoidance of ideological positioning. Even if he meant something else, it is still obvious that there are now not many government or parliament members around him that have a clearly articulated left-leaning position or at least critical understanding of the risks imposed by furthering neoliberal agendas. This would be much needed in countering

10. Amulsar is one of the nodes of the drainage basin that supplies southern and central parts of Armenia, which is also linked by a tunnel to the largest reservoir of freshwater in the region – the basin of Lake Sevan. The project of open gold mine exploitation by using cyanide for extraction as proposed by Lydian Armenia contains real risks of highly impacting the natural environment (in terms of both water and soil contamination) both during exploitation and in longer term stretching for centuries as per evaluations of environmental activists, the adjacent community residents and internationally renowned independent experts. Under this and several other risks, Lydian Armenia’s predecessors have managed to obtain all necessary licenses during the former corrupt government of Armenia without proper public hearing and due account for public contention.

issues that are driven by neoliberal policies, such as mining and other economies of international/transnational interest. The challenge now for civil society is how and whether it will be possible to find ways to influence decisions on the country's economic policy.

*“We are constrained in the question of that same Amulsar. Had there been such long delay at the time of the former government, we would close an interstate road, hold serious actions and demonstrations etc., but now we don't want to go against the new government, we want to give them a chance. We see though that the government uses this opportunity and slows down the matter”.*

*“Nikol himself has intuition as a human or maybe as an investigative journalist who has a good gut feeling of whether ordinary people behind a process will gain or lose. But he has many people in his government that are either from the old regime or are the bearers of today's neoliberal values, including some of those from so-called civil society sector”.*

#### *Civic sector for agenda setting vs. supplying government with staff*

There are two main perspectives on the extent and type of CS engagement with politics. While some CS representatives make a difficult choice in favor of entering politics, whether invited to serve in government structures or running for parliamentary elections, with the expectation to enact “change from within”, others tend to believe that there should be more work but not necessarily more cooperation and merging with

the government. It is a good point that this work – whether collaboration or oversight – should be across a relative line, and that attempts to influence agendas are not to be reduced to supplying the government with staff. A shared understanding is that CSOs should increasingly become agenda setters in their respective fields, by finding ways to inform the formulation of public policy.

*“Each NGO should establish discussions in their respective fields so that they can claim to be forming an agenda (...). As an NGO, I am also going to publish and send to the government whatever I will state based on the discussions, because this is the only democratic process that I am aware of. Sitting and waiting for the government's decisions or just supplying them with competent employees sounds really bad to me”.*

*“Media is a very good platform which you can use to show the government that this particular thing is criticized while this other one provides you with this and this number of supporters. One of the mechanisms is reminding regularly that it depends on what you put on the agenda”.*

#### *Empowering the legislative as a path forward*

Strengthening the legislative power is one important mechanism that is of relevance to reshaped government-CSs relationships. People in Armenia, including civil society, have become accustomed to relying too much on the executive power and decisions coming from there, and this should be overcome in the new political setting, legislative power being the mediating link that CSOs will use to influence.

Interestingly, talking of shrinking civil society can still be relevant in this new context, in the sense that there is now an active flow from civic sector to the government, whereas it should also participate in empowering the legislative to be able to push agendas.

*“It is necessary to strengthen the role of the legislative power, and to add mechanisms of cooperation with it. Working with MPs and showing them what changes are relevant or acceptable and what are not is highly important. But we actually miss this link because we are all used to viewing the government as the decision maker, and whatever it brings into the parliament is commonly adopted (...).”*

#### *Beyond apprehensions: difficulties as opportunities*

With all the difficulties discussed above, another way to look at shifting civil society space is to use the uncertain moment for trying out new forms of relationships. There is an acknowledged need for greater autonomy and self-improvement, and for redefining the relations not only with the state but also with the donors, and, importantly, with the larger public too. CSO representatives talk of the need for less donor dependency and more proactivity in terms of formulating needs-based programmatic directions. While the field cannot be entirely donor-independent and self-reliant, some CS representatives believe this may be a good moment for considering core funding, diversification of funding sources, as well as a good moment to refresh relations with the wider public (by capitalizing on the improved public image of CS representatives, including HRDs as a result of revolution) and to prioritize civic education and self-education.

*“The civic domain has two things to do – to self-improve to prevent desolation of the field and to exit direct donor-dependence. Whether it wants so or is able is another question”.*

Amidst varying concerns, perceptions, and visions on the civic sector’s future, the middle-ground approach of the interviewed is quite practical: “We keep working”.



## 2.3. Civil Society Concerns and the Interim Government Policy Program: Points of Dialogue and Divergence

An interim government was formed following the 2018 revolution, which presented its new program on June 1, 2018. It was to offer solutions to issues raised by civil society for several years. Below we outline some of these issues as reflected in the government's new policy program as well as in their official communications, including speeches and statements. The analysis will look at how the programs and plans of the revolutionary government compared with those of civil society, to detect potential areas of both cooperation and confrontation. In particular, we examine how the following areas have been addressed:

- Fundamental human rights
- Women's rights, gender equality and LGBTIQ rights
- Rights related to ecology and environmental protection
- Army

For this purpose, we have examined the 2018 program of the interim government in its relevant parts, official statements and speeches of government members related to these issues and falling between June-October period of this year, as well

*“The vital condition that ensures the feeling of justice and everyone's equality before the law is the existence of independent judicial system. The analysis shows that the main obstacle for the judicial system in Armenia has been unlawful commands to the courts from above. This mechanism of instructing has led judges to bear no responsibility for the verdicts as those were, indeed, carried out in the highest branches of the government, and, in fact, the judges were only signing them. The government rules out the interference of the authorities or any other parties in the judges' activity. Parallel to this, the government will eliminate the aspect of personal interest- bribery- in the process of decision making. The government is sure that providing these two conditions, as well as other factors contributing the court independence will naturally result in the existence of independent juridical system and the real separation of power branches”.*

as the statements and speeches of civil society members in response to the government's steps.

