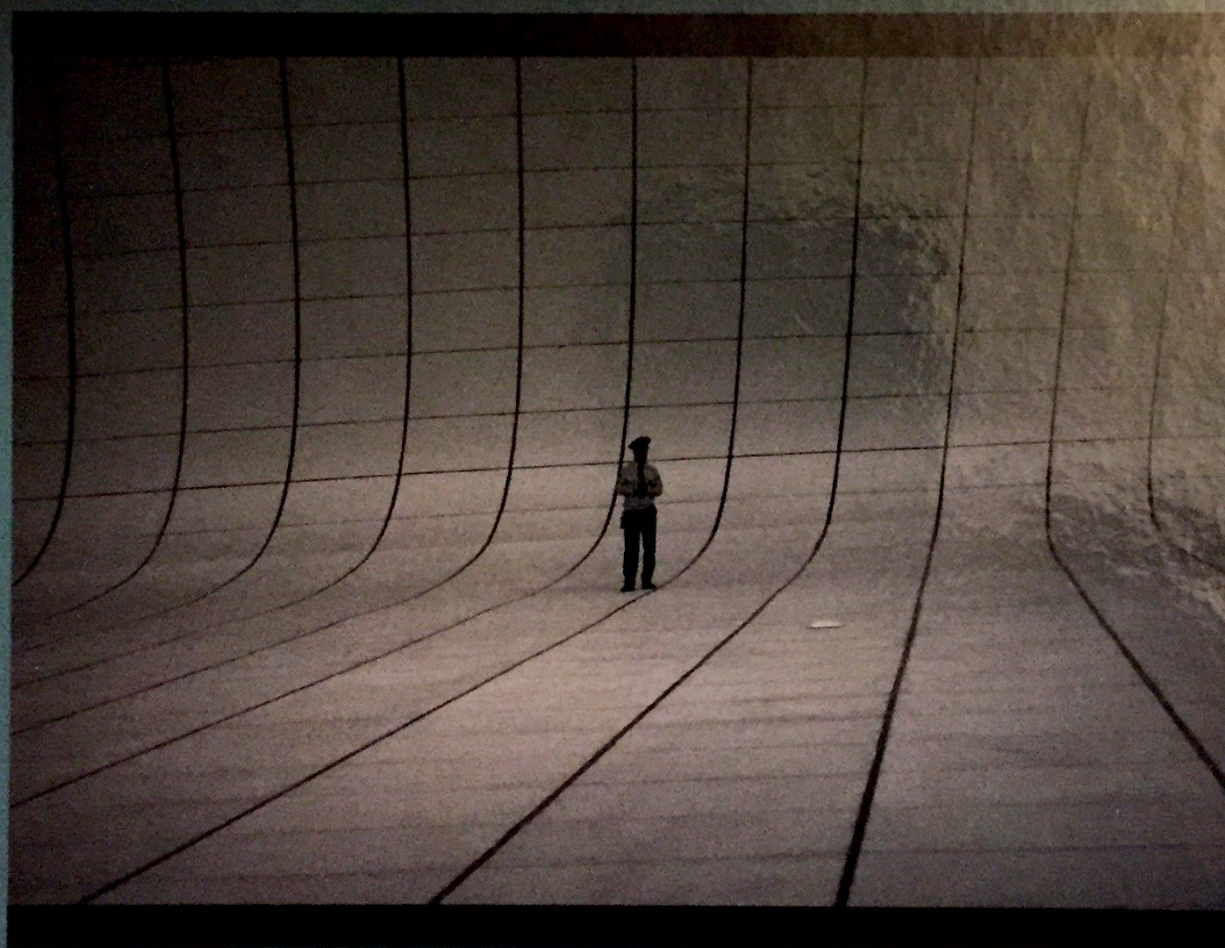


CULTURAL DIVERSITY AND LAW



State and Legal Practice in the Caucasus

Anthropological Perspectives on Law and Politics



EDITED BY

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and Iwona Kaliszewska

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Chapter 12

Elections in Armenia: Western Models and Local Traditions

Levon Abrahamian and Gayane Shagoyan

The chapter presents the political history of elections in Armenia since 1988, that is, from the late-Soviet period to the first years of independence up until recent times, including the 2013 presidential and Yerevan municipal elections. The text is composed of four parts. In the first and second part, the introduction of the institution of elections and its uneven and sometimes paradoxical development is retraced. We will see how this institution, an acquisition of the mass rallies of the late 1980s, which resulted in the independence of Armenia, transformed soon into an instrument of acquiring and reproducing power. This is similar to what happened elsewhere in former Soviet space, where it was mainly introduced from the West. We will follow the development of this 'endemic' institution and discuss the encounter of Western and local models of elections. The third part analyses elections in the village and the political and social consequences of the introduction of this institution in rural regions. The fourth part deals with Western models related to the institution of elections, from mythological and imagined ones to pretexts for and sophisticated techniques of falsifications. Our analysis is close to a political anthropological study. It discusses political issues and events with an anthropological perspective, involving not only official figures and data, but also prejudices, rumours and gossip related to elections.

Political 'Festival' and the Institution of Elections

In a number of earlier publications one of the authors (L.A.) has discussed the stormy rallies of the late 1980s in Armenia that gained the general name of the Karabakh Movement¹ – as a kind of a festival that could have but did not terminate in possible social changes (Abrahamian, 1990a, 1990b, 2006, pp.217–43). Such

¹ The movement is named after the Nagorno-Karabakh Autonomous Oblast in the Azerbaijanian SSR with the majority of the Armenian population claiming unification of the oblast with the Armenian SSR in 1988. This claim was supported in Armenia and rejected in Azerbaijan and Moscow. It developed from constitutional rallies to bloody war in Karabakh and the de-facto independence of the former oblast and currently unrecognized Nagorno-Karabakh Republic.

estimations or, rather, predictions were based on the analysis of the social structure before, during and after the 'political festival'. Here, we will not go into a discussion on whether the rallies of 1988 (and the Karabakh Movement in general, as well as future rallies of 2008 and 2013) could be considered as a revolution (from historical, economic, political perspectives),² or a protest or a national liberation movement, but will base our analysis on the 'festival' typology of the original rallies, referring interested readers to the already cited publications.

