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ABOUT THE JOURNAL

The POLITNOMOS is a multi-disciplinary scholarly peer reviewed and international fully open access journal that covers all areas of political science, law, political and legal philosophy. It aims to serve as a scholarly platform for research papers' findings, discussions, and debates and introduce promising researchers and studies to the political and legal scientific communities.

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**POLITICAL STUDIES, POLITICAL
PHILOSOPHY**

THE DICHOTOMY OF MALE AND FEMALE IN THE CONTEXT OF THE DISTINCTION BETWEEN DOMESTIC AND FOREIGN POLICY IN THE PHILOSOPHY OF SOCRATES

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Abstract

One of the main trends in the development of the modern world is globalization, a process the explanation of which often prompts representatives of one well-known parascientific movement to think about a worldwide conspiracy. Although the methods and goals of the above specialists are constantly criticized by “normal” academic science representatives, it is necessary to recognize the validity of some of their considerations. How else can we explain the blurring of boundaries between nations, languages, and cultures, if not by the orientation and controllability of these processes? In modern times, the borders between the sexes are also getting erased. Male and female beginnings are increasingly rarely presented as sortal concepts. Now, they are only non-exclusive qualities inherent in all people in different proportions if we believe in Western science. Even in modern times, politics is undergoing changes. Its vectors change, and new relations between power structures are created.

Keywords: male and female beginnings, domestic and foreign policy, agriculture, Socrates.

Introduction

What is always invariable for strong states is a clear distinction between the spheres of domestic and foreign policy. In

this regard, it is interesting to turn to the classics of ancient Greek political philosophy and find out how internal and external politics are related in the concept of Socrates, presented in Xenophon's work "Oeconomicus". Going forward, in close connection with the mentioned topic, we will also consider the issue of men and women. This work is aimed at interpreting the text and constructing logical structures; philosophical research methods such as analysis, analogy, and generalization are mainly used.

Socrates of Athens

I would like to start the story with the fact that Socrates was known as an intellectual and reasonable man. Representatives from different walks of life in the city asked him for advice, even though Socrates was not of noble origin (Jaspers, 2018, pp. 115-116). If there were people in the world who conduct conversations, wanting to understand to the end what they are talking about, then Socrates was one of them (Plato, 1987). Answering questions of interest to his interlocutors, Socrates cited beautiful examples from various spheres of human activity as proof for his arguments. From such examples, you can find out what Socrates agreed with, what he admired and condemned, and what raised questions in himself.

War and Agriculture

So, in Chapter 4 of the "Oeconomicus" trying to explain to Critobulus* why agriculture is one of the most valuable and essential types of activity, Socrates tells the story of how highly the Persian king Cyrus the Younger valued farming. Agriculture for Cyrus, and therefore for Socrates, is the most critical part of the internal politics of the city. When the land is fertile and working properly, its fruits feed and clothe people. Farming is

* Critobulus is a wealthy citizen of Athens and, a frequent interlocutor of Socrates.

pleasant and beneficial for humans. According to Socrates, the main advantage of the land is that it provides everything necessary for waging war, another important activity for the country (Xenophon, 2008, Chapter 4, Part 11). War, in turn, provides the state with what needs to be obtained from the outside, be it new resources, fertile lands, or desert territories for better defense. Thus, Socrates emphasized the importance of war and agriculture as fundamental activities in the state's domestic and foreign policy, respectively.

Cyrus the Younger: Smart Management System

Cyrus built a simple and smart management system to ensure his kingdom's harmonious development. Thus, different managers were responsible for farming and military training. In Chapter 4 we learn that “Wherever the commandants of garrisons, the captains of thousands, and the satraps are seen to have their appointed members complete, and at the same time shall present their troops equipped with horse and arms in thorough efficiency, these officers the king delights to honor, and showers gifts upon them largely. But as to those officers whom he finds either to have neglected their garrisons, or to have made private gain of their position, these he heavily chastises, deposing them from office, and appointing other superintendents in their stead. Such conduct, I think we may say, indisputably proves the interest which he takes in matters military” (Xenophon, 2008, Chapter 4, Parts 5-7). Part 8 focuses on the importance of keeping an eye on things. “Further than this, by means of royal progress through the country, he has an opportunity of inspecting personally some portion of his territory, and again of visiting the remainder in proxy as above by trusty representatives; and wheresoever he perceives that any of his governors can present to him a district thickly populated, and the soil in a state of active cultivation, full of trees and fruits, its natural products, to such officers he adds other territories, adorning them with gifts and distinguishing them by seats of honour. But those officers whose

land he sees lying idle and with but few inhabitants, owing either to the harshness of their government, their insolence, or their neglect, he punishes, and making them cease from their office he appoints other rulers in their place.... Does not this conduct indicate at least as great an anxiety to promote the active cultivation of the land by its inhabitants as to provide for its defence by military occupation?" (Xenophon, 2008, Chapter 4, Part 8).

Thus, according to Socrates, agriculture is not less important than military training. In this situation, one can see how, being a citizen of Athens, the philosopher himself found the reason for the success of its policy precisely in the harmonious balance between military training and rear power (Medovichev, 1998, p. 7).

Household as a Model of the State

The principle of reward and punishment works in agriculture and the household in general. In Chapter 7 we are introduced to Ischomachus, a man called "kaloskagathos" (Greek: καλὸς καὶ ἀγαθός), which means a beautiful and good man. Rich farmers who led the army during the war were considered handsome and good men in the city. These "oligarchs" of Athens donated to the gods, fed and clothed the ordinary inhabitants of the city, and enjoyed great authority. From the conversation between Socrates and Ischomachus in the portico of Zeus Eleutherios* (Zeus the Liberator), we learn the logic of the relationship between a husband and his wife. Both sexes, by their nature, are not equally capable of everything, and one is strong in what the other is weak. Moreover, they need each other. Just as God created them to participate in the birth of children, so tradition makes them partners in the economy. The education of wives and servants is also based on the ability to manage and care

* Portico of Zeus Eleutherios (Zeus the Liberator) is a gallery near The Temple of Olympian Zeus in Athens.

for people. The wife must, with the help of her servants, accept and distribute everything that is brought into the house, help the servants in every possible way, and care for the sick. The education of servants is based on two principles: their training and the system of reward and punishment (Xenophon, 2008, Chapter 7, Parts 36-41). There is a clear analogy between politics and household management, which are based on the same art of management. Doesn't it follow from this that the house represents some kind of model of the state?

Men and Women

Good home management involves the proper distribution of responsibilities. In other words, a house with an effective division of labor can prosper. It is based primarily on people's physical and mental characteristics, determined by their gender (Xenophon, 2008, Chapter 7, Part 22). The physical and mental abilities of men and women differ. Because a man's body can withstand heat and cold, he is better adapted to work in the field, and work with the land is carried out almost all year round. The man has great physical strength and endurance, which allows him to travel and participate in war (Xenophon, 2008, Chapter 7, Part 23). Women, due to their natural characteristics, are not adapted to plowing a field or fighting (they are weaker and more cowardly) and can work indoors (Xenophon, 2008, Chapter 7, Parts 20-21). Even though the rich citizens of Athens themselves rely on their servants for physical work, they are also subject to the logic of men conducting external affairs and women conducting internal affairs. The fact is that looking after servants outside the home, which is an important attribute of success in external affairs, also presupposes physical strength. It can be assumed that women perform better than men in such work. Let us draw attention to the fact that the conversation between Ischomachus and Socrates does not imply this.

Further in the conversation, it is noted that the advantages of men and women, as well as their shortcomings, are given by the

gods. They also predetermine the specific roles they must perform and the areas in which they must carry out their activities. “But if a man does things contrary to the nature given him by God, the chances are, such insubordination escapes not the eye of Heaven: he pays the penalty, whether of neglecting his own works or of performing those appropriate to woman” (Xenophon, 2008, Chapter 4, Part 22). It is fair for men to do men's things and women to do women's things. As you can learn in from Socrates' conversation with Glaucon*, justice lies in the fact that everyone is in his place, has his own, and does his own thing (Plato, 2002, Book IV). In addition, it is argued that it is more decent for a woman to stay at home, and it is shameful for a man not to take care of external affairs (Xenophon, 2008, Chapter 7, Part 30).

Conclusion

If we accept that the home is akin to politics, we recognize that what is said about the home can be extrapolated to the state. If, in the household, external affairs are handled by men, then the foreign policy of the state should be carried out under the authority of men. Women can be helpful in the domestic affairs of the state, especially during war, when all the attention of men is directed only outward, only towards the enemy.

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* Glaucon, son of Ariston, was an ancient Athenian and Plato's older brother. He is primarily known as a major conversant with Socrates in the Republic.

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THE PROBLEM OF CONFRONTATION OF THE COGNITIVE WARFARE IN CASE OF INTER- CIVILIZATIONAL CONFLICTS AMONG NARRATIVES

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Abstract

*“Who controls the past, controls
the future: who controls the present
controls the past”.*

George Orwell (1903-1950)

In the modern world, the revolutionary development of the new Informational technologies (IT) along with the various opportunities it has brought, also has created new challenges for humanity.

The scope of these challenges is so great that it has become an insurmountable force for a separate state. Therefore, to overcome them, the states must form an alliance, and establish supranational organizations and systems, through which it will be possible to reduce and, if possible, neutralize the threats and emerging risks arising from them.

One of the similar threats is “lie”: falsification, misinformation, “mass confabulation”^{} and fake news, the speed,*

^{*} “Confabulation - Spurious memories or fabrications are very common in psychiatric disorders and may take on an expansive and grandiose character. They may also embody obvious elements from fantasy and dreams. At a more realistic level, the production of false memories (confabulation) is best studied among sufferers of Korsakoff’s syndrome, for whom consciousness and reasoning remain clear. When asked what he did on the previous day, such a person may give a detailed account of a typical day in his life several months

volume, and diversity of which spread has turned into a “war of narratives”, in the chaos of which an urgent issue of international protection of fundamental rights and freedoms of human, also truth and justice of civilization has arisen.

The subject of this article is “Narrative warfare” (NW). Purpose: is an analysis of the role of creating an “alternative past” (AP) for an “alternative future” (AF) in international relations, against a “paradigmatic future” (PF), using the substitution of meanings, symbols, and influence on the mass perception of reality, causing cognitive dissonance and mass psychosis in the affected areas.

Results of the research paper show, that due to the NW, universal justice suffers, and the chain of intertwined historical perceptions of collective identity is broken.

In conclusion, to defend the truth, states must unite and consolidate the world community, and establish appropriate institutions within the framework of the new world order.

Keywords: strategy, three-dimensional time, post-truth, narrative, civilization, justice, Cognitive Warfare, strategic future.