### *Fundamental human rights*

*Government policy program, 5.1. Ensuring equality of all before the law, justice and human right protection.* Dependence of RA courts has been a long-standing problem in the country where protection of human rights was close to impossible. Former government policy programs, while underlining the lack of independence of Armenian courts, have nonetheless never pointed to root causes for that. The main solutions to the problem have been within the logic of “creating new legislation” thus trying to assure that the lack of adequate laws rather than the government's problematic functioning itself is the underlying problem. Unlike previous policy programs, the new government's policy clearly words the reason of courts' dependence. In particular, it states that judges have been instructed from above and have been acting accordingly with no accountability for their decisions. While the new program puts forth *political will* as the only guarantee for tackling the problem, thus taking certain degree of ownership for the progress and outcome of dealing with the issue, it is still vague and may sound little more than a promise if not backed with detailed concrete steps that will be taken to achieve the independence of courts. The appointment of former CSO representatives, rights defender and lawyer Artak Zeynalyan as Minister of Justice was welcomed and appreciated by civil sector as a positive step.

*“The only factor securing that this problem will be solved is the political will of the government. The latter, enjoying the apparent majority of Armenian citizens' trust and acting on their behalf, restates its determination and capacity to ensure equality of all people before the law.”*

On August 21, Artak Zeynalyan held a press conference to summarize the 100 days of the ministry's activities. With respect to the issue of overcrowded prisons, Zeynalyan pointed that no convicts or prisoners are now without personal bed, while acknowledging that the very issue of overcrowded penitentiaries has not yet been tackled. Another positive emphasis he made was the installment of videophones in prisons and detention places which allows detainees to have 20-minute long conversations with their relatives at least twice a month. In addition, he talked of their plans to expand the practice of detainee's medical treatment in civic hospitals. The perspective of HRDs and lawyers, when talking of these same issues, gives quite a different picture. To them, reforms and improvements are negligible in penitentiary institutions and almost non-existent in the judicial system. Within this sharp criticism, the judicial and law enforcement system is the least changed ministry following the revolution, with independent court system still unachieved. The fact that Zeynalyan has a years-long record of fighting for human rights in different court instances in Armenia, added to the expectations and subsequently to worries and unpleasant surprise.

During the August 17 nationwide rally that Pashinyan had called for on the occasion of 100 days of revolution, he announced his intention to introduce a transitional justice process. Pashinyan has encouraged reforms in the judicial power through the implementation of transitional justice mechanisms.

Transitional justice is a complex of mechanisms and measures implemented within acting legislations of the given state or by introducing new laws. It has been used instrumentally by states that had overthrown repressive regimes and survived civic wars, among other cases. The primary aim of transitional justice is the protection and restoration of victims' human rights violations. This institute relies on the Universal Declaration of

Human Rights as well as other UN statutes.

The reactions to transitional justice were diverse from Armenian CSO representatives. Thus, to lawyer Ervand Varosyan, it is an *“extreme measure applied by those states that had found no alternative solution other than achieving some social solidarity at the cost of certain sacrifice, in particular in the area of human rights protection...”*<sup>11</sup>. At the same time, justice minister A. Zeynalyan gave a positive evaluation to Pashinyan's proposal, maintaining that transitional justice is not going to contradict or suspend any provision in the Constitution, but is going to be *“lawful and supportive, and issues will be solved within the present judicial system. Courts will not be released and courts of courts will not be established”*<sup>12</sup>.

Speaking of transitional justice, rights defender Avetik Ishkhanyan noted that *“In our case we shouldn't be viewing transitional justice in the form of forming new courts and (...) should pertain to forming separate committees that will be trustworthy and get down to discovering dark cases committed in the past, (...), the partially discovered murders under torture in police stations (...), undiscovered deaths in the army in peaceful conditions from ceasefire during 1995-99s to this day and, of course, the most loud case of present times, March one, 2008”*. Ishkhanyan believes the current court system to be the central problem, which has never been trusted and won't be trusted during transitional justice either<sup>13</sup>.

During the same rally, Pashinyan called RA judges to *“come to reason”* and *“not kid with the people”*. This phrase was due to the fact that on August 13, following Armenian 2nd president Robert Kocharyan's detention ruled by the court of

11. <https://168.am/2018/08/18/996966.html>

12. <http://www.armtimes.com/hy/article/142668>

13. <https://www.youtube.com/watch?v=TNYmjtIBgUI>

first instance<sup>14</sup>, the Court of Appeal granted his legal defenders' appeal to commute the first-instance court's decision on remanding their client in custody, and Kocharyan was released on the grounds of presidential immunity. It is important to understand that both Pashinyan's intention to form transitional justice bodies, and his tough address to the judges pertains only and exclusively to the criminal prosecution of members of the former government who have allegedly committed crimes against the state. Transitional justice does not replace the existing courts, and the judicial system continues to function in the same mode.

On September 11, a leaked audio recording of the conversation between the Head of Armenia's National Security Service (NSS) Artur Vanetsyan and the Head of the Special Investigation Service Sasun Khachatryan was released on the Internet. The leaked recording became a topic of heated discussion in public and political circles. This was followed by a press conference on the same day, during which Vanetsyan and Khachatryan confirmed the authenticity of the recording stating that the topics being discussed were the criminal case of March 1 and the related detentions of former president Robert Kocharyan and the Armenian chief of the Russia-led Collective Security Treaty Organization, Yuri Khachaturov<sup>15</sup>. During the conversation, Vanetsyan refers to Prime Minister Pashinyan's words "jail him" when talking about Khachaturov, and later Khachatryan stated that Khachaturov would be kept in detention for a couple of days until he "comes to his senses and testifies". This includes an apparent violation of rights, since detention cannot be viewed as an instrument to extort testimony<sup>16</sup>.

14. Charged with breaching Armenia's constitutional order in conspiracy with others on March 1, 2008.

15. <https://www.youtube.com/watch?v=g3FalWMB6e0&t=196s>

16. <https://www.youtube.com/watch?v=AZOc3HxZLLA>

These expressions during the wiretapped conversation are indicative of ongoing, perhaps inertial arbitrariness in law enforcement entities with elements of human rights violations, an element that was circumvented and never discussed during the press conference.