Actually, we need to refer to the study focused on the 'festival' mentioned, to state that however problematic the building of democracy and civil society could be considered in post-Soviet Armenia (Abrahamian and Shagoyan, 2011, 2012, pp.12–13, Ishkhanian 2008, p.20), during the rallies of 1988 a kind of a civil society was nevertheless built in Yerevan. But this was a carnivalesque civil society born in the square (Abrahamian, 2001) that many participants of the rallies mistook for the real one, with whatever meaning they invested into this concept. 'We were others at that time' – this is the standard nostalgic motto of the people recalling their experience of 25 years ago. A subsequent remark often would be that we have already had civil society, which we contrived to miss. Given the characterisation of the rallies as a 'festival', one could conclude that the end of the festival would also mean that civil society in the square had come to its end. This was actually just what happened. Real civil society, or rather its very draft and preliminary version became something to be formed step by step during a long process (see Ishkhanian, 2008), which is still continuing. However, in 2013, a new and supposedly 'already shaped' version of civil society could have been spotted in the same square during the presidential post-electoral rallies. This time this civil society was not a result of the political 'festival' in the square, but the product of the institution of elections, which in its turn was once a product of the 'festival' that happened here in 1988. We will briefly outline the emergence of this festival product and its fate throughout the last 25 years. In an earlier published article, we characterised this process as a 'history of unfairness' (Abrahamian and Shagoyan, 2011–2012, pp.13–31). Here we will follow the general line of this article, but with another perspective we will try to trace the 'Western' and the 'local' in this history of unfairness.

Although the institution of democratic elections in Armenia is usually considered to have begun after the presidential elections of 1991 (Ishkhanian, 2008, p.36), that is, beginning from the period of independence, it actually should be dated to October 1988, when two deputies had to be elected to the Armenian Supreme Soviet to replace the ones who had passed away. The electioneering took place in the square, where people learned for the first time about their election rights. This

2 See Marutyán, 2009, pp.276–78, p.281, p.2013. The idea, or rather the term of 'revolution' became especially popular in 2013, being used not only by those politicians and theorists who tried to put this term into a modern political context, but also by 'leftist' oppositionists, their 'rightist' opponents, and journalists in general. We leave the discussion of this aspect of the rallies for another occasion.

knowledge became available from activists who formed so-called constitutional groups. They put out little tables here and there around Theatre Square, where the rallies were taking place, featuring information pamphlets containing excerpts from the Soviet Constitution and other documents concerning the elementary rights of Soviet citizens. Interestingly, these seeds of juridical society were sown in the same 'table' way as the first seeds of private commerce – numerous tables with various types of goods spread piecemeal all over Yerevan and Armenia, in general, in the early 1990s (Abrahamian, 2006, p.242).

The two candidates, Ashot Manucharyan and Khachik Stamboltsyan,³ were the first deputy candidates proposed from below, and not appointed from above by the authorities according to unwritten law in the Soviet Union, which included Soviet Armenia. They won the electoral competition against communist and Soviet protégés, who lacked the experience of their competitors in gaining the audience's sympathy, according to the new square rhetoric. It should be stressed that the authorities were not yet ready for real electoral fighting and corresponding ballot manipulations, as became a rule during later elections. Speeches of the newly elected deputies were enough to change the general atmosphere in the Supreme Soviet, the Armenian parliament of those times. Interestingly, the Armenian parliament, formed according to Soviet – in theory, democratic – principles, represented all social strata. One could find there not only communist functionaries, but also prominent figures in culture and science, and ordinary labourers and employees as well.⁴ The speaker of parliament, for example, was an industrial worker who, together with other deputies, finally adopted a set of revolutionary resolutions on 24 November 1988. Thus, as the people in the square started to learn about their electoral rights, deputies began to realise their rights and liabilities according to the constitution. Of course, not all deputies were ready for such revolutionary changes. During those first manifestations of civil rights, deputies did not necessarily feel their obligations as strongly as their rights. Thus, to summon the Supreme Soviet session, an action took place which actors themselves playfully labelled as *deputatavors* (literally 'hunt for deputies'): voters found out the names and addresses of their deputies, passed them their mandates, and forced them to go to the session, in some cases against their will. This occurred especially when summoning the session on 24 November, which

3 In November 1988, Rafael Kazarian joined this list, and in 1989 more activists of the movement, including the future first president of Armenia, Levon Ter-Petrosyan, were elected as deputies following the same model.

4 The parliament in question had the following composition (according to 1985 data; it was elected by 99.99 percent of voters, who formed 99.99 percent of registered voters): 42.6 percent were labourers, 8.6 percent collective farmers, together comprising 51.2 percent; 63.9 percent of deputies were Communist Party members and candidates; 36.1 percent – unaffiliated; women – 35.8 percent; people under age of thirty – 18.9 percent (Sovetakan Hayastan, 28 February 1985). Interestingly, this list does not mention the intelligentsia, who seemed to be hidden among the 48.8 percent of non-specified deputies.

was not approved by the communist authorities. In one case a deputy, a collective farmer by occupation – declared that she was appointed to the position of deputy and could not understand what the voters who were ‘hunting’ wanted from her. In another case, a deputy, a high-ranking Soviet authority, was said to be invited forcibly to enter into his state-provided car. Then, some activists moved it by pushing it to the square where the rallies were taking place, and one of the authors (L.A.) witnessed how they helped the deputy to move to the Opera House which was located at the same square where the parliamentary session had to take place, which he was reluctant to participate in. His actual or potential voters held him under the armpits and his feet hardly touched the ground. This carnivalesque ‘hunt for deputies’ was nevertheless followed by a parliamentary session which adopted a number of historical decisions.

The parliamentary debate method proved to be so effective that an activist of the Karabakh Movement assured Levon Abrahamian that this first Armenian experience inspired the Polish trade union ‘Solidarność’ leaders to turn from the strategy of struggle using strikes, to the parliamentary approach (Abrahamian, 2001, p.128, Marutyan, 2013, p.14). As for Armenia, this first parliamentary ‘revolution’ was so out of the ordinary and dangerous (for Soviet rules in general), that by the end of its work a state of emergency was declared in Yerevan.⁵ All the adopted decisions were annulled by communist authorities, to be readopted at one of the first sessions of the newly elected parliament (Abrahamian, 2001, p.131). Although these first elections and subsequent parliamentary sessions could hardly be labelled as democratic in the strict sense, they nevertheless extended the kind of carnival-like civil society that was built in the square.⁶

Relevant is the development of electoral education: during the 1988 electoral campaign, voters learned about their civil rights from the ‘constitutional tables’ in the square, while in preparation for the 1990 election, voters could get their political education from newspapers, which published considerable information on how to vote. Though the parliamentary elections of 1990 took place in Soviet Armenia, they already reflected the post-Soviet situation. Indeed, the elected parliament had to function during the first four years of independence. While the former two by-elections involved a few candidates for a number of parliament

5 The state of emergency was said to have been imposed because of turmoil in some regions, where violence against local Azerbaijanis occurred in late November as a reply to the anti-Armenian actions in Azerbaijan, specifically in Kirovabad (now Ganja). However, while it was natural that a state of emergency was imposed in turbulent areas, it was not clear why it was necessary to impose it in Yerevan, especially during the parliamentary session, which continued past midnight.