Introduction

In 2016 the word “post-truth”^{*} has declared as an international word of the year by Oxford Dictionaries. The editors of the dictionary conditioned their choice by the fact that with the rapid development of social networks and media, the place of objective truth is continuously occupied by falsehood. The word describes circumstances in which objective facts are less important in

or years earlier. Evidently, his retrograde amnesia and his disorientation in time provide fertile soil for false reminiscence. When the confabulation embodies dramatic, fanciful elements, it is the exception rather than the rule”. (Britannica)

^{*} “Post-truth - relating to circumstances in which people respond more to feelings and beliefs than to facts”. (Oxford Learner’s Dictionaries)

shaping public opinion than appeals to emotions and personal beliefs.

The correctness of the above is continuously proven in real politics, when we witness a global conflict of “justices” going against each other over the same object, in the context of narratives put forward by different societies.

Cognitive Warfare

Due to civilizational value systems and national dreams regarding the same realities, nations face sharp opposition in international relations, which often lead to wars, in all theaters of the battlefield.

Along with the traditional battlefields of land (underground), water (underwater), air (space), and their modernization, in the information age consciousness, which was not so important before, is becoming more important as the most important battlefield. Consciousness is the space in which the cognitive wars take place.

Cognitive Warfare is a war in which the human mind becomes the battlefield.

Cognitive Warfare includes activities conducted in synchronization with other Instruments of Power, to affect attitudes and behaviours, by influencing, protecting, or disrupting individual, group, or population-level cognition, to gain an advantage over an adversary (NATO Allied Command Transformation, 2023).

The attack on consciousness is carried out for the purpose of distorting realities and replacing meanings, due to which the aggrieved party will be deprived of the grounds for equal self-defense. The replacement of concepts will be carried out to break causality and create an alternative, virtual, reality. Cognitive warfare is, therefore, the art of deceiving the brain or making it doubt what it thinks it knows (Claverie et al., 2022).

Cognitive warfare is essentially a combined war; it includes informational and psychological warfare.

Narrative Warfare

As the great Chinese philosopher Sun Tzu said in his “On the Art of War”, all warfare is based on deception (2000).

In the global war of narratives, the parties put forward stories conditioned by their epic mentality, historical “facts”, “moral grounds” justifying military operations, distinctly different authentic and fake news, etc.

Propaganda can be considered an international crime only in rare exceptions, such as in the context of inciting genocide (Aleksejeva, 2023). According to Article 25 of the Rome Statute, a person “shall be individually responsible and liable for punishment” for “directly and publicly incites others to commit genocide” (International Criminal Court, 2011).

Regardless of one’s stance in this enduring conflict, dominant narratives are often handed down from generation to generation (Can 2023).

In the war of narratives, the parties in conflict are currently trying to influence historical events so that they can structure a strategic future in line with their expectations.

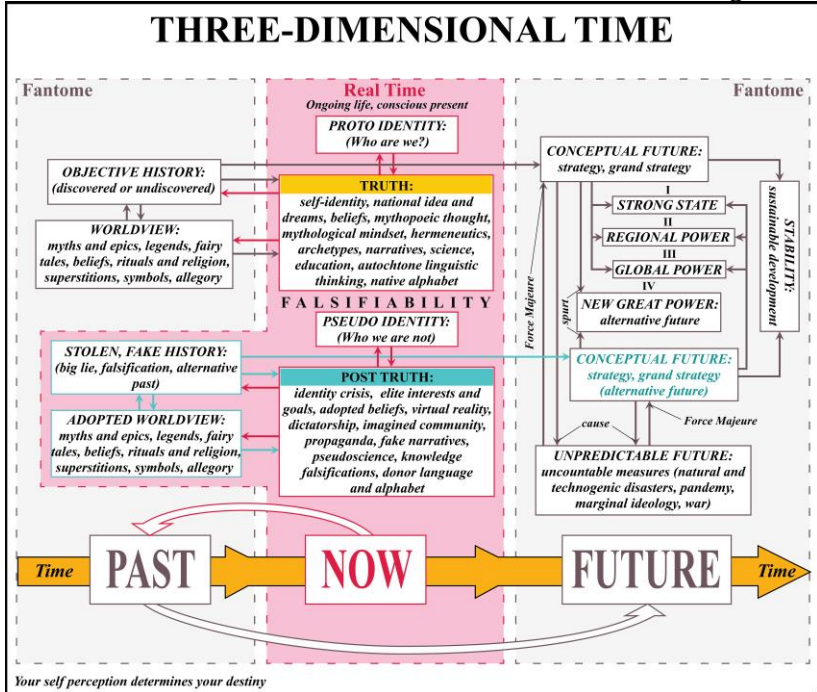
So, as shown in Figure 1. The graphic shows three-dimensional time in its past-present-future paradigm.

The two mutually antagonistic societies are presented in two conflicting formats, according to which one side tries to ensure its security and structure the strategic future through the dissemination and protection of objective information (ancient, autochthonous nations usually have such a motive), and the other side tries to fake it, because in the context of objective reality, it has no chance to compete with the first society, and as a cause-and-effect link to justify the war being waged, to grant the latter moral foundations, disputing the socio-cultural and physical-geographic territories of the objectively older nation.

In this context, it is necessary to emphasize that world history is interwoven with historical events taking place in real-time in different regions, so the falsification of historical events

regarding a certain region inevitably hits the reliable study of global history by which people self-identify.

Figure 1



Conclusion

In the 21st century, the states are facing such challenges, the measure of which does not allow an individual state to face the threats arising from them equally that is why the states are forced to unite and fight against them together to overcome them.

Just like the ecological and climate problems, food and drinking water safety, international terrorism, human trafficking, drug trafficking, natural and man-made disasters, war, and nuclear weapons, so the lies require a universal struggle.

To protect the universal truth, the democratic countries that support fundamental human rights and freedoms are obliged to

form an alliance and act with a united front against big lies: falsifications, alternative past, fake narratives, and fake news.

Today, the most vulnerable value system and the most central to ensuring the security of nations is the truth, the protection of which has become a global issue and imperative of the times.

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THE PAULICIAN HERESY: CONTRADICTION OF NATIONAL AND UNIVERSAL

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Abstract

Historical events always become the object of reinterpretation. The history of the Paulician heresy, which was widespread in medieval Armenia and Byzantium, is no exception. In this article, I will address the attempt to reinterpret the history of the Paulicians from a national-conservative position made by Karlen Mirumian. Analyzing his account of events and comparing it with the Soviet interpretation and a more detailed examination of the Paulician doctrine leads to interesting implications for understanding the specificity of the national discourse. The paper will compare the approaches to the interpretation of the role of the Paulicians in history given by Karlen Mirumyan and the Soviet author Hrant Bartikyan. Mirumyan's approach raises quite a few questions regarding methodology, especially his retrospective application of the framework of nationalist ideas to the feudal era. Besides, a more detailed study of the Paulician doctrine, conducted by Nina Garsoïan, shows us that the doctrine described by Mirumyan repeats the anti-Paulician propaganda of Byzantine authors, which has little in common with reality. All this allows us to move on to the peculiarities of Armenian nationalist ideology, which, when confronted with the Paulician phenomenon, reveals a surprising unity with the imperial discourse it is meant to oppose. That's why I turn to the ideas of the contemporary French philosopher Alain Badiou, who proposed the concept of three discourses - the discourse of homogenization, the discourse of exclusion, and the discourse of universalism. My assumption is that the Byzantine imperial discourse corresponds to the first, the nationalist discourse to the

second, and the Paulician doctrine to the third, the universal discourse, against which the other two discourses merge.

Keywords: Paulician heresy, Alain Badiou, universalism, anti-feudal movement, nationalism.

Contradiction of National and Social

With the emergence of the modern Republic of Armenia, scholars began to reevaluate the ideological heritage of the Soviet Union. The history of the Paulician movement was no exception (Jaloyan, 2012). The Paulician heresy is known as one of the numerous heresies flourishing in the early medieval age, the Paulicians were particularly active in the Byzantine Empire and Armenia. The accepted sources for the study of the Paulician movement were Greek sources, but in the 1950s many Armenian sources were published in the USSR, which shed light on the early period of the Paulician movement and provide several alternative facts unknown to the Greek authors. Based on Armenian sources, the Soviet scholar Hrant Bartikyan concludes that the Paulician movement was an anti-feudal national liberation social movement (1959, p. 143). It is the position of the Paulician as a national liberation movement that the author from modern Armenia Karlen Mirumyan disputes.

The dispute between the two authors will be the subject of my review. The purpose of the article, however, is not to reveal on which side the historical truth lies, but to better understand the ideological attitudes of Mirumyan and the broader national-conservative interpretation of Armenian history. The history of the Paulicians proves to be an excellent example for this purpose, since the Paulician movement remains a rather poorly studied historical phenomenon, the sources about which are few, contradictory, and, with a single exception, written by the political opponents of the Paulicians. The more obscure and contradictory the history of the Paulicians, the clearer the

framework of the ideological machine behind the interpretation becomes.

Mirumyan's treatment will serve as good material for this purpose since he does not shy away from direct ideological assessments and, as it seems to me, reflects well the popularity of contemporary Armenia nationalist ideology. I take as a basis the chapter “The Paulician Heresy and its Ideology” from Mirumyan's 2021 book “Armenian Political Thought: Formation and Stages of Development” (2021, pp. 263-296). This chapter synthesizes Mirumyan's previous articles on this topic, for example, the article “Towards a Reassessment of the Paulician Movement” is almost entirely included in this chapter (1998, pp. 169-180), besides, the format of the manual on the history of Armenian political thought disposes to more generalization and articulation of conclusions.

The methodological basis of Mirumyan's interpretation is the idea of the existence of an autonomous national being as a special dimension of reality (2021, p. 266). Mirumyan accuses his predecessors in the studies of Paulicianism of subordinating or identifying the national and the social. But history is such, Mirumyan writes, that the opposite often happens, and the social must be subordinated to the national (2021, p. 265). One such case, Mirumyan believes, is Armenia of the VIII-IX centuries, as Armenians did not have statehood at that time. In the absence of a state, according to Mirumyan, there is no society either, since the state is a political form of organization of society, so one can only speak of a nation (2021, p. 284). One can immediately identify a logical error in this idea, if the state is the political form of organization of society, it does not mean that society has no other forms of organization, and it cannot be said that the state is the only form of political organization. Mirumyan himself builds his argument around the importance of the church and the nakharar system (Armenian feudal nobility) as political institutions. What Mirumyan does is replace the word society with the word nation because he believes that society exists only as an epiphenomenon

of the state, while the nation exists as a lingual and religious community.

What is attracting attention here is the retrospective use of the concept of nation. One of the most respected historians of nationalism, Eric Hobsbawm, places the emergence of the nation and nationalism in the 18th century (1992, p. 5). This is quite logical, given that the idea of the state as the embodiment of the will of the nation is only possible if we are dealing with a modern centralized state, not a feudal state, where feudal lords in no way claim to politically represent the will of the people, they are based on their inherited traditional power. Identities at that period, on the other hand, are more often based on religious affiliation. The attempt to introduce the nation as something older than it is, however, is part of nationalism, and this should not surprise us - it is convincingly demonstrated in the book co-authored by the Hobsbawm, *The Invention of Tradition* (Hobsbawm & Ranger, 2012).