### Army

#### New government program, 3.1.

"Sense of mission". The Nation-Army concept which has been widely criticized by CSO members and right advocates, was omitted from the new government policy. While the Nation-Army concept has been abandoned by the new

government, a comparable idea has emerged which concerns the articulation of the mission of the army. The logic of this document focuses on replacing the "sense of duty" with a that of "mission". Acting Defense Minister Davit Tonoyan spoke of this point in more detail in an interview<sup>17</sup>. In his reaction to the Minister's interview, head of the "Peace Dialogue" NGO, Edgar Khachatryan wrote. "It's worth reading the document in case you haven't yet done so. Overall, it is written in the same logic of race for armament and in a rather pathetic style. The military-patriotic pathos of "Nation-Army" has just been replaced by the pathos of shaping an identity of "motherland protector"..."<sup>18</sup>. Khachatryan's concern seems appropriate and invites one to problematize the amendment, since concepts of mission and identity can be perceived as manipulative as that

*"In the entire state system, especially in the army, among professional personnel and conscripts, it is necessary to replace the sense of duty with the sense of mission. Each officer, warrant officer and private should be guided by awareness of their historic mission before the state and the nation".*

17. <https://mediamax.am/am/news/interviews/29332/>

18. <https://www.facebook.com/Khachatryanedgar/posts/10212371306060210>

of duty, but unlike the latter are less external and vague, and may thus be a better instrument for internalizing militarized thinking.

### *Gender: Women rights and LGBTIQ rights*

The new government's program has no mention of gender equality and promoting tolerance. Despite the announcements made during the revolution regarding the need to strengthen the role of women in the country's governing, no tangible steps were made by the government in this direction. To give examples, the number of workplaces for women has not increased, and no draft law was proposed regarding equal pay, and the number of women ministers did not even amount to 20% of the Cabinet.

The only change relevant to gender equality was the new provision adopted by the Election Reform Commission, which was to provide the 30% guaranteed representation of women at the initial stage of mandate ratios. Without going into the details of this proposal, however, it should be noted that the voting reform was rejected in the second hearing of the National Assembly.

At the general backdrop of “silence” on gender, there are a handful of incidents when representatives of the new government had to touch upon issues of LGBTIQ people. The first was a Facebook status of Justice Minister Zeynalyan where he denies the buzz circulating in social media according to which he wants to legalize homosexuality in the country. In particular, his status read: “I was thinking not to react to groundless posts, but in this case non-reaction may allow some people to spread their lie at greater scale. Dear ones, neither this week, nor during last month or ever since being appointed as a minister have I come forth with any legislative initiative on any amendment to

the criminal law. This social media campaign is absurd and groundless”<sup>19</sup>. The problem with this commentary, in particular for LGBTIQ activists and HRDs, was not that he was not going to “legalize homosexuality”, which was quite an unclear and even ridiculous statement by itself (given that it is not criminalized in Armenia), but the fact that he avoided using the word “homosexual” (“nuynaserakan”) in his statement, while being a former human rights defender. Pink Armenia NGO responded to this matter by stating: “Artak Zeynalyan has previously been engaged in human rights protection and has put efforts to eliminate any discrimination and has supported legislation against any kind of discrimination. Furthermore, adoption of a law that would prohibit discrimination has been Mr. Zeynalyan's 2016 New Year wish. In a haste to state that the aforementioned news is fake, Mr. Zeynalyan failed to address the absurd, offensive and discriminatory nature of its content”<sup>20</sup>.

As it has already become widely known to the CSO community, a gathering of 9 young adults, among them LGBTIQ activists, at their friend's place in the small Syunik region village of Shurnukh on August 3 was broken up by a mob attack. The resulting violence left some of those at the gathering with light injuries and all of them in fear and confusion<sup>21</sup>. A few members of the government responded to the incident on their Facebook pages, among them Zara Batoyan, Deputy Minister of Social Affairs, and Sargis Khandanyan. During a Facebook Q&A organised by “Azatutyun” radio, when challenged by a Facebook user's question whether it is not high time for the

19. <http://armtimes.com/hy/article/141423>

20. [http://www.pinkarmenia.org/hy/2018/07/artak-zeynalyan-lie/?fbclid=IwAR1N-pG6b1mhz07c\\_qqKnaunczVRIKfaF5zDfwA8TmcXyo8g-jX-7YGiuA6s](http://www.pinkarmenia.org/hy/2018/07/artak-zeynalyan-lie/?fbclid=IwAR1N-pG6b1mhz07c_qqKnaunczVRIKfaF5zDfwA8TmcXyo8g-jX-7YGiuA6s)

21. <http://www.pinkarmenia.org/hy/2018/08/violence-shurnukh/>

authorities to express a clear-cut position regarding LGBTIQ rights protection, equality and anti-discrimination, Deputy Prime Minister Tigran Avinyan responded that he “would not like to distinguish a specific group, because when we speak of a particular group, it means that their interests are somewhat prioritized over interests of other groups. This is very important in the logic of human rights. Violence is unacceptable, whether against a minority, clergy or other ethnicities. This incident should therefore be investigated by law enforcement bodies, this case is within the framework of their competence”<sup>22</sup>.

### *Environmental protection*

*New government program, 5.7.* Complex measures for the preservation of ecology and natural resources, their improvement, restoration and reasonable use was also on the former government’s program. However, excessive and irresponsible mining and its consequences have been one of the country’s major issues voiced by activists for a decade now (Ishkanian et. Al. 2013). Civic and community resistance to the Amulsar mine project is a complicated issue that Pashinyan’s new government has inherited from the former regime. After forming the interim government, Pashinyan assigned an expert team to decide on whether work on the mining project should be halted.

On May 24, Deputy Prime Minister Tigran Avinyan wrote a Facebook post where he discussed about his meetings with protesting citizens. According to the post, the activists had agreed to stop their protest actions, which in fact was not the case<sup>23</sup>.

