

CIVIL SOCIETY IN ARMENIA: *QUO VADIT?*

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INTRODUCTION

'Civil society' is amongst the crucially important exogenous terms, such as 'parity democracy', 'social State', 'structural adjustment', 'gender', and 'globalization', that were introduced in the mid-1990s into Armenia and were instrumental in changing people's mentality and, thereby, the ways in which reality was interpreted and socially constructed. However, in my view, there are at least three distinguishing features of the concept, which reflect public perceptions of the phenomenon it designates and which make it stand out from the other terms. Firstly, the phenomenon is less contested. Secondly, its significance is recognized by and is acceptable for virtually all stakeholders and actors in the public sphere. Third, for quite some time already public interest in it has been waning. The first two features can be accounted for both by the fact that the concept is less politically loaded and, primarily, by the lack of a clear idea. The third aspect reflects the fact that the whole range of civil society-related issues seems no longer to be 'fashionable' in the post-Soviet countries as new concepts and ideas vie for public attention. While reasons for this may be different, the civil society argument probably failed to merit serious attention. Therefore, public interest in it was superficial and short-lived. In any case it would be an overstatement to say that a strong interest was or is shown in theoretical treatment of civil society issues in Armenia. Even when the concept enjoyed wide currency among and was relatively popular with some academics and NGO activists, its essence, as a rule, was not adequately presented or interpreted. These popular misconceptions still remain prevalent. Consequently, it seems to be of some use to look into what civil society is and is not. Accordingly I will try to explore how civil society is factored, if at all, into the socioeconomic and political life of Armenia as a viable and effective social actor.

To do so is important since lack of methodological and theoretical clarity is counterproductive and has numerous negative repercussions for civil society organizations in terms of their scope and mode of operation, public perceptions and expectations as well as strategy development.

Defining civil society is not an easy task since the concept is somewhat flexible. There are grounds to agree with the German historian Jürgen

Kocka who contends that all the efforts to fix a definitive meaning to this concept notwithstanding, the meaning "slips out like a pudding, which they wish to nail to a wall."¹

In addition, lack of adequate understanding and of conceptual clarity makes main stakeholders and actors in Armenian civil society less confident and more vulnerable vis-à-vis external pressures and more reliant on the definitions, set ideas and views given by others both inside and outside this country. As influential Egyptian political scientist and economist, Samir Amin, put it in another context; the dominating powers are such because they succeed in imposing their phrasings on their victims.²

Therefore the matter cannot be seen as merely a whim of theoretical discourse participants. This issue has serious practical implications operationally, politically and socially.

WHAT LED TO THE RESURGENCE OF THE 'CIVIL SOCIETY' CONCEPT IN THE 20th CENTURY?

This section should be prefaced with the question of why the term that emerged in the 18th century and that for the most part remained on the fringes of social and political philosophy suddenly became popular, not only in social and political sciences but also in public mind, in the 1970s and especially in 1980s.³ Its resurgence was due to the confrontation of broad segments of some East-European societies (first of all in Czechoslovakia, Poland and Hungary) with the so-called "communist" regimes. It is noteworthy that in contrast to confrontations by Soviet dissidents, the Eastern European confrontation was quite effective and well-organized and had a popular base of mass support. While at the beginning it was a question of a 'parallel society', 'alternative polis' or 'social self-organization of the society', eventually the concept of 'civil society' started to be used. Most political and social scientists in the West were initially skeptical about the usage of this 'archaic', or as one thinker put it, "distinctly covered with dust",⁴ concept. However, very soon the term became so popular that it made its way back into political discourse in advanced countries, then in post-Soviet countries and finally – via the UN – worldwide.

It should be stressed that the concept was actively used in explaining why the transition to democracy in the above-mentioned 'communist' countries occurred in a relatively painless way (at least without violence

and bloodshed) and without these countries going through a presumably 'inevitable' stage of authoritarianism. It was in the said countries that even prior to 1989, the *annus mirabilis* of Velvet revolutions, the elements and institutions of civil society had been in existence and even had gradually become more viable, while in other countries those elements and traditions had virtually been non-existent.

In other words, the post-Soviet countries that entered the transition period and that ostensibly embarked on the road of democratic changes were strongly recommended to build civil societies. At some point civil society was portrayed – at the level of ideology and methodology (to say nothing of social mythology) – as a universal key to almost all problems of the post-communist transition societies.

The appeal of the 'civil society' concept in the post-Soviet countries is further explained by two more factors. First, as Adam Seligman pointed out,⁵ the appeal and use of the term 'civil society' (in fact synonymous to but instead of 'democracy') can be accounted for by the fact that the term was neutral and – in contrast to 'democracy' – uncorrupted by forty years of State propaganda, i.e. it had not been tainted. Secondly, it was again incorporated into the toolkit of Western social philosophy, political science and sociology. What is more, a view that civil society is one of the essential components of present-day democracy (also due to the fact that a public sphere has expanded significantly) was formulated theoretically and verified practically. This view is known as the 'civil society argument'.⁶ As far back as 1835, Alexis de Tocqueville contended that whether or not democracy will work depends on the maturity of civil society.

It is this direct relation and interdependence between civil society and democracy and the significance of the former as a most important safeguard and a source for the latter that makes the idea of civil society so appealing in various parts of the world. A retrospective glance at the post-Soviet history gives grounds to conclude that the failure of the attempts to build an open, democratic, socially-oriented State based on the rule of law can to a large extent be accounted for by the immaturity of civil society.

It was also discovered that civil society helps to make a faster and less painful transition from so-called '*noncompetitive political regimes*' to '*concentrated*' ones and subsequently to '*competitive democracies*'.⁷ Besides, it generates and builds up 'social capital', i.e. mutual trust, support and cooperation among citizens.⁸

New significance is attached to civil society due to globalization. The global economy and market are emerging, and there are grounds to contend that they are regulated via the so-called 'Washington consensus.' While the World Government is non-existent yet, the UN, European Union, Council of Europe, etc. are but channels for global or regional governance and regulation. Civil society is fragmented and disconnected and is not yet a global force, so to say, a 'global player'. Even the ideal-type of 'global civil society' (with its five essential interconnected features) proposed by John Keane⁹ is too vague and far too removed from reality.

As of today, it would be a Utopian vision to speak of the Armenian non-governmental structures taking part in building global civil society since the civic movement has yet to emerge and be consolidated at the national level. So far, Armenian NGOs are modestly, if at all, integrated in international coalitions, networks and associations, and not as full-fledged partners at that.

In principle it is clear that normal and effective operation of non-governmental organizations and of the third sector as a whole is predicated on viable and vibrant civil society. The task of this paper, however, is different. It is to examine how NGOs contribute to the emergence and evolution of civil society in Armenia, especially since NGOs are not infrequently called 'schools for civil society'.¹⁰

These are some of the reasons that explain NGOs' theoretical and practical interest in the subject of civil society as they seek to become meaningful actors in civil society, which promotes democratic political culture, counterbalances the State and secures the latter's accountability. As a component of civil society and an active participant in building and enhancing the latter, NGOs should have a clear idea about the existing model of civil society and adopt or adapt the model, which seems optimal and acceptable under given conditions.

WHAT IS CIVIL SOCIETY?

The concept of civil society has been and still is interpreted in numerous ways and is plagued by normative ambiguity and flexibility.¹¹

The most accepted and least contentious definition of civil society was provided by Hegel who saw civil society as the domain of social life between the State and the private world of family, where citizens can exercise their rights and discharge their duties.¹² For the purposes of this paper we will use this definition. Edward Shils contends¹³ that all the

variations and shifts in approaches and interpretations notwithstanding, the term 'civil society' retains certain central features. It is a part of a society distinct from and independent of the state; it provides for the rights of individuals and particularly for the right of property; it is a constellation of many autonomous economic units, acting independently of the state and competing with each other. It also carries with it the idea of citizenship and citizen participation.

Civil society is impossible without the *rule-of-law* State. Its basic features include supremacy of law, respect for the person's dignity and legitimate rights, tolerance, multiculturalism, democracy, pluralism, priority of consensus and of reasonable compromises in contrast to a confrontational mentality and models of behavior as well as an emphasis on cooperation and on a culture of trust.