6 On another election, the May 1989 by-election of three additional deputies from Armenia into the Supreme Soviet of the USSR, which usually is not taken into account when evaluating the history of democracy in Armenia but which also can be considered a key point in developing the institution of elections see Abrahamian and Shagoyan (2011–2012, pp.15–16).

seats, the 1990 election involved over 1500 candidates for 260 parliamentary seats (newspaper, *Kommunist*, 1 May 1990). In this sense, it entailed quite a new phase in democracy in Armenia, demonstrating peoples' high politicisation and freedom of participation in electoral procedures.

Although the 1990 elections had a touch of revolutionary and populist anti-communist enthusiasm, members and candidate members of the Communist Party constituted 73.3 percent of the deputy candidates (*Kommunist*, 1 May 1990) and more than half of parliamentary seats. This might indicate that elections were in fact free and fair, especially as it was politically correct to vote for the All-Armenian Movement (AAM), the most popular and, for the next several years, the ruling political movement.⁷ Though in Yerevan people, as a rule, were just voting against communists, in villages and smaller cities and towns, communist candidates turned out to be much more popular and some were able to win against the charismatic leaders of the AAM.⁸ Nonetheless, the high figures of communist preferences are misleading, since some of these communists were also Movement activists. For example, the future second and third presidents of Armenia, Robert Kocharyan and Serzh Sargsyan, were party functionaries in Nagorno-Karabakh and others at least sympathised with the Karabakh Movement. Let us remember that Armenia was still a part of the communist system, and many participants of the rallies were far from being anti-communist dissidents.

Many communist deputies elected in the provinces were local authorities,⁹ 'big men' of local Soviet structures, not ideological followers of communist ideas. Actually, they could not have become 'big men' without undergoing a communist 'initiation'.¹⁰ In the same manner, many unaffiliated people such as schoolteachers and white collar office or cultural workers were potential communists.¹¹ The quota

7 For example, in *Kommunist* (18 May 1990). Beginning with the 2008 presidential election, an animated broadcast on television visually taught voting procedure. People watching this animation before the 2009 mayoral election joked that in the second part of this clip it would be good to show how the ballots would later be manipulated by falsifiers.

8 During the first congress of the AAM in 1989, its founders classified themselves as a movement, not a political party. Its program was adopted in August 1988, during the peak of the rallies, when most Armenians in Armenia considered that they belonged to or somehow represented this movement. Beginning in the mid-1990s, people differentiated between the nostalgic AAM of 1988 and the devalued AAM political party. In 2013, the latter's juridical successor claimed to be the 'Armenian National Congress' (ANC) party.

9 We use this word as it was understood in 1990, in the sense of a respectable and competent person. During the elections that occurred in the last few years, this word came to be understood as 'criminal authority' in regard to deputies or their supporters.

10 Communist Party membership in Soviet Armenia as a kind of a rite of passage, see Abrahamian, 1993–1994, pp.15–16.

11 In comparison, the 1985 parliament had considerable numbers of labourers, while during the 1990 election only 3.8 percent of the registered candidates were labourers, and 93.8 percent constituted office workers, who had not been taken into consideration in the 1985 parliament structure.

of new party members was not high in such professions, and they were awaiting their turn to undergo 'initiation' for a better life. At the end of the communist era, many formal communists readily entered other parties (Abrahamian, 1993–1994, p.27, FN 5). Some AAM candidates won the campaign through their constituencies being located in their place of residence or their natal village. These became not really a competition of political platforms but a matter of 'blood' affiliation. In rare cases in Yerevan, winners were not AAM protégés and were even opposed to AAM. However, their success was not principally due to their opposition to the AAM platform: they used the same Karabakh and other nationalist rhetoric but seemed to do this better than their opponents.

In sum, the definition 'democratic' could be ambiguous in these early elections. They nevertheless could be classified as 'free and fair' in a stricter sense than that used by foreign monitors regarding later elections. We have given more attention to these early elections because the situation at 'the beginning' can often explain a lot about future developments.¹² The 1990 election revealed an essential difference in democratic processes in cities and villages which is still a major problem in the development of the institution of elections, and hence democracy and civil society. In Armenia, in the provinces, people vote as their village mayor or respected elder or relative advises. (We will see this in more detail in a further section.) The 1990 election also presaged the 'protest vote', since these early elections became the general model for later elections – in 1996 (against Levon Ter-Petrosyan) and in 2008 and partly in 2013 (against Serzh Sargsyan).

Elections in Post-Soviet Armenia: 'Free but not Fair'

Although the 1991 presidential election was, and still is, rightly characterised as free and fair (Ishkanian, 2008, p.36), it nevertheless did not display the pronounced emulative spirit of the first elections. Levon Ter-Petrosyan, the future first president of Armenia, was too popular for protest at that time, so that the democratic nature of the elections had very little chance of being challenged.

Quoting Armine Ishkhanian (2008, p.36), 'in every election thereafter, beginning with the 1995 parliamentary elections up to the most recent May 2007 parliamentary vote [we update this to the February 2008 and 2013 presidential votes: L.A. and G.S.], elections have become, or are perceived as having become, steadily more corrupt and less "free and fair".' It is not our aim here to present an exhaustive analysis of the elections or discuss in detail each election, their correlation with observers' estimations, the authorities' or 'the opposition's' arguments against or in support of them. What we try to present below is rather an anthropological perspective of the history of elections in Armenia. This history is, as a matter of fact, at the same time, the history of the unfairness of elections (see

¹² Concerning the same principle regarding violence, see Abrahamian, 1999, pp.59–75.

Abrahamian and Shagoyan, 2011–2012, pp.13–31),¹³ which, however, seemed not to be ‘seen’ by foreign observers.

The 1995 parliamentary election, we think, was a turning point in this history. It was declared free but not fair by the Organisation for Security and Cooperation of Europe (OSCE) monitors’ newspaper (*Azg*, 7 July 1995), however, it could be classified as both not free and not fair. This election seemed to pave the way for the rich and sophisticated machinery of falsifications used during the next elections. By ‘not free’ we do not refer to voting in villages, which, as we will see in the next section, continues to be far from free. The 1995 election could be classified as not free because candidates were not registered as freely as during the 1990 election. At first glance, this could be considered as a step in harnessing the uncontrollable mass desire to run for deputy, but actually the ‘strict checking’ of the proposed candidates’ documents by voting district commissions, which were responsible for the preliminary registration, gave an unsupervised and effective means of eliminating serious competitors of the ‘true’ candidates. According to Gurgen Boyajyan, a member of the Central Electoral Commission, who, together with five other members of the commission, did not sign the final resolution on the election results, about 1,000 candidates were not registered without serious grounds.¹⁴ However, more than 1,900 candidates were nevertheless registered – for the 190 parliament seats, still a rather high figure, compared with 1,500 candidates registered for the 260 places during the 1990 election.