A month later, Avinyan stated that a working group would be formed to investigate and solve the situation around Amulsar,

22. <https://bit.ly/2stl1HX>

23. <https://web.facebook.com/avinyan89/posts/10215539833878901>

which would be led by Artur Grigoryan, who is the Head of the Nature Protection and Soil Inspection body and a former eco-activist<sup>24</sup>. On the same day, June 25, Pashinyan called on the protesters to stop their acts of disobedience in the Vayots Dzor region and to unblock the roads to Amulsar mine, calling these acts a sabotage against the new government: “If the aim of these actions is not the sabotage and creating a deadlock situation for the government, then I call you to stop these acts of civic disobedience. Don’t hinder and let us examine and have facts to rely on when making decisions. Because the reality may not be what it looks like, and the activities may have a purpose other than what is being talked about”<sup>25</sup>.

*“The aim of the environmental policy is the protection, improvement, restoration and reasonable handling of the environment and natural resources balancing it with social justice and economic efficiency. In the sphere of environment protection, the main issue is to minimize the damaging effects on air, climate, water, soil, flora and fauna, to rule out the excessive and illegal usage of the natural resources, to secure the execution of protective measures. Special attention will be paid to the control of the risk fields, the investment of the consistent and modern systems of environment monitoring, permits, licenses”.*

There were negative reactions from various civil society representatives to Pashinyan’s statement. In particular, protesters blocking the roads to Amulsar circulated a video clip that contained the following address to prime minister. “This is yet another instance that we feel very offended that you qualify our actions aimed at the protection of Amulsar as sabotage and mistrust towards the government. Both your and Deputy Prime Minister Avinyan’s statements disqualify our struggle for such fundamental rights as the rights for life, water, and for living in healthy natural environment. Civic disobedience, which was also one of the main methods of the Velvet revolution, is not only

24. <https://web.facebook.com/avinyan89/posts/10215764569897161>

25. <https://bit.ly/2TRzwAX>

a method of struggle but also a fundamental right. We believe that disobedience against this mining injustice that violates our rights is our right and civic duty. Furthermore, 12.2. provision in RA Constitution provides that each person is obliged to take care of the protection of environment, so we are also fulfilling our constitutional duty”<sup>26</sup>.

Pashinyan arrived at Amulsar on July 6 and held a meeting with representatives of “Lydian Armenia” (the company which holds the mining license) as well with environmentalists and local community members from the town of Jermuk. He emphasized that he wouldn’t like the mine to exist had the process of mine exploitation licensing started at the time of his government, but that he is conscious that “enormous money” has been invested. He also declared that decisions pertaining to mining should rely on facts and not emotions, and proposed to give the government time to hold inspections in Amulsar. In their turn, the demonstrators insisted to halt the exploitation during that period. Lydian representatives found this option unacceptable, and no agreement was achieved between the parties. The protesters announced the continuation of protest acts and refused to open the roads leading to the mine.

On August 10, Pashinyan announced the concept of Green Armenia, declaring that “eco-Armenia or green Armenia is in at the core of our understandings of economic infrastructure, and technologies can never and in no circumstance be juxtaposed to the nature, on the contrary, we see all of this integrated in one and the same concept”<sup>27</sup>.

In summary, when comparing the government’s program and official communications with civil society’s reactions

and expectations, we can distinguish three types or levels of addressing issues.

- Issues previously raised by civil society and responded to by the government
- Issues raised by civil society that are on the government agenda but with a perspective different from the civil society position and
- Issues raised by civil society that fail to enter the government’s agenda.

Generally speaking, the less responsive the government is to the perspective of the CS, the more it is suggestive of either international influence or local sensitivity of the topic. As the new government shapes following the freshly held parliamentary elections, more straightforward and solution-focused approaches, and more clear-cut articulations from both civil society and the government are likely to become unavoidable.

26. <https://www.facebook.com/armecofront/videos/2253392084700843/>

27. <http://armtimes.com/hy/article/145840>

## 2.4. The Emblematic Conflicts Challenging Armenia's In-Progress Revolution

After the revolution, Pashinyan has come to be seen an indisputable and charismatic leader. This image and perception are based on his consistent pursuit of his political goals and of being a relentless pioneer, but also to his ability to restore partnership with once-rival oppositional forces, to encourage inclusive cooperation with civil society actors, to adopt a politics of transparency, his encouragement of networked methods such as self-organized creative actions of engaged demonstrators, as well as his willingness to unconditionally rely on the diverse popular masses and his emotional openness to them. His understanding of the power structure is in sharp contrast with the coercive hierarchic thinking of the rulers of the past 20 years, Robert Kocharyan (1998-2008) and Serzh Sargsyan (2008-2018). With his liberal-democratic beliefs, Nikol Pashinyan is well ahead of even Levon Ter-Petrosyan, the leader of the first post-Soviet democratic wave and the country's first president (1991-1998), especially in his real appreciation of the people's agency and transparent governance. Another one of Pashinyan's advantages is his ordinariness and his ability to communicate and work with people from all walks of life. These attributes made him a central figure both during and after the revolution, however, this is not going to be enough to either address the inherited economic issues (such as heavy reliance on mining which involves international capital beyond public control, both Russian and Western), or other contentious social issues including socio-economic inequalities and the tensions around sensitive topics (e.g., women's and gender issues).

Pashinyan now has a post of as super Prime Minister<sup>28</sup> which was designed by Serzh Sargsyan, who intended to govern using this bespoke model in which the National Security Service, the Special Investigative Service, the Police and a number of other power agencies would be under his direct control. Through these agencies, Pashinyan has declared and actually made publicly well-received steps that are intended to clear the state from corruption. Almost on weekly basis, he comes up with a disclosure of glaring scales of corruption or large-scale offences of looting by persons tied to the former regime, thus unveiling the lies and frauds perpetrated by officials and associates of the previous regime. This largely resonates in the hearts of people who have for decades been lied to, robbed by, and alienated from the state. Months after the revolution, public trust and the loyalty of the law enforcement and inspection bodies under his control remain Pashinyan's only substantial resource. He also continues to be supported also by the civic groups that played a significant role in the revolution, and have a sense of ownership and responsibility for its (final) victory. The public trust indicator for Pashinyan, at least among the capital voters, which comprise one third of the country's entire population, is high. This is evidenced by the fact that Hayk Marutyan, the candidate supported by Pashinyan for the Yerevan City Council snap elections on 23 September received 81% of the votes. This high level of public trust has enabled Pashinyan to continue the institutionalization of the revolution. However, will people's trust suffice for taking on radical reforms declared by the revolution such as tackling corruption, achieving independent judiciary, change of the election code to name a few. They mostly mark the end of what the former regime relied on. And, importantly,

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28. At the time of writing, he was acting prime-minister as well as was leading the list of "My Step" alliance running for parliamentary elections to be held just at the close of this project, December 9.

is it possible to achieve this while strengthening democracy and the solidarity between the diverse social groups in the country instead of relying merely on generalized lay popularity. As analysis of interviews has shown, there are sensitive topics that make popularity a subtle game and a contradictory resource.