All this is already a strong enough blow to Mirumyan's positions since his methodological foundations are questionable, but as I have already written, the question of refuting Mirumyan's interpretation of the history of the Pavlican movement is not important. It is more interesting to understand the ideological foundations of the author, so the retrospective nature of Mirumian's view should not deter us, since ideology, even when talking about the past, is talking about the present. But I've spent too long writing about Mirumian instead of writing about the Paulicians. There is an episode in their history that is the key to Mirumian's reinterpretation of positions of Soviet history, expressed by Hrant Bartikyan.

Both of them emphasize the events that took place in 748 AD when the Armenian nakharar Grigor Mamikonyan raised an anti-Arab rebellion. The revolt took place on the background of internal contradictions in the Arab Caliphate and with the help of the Byzantine emperor Constantine V. Constantine was one of the iconoclast emperors and, accordingly, was favorably disposed to

the Paulicians, who also shared this doctrine. The emperor was even accused of Paulicianism himself. Referring to the medieval Armenian historian Łewond, Bartikyan reconstructs the events of the revolt as follows: the army of Armenian nakharars by agreement with Emperor Constantine went to Pontus to start the revolt, there they were joined by some, as Łewond calls them, “sons of sin”. Bartikyan identifies them with the Paulicians (1959, p. 141). But then the unity of the rebels is broken, Łewond writes that the “sons of sin”, who knew neither the fear of God, nor fear of princes, nor respect for elders, committed a great robbery (Łewond, 1982, p. 102).

Bartikyan interprets this event as a contradiction between the anti-feudal-minded Paulicians and the nakharars. The Paulicians wanted to eradicate the feudal system and the nakharars were afraid of this. As a result, Prince Ashot Bagratuni left the rebel army, saying that it was better to pay taxes to the Arabs, but to continue to own “his property, gardens, forests and lands” (Łewond, 1982, p.101). Bartikyan writes that the Armenian feudal lords wanted independence from the Arabs but were afraid of the uprising of the broad masses of people, especially the Paulicians, who would turn the uprising into a class war against them. Accordingly, it was a reasonable decision for the nakharars to stop the uprising and reassert their submission to the Caliphate rather than to win independence at the cost of their property and status (1959, p. 143). The Paulicians were thus, according to Bartikyan, a national liberation force.

Mirumyan agrees that the course of events was generally such as Bartikyan described. That the “sons of sin” were indeed the Paulicians and that contradiction with them stimulated the Armenian princes to abandon the idea of revolt. He introduces only one amendment to the chain of events themselves - Bartikyan believed that the Paulicians supported the anti-Arab revolt because of social reasons: The Caliphate raised taxes, while the Paulicians, who were mostly farmers and herders, could not bear the burden of taxes (1959, p. 142). Mirumyan, however, believes

that the Paulicians were among the rebels because they were instructed by the Byzantine emperor allied to them (2021, p. 278). It is important for him to prove that the Paulicians acted as an instrument of someone else's will, sometimes the Caliphate, sometimes the Empire.

And, of course, Mirumyan interprets the outcome of the uprising quite differently. He accuses the Paulicians of disrupting the unity of the rebels but does not agree that this was caused by the class struggle. What exactly motivated the Paulicians, however, is not explained, only the fact that the Paulicians were interested in robbery and violence and that is why there was disorder in the ranks of the rebels. Mirumyan considers Ashot Bagratuni's decision to leave the rebels as a wise decision of a good ruler who had to take care of his people. Bagratuni allegedly realized that the uprising had no more chances of success, and therefore "his action cannot be seen as treason neither to the cause of the uprising nor to the national interests" (Mirumyan, 2021, p. 278).

Mirumyan draws ideological conclusions from this history that in the absence of statehood, the unity of the nation, which is ensured by the efforts of the church and feudal lords, should not be questioned. Emphasizing social differences leads to the loss of unity, which is necessary for the struggle for an independent state. Heretical movements that opposed the church and feudal hierarchies are thus essentially anti-national.

"This is the nature of all revolutionary movements and ideologies, directed, especially at first, precisely at the unconcerned destruction, the collapse of all that exists", he summarizes (Mirumyan, 2021, p. 285).

Here we should return to the problem with Mirumyan's methodology, as it has already been said his application of the concept of nation to the events described is deeply anachronistic. But if we transfer his ideas even to modern times, we still have logical problems. If the unity of the nation is achieved through the actions of those in power, then it turns out that they actually

cannot make a mistake. The goal of the Armenian princes, according to Mirumyan, is to achieve independence, but Ashot Bagratuni, who leaves the rebels, is still right, because he is the representative of the authorities, therefore, he ensures the unity of the nation. That is, even if we accept Mirumyan's methodology about the importance of the unity of the nation and the struggle for independence, we inevitably come to a rather banal, unpleasant and I would even say unseemly conclusion - the ruling class is always right.

The variants of reconstruction of this episode of the history of the Paulicians are rather speculative, as they are based on the interpretation of a few lines from Łewond, nevertheless, Mirumyan pays a lot of attention to them. What he pays little attention to, although talking about heresy is the most important thing, is the doctrine of the Paulicians. He describes it rather crudely and carelessly at the end of his chapter. As will be shown below, does it with critical errors. Inattention to doctrine is an important touch to Mirumian's treatment of the motivation of the Paulicians, but there is also an ideological layer that can only be uncovered when we are more familiar with the doctrine.

Heresy of the Land of the Armenians

First of all, let us present the doctrine of the Paulicians as given by Mirumyan. The philosophical-religious worldview of the Paulicians, unlike the political ideology, could not undergo significant changes, he writes (2021, p. 287), and in some sense, he is certainly even more right than he thought. He considers the Paulicians doctrine to be the product of a blending and reinterpretation of Gnosticism, Manichaeism, and Marcionism, with Manichaeism as its most important foundation (2021, p. 288). According to him, the Paulicians, like the Manichaeans, believed that there are two Gods - the evil demiurge who created matter and the true God - the Heavenly Father. The former created matter, which accordingly lies in evil, the latter resides in the realm of reason and will rule in the future world. Mirumyan

derives the iconoclasm of the Paulicians from their hatred of matter. The Paulicians considered Christ to be neither man nor God, but an angel sent by the Heavenly Father. At the same time, they could call their leaders Christ. The Old Testament was denied by the Paulicians, and according to some testimonies they also denied the Gospel of Luke. They did not recognize church hierarchies, lavish rituals, and, of course, images (2021, pp. 288-294).

Such a description of the Paulician doctrine is presented by Mirumyan. More precisely, he repeats the way the Byzantine authors Photius and Peter of Sicily described the Pavlican doctrine (2021, p. 288). The problem is not even that Photius and Peter of Sicily were opponents of the Paulicians and wrote their texts to expose and debunk the heresy - this is the norm for most sources on the Paulicians; the problem is that for some reason Mirumyan ignores the Armenian sources that inform us about the Paulician doctrine. The reports that we find there strongly diverge from what Byzantine authors write and make us doubt that the presented version is the only correct one.

Nina Garsoïan, an American researcher of Armenian origin, published a detailed study of the Paulicians doctrine back in 1967, based on all available sources, both Byzantine and Armenian, many of which were published by Bartikyan in the same years. There are quite a few contradictions between Armenian and Byzantine sources. Garsoïan carefully analyzes all the sources and tries to understand the doctrine of the Paulicians, what it was in Armenia and Byzantium, and what changes it underwent. The version retold by Mirumyan partly corresponds to what the doctrine of the Paulicians was in Byzantium from the second half of the ninth century (Garsoïan, 1967, p. 185), about 100 years after the events he reconstructs, but of course with several important clarifications. Thus, Peter of Sicily and Photius, as well as other predominantly Byzantine authors did call the Paulicians Manichaeans.

However, a superficial comparison of the doctrine of the Manichaeans with the actions of the Paulicians, which Mirumyan himself describes, already shows us that we are talking about two different movements. Thus, one of the foundations of the Manichaean doctrine was principled non-militancy, they carried their faith exclusively with the help of missionaries, not with the sword. While Paulicians were constantly in different military conflicts and even in a certain period created their state and successfully fought with the Empire. Manichaeism is not characterized by iconoclasm, on the contrary, Mani himself was a skilled artist, and his followers highly valued images because of this. Manichaeans were in favor of rigid asceticism, the Paulicians denied even Lent. Manichaeans believed in the transmigration of souls and, of course, honored their prophet Mani - there is no trace of such a thing in any version of the Paulician doctrine (Garsoïan, 1967, pp. 187-188). Moreover, Manichaeism was punishable by death in Byzantium and this law was confirmed by the iconoclastic emperors, who were in open alliance with the Paulicians. Naturally, Manichaeism was also persecuted in the lands of the Caliphate, where the Paulicians took refuge in different periods.

Based on all available sources, both Byzantine, Armenian, and Arabic, one can draw a clear conclusion that the Paulicians were not Manichaeans and cannot even be said to have been under any serious influence of them. In the history of Armenia there is no evidence of the great popularity of Mani's teachings (Garsoïan, 1967, p. 190), and the Arevordi sect, most like the Manichaeans, was never identified with the Paulicians or Tondracians (Garsoïan, 1967, p. 191). So why did Byzantine authors refer to the Paulicians as Manichaeans? The answer is quite simple - it was a strong insult applied to the iconoclasts. Moreover, the logic of such a name is the opposite of the way Mirumyan explains the iconoclasm of the Paulicians - since the iconoclasts deny the cross, it means they deny matter, therefore they are Manichaeans, but not vice versa (Garsoïan, 1967, p. 203).

Who were the Paulicians if not Manichaeans? As has already been said, the Byzantine part of the heretics after the middle of the ninth century probably, at least no evidence clearly contradicts this and there are though doubtful, but numerous testimonies that confirm, began to follow the dualistic and docetic doctrine. That is the doctrine that there are two Gods, and that Christ was an angel. But this cannot be said about the Armenian part of the Paulicians and then their predecessors Tondrakians. Only one source about the Paulicians, written by themselves - the Key of Truth, has survived to our days. A copy of this source, replicated in 1782, was found by the clergy of the Armenian Church and taken to Echmiadzin in the middle of the 19th century and then published by Frederick Conybeare in 1898. Garosian compares the doctrine outlined in the Key of Truth with the doctrine of the Paulicians and Tondrakians from Armenian sources and finds that they are virtually identical. And that the Armenian doctrine is not at all like the dualistic and docetic doctrine of the Byzantine authors.