Civil society is notable for a high degree of people's involvement in public life, of citizen participation and of active solicitude for common good.

Thus, civil society is *social space* between the State and the family, wherein free citizens that pursue their own and public interests in a civilized form operate on the basis of voluntary association as well as those *entities, institutions and relations* that operate in that space and that have the role of mediating structures between the individual and the State.

The complexity and ambiguity of interpretations and models of civil society lead both to great variety and to simplification. Many international organizations, first of all the UN, use the term 'civil society' as an absolute synonym to the term 'third sector' ('NGO sector'). That makes the situation even more confusing. It would be wrong to identify civil society with the third sector. Besides, the UN also put into circulation the term '*un-civil society*'. If civil society were indeed no more than the third sector, it would stand to reason to construe whatever is outside the sector as *uncivil society*. In reality, however, the term is used to designate terrorism, organized crime, drug trafficking, trafficking in persons, etc. Thus, this *non-civil society* (or better to say *anti-civil society*) is opposite to civil society but not to the third sector. It should be made very clear that civil society is composed of 'benign' organizations that reject violence, coercion and stifling communitarianism, which may sometimes go by the name of 'public good' and which are not necessarily a rare occurrence in Armenia.

CENTRAL ROLE OF NGOs IN CIVIL SOCIETY

At the same time NGOs are the most essential and prevalent elements of civil society; they are at the core. NGOs have a key role since, in their capacity of non-governmental, not-for-profit organizations, they can teach free citizens the difficult art of voluntary association,¹⁴ social solidarity, group social action and freedom and also teach them to see for themselves how much the members of society are interconnected and interdependent. It is NGOs that provide *a forum* for reflection, which is more than merely a political one, and *a channel* for action. NGOs can become catalysts of change and mechanisms for training and mobilizing citizens. If they do all that, they indeed become a core element of civil society since it is in them that private action for common/public interests is, at least in theory, reflected in its concentrated and purest form.

It is vitally important for Armenian NGOs to realize that a democratic civil society is much more than the sum total of institutions and organizations, however productive. It is a new climate, new mentality, new way for citizens to conduct themselves and live; it involves new principles of social interaction. As trust in nominally 'democratic' institutions is eroded in the Armenian public sphere, local NGOs should focus on enhancing civic potential and trust that are accumulated in private and semi-private spheres and tap into that social and cultural capital as a vital resource for cementing social solidarity and mutual support.

Getting to such civil society is a very ambitious task, which may not necessarily be feasible. Some experts are therefore inclined to think that it is absolutely impossible *to create* civil society. In the German political scientist Jens Siegert's words, civil society "must ripen and it is a long process liable to numerous external impacts".¹⁵

The role of NGOs is particularly important in countries like Armenia where the rule-of-law State, independent judiciary, independent and responsible media and free and fair elections are yet to materialize.¹⁶ At present in Armenia there is virtually no print or electronic media that stays away from political campaigning, propaganda and partisanship. They are all official, semi-official and/or explicitly or implicitly partisan. In other words, so far there are no media outlets that articulate and promote the interests of society at large rather than group, clannish, corporate, etc. interests.

Finally, it is NGOs that can directly and immediately produce 'social capital'.

PROBLEMS IN THE ARMENIAN NGO SECTOR

In order for NGOs to operate more effectively as organizations of civil society and contribute to civil society building, it is first of all necessary to identify and solve, as far as possible, the numerous problems that got accumulated in the sector and in NGO activities.¹⁷

A number of tendencies existing manifestly or latently in any civic movement pose a threat to the sector as a whole and to individual NGOs. It seems that **the most important prerequisites for consolidation of Armenian NGOs into a 'movement'** (that will also help to consolidate the sector and to finally constitute it as such) include identification, analysis and counteraction of those tendencies.

The existing Armenian legislation significantly limits the sphere of voluntary association of free citizens. It is symptomatic that the term 'non-governmental' organization¹⁸ is actually not used in the legislative and legal thesaurus, etc. Furthermore, the Government gradually came to realize that the law which regarded the sector as virtually homogenous was far removed from reality. Therefore, it initiated the passage of laws that granted different legal statuses to charities and foundations. Besides, religious organizations are not treated as NGOs, and their registration and operation are regulated by a separate law. Nevertheless, no further differentiation and distinction were made; hence all third sector organizations have the same status and the same name, 'public organizations. However, it is known only too well that 'institutional pluralism' is one of the distinctive characteristics or features of modern civil society.¹⁹

Many experts emphasize negative consequences from the retention of the old name 'public organizations', which are reminiscent of old Soviet practices and, hence, are triggering wrong associations and attitudes.

'Corporativism'²⁰ and 'commercialization'²¹ are among the most widespread threats faced by the NGO sector.²²

Another serious problem is what I designated as '**quasi-NGOization**', in other words, excessive professionalization of the sphere that by definition should be the sphere of voluntary association. Many NGOs in Armenia operate as 'businesses' with staff members doing professional work and being paid for it. This process has affected the structure and functions of NGOs since many of them had initially relied on voluntarism and on work on a *pro bona* basis.

A number of objective factors contribute to that process, including not-particularly-wise economic policies (together with conspicuously unfriendly and imprudent tax policies), 'intraspecific' competition for limited resources, etc. Small groups, such as grassroots and advocacy groups, are crowded off the sector, and it is mainly well-connected NGOs operating on huge budgets that are likely to survive in this inauspicious climate. While such organizations more often than not do good work in their favorite field of service provision and may have earned an enviable reputation due to highly-skilled professional, adroit and energetic staff, they look more like commercial or business ventures than civil society organizations. A civic movement can hardly be set up and maintained on such a base.

Another phenomenon is probably not specific to Armenia only; however, it is not discussed and studied. The matter concerns NGOs that are de facto established by influential civil servants who, however, do not appear officially as founders. They lobby for their NGOs, recommend them to foreign and international organizations and other donors as partners or grant recipients and try to channel government allocations to them whenever such opportunity presents itself. It is a form of clientilism that may ruin the sector. A lesser evil is establishment of NGOs as a form of family 'business' or one-time 'team contract'.

These developments do not go unnoticed by public opinion, and they discredit the realm of voluntary association of citizens for common good.

The social effectiveness of NGOs declines dramatically in the case of *bureaucratic red tape, dilettantism, preference of private interests over the common ones and fragmentation of efforts*. In their extreme form these developments may so position NGOs that they will strengthen antidemocratic tendencies in society. In our recent history there have been instances of NGOs that came up, individually or jointly, with initiatives and/or actions that run counter to democratic principles and stances.

In other words, not only the *principle of free and voluntary association* of individuals and organizations but also the *goal and platform* of such associations is *important*. The association should not be against a group or to the detriment of society at large. The notion of 'uncivil society' is therefore crucially important because many practitioners and activists in Armenia uncritically perceive and subscribe to a view which is quite popular these days the world over. That view seeks to make the concept of civil society 'inclusive' and to have it incorporate everything that is non-

State, even what James Putzel calls "a dark side of social capital".²³ I believe it methodologically untenable and practically counterproductive to view the so-called MANGOs ('voluntary' association of individuals that engage in criminal activities, like *mafias*) as a part of civil society, regardless of their formal status.

The internal organization of NGOs, their structure and relations, should be placed on a democratic footing and should be in line with the norms and principles of democratic civil society.

As in the majority of other transition countries, in Armenia NGOs face a serious problem finding funding sources. Many foreign donors curtail their assistance projects when they believe that essential democratic reforms have been carried out, that the sector is viable and that it should henceforth rely primarily on its own and national resources. However, in contrast to Western countries, in modern Armenia there is no tradition of charity. Among the middle class, who would have time and the will to take part in voluntary associations for public good and whose contributions, including membership dues, would support NGOs, the tradition of charity is nascent, if it exists at all. In Latin American countries and in a number of countries in Central and Eastern Europe, the Catholic Church actively supported NGOs. Such a tradition is non-existent in these parts of the world.

Edmund Herzig pointed out that in the South Caucasus, with few exceptions, "NGOs are dependent on Western financial support, which can tend to integrate them more closely with Western and international agencies ... than with their own societies or governments".²⁴

In contrast to post-authoritarian countries, post-Soviet societies lack the tradition of independent NGOs. Since under Soviet power all autonomous non-State activities were banned and suppressed, while all public activities were organized and controlled by the State and by the Communist party and were, not infrequently, mandatory and coercive, broad segments of the population had a firmly negative attitude towards and distrust of NGOs, which have not been completely overcome yet.