The government that will form soon will face almost three decade-old problems. In this work, while willing to partner with all forces supportive of the revolution, Pashinyan's government does not have the overt support from the external world and his main reliance within Armenia is on the liberal and progressive segments of civil society and the political field. The more radical segment of civic society, which was involved in the street struggle, is still hesitant as to whether to step into full-fledged institutional cooperation with the new government or to take the position of a good-willed demander and oppositioner. Even now, these groups are the main advocates to define and endorse the priorities in change process. These priorities are related to two key points: 1) reinforcement of decisions, approaches and mechanisms conducive of the establishment of human rights and democratic institutions and 2) contraposing to the corrupted oligarchic economic structure and to the logic of exploitation of the workforce and natural resources, ensuring an economy which can adequately respond to the demands for social justice.

While problems accumulated during the 30-year period are many and diverse, there are emblematic conflicts in the country that highlight the need for continued revolution. The adequate resolution of precisely these conflicts will determine the possible course of the dramatic structural changes in social life (this definition of emblematic conflicts is by Ulrich Brand). Below we will outline 2 of these conflicts that each represent the priority lines mentioned above:

### *1. The issue of preventing Amulsar gold mine project*

As a result of industry-friendly policies in mining – a priority economy for ten years before the revolution – Armenia has become attractive to extractive offshore companies. They had easily obtained licenses of doubtful legality and containing corruption risks so as to exploit metal mines in Armenia. Growing concerns around the negative ecological, health, and social issues led to self-organized resistance initiatives from 2007 (Ishkanian 2016). These initiatives later developed into more substantial movements and in fact became the paths of building the agency of today's resistant civil society and its politicization<sup>29</sup>. Many of the people involved in these earlier environmental movements, are now at the core of the struggle against the exploitation of the Amulsar gold mine. Their struggle against the Amulsar mine began in 2012 and is now one of the most heated frontlines where local people have initiated a termless blocking of roads leading to the mine in order to suspend the construction works and to prevent the mine from opening.

The Amulsar gold project is being led by the Lydian Armenia company, which is financed by American and British investors<sup>30</sup>. This allows the company to legislatively protect its capital even at the diplomatic-political level, and to threaten the withholding of Western financial investments and international lawsuits. Alongside this, there has been lobbyist-led media campaigns for Lydian Armenia, media attacks on and the defamation of activists

29. One of the core members of the movement against the Teghut mine started in 2007 is Lena Nazaryan, now board member of Civil Contract party and is running for parliamentary elections in Pashinyan's team "My Step". Together with her like-minded fellows, she later shifted her struggle from civic to institutional political platform and joined her efforts to founding the party. Many of her fellow-strugglers stayed in environmental activism though.

30. <http://www.armecofront.net/en/amulsar-2/those-responsible-for-funding-and-equipping-mining-in-amulsar/>



who have blocked the areas surrounding the mine, campaigns aimed at creating discord within the activist community, the instigating of anti-demonstrations and intracommunity tensions.

Another mining company in Armenia, the Zangezur Copper-Molybdenum Combine, is seemingly attempting to cash in on this conflict. The known shareholder is the German company Chronimet as it reads on their official information on the website, but there are also unknown offshore owners, which according to the environmentalists, are of Russian or Russian-Armenian origin. The presence of western capital is assumed to be problematic for the Russian side, which makes them an interested party in this matter. In turn, this allows Lydian Armenia to reduce the entire movement for saving Amulsar to a fabricated campaign by its rival, thereby disregarding the public interests and standpoints of the locals while at the same time making advance preparations for holding the Republic of Armenia for responsibility in the international arbitration court.

In the new government's program as well as in Pashinyan's various speeches, the goal of establishing an "inclusive economy" has been articulated, which prioritizes the well-being and living standards of society over the indicator-driven economic growth (this is similar to the concept of Beyond GDP). There have also been clear announcements about retracting from mere consumption of mineral resources in favor of moving toward an eco-economy. The logic of Pashinyan's aim of building a "Free and Happy Armenia" can encompass the progressive goal of advancing eco-social justice in the country. Yet it is still unclear as to what will be the policies and the decisions of the government to achieve these aims.

The Amulsar issue is indeed emblematic, and the decisions regarding the future of this mine are sure to have irreversible

environmental, financial-economic, health, and social (including gendered) consequences not just for the adjacent communities but for the entire country. On the one hand, there are the threats posed by the Amulsar mine and the consolidation of resistant civil society (environmental activists, rights defenders and local residents). On the other hand, there is the threat of the discontinuation of Western financial investment and possible penalties. These factors combined have put the new government in an uneasy and challenging situation. The visits, inspections, and the work of multi-stakeholder working groups have not yet led to any decisions.

The solutions to the multi-faceted problems posed by the Amulsar mine, will indicate the level/index of new Armenia's "revolutionariness" and will frame the principles of solving societal problems from now on. This is about whether the economic and social public interests of thousands of ordinary people or individual economic interests of those with big capital will be prioritized, whether the sense of agency of an Armenian citizen or the gains of international corporations will be underscored, and whether the future course of Armenia will depend on an economy relying on excess consumption and export of natural resources or on the preservation of the natural environment. It remains to be seen whether the support of the democratic values and progressive agenda will be reduced to the protection of Western capital<sup>31</sup> or if Armenian policy will finally free itself from the detrimental trap of the "West-Russia geopolitical controversy".