Beginning with the 1995 election, falsifications became institutionalised. This election seemed to be the first to use appreciable ballot stuffing. While in the 1990 election, isolated cases of stuffing were aimed not towards changing the results of voting but towards ensuring the voting itself (in a sense they were ‘following’ the future improved law of voting), the 1995 ballot stuffing was deliberately aimed at falsifying the results. The 1995 parliamentary election ran parallel to the referendum on the new constitution, but the electoral quorum for the referendum was higher than that for the parliamentary election. The initial participation requirement was of no less than one third of the number of registered voters,¹⁵ while the second had no special numerical regulation. The new constitution was to become the first constitution of independent Armenia and was of particular importance for the president, while the opposition considered this draft (‘Levon’s Constitution’) imperfect and authoritarian and was campaigning against it.

13 A further more detailed archival and/or investigatory report, is hoped, will become part of the history of democracy in Armenia, see a detailed analysis of the Russian experience in post-Soviet elections in Smirnov 2008. The only publication we know of that deals with similar problems in the Armenian electoral sphere is a booklet on the 2007 parliamentary election (Zhamakochnyan and Gyulkhandanyan, 2009).

14 Personal communication. See also Petrosyan 1999, the author estimates over 700 candidates were not registered.

15 According to Article 113 of the 1995 constitution, this number was no less than one-third of registered voters; in the 2005 constitution it was reduced to one-fourth.

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By that time, Levon Ter-Petrosyan had the opposition of recent comrades-in-arms. Electoral commissions of different levels were therefore eager to ensure a voters' quorum, at least. It could be obtained by additional ballots – following the experience of the 1990 election. We do not know whether these ballots were falsified in favour of the constitution or were stuffed unsigned, in 'naive' zeal to make the elections effective. In any case, even if the referendum was 'fair', it had an unexpected by-product: for the parliamentary election, the extra ballots representing voters who 'participated' in the referendum meant 'participating' also in the other election. These were the ballots, as some of our informants think, that were falsified in favour of the ruling AAM candidates. Some more sophisticated but less large-scale falsifications were said to be successfully tested during these elections, but we need not go into the details here.

From this moment on, those who were at the administrative helm at the time were 'doomed' to win the next elections. This became a general rule irrespective of their political orientation. Also from this point on, civil society in Armenia was tasked with a new aim – the institution of free and fair elections. For veterans of the AAM, this goal had already been attained by the 'revolution' of the late 1980s but had been lost after the 1995 parliamentary election and especially after the 1996 presidential election.

Armenians have a general opinion that the 1996 presidential election was falsified in a rather crude manner. Primarily, falsification was considered to have been achieved by stuffing ballots in favour of Levon Ter-Petrosyan. But other, no less crude methods, for example army detachments voting many times in different polling stations, were also thought to have been realised. Further, this election was a typical election 'against' – this time against the first president. His opponent Vazgen Manukyan, who claimed to be (and actually was) the winner, never again got such a high percentage of votes during future elections, whether parliamentary or presidential. When Levon Ter-Petrosyan again entered big politics in 2007, for many people, including our interlocutors, it was difficult to forget these falsifications and believe that he would really introduce the institution of free and fair elections, as he claimed during his electoral campaign. It is also significant that he never apologised for the 1996 falsifications during the campaign, although many people waited for an apology. He did publicly apologise for other misdeeds, especially for his personnel policy, that is, his introducing the future second and third presidents into the power-holding structures of Armenia.

During the presidential election of 1998, the main competition was between Robert Kocharyan, the former president of the unrecognised Nagorno-Karabakh Republic, the incumbent prime minister of the Republic of Armenia, and Karen Demirchyan, the former communist leader of Soviet Armenia. Results were contested and ambiguous. Those who voted for Demirchyan were positive that their candidate had lost the voting as a result of his opponent's falsifications, while those who voted for Kocharyan and were later disappointed in their choice usually blamed themselves and not the falsifiers. But even among the pro-Kocharyan voters one could easily spot those who were positive that falsifications had not

taken place. Thus an opponent of Karen Demirchyan, who was anxious about the latter's obvious popularity during the election, tellingly paraphrased the well-known words of the poet Yeghishe Charents (1897–1937) on the salvation of Armenian people into the following phrase: 'Armenian people, how great it is that your choice is not in your hands'. Indirect evidence of Demirchyan's advantage over his opponent is that during the electoral campaign, especially in rural regions, royal features were routinely attributed to him, while Robert Kocharyan was perceived only as a high-ranking official (Abrahamian, 2006, p.212). Although the 'king' did not regain his 'throne' officially in the presidential election, he nevertheless returned to power the next year: Demirchyan was elected speaker of the new parliament in 1999.

The 1999 parliamentary election may have been unique, in contrast to the list of elections that were increasingly unfair. That election seemed to be free and fair, and in any case was not cloaked in rumours, 'evidence', and suppositions. We did not note any tales about the inclusion of names of the deceased in voter lists – a common violation attributed to the election organisers, that is, to the authorities, during other elections.¹⁶ The only explanation we noted for this strange reappearance of a free and fair election was an assumption that the authorities decided to avoid falsifications to legitimise the power of Vazgen Sargsyan, the authoritative prime minister and former defence minister, who successfully formed an alliance with Karen Demirchyan. The point that Demirchyan's presence in this alliance (named 'Unity') was sufficient for victory was viewed by my interlocutors as more indirect evidence of his victory during the recent presidential election. However, this much-anticipated return of the 'king' lasted only a short time – Demirchyan was assassinated together with Sargsyan and six other deputies during the terrorist attack on the Armenian parliament on 27 November 1999.

The ghost of the assassinated king returned during the 2003 presidential electoral campaign. Karen Demirchyan returned in the form and image of his son Stepan Demirchyan. Like his father, the son became a presidential candidate opposing Robert Kocharyan, now the incumbent president. The tight election required a second round, and took on legendary significance. The son not only fitted the mythological archetype of a prince coming to avenge his father, but also resembled the adored king in his appearance, manner, and voice. Although he headed the opposition at that time, one suspects that his great popularity and alleged victory¹⁷ was as much a result of this resemblance and mythological schema as derived from his political rhetoric. Though Western observers came to their usual

16 A popular joke on this theme noted that a person was very offended by his deceased father, who came to their own polling station to vote but did not visit his son's house.