The basic tenets of the Armenian doctrine are as follows: the oneness of God, the manhood of Jesus, and his adoption by God at his baptism at the age of 30, in recognition of his righteous life. From this, it is concluded that anyone can be Christ if he lives a righteous life and that is why the Paulicians could name their heresiarchs as such. The rite of baptism was performed by the Paulicians at the age of 30 and they did not baptize infants - this is given a lot of attention in the Key of Truth. The Paulicians recognized both Testaments as sacred scripture, considered themselves to be the bearers of the true apostolic faith, denied any ecclesiastical hierarchy, and considered the church to be the assembly of the congregation rather than an institution or building. As already mentioned, they denied the worship of images and the cross and were opposed to asceticism (Garsoïan, 1967, p. 156). These dogmatic provisions are repeated in most

Armenian authors. The exception is Grigor Magistros, who recounts some elements from Byzantine authors, but this can be explained by the fact that he lived in Constantinople and was under deep Byzantine influence (Garsoïan, 1967, p. 158).

The existence of a dogma completely different from Manichaeism and the claim to apostolic faith raises the question - where did the Paulician movement originate from? The version with Gnostic influence has similar problems as with Manichaeism - inconsistency of doctrines and lack of historical evidence of Gnostic movements in Armenia, which could have influenced the Paulician movement. A popular version is that the Paulicians owe their doctrine, as well as their name, to the Antiochian bishop Paul of Samosata; this concept was advocated, for example, by Conybeare (1898, p. 106). There are several arguments in its favor - the most significant being that Paul of Samosata also held to adoptionist ideas (i.e., that Jesus was adopted by God, not born the Son of God). No direct evidence of this influence, however, has been preserved by history. If this is true, then Paulicianism is much older than is generally believed since Paul of Samosata was active in the third century, and the earliest evidence of the Paulicians dates from the sixth century at the earliest.

Garsoïan goes even further. Ghazar Parpetsi mentions that in his time there was a “heresy of the land of the Armenians”, which is not named after any heresiarch. Garsoïan identifies it, as well as several references in other authors about the heresy of the “unclean”, with the Paulicians. She also notes that most authors who write about the Paulicians speak of them as something quite ancient, there are no authors who speak of their emergence in recent times. Garsoïan makes the rather bold assumption that the heresy existed from the very moment of Armenia's conversion to Christianity, or rather Armenian Christianity itself was originally what was later called the Paulician heresy.

The fact is that from the very moment of its emergence, Armenian Christianity was under the strong influence of the

Antiochian Syrian Church. The Antiochian Church at that time was the most authoritative in the Christian East. The doctrine of the Antiochian Church was adoptionist, and archaeological findings show that there were no crosses in the ancient Syrian churches. The subsequent history of the development of the Armenian church was a struggle between the Syrian and Byzantine parties, in which the Byzantine party eventually triumphed, and what used to be the Armenian church became known as the Paulician heresy (Garsoïan, 1967, p. 226).

The Third Discourse

Returning to the ideological foundations of Miurumian's interpretation of history and the doctrine of the Paulicians, we can find a strange contradiction. His inattention to doctrine and his emphasis on national interest as the main driving force leads to an unexpected result. His presentation of the Paulician movement generally echoes the imperial discourse. The way he describes the doctrine literally repeats what Byzantine authors wrote to denigrate the Paulicians, and the way he reconstructs their history presents the Paulicians as a force devoid of subjectivity, which was driven only by the will of others and its own unrestraint. If we accept Garsoïan's version of the Paulicians as the bearers of the original version of Armenian Christianity, then events take a very ugly turn.

In this case, it turns out that national-conservative thinker Miurumyan criticizes the Armenian faith from the position of the Byzantine conquerors. How is it that the national ideology, which Miurumian seeks to justify and defend, turns out to be a mirror image of the imperial ideology, which it is meant to oppose? The connection between national ideology and imperial ideology does not seem accidental to me; these discourses formally opposing each other work to supplant the third and, when the third discourse needs to be refuted, these two practically merge into one.

What is the third discourse? Here I turn to the concept of the contemporary French philosopher Alain Badiou. In his book "Saint Paul: The Foundation of Universalism" he compares the era in which the Apostle Paul lived and acted with the present day and finds that there is a structural opposition that repeats itself. In Paul's time, too, two discourses confronted each other - the discourse of the totality of the law of Greek philosophy and the discourse of Jewish exceptionalism. That is, the discourse that seeks to homogenize the world and the discourse that seeks to defend its exclusivity against it (2003, p. 41).

It was under these circumstances that the Apostle Paul preached Christianity among heretics, which created many conflicts with the Judeo-Christian part of the early Christian church led by the Apostle Peter in Jerusalem. They held the position of the superiority of baptized Jews over baptized Pagans and thus sought to maintain the idea of religious exclusivity (Badiou, 2003, p. 22). The Apostle Paul, on the other hand, countered this with the idea of Christianity as a universal religion. This is most accurately expressed by his famous saying: "There is neither Jew nor Greek, there is neither slave nor free, there is neither male nor female; for you are all one in Christ Jesus". On this basis Alain Badiou justifies the existence of a third discourse, the discourse of universalism.

In modernity, according to Badiou, the structure of discourses remains unchanged. There is a global homogenizing discourse, the discourse of capital, and there is a discourse of exceptionalism, the struggle for minority rights (2003, p. 11). These discourses are opposed to each other and struggle for recognition. But unwillingly, they work to maintain the existing order of things. The human being is fragmented into an ever-increasing number of identities - national, religious, gender, sexual, and so on. And humans are indeed being oppressed based on identity. The problem is that the process of including the excluded in the homogeneous world of capital on their rights is virtually endless (2003, p. 10). Where the problem of some

identity is locally solved and it acquires full rights on an equal footing with others, there are always problems with other identities. Moreover, it cannot be said that this is a direct and consistent process of liberation because the state of minority rights is subjected to regression also, which can be seen in the example of the rise in popularity of right-wing populism in the West in the last decade. Well, and naturally, the situation of minorities outside the Western world is quite different and often frankly deplorable.

The struggle between these two discourses looks like a kind of linear process of emancipation, in which eventually everyone must be incorporated into the homogeneous world of capital with the corresponding markets created for them. But this is a liberation that in the end never comes. In the end, the struggle between the two discourses does not make it possible to eradicate the problem itself, just some tactical permutations on the field of cultural warfare. The problem with the discourse of exceptionalism turns out not to be that it fights for wrong goals - on the contrary, they are mostly noble - but that this war cannot be won. Badiou therefore proposes a return to the idea of a universalist discourse, which emerges as a superstructure over the struggle of the first two. The discourse of universalism, as we can see from Paul's dictum, denies identity dichotomies. Not in the sense that it does not recognize their existence, but in the sense that they are rendered non-substantive before the universalist idea. In the example of Paul's saying, the existence of different identities is recognized, it is just that in the face of Christ they all appear equal.

Returning to the question of the Paulicians and the struggle of discourses here. Imperial and national discourses repeat the structure of the two discourses of Badiou. Byzantium sought to assimilate the Armenians into the homogeneous order of the Empire, Mirumyan justified all the actions of the Armenian feudal lords by their struggle to preserve the identity and sovereignty of the Armenian nation, i.e. to justify their

exclusivity. As it has already been shown, these discourses, which look like opposing discourses on the issue of the attitude towards the Paulicians, turn out to be identical. This can be explained if we accept the Paulicians heresy as a universalist idea.

There are several arguments in favor of this: Paulicianism was spread both among Armenians and Byzantines, and later influenced the spread of heresies already in the Balkans. That is, there is no restriction on national exclusiveness. The Paulicians, though they were a social anti-feudal movement, nevertheless had supporters among the representatives of the upper classes, and it can also be remembered that Emperor Constantine V himself was accused of Paulicianism. The Paulicians, even though they were a movement primarily defined by religion, were not known for any special manifestations of religious intolerance and were in alliances with both Muslims and Christians. The rejection of church hierarchies and the perception of the church as a community also eliminates internal exclusivity among the Paulicians. Finally, apostolic roots, or at least a claim to the character of apostolic faith, link the Paulicians directly genetically to the early Christian universal idea.

Conclusion

A close look at Mirumyan's attempt to examine the history of the Paulicians from the prism of "national existence" leads us to unexpected conclusions. The national-conservative idea through which Mirumyan attempts to accuse the Paulicians of betrayal loses its grounds when the arguments are examined more closely. Since there is critically little historical evidence about the history of the Paulicians, and even less about the anti-Arab revolt of the Armenian feudal lords and the participation of the Paulicians in it, which is the key episode for Mirumyan's revision of the Soviet legacy, not historical science, plays a crucial role in the question of interpretation, but ideology. Mirumian's interpretation of the event is no more convincing than Hrant Bartikian's, and the

explanation is more complex and obscure. What Bartikyan explained by the understandable discontent of the lower classes with the harsh living conditions and anti-feudal stand, Mirumyan explains through treachery with unclear reasons, but because of the will of the Byzantine emperor. The methodological basis of Mirumyan's consideration of the issue also raises many questions, if the existence of class conflicts throughout history is more or less universally recognized, then the appeal to the ideas of “national existence” in the context of the 8th century looks deeply anachronistic.

But the greater weakness of the national-conservative reading of this history is revealed when we turn to doctrinal issues. With the help of Nina Garsoïan's detailed work on this topic, we can learn that the way Mirumyan describes the Paulician doctrine is a repetition of Byzantine sources that were intended to decry the heretics. The Armenian sources, which Mirumyan ignores, also had such a purpose, but comparing them with Greek sources, the only remaining authentic Paulician source - the “Key of Truth” and references in Arabic sources, allows us to draw a consistent picture of the Armenian Paulician doctrine. Which, as it turns out, has little in common with the idea of the Paulicians as a Manichaean docetic heresy, as Mirumyan tries to present it. Moreover, it turns out that the Paulician faith may in fact be the oldest form of Christianity in the territory of Armenia or, at least, close to it doctrinally. Here we face a paradoxical situation when the author, who reinterprets history from a national-conservative position, turns out to be criticizing the most ancient and traditional form of the Christian religion of Armenians from the position of a colonizing empire.

This is possible, in my opinion, if we consider the Paulician doctrine as a common enemy for both national and imperial discourses. Alain Badiou's concept of the three discourses helps us to understand how this happens. The struggle between imperial and national discourse ultimately leads only to the reproduction of the situation and no final victory can be achieved. The only

way out of the situation is to turn to a universal idea that is indifferent to the identities for which the national discourse fights and seeks to erase the imperial one. Such an idea in this case is the heresy of the Paulicians.

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ESSENTIAL ELEMENTS FOR INFORMATION SECURITY: PROVISIONS AND IMPLEMENTATION MEASURES

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Abstract

In contemporary international relations, states place significant emphasis on the matters of modernization and the upkeep of information security mechanisms. It is important to highlight that with the increasing role and volume of information, the threats to information security have correspondingly grown. Consequently, safeguarding information has emerged as a foremost focal point within the domestic and foreign policies of numerous states.

Analyzing various scientific works, I consider it necessary to emphasize that in the past, security was primarily associated with military aspects in both scientific and political contexts, today, there is a growing focus on the non-military dimensions of security. As a result, states and international organizations are now tasked with ensuring collective security across various domains, including politics, economics, society, ecology, and the military. Moreover, according to the nature of their regime, countries solve the problem in different ways. Some close the information field, banning even the use of social networks, others are looking for more liberal methods (Mkrtchyan, 2017).