## 2. Recognition of the rights of "the rest"<sup>32</sup> and their inclusion

31. <https://www.opendemocracy.net/od-russia/peter-liakhov-knar-khudoyan/citizens-battling-a-controversial-gold-mining-project-amulsar-armenia>

*in the social solidarity*

Although protection of LGBTIQ people's rights has a history of about 20 years in Armenia, conversations and discourses from this perspective have remained within limited circles and they have been marginal and rejected. In contrast, the wider public has always been served with hate propaganda against LGBTIQ people and with attitudes justifying and encouraging the violence against them<sup>33</sup>. The post-revolutionary period saw a series of instances when the topic was provoked and manipulated purposefully by individuals recruited for the defense of the former ruling elite to run manipulative campaigns of hate speech against LGBTIQ people. It was within this campaign that recently footage of a carnival-style children's show held at one of the youth camps was represented as "gay propaganda" and the costumed images of the youngsters with open faces soared throughout cyber space. The agitators' drive to use manipulations is not deterred even by the fact that they are targeting children and infringing their rights and ironically all of this is done in the name of protecting these very children. These campaigns are the continuation of the August 3 mob attack against 9 young adults who had travelled to the small village of Shurnukh located in one of Armenia's southern regions for a queer summer gathering. As it had later become clear from the announcements of the victims of the incident as well as the rights defenders, the community leader had taken part and presumably even organized this attack with a totally different, covert aim of political revenge.

On this day, one of the village's families had hosted their

32. As worded by one Yerevan-based singer in his Facebook post where he was announcing about an upcoming concert of him in August and was inviting only heterosexuals, strictly forbidding the entrance of "the rest".

33. The most vivid example is the justification of the 2012 blast attack on the DIY pub by the known speakers of the ruling Republican party and the parliamentary ARF party.

LGBTIQ activist son with his 8 guests. Late in the evening their house was attacked by unknown men from the neighboring city of Goris and included some community residents, mainly women and underaged youth. The mob shouted intimidating curse words referring to their sexual orientation, threatened them, beat and chased the young people to the outskirts of the village while throwing stones at them and causing both minor and serious injuries.

The targeted family is known in the community for their oppositional stance that was manifested also during the revolution, and their son's sexual orientation was no news for the community members. What had changed was that recently, soon after the revolution the father had arranged a petition among the neighbors and submitted a collective complaint to the new Prime Minister regarding possible corruption risks in the activity of the community leader. This letter was electronically sent using the e-mail of their activist LGBTIQ son – the one targeted by the attack. The delay in initiating a criminal case on the incident (almost twenty days later, on August 22) added to existing concerns.

The politically driven forces, supporters of Kocharyan and Republican Party, who are seen as the architects behind the campaign to polarize public opinion around the conflict of rejecting LGBTIQ people, surely rely on the prevailing public attitudes of either active or passive homophobia. As a result, the new government whose key resource is precisely the public support, is confronted with difficult alternatives as to how to react to the compensation of harms and the restoration of the infringed rights of the victims. The loud protection of the rights of LGBTIQ people can chance the abuse of the manipulated and misinformed public consciousness and jeopardize the trust towards the new government. Aware of these sensitivities, rights advocates have no big expectations and avoid address-

sing direct demands to the Prime Minister. They found temporary satisfaction with either the Deputy Prime Minister's condemnatory words in relation to the violence in Shurnukh, for instance, or the half-solutions given to the complaints they have submitted (such as when the rights defenders were able to achieve change of only the title of the aforementioned footage disseminated by the Police).

While it is true that government's supportive stance to protection of LGBTIQ rights still has the potential of becoming a source of manipulation over public opinion, the wide public support of and trust in Prime Minister Pashinyan, on the other hand, can be seen as an opportunity to use his voice for breaking the post-Soviet logic of persecution and discrimination based on the grounds of sexual orientation. This necessary step by the new government will be provide a solid foundation for developing institutional and legislative means for building non-discriminatory solidarity and establishing equality and social justice in Armenia.

The revolution has already changed the logic of Armenian public life and politics, that is it has broken through falsehood and manipulation, questioned the excessive enrichment beside the impoverished, has uncovered the reality and formed free spaces in the political field. However, those open spaces need to be protected and cared for. If they are not filled with precisely defined policies of equality and social justice, they may well give rise to even more conservative and radical forces than before.

### 3. After the Velvet Revolution: Shifting Space for Civil Society in Armenia

It is important to recall that the movements of the 2010s articulated both political demands *for* greater democracy, dignity, and social justice and consisted of protests *against* austerity and inequality (Ishkanian and Glasius 2018). Many writing about these recent movements across the globe argue that the protests were an expression of anger and reflected growing concerns around the lack of democracy, social justice and dignity (Kaldor and Selchow 2012, Glasius and Pleyers 2013, Tejerina et al. 2013, Della Porta 2015), representing a tipping point in a globalisation of discontent (Biekart and Fowler 2013) and indignation (Calhoun 2013). Yet it has now become clear that the prospects of activists' demands as well as their conceptions and practices of democracy, social justice, and participation bleeding outward and upward into the transformation of society and of political decision-making are very bleak. Instead, in many countries, including in Brazil, India, the Philippines, the UK and the US, nativist, right-wing populist movements have been on a rising trajectory and we increasingly hear about the crisis, death, decline of and fatigue with democracy (Keane 2009, Flinders 2016, Plattner 2015, Appadurai 2017) as scholars and pundits argue that we are now living in the period of the "great regression" (Geiselberger 2017) or in the "age of anger" (Mishra 2017).

The Velvet Revolution in Armenia emerged amidst these global events. Processes in Armenia are of course shaped by the country's unique history, socio-cultural factors, and political dynamics; however, no country exists in a vacuum. As such, we consider it useful to review the experience of other post-revolutionary contexts to analyse the changing dynamics of state – civil society relations and the prospects for democratisation, civic activism, and participation in the aftermath of revolutions.

This comparative review will allow us to consider the risks facing civil society in Armenia and to provide some recommendations for the future.