17 Although he officially lost this second round, many people still think he won it; some informants even present numerical 'evidence': the number of ballots that brought this opponent to victory were thought to be correlated with the number of potential voters (300,000–500,000) that were absent at that moment. These figures correlate with the emigration situation in post-Soviet Armenia; see Kharatyan, 2003.

conclusion as to how the elections were conducted, which could be formulated as 'not very fair, but not unfair enough to influence the elections', there were also some foreign observers who noted violations during the election. Interestingly, the present day president Serzh Sargsyan, who was Defence Minister of Armenia at that time, answering to this Western criticism on TV, made a statement that 'we have different mentalities'. This statement was much discussed – for example, at the meeting of the opposition on 11 March. A Western observer made a remark in his interview on Radio Azatutyun (Liberty) on 14 March concerning this statement that one could hardly find a people with a mentality that would enjoin election falsifications. The future president referred, obviously, to unintentional ('rural') violations to be discussed in the next section, rather than to the intentional falsifications organised by the authorities. This seems to be the first articulation (even if implicit) of the contrast between Western election standards and 'local traditions'. In any case, one may think, the level of falsification was so obvious that the Constitutional Court, which rejected Stepan Demirchyan's claim of infringement, was 'forced' to recommend a referendum on President Kocharyan's confidence vote to be held the next year (Concort 2003). The demonstration of protesters demanding this recommended referendum was broken up severely on 12 April 2004.

The 2003 and 2007 parliamentary elections were marked by the process of the parliament's criminalisation. People gossiped about the nicknames of deputies, and opposition newspapers were eager to list them. Any person with a specific nickname was suspected of having a dark past. That was why Khachatur Sukyasyan, an oligarch and deputy, forestalled journalists by releasing a TV documentary where he discussed his nickname 'Grzo', tracing its previously unknown past to his peasant ancestors, thus moving it into a non-criminal context.

These elections were thought to be the start of mass bribery as the main machinery of elections. The 2007 election especially, was considered to be the champion on the scale of *entrakasharq*, a neologism designating 'voting bribe'. Each new electoral process made people state that precisely this recent experience should be classified as the most falsified election.

A referendum in November 2005 on constitutional reforms was remarkable for several reasons. President Robert Kocharyan was eager to pass these reforms, since they were demanded by the Council of Europe as important improvements to the 1995 Constitution, which the council considered as inadequately aligned with European standards. This referendum was the second attempt, after the first one failed on 25 May 2003. The council attributed the failure to the fact that the authorities, who were focused on the parliamentary election (on the same day as the referendum), did not pay enough attention to advocating the constitutional reforms (Council of Europe 2005). Let us recall the 1995 constitution ('Levon's Constitution') referendum, when the first president was so eager to have constitutional support for his authoritarianism (Abrahamian, 2001, p.119) that it triggered, we hope inadvertently, the first mass falsifications. This was particularly significant as it involved voting for the first post-Soviet parliament. In contrast,

Robert Kocharyan did not pay as much attention to passing 'his' constitution in 2003, being too busy to form 'his' parliament.

After some serious criticism from the 'European Commission for Democracy through Law' (The Venice Commission) that resulted in commensurate improvements, a draft of the reforms was finally approved by the Venice Commission. However, the parliamentary opposition (Ardarutyun (Justice) Alliance) was against the reforms, since it wanted to present its own amendments to the constitution, competing with the ones proposed by the parliamentary coalition which was holding power. The opposition project was not realised. Further, demonstrating once again a vote of no confidence in President Kocharyan¹⁸ by denying 'his' constitution, the opposition called for a boycott of the referendum. The referendum, which needed more than fifty percent of votes for constitutional reforms from one third of the registered voters, was held on 27 November 2005. Contrasting figures were reported: the official number of participating voters comprised 1,503,568 (65.3 percent), 1,403,430 of whom (93.3 percent) supported the reforms, while opposition activists, who counted people as they entered polling stations, claimed that their number was much lower (Abrahamian and Shagoyan, 2011–2012, p.45, FN 47), which was not enough to provide the required one third. The official figures, which recalled Soviet era elections, were so improbably large that people were discussing not the possibility of falsification, but the meaning of the message the president intended to send by publishing such figures. Everyone that we have interviewed was sure that the results were falsified. A supporter of the opposition interpreted it this way: European experts would have been satisfied by more probable, lower figures, so this message was not addressed to them but to the opposition, with the meaning 'you may protest as much as you like; I can give any figures, even improbable ones'.¹⁹ This supporter referred to the criminal world, where a similar language of subordination and domination is widespread. Actually, the criminal element plays a specific role in the modern worldview of Armenians. It also embraces the institution of elections; it could even be said that there are three distinctly co-existing layers in the functioning of this institution – democratic/civic ('Western'), 'traditional' (mainly rural – to be discussed in the next section) and 'prisonous' (based on criminal ethical order) (Poghatyan 2013).

In the 2008 presidential election, the first president of Armenia, Levon Ter-Petrosyan, re-entered politics after ten years of silence. It seems that in Armenia, ten years is necessary before a political leader can return in another guise, and for people to forget undesirable events from the past and remember (or imagine) happier

¹⁸ As we have already noted, the peaceful demonstration, demanding fulfilment of the referendum envisaged by the Constitutional Court after the debated presidential elections of 2003, was violently broken up on 12 April 2004.

¹⁹ Following this 'numerical tradition', the present day president, Serzh Sargsyan, said during the 2013 presidential campaign that 'we will "strike" any figure we need' meaning the number of pro-voices. The word *khpel* (lit. 'to strike'), which he used, was immediately used as a deterrent in numerous oppositional sites and Facebook pages.

ones. Thus Karen Demirchyan recalled the 'happy' Soviet times and Levon Ter-Petrosyan remembered the unforgettable political 'festival' of 1988. Meanwhile, people had to forget the former's lack of popularity in 1988 and the latter's demise in 1996, as well as the 'dark and cold years' of 1992–1994. While Demirchyan did not need to manipulate people's memory – it happened by itself – Ter-Petrosyan had to manage this during his electoral campaign. He used his rhetorical skills and, more importantly within the context of this chapter, appealed to the need to uproot the existing unfair electoral machine in order to establish democratic elections. That was why those who voted for him included not only his fans from the rallies of the late 1980s and AAM veterans, but also people who were ready to forget 1996 in exchange for free and fair elections that would allow them to elect a better president, if needed. However, his supporters considered the election unfair, utilising the arsenal of previous electoral falsifications and introducing new ones.²⁰

The evolution of the machinery of falsification is a sign that some opposing forces existed that needed to be overcome by such elaborate methods. Attempting to force Armenia to be a little more European, local civil society (different NGOs, opposition parties, journalists), and some foreign organisations tried to improve the institution of the elections and get rid of falsification. However, every achievement in providing free and fair elections is followed by a new and more sophisticated trick that tries to get around it. It is not only civil society that needs to be evaded, but also the voters who are eager to take 'electoral bribes' and then vote for someone else. That model of 'freedom from bribed voting' was endorsed by Robert Kocharyan during his 2003 presidential campaign. He said that if somebody offered you a bribe to vote for him, take it and vote for whomever you like. Thus, he admitted the reality of bribing and even suggested a tricky way of counteracting this negative phenomenon.