The roots of social and political indifference and passivity (which are socially dangerous phenomena) lie in the reaction to both forced, artificially imposed social activism under the former 'socialist' regime and the cynicism, corruption, nihilism and disaffection which have been pervasive in Armenian society for over a decade now.

Also, the fact that social and economic survival under the present-day conditions takes a disproportionately large amount of time and effort for

the majority of people, thereby limiting opportunities for their participation in public life as active citizens, cannot be disregarded.

Marc Howard, too, notes that unlike "in many Western societies – where voluntary organizations have become a central part of the social and political culture, and where people join organizations in order to meet new people and to expand their horizons through public activities – in postcommunist societies, many people are still invested in their own private circles, and they simply feel no need, much less desire, to join and participate in civil society organizations".²⁵ He also cites studies that demonstrate that organizational membership in post-Soviet countries is twice as low as that in countries of Central and Eastern Europe, three times as low as that in post-authoritarian countries and four times as low as that in older democracies.

It is perfectly clear that civic movement needs a wider social base. Moreover, it is necessary to bridge the gap between NGOs and most citizens, which is manifested in the fact that in Armenia there are too many NGOs with a miniscule number of members.

Another observation concerns national ideology. For several years already there has been much talk about a national ideology and about a unifying national idea or about the lack thereof. In my view, *the fact* that so far none of the political or civil stakeholders has identified unambiguously the building of civil society as the main goal and a key component of the national ideology *is strong evidence of the state the sector is currently in.*

In general there are a number of underlying causes that make the prospects for strengthening the third sector in the near future unlikely:

economic (poverty, low salaries, low living standards, etc.);

social (widespread unemployment, small middle class and lack of middle-class ideology and psychology, etc.);

political (hostile attitude of the political establishment towards independent initiatives, which are routinely perceived as protests or confrontations, particularly in the case of a critically-minded segment in the sector; hostile attitude of bureaucrats who suspect NGOs of getting huge grants and who wish to snap up a slice of those, etc.), and

historical (lack of traditions and practices of democracy, charity and self-organization for public good, etc.).

Deformations that occur in the third sector are, as a rule, an end result of the processes unfolding in the society at large. So, it is more productive

to identify and remove structural barriers than merely criticize NGOs. However, NGOs must themselves fight *commercialization* and the *quasi-NGOization* of the sector and unite into coalitions and movements to be able to do that. At the same time it is also clear that direct and indirect support by the State and the improvement of the socioeconomic situation of society are among the main necessary preconditions for the third sector to become vibrant and effective. At this point, however, economically and politically powerful groups do not see the strengthening of civil society on the whole and of the third sector in particular as being in line with their current and strategic interests. On the contrary, as regards civic and, especially, political participation of people, the powers that be and a sizeable group of the political elite feel quite uneasy when citizens become active.

So far the main stakeholders in the political field have perceived citizens as primarily passive and inert 'masses' that need to be periodically mobilized and used (e.g. as a constituency, protest or support group, etc.) and then brought back to the initial state. They prefer controlled occasional political mobilization of 'the masses' for their own ends. That attitude of the political class and of the 'ideological State apparatus' (Althusser) can be accounted for by the fact that wide-scale civic activism is a dangerous weapon that can easily slip out of control.

Their best-case scenario would hurl Armenia back some 50-60 years to the situation that was at that time advocated by Joseph Schumpeter, who believed that people should vote and then leave all other matters to politicians for the entire period in between the elections.

Therefore, the role of NGOs from the political perspective and their closely interrelated economic function merit special attention.

POLITICAL AND ECONOMIC FUNCTIONS OF NGOs

A large number of causes and factors contributed to enhancing the political function of NGOs and of the latter's role in the democratization processes. First of all, there are the *expansion* of the sphere of political participation through the incorporation of types and forms of activities which were regarded earlier as non-political, and the present-day civilization-triggered *processes of engagement* of significantly broader social groups in the spheres of citizen and political participation. The developments in the past 12 years have confirmed the analysis and prediction of American political scientist Lester Salamon, who contended

in the mid-1990s that we are in the midst of a global associational revolution that can turn out as significant for the late 20th century as the emergence of the nation-State was for the late 19th century.²⁶

NGOs can and do, in fact (at least sometimes), play the important role of *a new channel* for broadening political participation and of *a compensatory mechanism* that provides new opportunities and new organizational forms for engagement of earlier underrepresented and uninvolved groups in Armenia. First of all, this reflects the global trends of the broadening of the notion of the 'political' and of the sphere of 'informal' politics. These trends result in a certain institutional vacuum that gives rise to a need for new organizational forms for absorbing and structuring the increased political participation. This occurs against the background of the weakening of political parties' monopoly over the political sphere and activities, especially in Armenia, where they do not fit into classical definitions and models of political parties as construed in political science. More specifically:

(a) They do not have a clearly delineated and identified social base, and they do not aggregate and articulate the interests of most social groups but are rather fixed on their own or narrow group interests;

(b) Most of them have an explicitly *oligarchic* nature (i.e. they are controlled by and serve the interests of a tiny group of individuals who used political power to amass huge wealth and then converted that wealth also into more power, both political and economic, to control and rule society. In the post-Soviet countries they are called 'oligarchs');

(c) Not infrequently they take a not particularly constructive stand as regards society at large and its interests and/or take no action in some important problematic areas (such as, e.g., corruption, democratic political power, gender equality, underrepresentation of women in power, etc.).

Thus, the necessity emerges to expand the bounds of the existing social and political space and to reformat the situation and the context. The role of NGOs increases by default as they become an important channel for political participation. It becomes obvious, if we graphically represent the scheme of the main factors of political participation, viz. (1) motivation, (2) recruitment and (3) resources (both material and non-material, including time, income and civic skills). Based on their experience and a broad social base, NGOs can more effectively (a) enhance motivation, (b) recruit and (c) teach civic skills (especially since no other social institution is interested in doing that or does that effectively).

NGOs help ordinary people to become aware of their own interests and to articulate and promote them. In other words, they not merely teach citizens to develop their own views and opinions but also the ability to present and defend them publicly. That is why NGOs are often called 'a school for' and 'an infrastructure of democracy'.

Another important advantage of NGOs is that in political parties only a narrow segment is active, whereas the majority is inert and passive, to say nothing of persons who are not party members. They become active or are mobilized only from time to time. Besides, Armenian political parties have a very rigid hierarchical structure, which is far from democratic. For the most part they do not even comply with the principle of democratic centralism. The top-down approach is predominant. NGOs can, at least in theory, base their activities and relations on other principles.

NGOs can play an important role also in reducing the deficit of institutional control over the operation of the powers that be.

In Armenia, a perception is cultivated that NGOs should focus primarily on service provision rather than on advocacy. When they do engage in advocacy, most of them and the State structures tend to pretend that it is not a political activity. Such an approach and attitude proceed from the letter, if not the spirit, of existing legislation²⁷ and seem to be intentionally emphasized by government entities and political parties. Thereby also emerges a certain (even if only imaginary) deficiency in the status of NGOs as political actors. Thus, even if that status is not always denied, it is not infrequently questioned or seen as negligible. It is counterproductive since what people regard as real has real consequences. It is small wonder that NGOs have been pushed to the periphery of the political arena. What is surprising, though, is that most NGOs do not particularly object to that situation.²⁸

It goes without saying that the main limitation on NGOs' political activities should be their clear understanding of and compliance with the condition that they will not pursue the goal of competing for State power and for positions in the State machinery.

This should be stated clearly and unequivocally in the Law and in the charters of the organizations. The remaining political, social and economic space should be open for NGOs or else the end result will be a nonsensical situation. There has been a growing awareness that democracy is 'hollow' without active citizen participation. It is also known from theory and practice that NGOs are the best 'schools' for citizen participation. As early

as the first half of the 19th century Alexis de Tocqueville called the organizations (now referred to as 'non-governmental', 'non-profits', 'grassroots', etc. or, in Armenia, 'public organizations') *political associations* and emphasized their primary significance as democratic institutes.