### *Prospects for Pluralism*

Various scholars have argued that there tends to be a weakening of civil society in post-revolutionary contexts. Hence, whether we consider the fall of the apartheid<sup>34</sup> regime in South Africa in 1994 or the 2000 Serbian revolution, the 2003 Rose Revolution in Georgia (Broers 2005, Muskhelishvili and Jorjoliani 2009, Grodsky 2012), and the 2004 Orange Revolution in Ukraine (Lavery 2008, Lutsevych 2013), there are similar patterns of development (Broers 2005, Danković and Pickering 2017, Grodsky 2012, Lavery 2008, Leonard 2014, Lutsevych 2013, Muskhelishvili and Jorjoliani 2009). On the one hand, this weakening of civil society in post-revolutionary contexts is due to “diminished pluralism” (Lavery 2008) in which there is less array of opposition actors. On the other hand, scholars point to the state capture of civil society (or what some call the civil society capture of the state) in which the growing alliance between “political and civil society” can result in “a weakening of [civic] institutions capable of holding government accountable” (Broers 2005: 347).

Although there can be some potential benefits for civil society actors from greater inclusion in and access to government, there is also danger of becoming too close for comfort. The term “too close for comfort” was coined by civil society scholars studying state-civil society and donor-civil society

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34. In this report we consider post-apartheid South Africa as a post-revolutionary context due to the revolutionary level of changes and social transformation it engendered.

relations (Edwards and Hulme 2013), it refers to the dangers posed to civil society organisations when they become overly integrated in government programs or closely aligned with donor aims. There are historical precedents of this tendency. For instance, those civil society actors who entered government in Georgia after the Rose Revolution found that they had to “...deal with new constituencies and adopt new objectives” and “prioritise institutional objectives” which in turn created tension between the new government representatives and their former organisations, with some of the former civic activists who entered government stating that they felt “betrayed” by former colleagues (Grodsky 2012: 1702).

Since May 2018, many civil society activists have taken up posts in the new government led by Prime Minister Nikol Pashinyan. Others, have now joined political parties, such as the Pashinyan’s Civil Contract party or the Citizen’s Decision Social Democratic Party. Following the December 9, 2018 parliamentary elections, many have now been elected to serve in the National Assembly. Some believe that these civic activists turned politicians can influence government policy from the inside. Others are more wary and fear that this influx of civic actors into state institutions and government may, as in the experiences of other post-revolutionary contexts discussed earlier, actually lead to co-option of civil society by the state and diminish the ability of civil society to advocate and to hold government to account.

It is too soon to tell how state – civil society relations will develop in Armenia, but to advance democracy in the country, it will be important for the new government to protect and maintain space for civil society action. Furthermore, with regards to civil society participation in the policy process (both in the policy formulation and implementation stages), government should strive to listen to and engage with all civil society stakeholders, including radical and critical activists, rather than limiting its

engagement to those who embrace more amenable, compliant, and biddable stances. There is already an instance where environmental protestors who have been holding a round the clock vigil at the Amulsar mine were physically prevented from attending a press conference organised by the Ministry of Nature Protection and were later offered individual meetings behind video cameras.

#### *From radical opposition to reformist consensus*

A second factor is that post-revolutionary contexts come with heightened expectations for the new leadership, expectations which are not easy to realise in the short term, and at times, even in the longer term. In Armenia's case, the new government, shortly after taking power in May 2018 began to bring charges against high profile individuals, including politicians as well as others (e.g., the brother and nephews of former president Serzh Sargsyan), accusing them of corruption and the abuse of their positions. This is unsurprising given how PM Pashinyan, while still a MP, had often denounced the growing corruption and the power of the RPA-affiliated oligarchs who had emerged during the privatization process that began after the collapse of the USSR.

During the revolution, Pashinyan's demands for then PM Serzh Sargsyan's resignation and an end to oligarchic rule, corruption, and impunity in the country resonated with many citizens of Armenia who had wearied of the status quo. Yet, speaking out against corruption is one thing, tackling it is another. Similarly, while Pashinyan has often spoken about the need to tackle poverty in Armenia, it is clear that it will not be easy to alleviate poverty or address issues of growing inequality without implementing changes to the country's current economic and social policy models. At present it does not appear that either

Pashinyan or the Civil Contract Party is preparing to abandon the neoliberal policies which were introduced after 1991 and to embrace social democratic policies which will consist of increased welfare spending and redistributive and progressive tax policies.

If we again draw on the historical and comparative literature, it is clear that in addition to the dangers posed by the state capture of civil society, the persistence of neoliberal policies can also lead to subsequent discontent in post-revolutionary contexts. For example, according to Muskhelishvili and Jorjoliani the "decline of democracy in post-revolutionary governance" in Georgia was not solely caused only by the capture of civil society by the state or by Saakashvili's centralized, populist, and arbitrary rule (i.e., diminished pluralism). On the contrary, they maintain that a key factor which led to Saakashvili's downfall was his government's "ideological – neoliberal and even libertarian – stances which underpinned the new reformist strategies" (Muskhelishvili and Jorjoliani 2009: 694).

Similarly, in South Africa after the fall of the apartheid regime and the election of Nelson Mandela, the African National Congress (ANC) was limited in its ability to veer away from the neoliberal policies advanced by powerful bilateral and multilateral aid agencies which had flocked to the country after the end of apartheid. While donor aid was plentiful, "it was difficult to formulate a new radical vision" and to "challenge the neoliberal system" (Leonard 2014: 381). In this context certain NGOs, which had close relationships with donors and the ANC government, but who were not seen as accountable to the grassroots, proved unable (or unwilling) to "advance the concerns of the marginalised to exert influence in political society" (Leonard 2014: 385). This led to a splintering of civil society in South Africa into more compliant and radical organisations. This splintering of civil society is far from being

unique to South Africa. Indeed in many countries, including in Armenia (Ishkanian 2015), there has been and continues to be a splintering of civil society groups and a growing critique of those NGOs that become “too close” to donors and governments, thereby losing their ability to advance more radical positions and critiques (Banks, Hulme, and Edwards 2015, Glasius and Ishkanian 2015, Lutsevych 2013, Eikenberry 2009).