Despite the 'official' declaration of freedom to bribe and cheat (repeated by other candidates during other campaigns, including Serzh Sargsyan in 2008), it was not welcomed by deputies and their electoral teams. Thus the introduction of the so-called 'carousel' was aimed not only at falsifying elections, but also at controlling a bribed falsifier: a voter received a bribe only after bringing back a blank ballot instead of the signed one, which he/she had to drop into the box. But this method requires a manipulation with blank ballots and is risky. So they began to use cell phones with cameras: voters had to photograph the ballot with the 'right' mark; after the image was checked, they got the bribe – about 5,000 drams (\$17–18). Thus cell phones superseded the 'carousel method' of cheating which had involved the more seemingly criminal stealing of blank ballots. However, here too some counter-cheating was said to have taken place: people used a short piece of black thread to imitate the tick marking the required candidate, took a photograph and then put a real ink tick beside the name of their own candidate. This means we must expect more sophisticated methods of overcoming this

20 For the new machinery of falsifications during this and 2009 Yerevan City Council elections see Abrahamian and Shagoyan, 2011–2012, pp.25–31.

counter-cheating (which actually took place) and expect new counter-counter-cheating. These interrelated processes seemed to be so troublesome that during the 2009 campaign, control over bribed voters seemed to be not as well organised as in previous years; bribes were said to be given out without a guarantee, hoping for a sense of 'fairness' from the bribed voters.

The 2008 presidential elections were also considered unfair by many in Armenia, this opinion being supported later by new evidence from the West (see newspaper, *Armenia Today*, 2 September 2011). The protest rallies that followed the election had a dramatic ending – ten people including two policemen were killed during the alleged clashes with police with this unsolved case continuing to be the focus of local and international attention. The latest presidential elections in 2013 were no exception to the 'rule' – we will return to this event in the last part of the chapter.

In 2009, and later in 2013, the institute of elections also embraced the Yerevan City Council *avagani* (elders' council); its elected members had to elect the mayor later. This was the first direct election at this level. It was considered a new step towards democratic society by the Council of Europe and included in the constitutional reforms of 2005; previously each city district had elected its local *avagani*. All Yerevan citizens were involved in this new event concerning the capital city. Slogans calling on residents 'to begin with the city', both during the 2009 and 2013 electoral campaigns had a special meaning that could be traced to the requisite opposition between city (city residents, citizen) and village (countrymen). During the 1988 rallies, this contradiction almost disappeared, as a result of the solidarity of the 'festival' and unity manifested by the 'carnival-like civil society' created in the square. But the gap returned when the 'political festival' was over (Abrahamian, 1990a, pp.82–3). In post-Soviet Armenia, this contradiction became especially evident because of the contrast in voting, and in the institution of elections in general, in the city (Yerevan) and provinces (especially in rural regions).

Elections in the Village and the Intensification of Kindred Relationships²¹

In general, elections in the village are clearly differentiated on the basis of opposition between the local and the national, all-republican ones. Local elections are aimed at forming local power-holding structures – election of the *gyughapet* (the village mayor), *avagani* (members of the elders' council), while the all-republican ones form the structure of the National Assembly (the parliament), elect the president

21 This section utilised the framework of the project 'Globalization Processes in the Contemporary Armenian Village' which was sponsored by the John D. and Katherine T. MacArthur Foundation (Grant no. 06-86346-000-GSS). See, for more details, Abrahamian 2008. Cases in this section are mainly from two villages Gosh and Tatev, though evidence from other villages is also used.

and also realise passages of important all-national authorisations (referendums, constitution). For villagers, it was the local elections that were the main ones, since the presidential elections, for example, as one informant noticed, 'have little meaning for us regardless of the result'. While elections of the *gyughapet* are such a topical problem that, as a rule, they run openly: the person to be elected should see with his²² own eyes who voted for him, and how. We recorded a case, where a woman mechanically folded the ballot paper into halves before dropping it into the box and, by doing so, worsened forever her relationship with the newly elected *gyughapet* who could hardly believe that she had voted in his favour. It should be noted that all the people who told us about the open elections were aware of their illegality, but could not do anything about it, since the person to be elected and the voters, as a rule, were kindred, to one extent or another. The democratic institution of the *gyughapet* and *avagani* election, which came to replace the institution of assignment from above during Soviet times, brought a sudden intensification of the structure of blood relationships (see Sahakyan, 2002, pp.130–33): one had more chances to become a head of a village if one had a large number of blood relatives and relatives by marriage – in one case a candidate won due to numerous relatives on his wife's side. As one informant noted, if you have lots of kinsfolk, you are a *gyughapet*, if you have not, you have no chances of becoming a *gyughapet*. Another informant told of a case when both candidates happened to be relatives: 'This led to quarrels and misunderstandings within one group of kinsfolk, which divided into two camps. And the village too divided into two camps'. In some cases, the principle of voting for kindred carries over to the ideal of the institution of the election as being strictly independent and anonymous, to its logically anticipated antithesis – becoming totally dependent and non-secret. For example, we recorded a case during some elections where there were four persons in the list of candidates for the *avagani* who happened to be relatives of the informant, who had 'only two votes in her home'. In order not to offend the candidates, the extended family of the informant distributed the votes of the relatives (far and close ones, including the grandmother and a relative from another polling station) in such a way that each candidate was supported by one vote. 'You see, as all such people proposed themselves as candidates; we couldn't refuse anybody', the informant commented as she explained the motivation behind her actions. As for the parliamentary and presidential elections, this way 'elected' *gyughapet* can demand the villagers vote openly for the candidate who is imposed upon them from above, from the regional authorities; and who is imposed upon the region from the capital. However, elections at the village mayor's command are directly dependent on his authority. In one case with a rather weak *gyughapet*, the country-wide elections could be estimated as maximally democratic. In another case, where the mayor was not tough enough, the village which was known for its rebelliousness exhibited oppositional behaviour in the best of revolutionary