It should be unequivocally admitted that *NGOs not only can but also should by default engage in politics and become active stakeholders in the political process*. Domestic legislation (in the event it indeed sees the role and functions of NGOs in a different way) should be brought in line with international legal instruments. A reference can be made to the widely-known document, the Final Report of the OECD Ad Hoc Working Group on Participatory Development and Good Governance, which says, in particular, that an NGO "provides channels for popular participation in the political process, acts as a mouthpiece for weak and marginalized groups, and builds bridges between various groups in society, a function which is relevant to conflict prevention and resolution ...".²⁹ The Platform of European Social NGOs, which sought to formulate a comprehensive policy on NGOs, emphasized in March 2001 the latter's role in reducing "the starkness of this 'governing vs. governed' dichotomy, by encouraging and enabling people to empower and involve themselves in the political processes and decisions which have an impact upon their lives".³⁰ Finally, the special Report by the UNDP RBEC, which is a partner of the Armenian Government, pointed out that a primary challenge for representative democracy is to find ways "to ensure that NGOs can play constructive roles in *generating* legitimate demands, *monitoring* government policymaking and policy implementation, *enabling* people to participate actively in society, and ensuring that ordinary citizens are *motivated* to be active in civil society".³¹

Therefore, if Armenian political establishment is sincere in acknowledging the key contribution made by NGOs in the development of a democratic political culture (and in urging NGOs to do that), it is then incumbent upon the establishment to recognize NGOs as actors in the political arena and to enable them to operate in that capacity. In my view, it is a litmus test for all political forces, and their attitude to that issue reflects the degree of their commitment to democratic norms and principles.

Of course, the perception of both the political function of NGOs and of their performance can be different. Thus, NGOs are sometimes divided into *operational* and *campaigning* ones. The former seek a small-scale change

to be made directly, i.e. through project implementation. The latter indirectly promote a large-scale change by making an impact on the political system.³² Both, however, are important and their effective combination is optimal.

There is intrinsic tension related to the political function of NGOs, as evidenced by unceasing confrontation between the adherents, on the one hand, of the so-called 'Tocqueville line' and, on the other, of the "Gramsci line". The former visualize NGOs as always in opposition to the State,³³ while the latter believe that NGOs are one of many agencies for carrying out the hegemony of the State.

Of course, NGOs must position themselves on the political field and select the function and the approach which they see as the most effective and adequate. At the same time, we find A. Brysk's view more balanced. Depending on the extent of civil society's autonomy from the State and market and on the type and level of development of the socio-political system, NGOs perform the political functions of mobilization, contention, or institutionalization.³⁴ In other words, there is not and may not be a single, once-and-forever given and invariable political function (or role) of NGOs. Those can and should change depending on the concrete situation.

Thus, the main conclusion that can be drawn is that NGOs should be pro-active and more assertive, thereby becoming genuine civic and political actors.

While it would definitely be an overstatement to say that all Armenian NGOs gave up on their important function of being a political actor, still quite a few of them actually did so and that poses a serious problem.³⁵ In general, it is most unfortunate that so far the deeply-rooted belief that NGOs do not have a political function has not been overcome in Armenia, even in the third sector. The issue has yet to become an object of serious review and discussion both by theoreticians and practitioners of civil society.

This issue has important practical implications too, especially in the situation that emerged in the aftermath of the 2008 presidential elections. Speaking about the impossibility of a return to a status quo of "disabled or deformed democracy," the Armenian American political analyst Richard Giragosian says that "there must be a transformation of popular protest into political participation".³⁶ We know from political theory that the form of political institutions matters as these forms are political manifestations of democracy. Since political parties do not meet people's expectations, to put

it mildly, and are seriously flawed and ineffective, new forms are urgently needed. It is my contention here that NGOs could serve as an alternative (and more viable and efficient) channel for civic and political participation and thus play a crucial role in resolving the post-election crisis in Armenia.

It is obvious that Armenian authorities are concerned about the politicization of the third sector. But it is a natural development not only because the phenomenon of the political is expanding but also because NGOs have a political function by definition.³⁷ All principal participants of the political process will have to reckon with that. Politicization and even radicalization will grow stronger not only in the third sector unless the existing practices of limitations on conventional political participation are reversed. It is known from the experience of other countries that limitations on and, moreover, the suppression of political activism and participation compel energetic actors to look for other niches and new forms. This is what has come to be known as "politics by other means".³⁸ If pressure brought to bear on the third sector is increased, partnership will be replaced by confrontation and no one will benefit from that. Radicalization of public life always brings about the temptation of seeking effectiveness in unconventional forms, the strengthening of anti-system elements and sentiments and the preference for destructive forms of social action and protest movements. The plain truth is that all three sectors are important and necessary for one another. Antagonism and confrontation would be the most short-sighted and counter-productive line of conduct.

The first sector, the government, is incomparably stronger and more powerful than the third sector, the sector of NGOs. In the event that government policy is re-directed towards confrontation with and suppression of the third sector, the government will certainly take the upper hand without the slightest difficulty. One of the reasons is that the third sector does not have the objective of joining anti-system movements or of engaging in anti-State activities. But such a scenario, which no longer seems unreal under today's conditions, would amount to a Pyrrhic victory at best. By suppressing, "taming" or "adjusting" the third sector, the government would, in fact, break the backbone of civil society and would lose a valuable partner and waste a huge creative potential and resource. Another plain truth is that **there is not and cannot be democracy without civil society**. Further still, as Czech philosopher Erazim Kohák pointed out, without civil society, "an atomized aggregate of citizens ... with no constraints becomes a war of all against all".³⁹ Vaclav Havel, a prominent

practitioner of democratization and transition, stressed the significance of civil society because "it functions as a genuine guarantee of political stability".⁴⁰

Therefore, it would be a mistake to replicate the experience of suppression of self-organization and of civic initiatives by totalitarian and authoritarian regimes. At the same time there is an important caveat. Sometimes the government's concerns can be grounded, although not in the Armenian context. In recent years NGOs started to be used by foreign governments and secret services as instruments and agents of influence to undermine the legitimacy of domestic governments. Using the rhetoric of 'democratic values', external State and non-State actors sometimes foment civic unrest and even initiate the so-called 'orange' revolutions in target States. These developments are not isolated acts but a well-designed pattern used in Serbia, Georgia, Ukraine, and Kyrgyzstan and attempted in Belarus and in a number of other places. The trend is very counterproductive as it undermines public trust in civil society and pits NGOs not only against the State but also against one another. It is not incidental that in the aftermath of the 2004 Orange Revolution in Ukraine there emerged what many observers called a confrontation between Ukrainian civil society and the 'Society of Texan-Donetsk friendship' (alluding to the collusion of the US Government personified by the US President and the CIA, on the one hand, and the mafia-style oligarchic clan from Donetsk headed by Yulia Tymoshenko, the current Ukrainian Prime Minister and a prospective presidential hopeful in the 2009 elections, on the other).⁴¹

The economic function of NGOs is no less important. There is a general misconception that, since the law prohibits commercial activities for NGOs, the latter may not engage in any economic activities and have an economic function. In countries with a vibrant civil society NGOs do have economic function and are engaged in what, from the outside, may seem as 'commercial' activities. By denying NGOs that function, we severely curtail their scope and scale of operation and of potential impact. What matters here is not the form but substance. Even if what they are doing may look like a business activity, it is not if the goal is not personal gain and if the earned income is not distributed as dividends between members but is used for the goals set in the charter, for the beneficiaries' needs and for the development of the organization.

Besides, the economic foundations of NGO operations are also important. Unless they have their own solid economic base, NGOs cannot become real players in the political arena. As Alexander Auzan aptly points out, the economic significance of the third sector is an important precondition for relations of equality between the sector and the State.⁴²

Thus, it goes without saying that the law should be amended. While the Law does not prohibit economic activity for NGOs, it definitely makes it difficult for them. NGOs may not directly engage in 'commercial' activities (or 'business', if you will); they have to establish a commercial enterprise. That should be changed. They should also be allowed to charge fees for their services and to take part in tenders announced by the State. They will thus have to become competitive and to base many of their activities on the cost-effectiveness principle. That will never happen as long as NGOs are not allowed to earn money and depend almost exclusively on grants.