Until recently, left leaning civil society activists in Armenia have spearheaded the critique of neoliberal policies in the country, highlighting how these have led to growing poverty and inequality. Yet these activists do not represent a large constituency and continue, for the most part, to be marginalized. The case of the Amulsar gold mine, is often framed as key example of how neoliberal policies and logics, which prioritise the interests of foreign investors and corporations over the environment as well as the health and well-being of Armenian citizens, continue to dominate policy thinking. Some describe the battle over the future of Amulsar as the “first major crisis” of the post-revolutionary government (Liakhov and Khudoyan 2018). At the time of writing (November 2018), the situation of the mine remains unresolved. In coming months, it will be important to examine whether the demands and interests of the mining company will override the concerns of local citizens living near the mine as well as those of environmental activists from other parts of Armenia and the Armenian diaspora, who have raised concerns about the risks posed by the Amulsar mine to the health, safety, and well-being of local communities and the natural environment. Yet, if these activists’ voices will be ignored, as indicated by the incident which occurred in November 2018, this does not bode well for the future of civil society – state relations.

Scholars writing about the resilience of neoliberalism globally, argue that civil society actors, and in particular social

movements, have an important role to play in articulating challenges against neoliberal ideas and policies. Crouch refers to civil society as “a fourth force” which is beyond the “triangular confrontation among the state, market, and the corporation” and which can “criticize, harry, and expose the misdeeds and abuses of the cozy triangle” (Crouch 2011: x). Crouch does not go so far as to claim that “the busy, but small voices of civil society” can create a “different social order from the corporation-dominated capitalism” but he sees an opportunity for civil society to “make life far better than states and corporations will do if left to themselves” (Crouch, 2011: x). Peck et al. also see an opportunity for social movements, but recognise the difficulties involved in taking “home-grown and organic initiatives, grassroots innovation, and socially embedded strategies” and moving them “to other places” so as to create a globalised resistance to neoliberalism (Peck, Theodore, and Brenner 2012: 27). Thatcher and Schmidt argue that there has not been a Polanyian countermovement to the rise of neoliberalism, but hold out hope that “new ideas” and “interest coalitions” will emerge (2013: 421) and identify “social movements” as demonstrating “the greatest move away from neo-liberal ideas, at least at the level of political discourse” (Thatcher and Schmidt 2013: 426).

Thus, from the perspective of advancing policies which prioritise social justice, ensuring space for civil society action in Armenia will be important. Many civil society activists have told us that they are for the moment refraining from being overly critical of the new government and are waiting for it to become more consolidated. Yet, they also indicate that this *détente* will not last forever and that the new government should be open to receiving criticism from and being held accountable by civil society. This will mean that the government provides space for genuine participation and consultation rather than box ticking

exercises which limit the participation to only non-contentious civil society groups. The government should also ensure freedom of participation and speech for all citizens of the Republic of Armenia by valuing, respecting and promoting the rights and dignity of individuals regardless of disability, gender, sex orientation, ethnicity, or religion. Finally, it will be important to have a free and independent press, which has been shown to be crucial for democracy and rule of law (Themudo 2013). All of the above factors will be crucial for how civil society – state relations develop in Armenia after the revolution.



## 4. Summary: Recommendations and Paths Forward

Although we may see the Velvet Revolution as a hopeful sign for democratisation in Armenia, it is also important to keep in mind that much remains to be done. And while giving political forecasts, or even situation definitions, has proved to be an almost unwise endeavor in the last months of highly variable political reality, we may expect this dynamism to somewhat decline and soon give way to institutionalization processes. In this context, some recommendations may become important reminders of must-(re)dos for civil society.

Different sections of this report include some discussion on steps ahead. Below we will bring them together and summarize in brief.

- Need to institutionalize civil sector-government relations as opposed to relying on networks of trust.

The ongoing revolution is a challenging period for civil society in terms of dealing with the new political body. In a subtle balancing act, civil society groups need to avoid becoming co-opted by or overly friendly with the government and at the same time to avoid withdrawing from the social-political reimagination of the country by too much distancing. In any case, keeping alert with the government will be relevant in the coming phase, as the Georgian experience shows. Interviewed CSO representatives liked to remind themselves of this lesson as a warning against the dangerous merging with the government which may ultimately 'undo' the revolutionary achievements. However, repositioning of civil society is not a clear-cut process. Both cooperative and confrontational segments of civil society are likely to (re)shape following the parliamentary elections and both may be functional and necessary in addressing core issues. Therefore, it is also a matter of diversifying modes of action

and relationships. While some left-leaning CSO members and activists will flow to newly emerging oppositional parties, such as the Citizen's Decision Social Democratic Party, for many others remaining in civil society and keeping it strong (and left) and influencing policies from that stance will be principal.

- Need to co-create the language and platform of criticism

Rather than just vaguely talking about the need to keep the golden middle in addressing the above point of state-civil society relations, it is timely to work towards spaces for dialogue by creating the language and platforms of criticism, so as to bring difficult and tabooed topics within society both into public discourse and onto the government agenda. To develop the language and forms of strong yet constructive criticism, establishing and enhancing alternative scholarly and educational platforms and networks will be important. These can expand the space for both civic action and social thought. The latter can potentially be further popularized through publicly accessible knowledge which can contribute to civic education.

- Need to diversify the financing schemes and funding sources and to revise civil society-donor relationships

In order for progressive civil society to participate in agenda setting without merging with the state and to take a more proactive stance, it will be important to reexamine and revise, to the extent possible, the schemes and principles of donor funding of CSOs so as to give more freedom to CSOs to (re) define their priorities and to design need-based projects within their core funding. This shift in donor approaches to civil society will allow CSOs to respond to emergent societal realities in the dynamic period of political and social life that is sure to continue. Further to this, it seems the right time to expand civil society space and to reimagine relationships therein, by embracing the cooperation with newly formed active student

groups, local community groups, as well as by promoting the role of labour unions and their greater involvement in all the processes.

All in all, if a major social change and not just a power shift is what is being claimed at the moment, then all essential institutions and relationships must presumably undergo some transformation, including the civic sector. This may include substantive changes to the form of civil society with a shift from its narrower understanding of specific groups to a broader understanding of informed citizenry. During the days of the revolution, we witnessed this potential in nationwide participation, and this needs to be reinforced before citizens have become comfortably idle in their passive reliance on the government.

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