Advancements in information technology and telecommunications have become an important tool for promoting their interests and goals in international exchanges, so states spare no effort in establishing professional “information armies” and secure information infrastructures. Recent global experience demonstrates that the influence of information flows can be a

powerful weapon for states conducting actions against their adversaries. States lacking the capacity to counter this weapon may find themselves at a disadvantage.

Starting from a political science perspective, it emphasizes the necessity of the private sector and state institutions to collaborate in countering various threats in the field of information security.

Keywords: international relations, information security, modernization, focal point, domestic and foreign policies, telecommunication.

Ensuring Information Security as a Crucial Factor in the Republic of Armenia's Ongoing Modernization Efforts

In reference to information security in the Republic of Armenia, it's important to acknowledge that ongoing societal developments underscore the growing significance of the information sector. The information sphere encompasses various entities involved in collecting, processing, distributing, and utilizing information, along with information subsystems. It also constitutes a framework for regulating public relations that arise during these processes. This sector, as mentioned, plays a vital role in coordinating and regulating public life, significantly impacting the political, economic, military, and other components of Armenia's security.

In the contemporary era of the post-industrial or information society, marked by profound transformations in the realms of science, technology, and production, states are confronted with the imperative to address modern global systemic challenges. Among these, the issue of information security stands out as a critical concern, as it pervades all aspects of human activities.

Individual interests in the information sphere encompass various aspects, including the exercise of a person's and a citizen's constitutional right to access information for lawful activities. These interests also extend to personal development in physical, spiritual, and intellectual dimensions, as well as access to

information related to environmental changes and the safeguarding of personal safety through information protection.

The information society is characterized by the development of social and industrial relations where the majority of products are a result of high technology and the creation and sale of information products. This means that intellectual work by citizens is a primary driver of these products (Emelyanov & Streltsov, 1999).

In the information sector, the interests of society encompass various crucial aspects. These include safeguarding individual interests within this sector, fostering democracy, establishing a legal and social state, promoting social consensus and tolerance, preserving the spiritual and historical-cultural heritage of society and its diverse segments, nurturing and developing national values and traditions, and reinforcing national identity. Additionally, it involves strengthening the foundations of society, such as moral and psychological development, language, and the role of the national church. Furthermore, it's about ensuring the information connectivity that binds the state with its diaspora.

In this context, the perspective of psychologist K. Nalchajyan is particularly significant. He suggests that the diminishing presence of national psychology and a weakening sense of self-awareness in Armenia pose a genuine threat to the nation's identity. This, in turn, has implications for increased emigration and the dilution of cultural and educational values.

When considering the modernization of national interests, it becomes clear that the foundational pillar of national interest lies in vital interests. These vital interests revolve around ensuring the fundamental conditions for the survival and functioning of the interested entities, as well as the safety of life activities. The principal components of this axis include safeguarding the state's territorial integrity, guaranteeing border inviolability, preserving political independence and sovereignty, meeting the essential economic requirements of society, and safeguarding unique national and nationalist traditions.

In line with national interests, state policy is tasked with the responsibility of guaranteeing the security and progress of both the state and society. It is crucial not only to comprehensively and transparently assess these interests but also to possess and mobilize the necessary resources to facilitate the actualization of these national interests.

In the contemporary world, the power potential of a state undeniably holds a significant role. However, various crucial factors influence the actualization of national interests. Among these factors are the stance and interests of the international community, the extent of democratization within the state, the level of civilization development within both the state and the nation, and more (Ghevondyan, 2011, p. 19).

From my perspective, in the realm of state policy concerning national interests, the comprehensive assessment of the collective power of the state is particularly crucial. It serves as a key component in the comparative analysis of individual states, highlighting their distinctive attributes.

As a nation situated within a complex geopolitical region, the Republic of Armenia is actively engaged in information influences and flows. Today, we confront various challenges, including the need to mitigate the adverse effects of threats to Armenia's national interests within the information sector. Additionally, there is a growing necessity to devise new and well-considered initiatives for the secure pursuit of our national and state objectives. This entails crafting an information policy strategy aligned with contemporary information dynamics and guaranteeing the information security of the Republic of Armenia, both at home and on the international stage.

At present, the Republic of Armenia is confronted with several information security challenges, including the dissemination of false and distorted information, international terrorist activities in the information domain, the propagation of anti-Armenian false information by international information sources, disruptions to the regular operation of Armenia's information and

telecommunication systems, and inefficiencies in information storage.

It's important to note that the Republic of Armenia has several legal documents related to the field, including Laws of the Republic of Armenia:

1. “On State and Service Secrets” (1996)
2. “On Freedom of Information” (2003)
3. “On Archive File” (2004)
4. “On the Protection of Personal Data” (2015)
5. “On Electronic Document and Electronic Digital Signature” (2005)
6. “On Electronic Communication” (2005)
7. “National Strategy of Combating terrorism” (2012)
8. “The concept of Formation of Electronic Society” (2010)
9. “On Mass Media” (2003)

These legal documents provide a framework for various aspects of information and data management within the country.

The current state of information security in the Republic of Armenia still falls short of meeting the modern demands of both society and the state. There is a pressing need for a limited number of well-defined regulatory laws and acts that will foster the stable growth of the sector and ensure a secure future. Information security, like in all nations, including Armenia, is an integral component of the country's national security.

As of now, information security matters are regarded as one of the most critical and perilous challenges for Armenia, encompassing both technical and content-related aspects. We think that our republic should develop a clearer vision and strategy for safeguarding information security.

The existing conditions of political and socio-economic development in the Republic are giving rise to conflicts between the growing demands of society for the free exchange of information and the necessity to maintain certain regulated constraints on information dissemination.

The underdeveloped and contentious state of legal regulation in the information sector has resulted in significant adverse consequences. Inadequate legal norms governing relationships in the foundational aspects of the constitutional order, the protection of citizens' rights and legitimate interests, and the constitutional limitations on mass information freedom to safeguard the country's defense capability and state security significantly complicate the task of achieving a necessary balance between the interests of individuals, society, and the state in the realm of information. This also hinders the development of competitive Armenian information agencies and media outlets in the country.

It is essential to undertake efforts directed towards the legal development of public relations and the resolution of conflicts in the information sector. This includes the formulation of clear state programs designed to ensure information security, the establishment of criteria and methods for evaluating the effectiveness of information security systems and measures, and the safeguarding of information technology and its development.

So, to summarize the above, the primary essence of the concept of “information security” is to safeguard information: protecting entities engaged in information exchange from adverse influences and satisfying the informational needs of social actors. This can primarily be achieved by studying the detrimental effects of information technologies on society and its members, which will aid in mitigating their harmful consequences and creating a secure information environment.

The Security Challenge and Response System

The concept of security, despite its apparent simplicity, is exceedingly comprehensive, encompassing virtually all aspects of societal and individual life. It is not coincidental that one can encounter diverse interpretations and definitions of this concept in literature. For instance, a common definition often found is: “National security is the ability of a nation to meet the requirements for self-defense, self-reproduction, and self-

improvement while preserving its fundamental values with the least possible loss". While this definition is quite encompassing, it can be somewhat static and may not fully capture the nuances of a changing environment. Consequently, it's valuable to also consider the formulations of Arnold Toynbee (1889-1975), who made significant contributions to the development of security philosophy (Toynbee, 1987).

In attempting to summarize Toynbee's classical perspectives, the security of civilizations, states, societies, and even individuals hinge on their capacity to navigate within a complex system of challenges and effectively respond to them.

Toynbee's well-known assertion highlights that the downfall of civilizations often stems from their inability to respond adequately to the challenges they face. It's worth noting, however, that challenges, in certain situations, can also be viewed as a positive factor because they serve as tests that assess the robustness of the security system. To meet challenges successfully, they prompt the mobilization of spiritual, intellectual, military-political, and material resources within the public (Toynbee & Myers, 1959).

It is evident that a weak security system and the underestimation of its significance inevitably lead to severe consequences. These consequences may include the loss of statehood, the displacement of populations, genocides, internal and external conflicts, multifaceted crises, erosion of material, spiritual, and moral values, the disruption of traditional ways of life, the decline of ethics, degeneration, and ultimately, destruction.

The issues related to information security are progressively escalating and pose threats at the national level.

Toynbee's observations are also applicable in the realm of information technology (IT). The scope of IT is at times narrowly defined, but it is, in fact, a broad concept encompassing everything related to:

- The challenges of effectively developing, managing, and securing the spiritual, psychological, intellectual, knowledge, and educational aspects of the nation, state, society, and individuals.
- The challenges of effectively developing and securing information technology systems for the state, society, and individuals.

Based on these and similar perspectives, various definitions of information security have been proposed in professional literature. For instance, A. D. Ursul defines information security as the state of safeguarding the essential facets of life from harmful information effects (Ursul, 1990).

In accordance with the principles of Toynbee's security philosophy and underscoring the paramount role of scientific, educational, and technological resources, as well as the collective competencies of the public in matters of security, information security can be defined as follows: "Information security is the capability to safeguard and advance the welfare of the public by establishing the requisite knowledge and technological resources within the state and society, in response to the challenges posed by information".

Information Conflict Technologies

As Henry Kissinger, the former national security adviser to the U.S. President, pointed out, discussions about the information age often focus on its significant societal, economic, and political implications, considering it a great intellectual revolution in history. However, its impact on international relations is less frequently discussed, except for acknowledging the global capabilities of modern communication channels. Even then, the focus tends to revolve around numbers and the speed of information transmission. What's often overlooked is those international relations, and consequently the course of history, are

influenced not just by the number of people with access to information but, more importantly, by how information is perceived. Given that the volume of available information typically surpasses our capacity to process it, the gap between information and knowledge, and even more so between knowledge and wisdom, continues to widen.

In recent decades, the Republic of Armenia and the Republic of Artsakh have actively engaged in information warfare. These Armenian republics have accumulated extensive experience and knowledge in countering Azerbaijani information policies. However, the ever-evolving means of communication and the escalating propaganda efforts by adversaries necessitate the ability to keep up with the changing times and respond effectively when required.

The concept of “information warfare”, which emerged in the late 20th century, has swiftly captured the attention of many authors. Some notable works in this area are included in educational materials, such as M. Libiki's “What is information war?” G. Pocheptsov's “Information wars, basics of military-communication research”, G. Harutyunyan's “Problems of RA information system development in the context of national security”, and others.

In 1976, the Western scientist Thomas Rona used the term “Weapon Systems and information war” in his report for the “Boeing” company, primarily focusing on communication systems. Rona stressed that the adoption of new communication technologies in the military domain requires a new level of integration. It's essential to prevent information leaks that could provide the adversary with advantages in communication technology. He viewed information warfare as a means of safeguarding against potentially dangerous information leaks from the enemy while simultaneously deploying information flows targeted against the adversary (Rona, 1976).