WHAT SHOULD BE DONE?

NGOs do not operate in a vacuum. They operate in a real socioeconomic and political context. For them to become effective institutions of genuine civil society and for civil society to emerge as a powerful autonomous player and a real counterpart of the State, an enabling climate should be created and appropriate support provided.

First of all, it would be useful to adopt the concept 'non-profit organization'. Alongside the term 'non-governmental organization' it reflects the essence of the third sector much better than do the terms 'public' or 'voluntary' organizations.

The State should give support by amending the relevant legislation and creating an enabling legal regime that grants privileges to the third sector and in particular to those NGOs which act for public good and take part in the solution of social issues. They should be given tax breaks and exemptions (especially income tax, profit tax and real property tax, etc.). Besides, the legislation should expand the forms of financial support to NGOs and their access to State funds and should authorize fees and charges that they would get for service provision.

These and similar measures will demonstrate that the State indeed has become aware that support to NGOs is the shortest route to civil society and to the solution of numerous social and other problems. Otherwise, the Armenian NGO sector's dependence on foreign donors will remain. At

present, 8 or even 9 out of 10 Armenian NGOs will not survive without grants given by foreign donors. The said measures are necessary to enhance the sustainability of Armenian NGOs.

A vibrant civil society in general and a more vibrant NGO sector, in particular, are dependant on the middle class. Therefore, Armenian NGOs should see it as one of their primary functions to consolidate, mobilize and enroll this still relatively small social class in Armenia.

The idea of a Civic Chamber, a consultative body with the Armenian President and a venue for bridging a rift between the authorities and the general public, has been floating around since at least the 2007 parliamentary elections; it now seems as if is going to materialize. Most probably it will be set up on the existing Russian model⁴³ and will try to serve as a forum where issues that are seen by society at large or by its active segments as important can be brought up and addressed.

It is a good opportunity for Armenian NGOs to step in and take an active part in the proceedings of the Chamber in their capacity as mediating structures. If they show due initiative, determination and a genuine civic stance, they will be able to influence the agenda, discussions and the decisions to be made and thereby to make this new entity functional and useful for the nation.

There should be more clarity. As Natalya Martirossian, one of the best Armenian NGO practitioners, pointed out, "in Armenia oppositional political parties look rather like NGOs, NGOs as businesses, business as government and government as no one can understand what." Of vital importance is mutual support and cooperation between all stakeholders in civil society. The problem, however, is that on the whole neither political parties nor the mass media perceive themselves as institutions of civil society. Political parties are engaged, *par excellence*, in getting to, using or negotiating their participation in power, and they show, at best, a paternalistic attitude towards NGOs. The media position themselves as the 'fourth branch of government' (and, not infrequently, as arbiter and mentor) instead of engaging in close and productive cooperation with their counterparts inside civil society.

As a core element of civil society, NGOs should do their best to overcome democratic deficits in the sector. Very few Armenian NGOs are accountable to the general public or even to their own members. In the best case they give reports to donors, tax bodies and their members. Many NGOs are indeed run as small (or not so small) businesses. One and the

same person heads the organization for many years; there is usually a small group of people who control the organization and make all the decisions, to say nothing of other not particularly democratic practices, etc.

Anahit Harutiunian, author of a very interesting monograph on Armenian women's NGOs and charities that operated in Turkey and Russia from the mid-19th to early 20th century,⁴⁴ says that she would not be able to write a monograph like that on the present-day Armenian women's NGOs (or other NGOs for that matter) because of lack of transparency and accountability in the sector.

Thus, to be able to play the role of a channel of democracy and democratic ideas, Armenian NGOs should set an example and should reinforce democratic practices in the sector.

It is not easy to visualize at this point how NGOs could overcome compartmentalization. They compete for limited resources; hence, they are not eager to establish serious coalitions or forums on a permanent basis. Competition 'kills off' the majority of fledgling civic and grassroots initiatives. It is 'professional', corporate-style NGOs that survive due to their skills, connections and expertise.

Another serious problem that needs to be dealt with is what may be called 'double-think'. NGOs transfer knowledge and skills and advocate civic activism, while at the same time most of them are politically inert and apathetic. They also tend to overlook the simple fact that their major social capital is commitment and a unifying idea. There is, however, a growing realization on the part of some Armenian NGOs that they cannot be armchair philosophers and that they have to be pro-active, energetic and activist by default. Speaking specifically about post-Soviet countries, Benjamin Barber pointed out that while those countries have quite a few formal democratic institutions, "the struggle ... is to give these institutions a foundation in civil society..., in habits of the heart that foster tolerance and reciprocity." He also goes on to say that "without citizens there can be no liberty, and without civic culture and education, there can be no citizens".⁴⁵

Armenian NGOs should make conscious efforts to be able to teach those "habits of the heart", and not only educationally but also experientially. Even though civic education is presumably taught in high schools and to a certain extent in colleges and universities in Armenia, the knowledge transferred is theoretical at best. It does not resonate as it is removed from real life and, worse, in many cases is in flagrant

contradiction with learners' first-hand experience. No civic skills are taught. So, it is here that NGOs should step in vigorously as they can help develop and hone civic skills in the course of practical activities. Thus, it is not merely knowledge of what being a responsible citizen means but also developing relevant skills to exercise one's civic duties and rights is important and does matter. In addition, NGOs can teach such crucial 'technical' skills as networking, coalition-building, consensus-building, alliance formation and articulation of common interests, to mention but a few.

Therefore, the sector needs consolidation, a concerted agenda and forward-looking strategies to overcome shortcomings and drawbacks and to affect the political process. Then NGOs will be able to become what they should be by definition, in Theda Skocpol's words "a source of considerable popular leverage".⁴⁶

At the beginning of this section I said that NGOs do not operate in a vacuum and need an enabling environment. Public support for and positive perceptions of NGO activities are indispensable. As evidenced by the findings of sociological surveys that our team from the AAWUE Center for Democracy & Peace conducted in 2002-2006, a crucial role of NGOs for the Armenian society is targeting individuals with a university-level education and engaged in civic activism. When asked if NGOs play a crucial role in Armenian society, 44.0% of our respondents in the November 2002-January 2003 survey answered in the affirmative, while 38.0% gave a negative response, and 18% found it hard to give a definitive answer.⁴⁷ One year later, in the aftermath of the presidential and parliamentary elections of 2003, already a vast majority (67.0%) of the respondents believed NGOs to be vitally important, another 19.2% considered them important, albeit not very, and merely 7.3% found NGOs irrelevant for present-day Armenia (with 6.4% finding the question "hard to answer").⁴⁸

No less important is the issue of public trust. While the public at large is mistrustful of most State entities, it has more trust in basic institutions of civil society such as NGOs, mass media and political parties. According to the findings of the above-mentioned surveys, NGOs are in fact the only institution in Armenia that enjoys public trust.⁴⁹

The dynamics of public trust in the main institutions of civil society in 2002-2004

<i>Trust in</i>	Prior to presidential elections (Nov. 2002-Jan. 2003)	Prior to parliamentary elections (March-April 2003)	December 2003 January 2004
Political parties	16.2% (67.6%)	30.8% (50.6%)	24.1% (63.9%)
NGOs	34.6% (42.8%)	45.2% (34.0%)	57.2% (30.9%)
Mass media	25.4% (50.8%)	28.4% (49.4%)	48.8% (32.7%)

(the first figure reflects trust, while the second, in brackets, shows distrust)⁵⁰

The data demonstrates that Armenian NGOs succeeded in gaining public trust. The task and the challenge, however, is to retain it and to build on it.

CONCLUSION

The dismantling of the so-called 'communist system' was accompanied by the disownment of the prevalent, all-encompassing official ideology of the time. The problem is that that ideology was total, comprehensive and the only officially sanctioned one. It was not replaced by another one, or, to be more precise, by other holistic ideologies, or even better, world outlooks with their value attitudes. It was chaos and dissonance, primarily of moral values, that came to replace the system, thereby increasing anomie and further complicating the process of social and political modernization. In the post-Soviet society 'values' of individual social strata started to prevail, even though, from the perspective of a liberal democratic society (and sometimes even from the perspective of universal moral norms), they are *anti-civil* or even *anti-values*, which are imposed on the rest of the society.