²² The *gyughapet* is predominantly a position for a man so we will abstain from gender neutral language in this case.

traditions. One more case showed that practically all the village, including the *gyughapet*, could stand against the dictatorial regional and central authorities, not because of its revolutionary opposition nature, however, but as a sign of support for their respectable co-villager who had fallen into disgrace with the Yerevan authorities. This was the case with the village of Dzorakap (Shirak Province), where the 700 voters, including the electoral commission members, boycotted the 2003 parliamentary election protesting the illegal imprisonment of their fellow villager, the former detention facilities chief (Dzorakape boykotum e, 2003). This episode could also be classified as village ('blood') solidarity with an oppositional-type touch.²³ Where they failed to conduct open elections (this usually happens in big villages and regional centres), various means of controlling the results of elections were used – from direct falsifications and psychological pressure (in one case this was realised by someone from a local authority who was gazing heavily at the voters entering the polling place) to sophisticated tricks, which the naïve foreign observers could hardly even imagine. However, artful falsification, as we already know, is used mainly in the city, where it came to replace the democratic experience of the first elections of the late 1980s and early 1990s.

It should be noted that the methods of falsifying the elections that had found acceptance in the village are an innovation: before the conventional theatricalised 'elections' assigned from above by deputies of Soviet time, the Armenian villages knew very democratic elections, which some of our informants of the older generation were aware of. Thus, an old woman compared present-day elections with the pre-Soviet ones: 'What takes place today has nothing to do with elections. Those are some games. How did they elect in olden times? Suppose that they had to elect one of the two candidates. They put on their tall *astrakhan* hats, and people approached with kidney beans. They couldn't write, so if they wanted to vote in your favour, they dropped their beans into your hat; if in the other person's favour they dropped beans into his hat. The winner was the person who had more beans in his hat. This was the way of electing, for example, the *kyokhva*, the village headman. While in present-day elections they come to an agreement beforehand and divide people into groups.'

It is interesting that during elections in the village people often do not even realise that they are committing an infringement. One informant expressed his indignation at our conceding that they might be manipulating elections, while it was he who had told us about some of these manipulations though he never admitted that they were actions of this kind. It is also characteristic that the villagers enter into 'fair' negotiations with the candidate to be elected into the parliament, these negotiations resembling haggling, on what concretely he/she should do for the village in exchange for the villagers' votes: build a road, repair a bridge, or set up

²³ It is remarkable that in 2008 these village protesters were involved in already apparent civil society-related activities: they supported the independent 'GALA' TV channel in Gyumri, and during the 2013 presidential elections they gave their votes to an independent candidate.

a big parabolic dish antenna, and so on, as was the case with the village of Gosh. And the decision was accepted at a general meeting, observing all the rules of communal democracy.

All this demonstrates that elections in the village, which were actually an export from the city, where they were, as we have already mentioned, the main attainment of the democratic movement of the late 1980s, in the end became one of the effective instruments for manipulating the results of elections country-wide, when it was needed to influence the undesirable voting in those polling places (mainly in the centre of the city), where it was difficult to realise falsifications. On the other hand, this democratic institution imposed from above led to the intensification of blood relations and 'kindred inequality'. As an informant has noted regarding the institution of elections in the village, 'there is nothing positive in these elections, they are not for us'.

As noted, in the provinces, people vote the way their local authorities and/or respected relatives advise them to. Since these two categories usually coincide (a person with more relatives has more chance to become village mayor), it could be said that the institution of elections, an accomplishment of the 'Armenian revolution', strengthened blood relations in the village and the decline of democracy. In this context, the election of city mayor gained another significant aspect: it could be a unique chance to vote without the 'non-democratic' impact of the vote in the provinces. Authorities usually won the decisive 'casting vote' in favour of their candidates in the provinces. A hierarchy pyramid worked quite well here: from an authority in Yerevan – to the province governor (*marzpet*) – to the village mayor – to the voter. In this sense one can understand the authorities' 'democratic' decision to focus, for the Yerevan mayoral election (of 2009), on voters who had resided in Yerevan for at least one year. A 'non-democratic' discussion had questioned whether a villager who had lived in the city only for one year could know the needs of the city and, consequently, decide what kind of a mayor Yerevan would need. Another manifestation of the 'capital (city) – provinces (village)' opposition during the election was an interesting event reported by Radio Liberty correspondents on the morning of polling day. Suspicious looking cars and vans with festively attired people, allegedly on their way to a picnic or elsewhere, were spotted in Gyumri and Vanadzor, heading towards Yerevan. This added grounds to rumours that the current election was to be falsified with additional fake voters. There were a number of versions of how this fraud might be achieved. People from the provinces (or some of them), were thought to be those fake voters, although reporters did not trace their itineraries in Yerevan. Whatever the scenario and underlying cause,²⁴ it is significant that the provinces were to be used for falsifications in the capital. The same model was said to be used during the last 2013 Yerevan mayoral elections. In a sense, the failure of the opposition candidates both in 2009 and 2013 elections showed that Yerevan was still 'not

24 The most popular version was that this was a gesture of gratitude by provincial authorities for some previous comparable service from the capital authorities.

enough' of a real city to realise the closeness of the concepts *polis* and politics, city and citizens, in the way that these conceptual relations were articulated during the electoral campaign.

Waiting for Help from the West

There is an old Armenian idea of looking to the West for help in critical situations. Actually this is rather a strategy for survival. In the fifth century, during the anti-Persian rebellion, this was the expected help from Byzantium. Since the late eleventh century, the time of the Seljuk invasion and the Crusades, expectations of rescue from the West were based on a series of visions and prophesy which were traced back to the famous vision of Nerses the Great, the Catholicos of Armenia in the fourth century (see Hovhannisyan, 1957, pp.16–17). In the eighteenth century, Armenians of endangered Nagorno-Karabakh looked to Russia for help (the West being substituted for the North); in the beginning of the twentieth century, during World War I, Western Armenians were expecting rescue from European countries, and at the end of the century, during the Karabakh Movement, again from Russia. The diaspora, being located mainly in the West and embodying Western values, now becomes the most recent expression of this universal strategy of survival (Abrahamian, 2006, pp.338–39). And, although this strategy never seemed to help Armenians survive in the past, it continues to feed Armenian dreams of survival now, by inviting 'wise' ministers from the diaspora, observers from the West and, quite recently, a presidential candidate with a Western (American) background.