Specialists in information warfare typically refer to a system of actions aimed at influencing the information and information

infrastructures of an adversary while safeguarding one's own information and information systems. This definition highlights that information warfare encompasses not only information attacks but also information protection and security. The concepts of “information warfare” and “information security” are closely interconnected. Information warfare is the entity to disrupts, disables, or destroys information security as the target. Information security, on the other hand, can be defined as the protection of the information environment of society and government bodies, including the state. It's important to note that information security encompasses both the safeguarding of the information environment of society and the state, as well as the security aspects of information-technical systems.

According to the famous information security expert, I. Panarin, information warfare has been a longstanding element of global politics throughout human history. It has been the primary means of attaining spiritual, political, financial, and economic power in the world.

M.V., an analyst at the Information Security Institute of Lomonosov Moscow State University and a Doctor of Technical Sciences, S. Rastorguev, defines information warfare as the conflict between states that employ information technology and technical resources.

Information Weaponry

In a broad context, this term refers to the tools and methods used to influence information directed at an adversary to exert control and alter their strategic and tactical perspectives in a favorable direction for the influencer. In a more specific sense, information weaponry encompasses a comprehensive set of methods and technological means designed to gain control over the information assets of a potential adversary. This includes disrupting their information systems, disabling them, accessing or altering the data they contain, and introducing advantageous information (or misinformation) with a specific purpose.

The varieties of information weaponry and the techniques for their utilization are continually advancing. This evolution is inherently linked to the development and application of new concepts in information warfare.

Employing information weaponry necessitates more than just a thorough understanding of the enemy's technical capabilities. It's equally crucial to possess deep knowledge of the ethnopsychology and cultural characteristics of the intended individuals and populations, as these factors significantly influence how people absorb and interpret information, ultimately shaping their decision-making processes.

Mass media plays an important role in information warfare. Various countries, equipped with cutting-edge technological capabilities and enjoying global recognition, broadcast their specific informational narratives during various international events. They engage in information collection, processing, and analysis, and then deliver the news to their intended audiences with a particular direction or bias. The methods and opportunities employed in information conflicts can influence the actions of individuals, society, and even states.

In the current era of extensive information conflicts, where “the powerful set the rules of the game” and seek to impose their values on others, the significance of this function becomes evident in the context of globalization.

When discussing “information warfare”, it's important to recognize that it is not a static or permanent set of activities; it is continually evolving and changing. During information warfare, alterations in its various components commence and persist, making it challenging to accurately predict how the process will unfold with its multitude of elements.

The theoretical foundations and philosophy of military strategies and indirect operations (in which information operations play a crucial role) were comprehensively developed by the great Chinese thinker Sun Tzu in the 4th century BC, according to some sources, or in the 6th century BC.

Sun Tzu, the legendary military strategist of ancient China, is renowned for his influential work, “The Art of War”. He was a master of “soft power” and is often regarded as the precursor to the concept of “blitzkrieg”. His preferred approach was to secure victory without engaging in combat, or if necessary, to win with minimal battles.

His famous treatise, “The Art of War”, forms the foundation for various theoretical researches, and its principles are widely applied in practical studies. Sun Tzu believed that warfare should only be pursued when all other means of defeating the enemy have been exhausted. According to his philosophy, the ultimate victory is achieved through diplomatic methods without resorting to military operations. To achieve this, he emphasized the importance of active diplomacy, the dismantling of enemy alliances, and the disruption of their strategic plans, a strategy often described today as the use of “soft power”.

It's no coincidence that the principles outlined by Sun Tzu are widely spread today, with numerous references to his work in hundreds of scientific articles and publications. Furthermore, modern military and specialized service academies typically include the teachings of Sun Tzu as part of their curriculum.

A noteworthy aspect of Sun Tzu's approach is the emphasis on the knowledge possessed by a military leader as the primary and decisive factor in achieving victory. This perspective aligns well with contemporary concepts related to information strategy, where knowledge and intellectual resources are considered fundamental elements in the realm of information security. Therefore, Sun Tzu can be rightfully regarded as the pioneer of the philosophy of information security.

The ideas and aphorisms contained in Sun Tzu's work are remarkably concise and insightful. Here are two of them presented in a somewhat paraphrased form:

- “If you know your enemy and know yourself, you will win hundreds of battles. If you know yourself but not the enemy, each victory will be followed by defeat. If you

know neither yourself nor the enemy, you will lose all battles”.

- “War is a realm of deception. If you have the ability, make your opponent believe you don't. If you employ a tactic, make it appear as if you're not. Even when close to your adversary, create the illusion of being far away. When you are far away, make it seem as if you are near”.

Sun Tzu also emphasized his view that war is an undesirable evil that should be minimized whenever possible. He likened war to fire, noting that those who refuse to put down their weapons will ultimately suffer from their own actions. He advocated conducting wars swiftly to prevent economic losses, as he believed that prolonged conflicts rarely brought benefits to a nation. He famously stated that achieving victory in every battle is an unrealistic goal, and those who distinguish themselves in defeating their enemies should seize the moment until the threat subsides.

Furthermore, Sun Tzu's wisdom highlights the importance of avoiding mass killings and atrocities in warfare. He recognized that such actions could provoke resistance and provide the enemy with an opportunity to turn the tide of the conflict in their favor.

Generalizing Sun Tzu's concept, it becomes clear that indirect, often purely informational actions are favored in the battle against the enemy. The objective is to “undermine the strengths of the enemy, implicate their prominent figures in illicit activities, subject them to public ridicule, and collaborate with the most unscrupulous individuals”.

It's worth noting that one of the foundational principles of Sun Tzu, “create confusion and chaos in the opponent to defeat them”, serves as the basis for the modern concept of so-called “second-generation” information warfare developed by American think tanks. The value of theoretical works is often best realized when their ideas are put into practical application. From this perspective, it's remarkable that Sun Tzu's strategic concept, in alignment with the Chinese psyche and way of thinking (which is

significant), has been actively employed and utilized throughout China's history.

The attention to past knowledge and, most significantly, their preservation and development have played a vital role in the establishment of a unique yet highly effective Chinese national security system. In this regard, it can be viewed that Sun Tzu performed a task that is like modern “think tanks”, whose purpose is to translate theoretical knowledge into practical application, particularly in the realms of politics, military strategy, and information warfare.

It's noteworthy that China historically engaged in very few wars beyond its borders, instead opting to resolve issues with its neighbors primarily through diplomatic and economic means. A prime example of these approaches is the ancient “Silk Road”, which connected East Asia with the Mediterranean region and is currently experiencing a revival.

This strategy significantly helps preserve human resources. It's insightful to compare the demographic statistics of two former empires, China and Mongolia (the latter aimed at territorial conquest). China still employs Sun Tzu's strategic principles in its policies today, contributing to its continued strength.

Addressing Infogenic Threats: International Control Measures and Responses

Throughout history, one of the primary concerns of every state has been safeguarding the security of the nation. When infogenic actions target the interests of rivals or conventional adversaries, they should be viewed as challenges. Infogenic challenges primarily fall into two categories.

Spiritual and ideological infogenic threats, which are aimed at the nation, society, and individuals, emerge within the influencer's interests.

These threats seek to:

- Disrupt public consciousness, at times even at the subconscious level, affecting spiritual and national values.

- Alter the political and educational orientations of society and individuals, thus influencing the state (often referred to as the “civilizational code”).
- Reduce the general intellectual and knowledge resources of the society and the state, thereby restricting the development opportunities of the affected society.

Infogenic threats of a technogenic nature are aimed at the information technology systems that coordinate the activities of individuals, society, the nation, and the state. Sources of infogenic threats can be both external and internal.

In the case of the Armenian community, external sources of informational threats may include:

- Countries and organizations that compete with or oppose Armenian states and society.
- Countries and organizations pursue their interests while neglecting the interests of Armenian states and the public, including political and economic partners.
- Chaotic information flows circulating in the global information field, not specifically targeted against the Armenian community but negatively affecting public and individual consciousness.

Infogenic challenges can also pose internal threats within the Armenian community. These threats may arise from:

- Political, social, and economic organizations, as well as mass media outlets located in Armenia but influenced by foreign sources, whose activities do not align with the interests of the Armenian community.
- Political, social, and economic organizations, companies, state bodies, and mass media operating with domestic private and state resources, but lacking clarity on the national interests of the Armenian community. Consequently, such entities can pose an informational risk to the Armenian public due to unintentional or political-ideological misalignments. Some instances of such

actions are occasionally described as “information warfare” against one's people.

- Additionally, the identification of infogenic challenges, their proper coordination, and analysis enable an understanding of the strategy of a conventional opponent or competitor, as well as the methodology of its implementation. Furthermore, presenting infogenic threats to the public with appropriate explanations and “informational support” mobilizes both society and the state, facilitating an adequate response to the challenges at hand.

State security encompasses several crucial aspects, including:

- Military-political security
- Socio-economic security
- Information security.

These components are interconnected, and the boundaries between them are highly conventional. Neglecting any one of these three elements can render the state's security incomplete. While the military sphere has traditionally been considered the top of the security hierarchy (often equated with the concept of “security” itself), contemporary developments compel theorists to move away from traditional approaches. They emphasize the significance of non-military aspects of society, leading to a reconceptualization of the security system. In this new paradigm, the security system resembles a network, with information security at the center, interconnecting the other components of security (Harutyunyan, 2002).

In the context of the “information society”, where the volume of information has significantly changed and increased, a new diplomatic landscape has emerged. While traditional diplomatic methods still hold their importance, there is an urgent need to adapt to new approaches. In the past, it was primarily diplomats who possessed extensive knowledge of events occurring in

various parts of the world. However, today, virtually every citizen can access relevant information through the Internet.

Russian Foreign Minister S. Lavrov's remarks on information diplomacy are worth remembering. He emphasized the importance of utilizing various forms of diplomacy for different scenarios. In today's world, the role of the media is paramount, making information diplomacy a more favorable approach compared to information warfare.

Information diplomacy serves as a vital and nuanced instrument for gaining widespread international acknowledgment. It advances foreign policy objectives and effectively communicates information to both the public and political leadership through mass communication channels. Representatives from each country's foreign policy apparatus employ the tools of information diplomacy to achieve their objectives.

Information Security in Armenia: Current Challenges and Concerns

In recent times, the Republic of Armenia has taken several measures to enhance its information policy and information security. These efforts include the establishment of a legal framework for information security.

The National Assembly of Armenia has ratified the Council of Europe Convention “On Cyber Crimes” along with its additional protocol “On the Criminalization of Racist and Xenophobic Acts Committed Using Computer Systems”.

Furthermore, ongoing work is aimed at developing legal regulations governing public interactions within the information sector and refining legal practices.

Nevertheless, an evaluation of the state of information security in the Republic of Armenia reveals that it has not yet reached the contemporary expectations of both society and the state. The ongoing political and socio-economic developments in the country give rise to tensions stemming from the increasing

demands for the free exchange of information within society, while simultaneously necessitating the preservation of specific regulated constraints on information dissemination.

The underdeveloped and contentious state of legal regulations governing public affairs within the information sector results in significant adverse outcomes. The insufficient legal framework for managing relations related to the foundational constitutional order, safeguarding citizens' rights and lawful interests, and the potential constitutional limitations on the freedom of mass information intended for preserving the nation's defense capabilities and state security, all contribute to the challenging task of striking an appropriate balance between individual, societal, and state interests within the information realm. Furthermore, this situation makes it difficult for Armenia to support the growth of competitive Armenian information agencies and media in this area.

The insufficient protection of citizens' right to access information and the deliberate distortion of the information they receive can lead to public dissatisfaction, sometimes resulting in social and political instability.

Furthermore, the rights to privacy, personal and family secrets, and the confidentiality of correspondence, as established by the Constitution of the Republic of Armenia, lack the necessary legal, organizational, and technical measures. The protection of data, including personal information collected by government and local authorities, remains insufficient.

The field of information, telecommunications, and communications has experienced a significant reduction in its skilled workforce due to the mass emigration of qualified professionals.

Regulatory and Administrative Mechanisms for Controlling the Information Space

The power of mass media to shape public opinion, affect mental states, and influence behavior poses a significant

challenge to all societies. These challenges can become severe threats, with implications for both national and information security. Effectively responding to such threats often requires the strategic use of counter-agitation, counter-propaganda, and revealing deceptive information tactics. Concern arises in situations where information campaigns are organized by hostile states and organizations, with the intent of destabilizing and weakening the targeted society. Notably, the creation of unfriendly mass media content in our modern era often involves various non-governmental organizations (NGOs). This complex landscape sometimes necessitates the application of administrative and legislative measures as the most effective means of protection.

Today, the Internet serves as a powerful tool in propaganda, playing a significant role in ongoing conflicts. The Azerbaijani State Propaganda Machine, under the guidance and sponsorship of President I. Aliyev spares no effort to spread anti-Armenian propaganda across the digital landscape. Azerbaijan is steadily expanding its online presence by taking advantage of the growing number of news websites that actively propagate misinformation and engage in the dissemination of propaganda against Armenia.

The Republic of Armenia (RA) currently faces a range of information security challenges. These challenges encompass the dissemination of false and distorted information, as well as international terrorist activities within the information sphere. Furthermore, there is a notable presence of anti-Armenian false information disseminated through international sources. In addition to this, there are concerns about actions that could undermine the Armenian national and cultural identity, as well as intelligence operations conducted by foreign entities. These challenges are compounded by disruptions in the regular functioning of information and telecommunication systems in the RA and inefficiencies in maintaining information resources. These multifaceted problems represent critical information security threats in the context of Armenia's current situation.

In summary, it's important to emphasize that information security in Armenia is a fundamental aspect of the country's national security strategy. It directly influences the protection of Armenia's national interests across different sectors of society and various aspects of the nation's daily life. The requirements for ensuring information security in Armenia are consistent across all domains.

Conclusion

In conclusion, our study has led to the following key findings:

- In today's information-driven society, information has taken on new significance, becoming a dominant value and a strategic resource. The creation, processing, and dissemination of information are crucial for productivity, power, and effective governance. Information plays a central role in shaping social and political developments.
- The 21st century stands out for its global connectivity and virtualization, initially marked by some negative aspects. One of the most significant threats in this era is the rise of cybercrime and cyber threats, which endanger the stability and common progress of nations, societies, and individuals.
- Present global uncertainties have presented substantial challenges to the security and political systems of countries at various levels of development. The progressing world order is reshaping existing local, regional, and global threats. Information wars have developed into a highly dangerous manifestation of this process, often arising from inter-ethnic conflicts, deteriorating interstate relations, internal political tensions, and leading to geopolitical turbulence that upsets political and public order.

The oversight of information security in the Republic of Armenia is achieved through legal, institutional,

technological support, and extensive collaboration between state administration and local self-government bodies, operating within the boundaries defined by legislation.

- At present, Armenia faces several information security challenges, including the spread of false and distorted information, international terrorist activities in the digital realm, the dissemination of anti-Armenian misinformation through global information sources, disruptions to the normal operation of Armenia's information and telecommunication systems, and the inefficiencies in information storage.
- The online environment, shaped by the Internet and digital technologies, offers unparalleled opportunities for human communication and information exchange, making it an important factor for the development of humanity.

Recommendations

Based on the aforementioned findings, the following recommendations can be proposed:

- Amid the ongoing global changes, the emergence of a new world order, and the current uncertainties, information security has assumed a key role in shaping geopolitical dynamics. It has introduced entirely new types of threats at the local, regional, and global scales. Given these factors, we find it rational to establish a unified local network within the Republic of Armenia. This network will guarantee the seamless functioning of various aspects of daily life, even in times of crisis, thereby preventing potential disruptions to public and private sector activities.
- Recognizing the significance of ensuring information security, particularly cyber security as an integral component of national security, we recommend the

establishment of a unified center for coordinating cyber operations. This center, like the Georgian Computer Emergency Team (Cert.gov.ge), would be tasked with developing an infrastructure for the exchange of information between public and private sectors and implementing information security policies.

- It is crucial to highlight the significance of encouraging a culture of cooperation and peace as a fundamental component of Armenia's program of essential measures. The objective is to advance such a culture both regionally and globally and prioritize it on the international agenda.
- Considering these and similar considerations, we find it necessary to implement mechanisms that guarantee a consistent high-quality, and competitive educational system. This approach is founded on the principles of moral and psychological stability, especially in the face of the uncertainties associated with ongoing global developments and the emergence of entirely new security challenges.

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LEGAL STUDIES

RIGHT TO COMPENSATION FOR DAMAGES AND PRESCRIPTION PERIODS: INTERNATIONAL STANDARDS AND ARMENIAN LAW

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Abstract

This article presents issues concerning the commencement of prescription periods relating specifically to obligatory relations arising out of causing damage, either pecuniary or non-pecuniary. The discussion begins with some general concepts and then focuses on international standards, as well as an analysis of relevant Armenian legislation in that context. The goal of this article is to discuss the issues concerning regulations specifically dealing with prescription periods in matters of obligatory relations emerging out of the implication of damage, aiming to find solutions that will, on one hand, meet the necessities lying behind the introduction of prescription periods and, on the other hand, assure the effective implementation of the right to trial, as prescription periods are one of the main instruments by which the state is authorized to limit this right.

Keywords: damage, prescription period, creditor, due claim, timeline, right to trial.

As is very well known, the availability of judicial protection of individual rights depends on whether the right-holder submitted an action to the court within the term of a prescription period or after its expiry, meaning the expiry of a prescription period is a sufficient ground for dismissal of a submitted claim, regardless of its validity.

The legal regulations concerning prescription periods are closely related to the right to trial. The right to trial has two limbs: the procedural limb of the mentioned right is about one's legal opportunity to plead before the court, while the material one has to do with obtaining satisfaction of the claim submitted to the court against the defendant. The expiry of the prescription period results in the loss of the right to obtain any satisfaction of a legitimate claim and makes the right in question no longer actionable. Accordingly, the introduction of prescription periods is nothing more than a restriction of the right to trial.

Given the above, the correct identification of the conditions that should be met for the prescription periods to commence has a paramount significance, both theoretically and practically. This is particularly true because it would result in the imposition of the individual and excessive burden on legal persons and thus a violation of their right to trial if the prescription periods commenced before natural and legal persons could effectively (as in law as well as in practice) seek satisfaction (e.g. just compensation for incurred damage) before courts.

This article will not concentrate on all the conditions giving rise to the commencement of prescription periods in general but rather focuses on special provisions regarding obligations to compensate for damage. However, the discussion will begin with some general ideas of particular importance for further presentation of the subject matter.

The prescription period is the term during which a person (victim) can exercise the right to judicial protection of his/her rights (i.e. obtain satisfaction of the claim submitted, which would further be binding and secured by state enforcement). This makes evident that, regardless of any other relevant conditions, a prescription period can commence only after some individual rights violation has taken place, as there is no legitimate expectation of obtaining satisfaction of any claim if there is no violation of a right.

This is, we believe, the background behind the current definition of “prescription period” given in Article 331 (1) of the Civil Code of the Republic of Armenia (hereinafter referred to as the Code) stating that “Statute of limitations shall be the time period for the protection of rights on the claim of the person whose rights have been violated.” One can easily extract from this provision that any prescription period (statute of limitations) introduced for the judicial protection of violated rights cannot commence if there is no violation.

In many of its judgments, the European Court of Human Rights has stated that a restriction of the right to access to court can be legitimate as long as it pursues a legitimate aim and is not so wide-ranging as to destroy the very essence of the right (Rainey et al., 2021, p. 288). If somehow the prescription period for any claim (i.e. term for seeking judicial protection for violated rights) commenced before the violation itself took place, it would result in a restriction of the right to trial, destroying the very essence of this right. Of course, this does not mean that the court should, in every case, establish the fact of the relevant violation having taken place before the application of the statute of limitations; instead, (based on the analysis of applicable material law) it should figure out at what moment the alleged violation could objectively have happened.

The relations regarding compensation for damage caused are of an obligatory nature and thus bear all general traits borne by any obligation. Thus, when there is no special regulation, the rules dealing with prescription periods about obligatory relations apply to the relations regarding compensation for damage.

Article 337 (2) and Article 337(3) of the Code, dedicated to prescription periods in case of breaches of positive obligations, state as follows:

2. For obligations, for the fulfillment of which a certain term has been determined, the running of the statute of limitations shall start upon the termination of that term.

3. *For obligations, the term for the fulfillment whereof is not determined or is determined on demand, running of the statute of limitations shall start from the moment when the right of the creditor to claim the fulfillment of obligations arises, while in the case when the debtor has been allotted a grace period for the fulfillment of the requirement, the calculation of the statute of limitations shall start after the termination of that term.*

As can be noticed from Article 337 (2), in the case of obligations with a certain term of fulfillment, the prescription period runs after the end of that term. The claim becomes due after the term of fulfillment has expired, meaning that there is no more time left to fulfill the obligation and it should have already been carried out. Thus, the creditor unconditionally can claim immediate fulfillment, and, right after the expiry of the mentioned term (until the fulfillment is not delivered), the creditor's right is violated and hence susceptible to judicial protection. Before the right is violated (the term of fulfillment is expired) there cannot be judicial protection available, and the court cannot satisfy any claim against the debtor as the latter has not broken the obligation and cannot be forced to comply with any claim made against him. At the same time, any claim made based on a valid legal obligation the term of fulfillment of which is not expired, is subject to a dismissal. This is the premise for the fundamental principle underlying all rules concerning prescription periods; the given prescription period (subject to other conditions) cannot but commence after the individual right violation (e.g. breach of obligation) takes place.

In the case of obligations with an uncertain term of fulfillment, the mentioned regulation of Article 337 (2) of the Code is not useful, as in this case the term of fulfillment a priori cannot be a relevant factor. Article 337 (3) in its turn stresses two circumstances: the moment when the right of the creditor to claim the fulfillment of obligation arises (1) and the case when the debtor has been allotted a grace period for the fulfillment of the requirement, the expiry of that period (2). "Moment when the

right of the creditor to claim the fulfillment of obligation arises” means the moment when the claim becomes due and should be fulfilled immediately after the creditor addresses it to the debtor (the moment when a creditor is entitled to demand immediate fulfillment), “in the case when the debtor has been allotted a grace period for the fulfillment of the requirement, the calculation of the statute of limitations shall start after the termination of that term” means that if, after the submission of the claim, the debtor is granted some term for complying with the latter (according to the legislation, contract, etc.) only after its expiry can any prescription period commence. The second rule is quite like everything discussed above; only after the expiry of the allotted period can there be a breach of obligation and thus the prescription period commences next to the expiry. The first rule is problematic, though, as at first glance it focuses on the moment when the right to claim immediate fulfillment emerges and gives no attention to the moment when a breach takes place, the latter only being possible when the submitted claim is not subsequently implemented by the debtor.

For the correct determination of the applicable rule under Article 337 (3) (as Armenian legislation does not provide any specific rule concerning the term of implementation of obligations arising out of causing damage) it is necessary to look at the regulations concerning the timeframes for the fulfillment of the obligations with an uncertain term of fulfillment.

Articles 352-2 and 352-3 of the Code state as follows:

2. In the cases when an obligation does not envisage a term for fulfillment and does not contain conditions for determining a term, it shall be fulfilled within reasonable terms after the arising of the obligation.

3. The debtor shall be obliged to fulfill the obligation not fulfilled within a reasonable term, as well as the obligation, the term for the fulfillment whereof is determined by the moment of submission of the claim, within a period of seven days following

the day of submission by the creditor of a claim thereon, unless another term for the fulfillment of the obligation follows from the law, other legal acts, conditions of the obligation, customary business practices or the essence of the obligation.

According to the mentioned provisions, as a general rule, any obligation with no envisaged term should be fulfilled within a reasonable period of time, and, in the event the obligation is not fulfilled even after the expiry of such a reasonable period, it should be fulfilled within seven days (unless the applicable regulation provides any other specific term) following the day of submission by the creditor of a claim thereon. Besides that, if the term of fulfillment is initially determined by the moment of submission of the claim, the debtor shall fulfill the obligation within seven days following the day of submission, unless another term follows applicable regulations.

The above makes it clear that any claim under Articles 352-2 and 352-3 (also specified in Article 337-3)* of the Code becomes due and enforceable only upon the expiry of the reasonable term and, if provided by law, of the grace period commencing after the submission of the claim to the debtor. It is of relevance also to mention that, according to Armenian legislation, for any obligation with no determined term that has not been fulfilled within a reasonable timeline after it arose, there is (as a rule) a grace period of seven days following the day of submission by the creditor of a claim.

From one point of view, obligations to compensate for damage, having all the general traits of obligations, should be within the orbit of regulations about prescription periods regarding the protection of obligatory rights. From another point of view, the obligation to compensate for damage emerges as a

* For more detailed examination of Articles 337-3, 352-2, and 352-3 of the Code you may also see; Grigoryan, A. (2023). *Peculiarities of the Commencement of Prescription Period in Obligatory Relations: International Standards and the Armenian Legislation*. The Politnomos Journal of Political and Legal Studies, 1(1). 75-90.

consequence of the breach of a substantial right, and given this factor, is not an autonomous obligation and the compensation is a means of protection of the violated right. If the compensation (the obligation arising for that reason) is principally considered as a remedy for a violated civil right, then for the determination of the commencement of the prescription period the moment of a breach of the initial civil right should be considered as a relevant factor.

Given the above, it is of relevance to note that although the Code contains regulations dealing with specific heads of claims (defamation and insult, public authorities' responsibility for breaches of fundamental rights and freedoms) the fact that there is no *Lex generalis* regulating the issues of prescription periods in obligations to compensate for damage can lead to uncertainty about from which of two presented perspectives the prescription periods for compensation claims should be considered and thus on particular instances result in the unpredictability of legal regulations and the non-uniform and arbitrary application of such regulations by courts, eventually leading to the ineffectiveness of judicial protection of civil rights.

Our position on the issue is strictly formalistic, as regulations regarding prescription periods are tools limiting the fundamental right to trial and should be interpreted strictly in accordance with the letter of the law, bearing in mind that any divergence from these rules inevitably would result in limitation of a fundamental right without a legal basis. Hence, we believe that if there is no *Lex specialis* dealing with claims arising out of the causation of damage, Article 337-3 of the Code should be applied and prescription periods for compensation claims should commence following the seventh day after the creditor applied to the debtor with the corresponding claim to pay compensation, and the timeline laid between the violation of civil rights and further emergence of some damage (1) and the submission to the debtor of a claim to pay compensation (2) should not be of relevance. In this regard, it is worth mentioning also that, as our own experience shows, Armenian judges in some cases are inclined to

apply time limits and dismiss claims, rationalizing this by methods of so-called systematic interpretation and interpretation in essence, which is a very worrying tendency.

However, if for whatever reason the legislator wants to link the point of commencement of the prescription period with the initial violation of the civil right (eventually resulting in the emergence of damage justifying the compensation claim) it should introduce a *Lex specialis* with regard to Articles 352-2 and 352-3 which prescribes that the compensation claim is due immediately after the occurrence of damage and should be fulfilled right after the damage is caused, irrelevant of any claim submission. The linking of the starting point of the prescription period with the moment of the initial violation of a civil right without taking into consideration the need for the mentioned regulations will and does lead to an insurmountable collision; from one side the compensation claim can become due and thus subject to judicial protection only if it is not aptly and properly satisfied after the submission of the claim and from another side the countdown of the term for filing a lawsuit starts before the right to trial emerges.

It is appropriate also to consider relevant international documents and extract the standards dealing with the subject matter of this article.

Article 10.2 (1) of Unidroit Principles 2010 states as follows: “(1) *The general limitation period is three years beginning on the day after the day the obligee knows or ought to know the facts as a result of which the obligee’s right can be exercised.* (2) *In any event, the maximum limitation period is ten years beginning on the day after the day the right can be exercise.*” According to the additional comments (8. Right must be exercisable) concerning this provision, “*an obligation may exist even if performance cannot as yet be required (see, e.g., Article 6.1.1. (a)). While a creditor’s claim to the repayment of a loan is found on the contract and may therefore arise at the time of the conclusion of the contract or of the payment of the loan to the debtor, the*

repayment claim will usually fall due much later. Furthermore, a right may not be enforceable if the obligor has a defence." (Unidroit Principles of International Commercial Contracts, 2010, pp. 346, 349)

The mentioned provisions are fully applicable to the compensatory claims arising out of the causation of damage and, in essence, underpin the ideas presented above for the prescription period to commence, the performance (payment of the compensation) should have been already delivered but still incomplete. If the moment of the emergence of the obligation arising out of causing damage and the moment, when the compensation claim becomes due do not coincide, the start of the prescription period should not be linked with the breach of a civil right, which eventually led to the causation of damage.

Article III.-7:203 (1) of Principles, Definitions and Model Rules of European Private Law: draft common frame of references (DCFR) states as follows: "*The general period of prescription begins to run from the time when the debtor has to effect the performance or, in the case of a right to damages, from the time of the act which gives rise to the right*" (Principles, Definitions, and Model Rules of European Private Law: Draft Common Frame of Reference)

Article III.-7:203 (1) in its turn introduces an opposite regulation linking the start of the prescription period with the emergence of the right to compensation for damage i.e. with the emergence of the obligation arising out of the causation of damage. This regulation, we believe, can be apt only if the right to compensation becomes due as soon as the right comes into being. Otherwise, as we have presented, the timeline for exercising the right to trial will commence prior to the very emergence of the right to trial, which both formally and substantially can have no valid legal basis.

As we dealt with the issues concerning the moment of the violation of creditor's right in obligations arising out of causing damage, which should be at the core of the determination of

prescription periods pertaining to compensation claims, now we can focus on other conditions that need to be met for prescription periods in this instance to commence. The conditions we are going to discuss further are the following: the identity of the wrongdoer and the availability of the information necessary to calculate damages.

Article 337-1 of the Code states as follows “*Running of term for statute of limitations shall start on the day when the person has become aware or should have become aware of the violation of his or her right. Exceptions to that rule shall be prescribed by this Code and other laws.*” This is the general rule applicable to every kind of potential claim submitted to the courts unless there are exceptions prescribed by the legislation. Article 337-2 and Article 337-3 of the Code, which we have discussed above, are some exceptions to Article 337-1 of the Code.

If in any case, the commencement of the prescription period is linked with the emergence of the right to compensation i.e. emergence of the obligation, such circumstances as the identification of the wrongdoer and the availability of information necessary to calculate any material damage caused should also be considered.

It is evident that in every obligation there are a creditor and a debtor, and the creditor cannot exercise its claim if he or she is unaware (ought not to be aware) of the identity of the person responsible for the damage caused. Despite other cases, when the identity of the violator is known from the start, in cases pertaining to damage causation, the latter’s identity is not always revealed (e.g., an unidentified wrongdoer causing property damage, hurting the health of the victim, etc.) and as long as the wrongdoer is not identified, the creditor cannot sue him or her and is, therefore, unable to exercise the right to trial and protect his or her violated rights. This means that starting the countdown of the prescription period prior to the moment when the victim (the creditor) possessed enough information to reasonably be able to identify the wrongdoer is in contrast with the right to trial and

can result in a situation when the timeline to exercise the right to trial commences earlier than this right effectively can be exercised, hence the right to trial cannot be secured. The same is true about the availability of information necessary to calculate the damages. The monetary expression of the claim is a crucial element of the lawsuit, without the proper determination the right to trial cannot be effectively exercised. Hence, the commencement of a prescription period before this information could be available to the victim (the creditor) does not guarantee the right to trial.

These criteria have also been underlined in official commentaries of the rules of Unidroit Principles and Draft Common Frame of References (DCFR) mentioned above. In its turn, the Court of Cassation (the highest judicial instance in Armenia, except with regard to constitutional justice) has also stressed these conditions in its case law, though Armenian statutory law (the sole valid legal source meant to deal with prescription periods) is silent in this regard, concentrating only on the moment the person has become aware or should have become aware of the violation of his or her right (Article 337-1 of the Code).

Conclusion

As has been illustrated, the prescription period is the timeline during which a person can exercise their right to judicial protection of their rights. About obligations arising out of the causation of damage, the prescription periods should start only after the breach of the obligation, and, only in the case when (by applicable regulations) the compensation claim becomes due simultaneously with the emergence of the corresponding obligation, it is possible to link the commencement of the prescription period with the initial breach of civil right, resulted in damage causation. It is equally important also to note that prescription periods for claims based on the fact of damage causation cannot but start after the creditor knows (or ought to

know) the identity of the debtor and has (or ought to have) the necessary data to calculate damages.

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