As a part of civil society, NGOs cannot remain aloof from the solution of problems of *strengthening social solidarity* and *overcoming social atomization* and the *value vacuum*, which were triggered by the demise of the ideocratic system and enhanced by the moral and legal nihilism and relativism of the transition period. There is a need to overcome the civic and political passivity brought forth by the alienation and disaffection of broad segments of the society from participation in the governance of the State and determination of the important priorities and strategies. Without intensifying its efforts, civil society will not be able to overcome the

'spectator's complex' (Boris Dubin), which is gaining prevalence and which is related to 'electronic democracy' (Yuri Levada), or, to be more precise, with 'TV democracy', when an absolute majority of citizens are alienated from the events and are not involved in them and, accordingly, are not in a position to control them.

Armenian NGOs slowly but, hopefully, surely are getting on a politically pro-active track. What is important is that they have started producing democratic meanings and counteracting the reactionary groups' attempts to keep the public mind in a disintegrative and dissociative state. A growing number of Armenian NGOs engage in advocacy; they have started acting as channels for citizens' involvement in political processes and as mediating structures between the State and the public at large and focusing on empowering people, especially voiceless, powerless and vulnerable groups.

The events of winter-spring 2008 in Armenia demonstrated beyond any doubt that with very few exceptions, political parties failed to consolidate the nation. Even worse, they led Armenian society into a dangerous split and confrontations, and increased security risks; they made even more problematic the country's capacity to respond adequately to the growing number and complexity of the challenges that it faces. Therefore, it is time for NGOs to act more resolutely to mend the social fabric, to increase solidarity and to bridge the gaps in the nation.

Let me repeat in conclusion that the cultural matrix of civil society is based on the use of the active potential of citizens and of their associations, on citizens' commitment to freedom, democracy and social justice, on their initiative and respect for common good, thereby rejecting authoritarianism, quasi-egalitarianism, nihilism, ethnocentrism, tribalism, etatism and mythologization of the past.

ENDNOTES

- ¹ Jürgen Kocka, "Evropeyskoye Grajdanskoye Obshestvo: Istoricheskie Korki i Sovremennye Perspektiv na Vostoke i Zapade" (European Civil Society: Its Historical Roots and Contemporary Perspectives in East and West), *Neprikosnovennye Zapas*, 2003, №2(28). <http://magazines.russ.ru/nz/2003/2/sum.html>, in Russian).
- ² Samir Amin, *Virus Liberalizma: Permnantnaya Voyna i Amerikanizatsia Mira* (The liberal virus: permanent war and the Americanization of the world), Moscow, Evropa, 2007, p. 21.
- ³ F. Starr, "Civil Society in Central Asia", *Civil Society in Central Asia*, M. Holt Ruffin & Daniel Waugh (eds.), Seattle and London 1999, pp. 28-29.

- ⁴ Ernest Gellner, *Conditions of Liberty. Civil Society and Its Rivals*, London, etc., Penguin Books 1996, p. 1.
- ⁵ A. Seligman, "Civil Society as Idea and Ideal," *Alternative Conceptions of Civil Society*, S. Chambers and W. Kymlicka (eds.), Princeton and Oxford, Princeton University Press 2002, p. 28. Eight years earlier than Seligman, Ernest Gellner, too, noted that "civil society" is greatly preferable to 'democracy'. Says Gellner, "The defect of 'democracy' is the naivety of the model which it suggests, and which it encourages its users to take seriously" Gellner, p. 184.
- ⁶ M. Walzer, "The Civil Society Argument," *Dimensions of Radical Democracy: Pluralism, Citizenship, Community*, London & N.Y. 1992, pp. 89-107.
- ⁷ *Transition. The First Ten Years (Analysis and Lessons for Eastern Europe and the Former Soviet Union)*, Washington, D.C.: The World Bank 2002, pp. 97-99.
- ⁸ R. Putnam, *Making Democracy Work. Civic Traditions in Modern Italy*, Princeton, N.J., Princeton University Press, 1994; Idem, "Bowling Alone: America's Declining Social Capital" *Journal of Democracy*, 1995, Vol. 6, pp. 65-78; F. Fukuyama, *Trust: The Social Virtues and the Creation of Prosperity*, N.Y.: The Free Press 1995; Theda Skocpol, "How Americans Became Civic," *Civic Engagement in American Democracy*, Washington, D.C., Brookings Institution Press & the Russell Sage Foundation 1999. Idem, "From Membership to Advocacy" Washington, D.C., Brookings Institution Press & the Russell Sage Foundation 1999.
- ⁹ John Keane, *Global Civil Society?* Cambridge, etc., CUP 2003, especially pp. 8-17.
- ¹⁰ R. Blue, et al. *ARMENIA. NGO Sector Assessment*, Yerevan: World Learning 2001, p. 7.
- ¹¹ A. Ferguson, *An Essay on the History of Civil Society*, Cambridge: CUP 1995, pp. 21-24, 35-43, 133-141, etc.; A. Smith, *The Wealth of Nations*, Vol. 1, Oxford: OUP 1976, p. 343, etc.; Idem, *Theory of Moral Sentiments*. Oxford: Clarendon 1976; Darcy de Oliveira, M. and R. Tandon, "An Emerging Global Civil Society," *Citizens Strengthening Global Civil Society*, Washington, D.C. 1994, pp. 1-5; A. Brysk, "Democratizing Civil Society in Latin America," *Journal of Democracy*, 2000, Vol. 11, # 3, p. 153; A. Burganov, "Grajdanskoye Obshestvo v Rossii Kak Sosobstvennichestvo Grajdan (Civil society in Russia as co-proprietorship of citizens), *Sotsiologicheskie Issledovaniya* (Sociological Studies), 2000, # 1, p. 99-106.
- ¹² G. Hegel, *Filosofia Prava* (Philosophy of Right), Moscow, Mysl Publishers, 1990, pp. 228, 233. While this view is prevalent, there are political scientists and sociologists who take another approach. Jean L. Cohen and Andrew Arato define civil society as a sphere of social interaction between economy and State, which consists, primarily, of the spheres of most intimate connections (in particular, family), associations (in particular, voluntary) and social movements and various forms of public communication (J. Cohen and Andrew Arato, *Civil Society and Political Theory* (Russian Edition), Moscow, Ves' Mir Publishers, 2003, p. 7.
- ¹³ Edward Shils, *The Virtue of Civility. Selected Essays on Liberalism, Tradition, and Civil Society*, Indianapolis: Liberty Fund 1997, pp. 324-325.
- ¹⁴ Alexis de Tocqueville, *Democracy in America*, N.Y., etc.: Bantam Books 2000, pp. 635, 631-634.
- ¹⁵ Jens Siegert, "Grajdanskoye Obshestvo v Rossii" (Civil society in Russia), *Otechestvennei Zapiski*, 2005, # 6, <http://magazines.russ.ru/oz/2005/6/>.