Interestingly, there seems to be an inner division into East and West within Armenian society, which is not connected with the geographical structure of Armenia, but may sometimes coincide with it. Following N. Adonts (1948), we can characterise this dichotomy according to two tendencies, which seem to have been distinguishable at least since the fifth century. These two opposed trends represent, respectively, the trend towards rebelliousness and towards prudence, the first trend more associated with the Mamikonian family, and the second more accentuated in Bagratuni generations. These two trends may correlate with the East–West differentiation of Armenia, although they may change places, as well as switch between these two high-ranking families. One may speculate on the necessity of such an intrinsic dichotomy for a nation; when conditions are continually changing, having the flexibility of both orientations simultaneously allows for the possibility to choose the best approach depending on the situation. Though such an ambivalent mechanism of national survival might sometimes be dramatic for the nation itself, as was the baneful animosity between the Mamikonian and Bagratuni lines, Adonts connects the prudent trend of the Bagratunis with the rise of the lower middle classes and the growth of towns, which need stability as a principal component for their survival, and the Mamikonian's rebellious spirit with the traditionalism of the feudal lords. In short, the prudent trend was opposed

to the rebellious trend as the centralised power was opposed to the parcelled feudal structure (Adonts, 1948, pp.46–7).

Be that as it may, the two trends also continue to exist in modern times, when there is no opposition between feudal and centralised social structures, though there are some typologically correlating divisions, including the Armenian homeland and diaspora dichotomy (Abrahamian, 2006, pp.331–35), which continue to feed this model. In a rough approximation, this conventional inner division creates an impression of a more advanced ‘civilised West’ within Armenian society, which tries to follow the civilised West.

Concerning elections, the Western trend in Armenia actually represents ‘prudent’ Western style democratic traditions, though the institution of elections was, as a matter of fact, introduced as a result of the ‘rebellious’ movement of the late 1980s. The actual West, mainly various European state and non-governmental organisations, were naturally eager to support, sometimes with a mentoring touch, this ‘Western’ trend in Armenia. At present, the local ‘non-Western’ (‘feudal’) trend has to survive the ‘Western’ institution of elections, however reluctant it is to accept this situation. One may compare the already cited statement of the future president of Armenia about the specific national mentality of Armenians as an argument against the Western criticism of falsifications during the elections in 2003; while also in 2003, the Constitutional Court of the Republic of Armenia passed a decision stating that ‘voter lists already signed and filled by voters are considered one of the elements of secrecy of the ballot and are not subject for publication’ (Decision 2003, no. 412, 15). This prohibition was intended as a means to protect the rights of those citizens who do not participate in the elections and would like to keep this secret. In Western countries, one can find a wide spectrum of attitudes on this point, however the Constitutional Court followed the position approved in October 2002 by the Venice Commission claiming it the only Western thing Armenia should follow (To Understand the Mechanism 2013). The reason for this ‘Western’ orientation is that by defending the rights of the voters in such a way, the authorities can use the ballots of the migrants, officially represented in the lists of voters: the number of migrants estimated at being from 300,000 to 500,000 people. This estimated number increased naturally over the following years and migration rates continue to be the focus of discussions and criticism at both official and non-official levels – this theme is obviously one of the most popular in modern political and academic rhetoric. Requests for change in this area are the main demands in almost all the opposition electoral programs including the presidential elections of 2013, since the number of the missing voters, whose rights the authorities are eagerly defending, compose just the amount of falsified ballots necessary to reproduce existing power. The presidential elections of 2013 demonstrated that this mechanism of power reproduction can successfully work despite the obvious prevalence of opposition supporters – the map of pro-authority voters is much more dense in the regions famous for their high numbers of migrants (Suleymanyan, 2013; Lying Numbers, 2013). One could say that the

Western-oriented institution of democratic elections is being hindered by some tricky, but 'Western' ways.

The last Western manifestation related to elections was the 2013 presidential electoral campaign conducted by Raffi Hovhannisyan, the presidential candidate of American descent who used an unusual hand-shaking greeting policy during his campaign.²⁵ This totalistic and slightly maniacal hand-shaking was widely discussed and ridiculed but strangely enough it provided an unexpected result: among other reasons (not to be discussed here), this close communication with potential voters gave the candidate an opportunity to become the second candidate with a high amount of ballots or even the most, as his supporters claimed and independent estimations calculated. However, it was considered to be the 'Western way' of campaigning by the Western candidate, giving hope to his electorate of help from the West, thus adding a new case to the long list of the expectations of help from the West. Even the degree of inconsistency in his speeches and deeds was interpreted sometimes as Western: behaviour unfamiliar to Armenians.

Thus, Western trends are being introduced into the 'endemic' institution of elections in Armenia, either together with Western, or Western-oriented leaders, or by manipulation with Western, or what are claimed to be Western, models.

Conclusion

The institution of elections in post-Soviet Armenia was one of the few acquisitions of the mass rallies of the late 1980s. The first democratic elections in the former USSR were actually realised during these rallies, which displayed many of the characteristics of a festival. Being a product of a 'carnival', civil society that was born in the square, it was soon transformed into an instrument of acquiring and reproducing power. We have outlined the history of this festival product throughout the last 25 years, which in a sense could be called a 'history of unfairness': beginning with the 1995 parliamentary elections, each new electoral process was considered by people as the most falsified election to date. As a matter of fact, those who were at the administrative helm at the time were 'doomed' to win the next elections. Thus, civil society in Armenia, which was born in the square together with the institution of elections, had a new and relevant task – that of acquiring the institution of free and fair elections. However, every achievement in providing free and fair elections was followed by a new and more sophisticated trick that tried to get around it. The most sophisticated trick was introduced by the Constitutional Court of Armenia in 2003 as a Western 'civilised instruction' (The Venice Commission's recommendation to keep in secrecy the voter lists already signed and filled by voters), became an effective instrument for falsifying

²⁵ The Armenian word *barev* 'hello', which was the candidate's electoral motto, turned into the *barevolution* ('hello-revolution') slogan during mass protest post-electoral rallies.

elections. This 'Western facade' allowed authorities to 'legally' use some 500,000 ballots of migrants, with this number steadily increasing each year. Although the institution of elections in Armenia was an endemic acquisition, nevertheless, it is considered by Western analysts and politicians as a Western imposition. In any case, this institution had to be formed in a Western style and was monitored by Western observers. We saw how the Western model of elections encountered local models, especially the one of the village, where it was imposed from above (from the city) as a democratic institution, but led to the intensification of blood relations and to the decline of democracy. Despite these deplorable conclusions, new civil trends and activities, which became appreciable in the summer of 2013, when this chapter had already been submitted, give hope that we will see the long expected return to the fair and free nature of the precedent which gave rise to the present day deficient institution of elections.

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