- ¹⁶ A general feeling in Armenian society is that a prevalent trend in the political developments in 2007-2008 has been the further sliding into authoritarianism. One could even agree that the current regime in Armenia is not even 'competitive authoritarian' but rather 'hegemonic authoritarian'. As Ariel Armony and Hector Schamis define this term, in 'hegemonic authoritarianism' "elections are a mere façade and opposition is tightly controlled, allowing the dominant party to maintain its firm grip on power" (Ariel Armony, and Hector Schamis, "Babel in Democratization Studies," *Journal of Democracy*, Vol. 16, # 4, October 2005, p. 122.
- ¹⁷ Leaders and activists of the Armenian NGOs need to consider seriously an expert opinion expressed by Marc Morjé Howard who points out 3 main factors that help to explain the lasting weakness of civil society in postcommunist Europe. These are: "1) the legacy of mistrust of Communist organizations; 2) the persistence of friendship networks; and 3) postcommunist disappointment" (M. Howard, "The Weakness of Postcommunist Civil Society," *Journal of Democracy*, January 2002, Vol. 13, # 1, p. 161.
- ¹⁸ True, from time to time some specialists remind us that 'non-governmental organizations' "are defined by what they are not rather than by what they are" (F. Starr, "Civil Society in Central Asia," *Civil Society in Central Asia*, M. Holt Ruffin & Daniel Waugh (eds.), Seattle and London, CCSI-Johns Hopkins University and University of Washington Press 1999, p. 33.
- ¹⁹ L. Cahoon, *Civil Society. The Conservative Meaning of Liberal Politics*, Malden, MA and Oxford, Blackwell Publishers 2002, p. 225.
- ²⁰ Leading Armenian sociologist Gevorg Poghosyan argues that a corporative model of civil society that takes a guild or a trade association as a prototype has become prevalent in Armenia. "Voluntarism of participation in NGO activities is grounded here rather on the striving for securing some employment against the background of mass unemployment. Besides, participation in an NGO secures significant financial support. ... In contrast to the West European model, in the Armenian corporatist model of civil society private interests of NGO members take precedence over those of the public at large" (G. Pogosyan, *Sovremennoe Armianskoe Obshestvo: Osobennosti Transformatsii* (Present-day Armenian society: Specific features of the transformation), Moscow, Academia, 2005, p. 166.
- ²¹ This term is used to designate a trend when 'public good' serves as a veneer for self-serving behavior, when grants become an end in themselves and when NGO members' profit motives prevail over other considerations.
- ²² Not infrequently international donors come across this problem of determining whether they are dealing with what they call 'bogus' or 'bona fide' NGOs (*Final Report of the DAC Ad Hoc Working Group on Participatory Development and Good Governance*. Part II. Paris, OECD, 1997, p. 9).
- ²³ Quoted in Mary Kaldor, "Civil Society and Accountability" (Background paper for HDR 2002), UNDP, Human Development Report Office, N.Y. 2002, p. 11.
- ²⁴ E. Herzig, *The New Caucasus. Armenia, Azerbaijan and Georgia*, London, RIIA 1999, p. 39.
- ²⁵ M. Howard, p. 163.
- ²⁶ L. Salamon, "The Rise of the Nonprofit Sector," *Foreign Affairs*, July/August 1994, p. 109.

²⁷ See Paragraph 2 of Clause 1 in Article 3 of the Republic of Armenia Law *On Public Organizations* (a.k.a. the *NGO Law*) that contains a provision about inadmissibility of political goals for NGOs. It may and does, indeed, give rise to some confusion as that provision is usually construed as prohibiting political activities. If such an interpretation prevails, the provision will not only be undemocratic and in conflict with the principles of a democratic State based on the rule of law but can potentially be used for selective targeting and persecuting NGOs that fall into disfavor with the authorities, since the notion 'political goals' is quite amorphous and the Law does not clearly state what they are. Furthermore, the said provision conflicts with other provisions in the same Law. Paragraph 1 of Clause 1 in Article 3 of the Law authorizes NGOs to defend their own rights and the rights of other physical and legal persons. This defense of rights can be through a court of law or out-of-court means. Is not that a political goal in and of itself? Besides, Clause 2 of Article 15 guarantees NGOs the right to organize and conduct peaceful (unarmed) meetings, marches, rallies and demonstrations. Is not that a political goal in principle? Suffice it to say that legally recognized powers for active participation in public life (including, *inter alia*, the right of association and mass demonstrations, etc.) are unequivocally defined as political rights, as evidenced by the relevant section of the *International Covenant on Civil and Political Rights* ratified by the Republic of Armenia. Accordingly the exercise of those rights is a political act and an organization's intention to perform such an act cannot but be, by definition, a political goal, which, however, is prohibited by Law. Finally, during parliamentary and, especially, presidential election campaigns many NGOs publicly announce their endorsement of a candidate. It is of course, a normal citizen's participation in political life but can be seen as being not particularly in line with the Law.

²⁸ World Learning conducted the Armenian NGO sector assessment in 2001 and 2004. It discovered initially "little evidence that NGOs are in general interested in advocacy defined as active efforts to reform government policies or to protect democracy and civil society against arbitrary exercise of government power" (*Armenia. NGO Sector Assessment*, Yerevan, World Learning 2001, p. 36). The situation somewhat improved three years later since, as World Learning contends, the "development of systematic advocacy by NGOs ... has been a major objective of USAID and several other donors since 2001. Advocacy grants, training, and strategic consultations have been introduced to stimulate and support effective advocacy by Armenian NGOs." (*Armenia. NGO Sector Assessment. A Comparative Study*, Yerevan, World Learning, 2004, p. 37). World Learning recognizes, however, the limited progress made as it indicates that advocacy efforts focused on the development of a policy or law, while much less effort was expended "in the day-to-day monitoring of government performance in the implementation of laws" (*Ibid.*, p. 38).

²⁹ *Final Report of the DAC Ad Hoc Working Group on Participatory Development and Good Governance*, Part II, Paris, OECD 1997, p.8.

³⁰ *Democracy, Governance and European NGOs. Building a Stronger Structured Civil Dialogue*, Platform of European Social NGOs. Global Policy Forum. Paper, March 2001, internet version, p. 3.
<http://www.globalpolicy.org/ngos/role/policymk/select/2001/0503eng.htm>

³¹ *The Shrinking State. Governance & Sustainable Human Development*, New York, UNDP 1997, p. 103. This perspective reflects the UN stand and the growing commitment on the

- part of the UN. The recognition of the increasing political role of NGOs was demonstrated by the UN Report *We the Peoples: Civil Society, the UN and Global Governance*, the so-called *Cardoso Report* (New York, UN, June 2004) and by a widening practice of granting affiliation and/or partnership status to NGOs.
- ³² P. Willets, "What is a Non-Governmental Organization?" *UNESCO Encyclopedia of Life Support Systems* (Section 1, Article 1.44.3.7), London 2002 (internet version, p. 16).
- ³³ Actually, it was Montesquieu who shaped, much earlier than Tocqueville, the modern notion of civil society as a sum total of autonomous organizations of citizens that are not merely mediating structures between citizens and the State but that also defend human rights and freedoms, whenever necessary, from unwarranted interference and encroachment on the part of the State and its bodies.
- ³⁴ A. Brysk, "Democratizing Civil Society in Latin America," *Journal of Democracy*, July 2000, Vol. 11, # 3, pp. 153-154.
- ³⁵ There are notable exceptions such as a relatively recently established National Citizens' Initiative. This Initiative, which brought together over 20 Armenian NGOs has been very active. On March 20, 2008, on the last day of the state of emergency, the Initiative conducted a round table and issued a very powerful statement. It ends with the declaration that "Armenia's civil society is determined to fight for the protection of human rights and fundamental freedoms, and it will not succumb to the arbitrary rule and suppression of the authorities." NCI Evaluates Recent Domestic Developments. "Armenian civil society will not succumb to reckless authorities" www.nci.am
- ³⁶ "This is the Challenge for the New, Post-Kocharian Armenian Leadership" (Interview with Richard Giragosian), *Jamanak*, 29 April 2008 (<http://en.zhamanak.com/article/696/>)
- ³⁷ American political scientist Myron Weiner noted that most of all people are inclined to set up voluntary associations for exerting influence on power (as quoted in *The World of Political Science. Book I. Categories of Political Science*, p. 501.)
- ³⁸ Interesting ideas in that regard are found in W. Galston, "Civil Society and the «Art of Association»," *Journal of Democracy*, Vol. 11, # 1, 2000, p. 69.
- ³⁹ E. Kohák, "Consolidating Freedom in Central Europe," *Democracy is a Discussion II*, p. 24.
- ⁴⁰ V. Havel, "The State of the Republic," *Democracy Is a Discussion II*, p. 28.
- ⁴¹ Evidence to this effect can be found, *inter alia*, in the following publications (to mention but a few): J. Harkin, "Virtual Politics," *Guardian*, April 1, 2006 (www.guardian.co.uk/world/2006/apr/01/russia.ukraine); S. Kara Murza, *Export Revolutsii: Yuschenko, Saakashvili...* (Export of the revolution: Yushchenko, Saakashvili...), Moscow, "Algorithm" Publishers, 2005, especially pp. 191-323; B. Akaeva, *Tsveti Zla. O Mak Nazivaiemoi "Tulpanovoy Revolutsii" v Kyrgyzstane* (Flowers of the Evil. About the so-called "tulip revolution" in Kyrgyzstan), Moscow, "International Relations" Publishers 2006, especially pp. 11-13, 29-33, 49-53, 60, 63-65, 138-139; G. Pocheptsov, *Grajdanskoe Sambo: Kak Protivostoiat "Tsvetnim" Revolutsiam* (Civic karate: How to withstand "color" revolutions), Moscow, "Europe" Publishers 2005, pp. 10-11, 78-79; S. Mirzoev, *Gibel Prava: Legitimnost v "Oranjevikh Revolutsiakh"* (Destruction of the law: Legitimacy in "orange revolutions"), Moscow, "Europe" Publishers, 2006, pp. 43-47; V. Ivanov, *Antirevolutsioner. Pochemu Rossii ne Nujna "Oranjevaia Revolutsia"* (Antirevolutionary. Why Russia does not need an "orange revolution"), Moscow, "Europe" Publishers 2006, pp. 149-150, 197-198; D.

- Popov, & I. Milshteyn, *Oranjevnaia Printsesa. Zagadka Yuli Timoschenko* (Orange Princess. Conundrum of Yulia Timoshenko), Moscow, Olga Morozova's Publishing House 2006, especially pp. 298-299, 314-315; M. Remizov, *Neokolonialnaia Revoliutsia: Osmislenie Vizova. Po Materialam Kruglogo Stola APN "Politicheskie Itogi 2004 Goda"* (Neocolonial revolution: making sense of the challenge. Wrap-up of the round table discussion "Political outcomes of year 2004" held at APN (Political News Agency) on 29 December 2004. www.apn.ru/publications/article1237.htm ; M. Krushelnycky, *An Orange Revolution. A Personal Journey Through Ukrainian History*, London, Harvill Secker 2006; A. Wilson, *Virtual Politics: Faking Democracy in the Post-Soviet World*, New Haven, CT, Yale University Press 2005. Interestingly enough, Gene Sharp, the "Godfather" of "color" revolutions, in his famous book *From Dictatorship to Democracy*, which has been dubbed "the Bible of orange revolutions", while emphasizing that "...international assistance, such as the provision of financial and communications support, can also be provided directly to the democratic forces", admits nonetheless that "...if a foreign state does intervene, it probably should not be trusted" (G. Sharp, *From Dictatorship to Democracy. A Conceptual Framework for Liberation*, Boston, MA, Albert Einstein Institute 2003 (originally published in 1993), pp. 44 and 6).
- ⁴² A. Auzan, *Tri Publichnie Lektsii o Grajdanskom Obshestve* (Three public lectures on civil society), Moscow, OGI, 2006, p. 141.
- ⁴³ Actually, Russia has so far been the only country in the world that has such an entity. As it soon degenerated into a merely nominal structure with no real leverage or significance in political decision-making, and as it drew harsh criticism in that country, it is not surprising that the idea sprang up in Armenian society that the Chamber will most likely be not really much more than an imitation mechanism.
- ⁴⁴ A. Harutiunian, *The Age of Notable Women. Public Activities of Armenian Women in the 19th Century and in Early 20th Century*, Yerevan, Spiritual Armenia 2005.
- ⁴⁵ Benjamin Barber, "The Future of Civil Society" (presentation at the Civic Forum), www.civnet.org...
- ⁴⁶ Skocpol, p. 70.
- ⁴⁷ *Elections and Democracy: A Civil Society Factor*, Yerevan: AAWUE, 2003, p. 54 (in Russian).
- ⁴⁸ *Democratization of the Armenian Society: Realities & Trends*, Yerevan: AAWUE, 2004, pp. 152-153 (in Russian)
- ⁴⁹ While these findings reflect public attitudes for the period of 2002-2004, the general trend has not, on the whole, changed since then.
- ⁵⁰ *Democratization of the Armenian Society*, p. 146. Data incorporated also from *Elections and Democracy: A Civil Society Factor* and *Electoral Democracy: Is There an Alternative to it in Armenia? Surveys*.

Հեղինակը կը նշէ, թէ «քաղաքացիական հասարակութիւն» արտայայտութիւնը ընկերագիտական եւ քաղաքագիտական եզր մըն, որ սկսած է գործածուիլ Հայաստանի մէջ՝ ծառայելով մարդոց մտայնութեան փոփոխութեան եւ ատով՝ անոնց կեանքի ընկալման փոփոխման: Ան կը մանրամասնէ այս հասկացութեան դերը՝ ժողովրդավարութեան յառաջացման գործընթացին, ինչպէս նաեւ անցման հանգրուանի բրտութեանց եւ տաժանքին նուազեցումին մէջ, ու կը հաւաստէ որ անկարելի է առանց օրէնքի-երկիր դրոյթին ամրապնդման ժողովրդավարութիւն իրականացնել երկրի մը մէջ:

Օսիփով կը նշէ, թէ «քաղաքացիական հասարակութիւն» հասկացութիւնը առաձգական է եւ Հայաստանի մէջ յստակ պատկերացում չկայ անոր մասին: Օսիփով զայն կը սահմանէ իրրեւ. «Ընկերային կեանք» անձնական-ընտանեկան կեանքէն եւ պետութեան կալուածներէն դուրս գտնուող կալուած, ուր քաղաքացիք կրնան իրացնել իրենց պարտականութիւններն ու իրաւունքները»: Օսիփով կ'ընդգծէ այն իւրայատկութիւնները, որոնցմով կ'առանձնանայ քաղաքացիական հասարակութիւնը Հայաստանի մէջ, ինչպէս նաեւ այն պատճառները որոնց բերմամբ այս հասկացութիւնը չյաջողեցաւ լուրջ եւ յատուկ ուշադրութեան արժանանալ հոն, ցարդ: Ըստ Օսիփովի Հայաստանի քաղաքացիական հասարակութեան կազմակերպութիւնները չեն առնչուած համաշխարհային քաղաքացիական հասարակութեան, որովհետեւ տեղական առումով անոնք տակաւին լիարժէք կերպով գոյացած չեն:

Օսիփով կը վերլուծէ քաղաքացիական հասարակութեան եւ Ոչ-կառավարական կազմակերպութիւններու տազնապը Հայաստանի մէջ եւ այն ընկերային, քաղաքական, պատմական պայմանները որոնք կը խոչընդոտեն այս մարզի զարգացումը հոն: Ան կը վիճարկէ Հայաստանի ոչ-բարենպաստ եւ սահմանափակող օրէնսդրութիւնը՝ այս հարցին առնչութեամբ, ու կ'անդրադառնայ նաեւ նման կազմակերպութիւններու նիւթական մատակարարման, ընդգծելով որ անոնք գրեթէ բացառապէս կը յենին արտաքին նիւթական օժանդակութեան:

Ան կը մատնանշէ երկրին մէջ նման աւանդութիւն-սովորոյթի բացակայութիւնը, բարեսիրական աշխատանքի եւ բարեգործութեան տարածում չունենալը, եւ ընդհանրապէս նման երեւոյթներու նորածիլ ըլլալու փաստը: Օսիփով կը նշէ նաեւ, որ ի տարբերութիւն լատին ամերիկեան երկիրներու, Հայաստանի մէջ Եկեղեցին հոռու է ժողովրդավարութեան հաստատման եւ քաղաքացիական հասարակութեան զօրացման գործին մէջ դերակատարութիւն ունենալէ: Օսիփով կը կը հաւաստէ, որ կարիքը կայ աւելի ծաւալուն ընկերային պատուանդանի եւ աւելի մեծաթիւ բարեկեցիկ ընտանիքներու գոյացման, որոնք ձերբազատելով տնտեսական անմիջական մտահոգութիւններէ, կարենան առնչուիլ հանրային մտահոգութիւններու:

Հուսկ, Օսիփով կ'անդրադառնայ նաեւ քաղաքական կուսակցութիւններուն եւ «չորրորդ իշխանութեան» դերակատարութեան, ինչպէս նաեւ կը նշէ որ Հայաստանի մէջ Ոչ-կառավարական կազմակերպութիւններ կը դիտուին իրրեւ սոսկ ծառայական կազմակերպութիւններ, ամբողջովին պարպուած քաղաքական առաքելութեան: Այս սխալ ընկալումին ի տես, Օսիփով կը կատարէ թելադրանքներ եւ կ'առաջարկէ լուծումներ: