Published by the decision of the Scientific Council of
The Institute of Philosophy, Sociology and Law of NAS RA

# The POLITNOMOS
## Journal of Political and Legal Studies

4(2), 2025

YEREVAN – 2025

*Editor-in-Chief*
**Emil ORDUKHANYAN** – PhD in Political Science, Associate Professor. Institute of Philosophy, Sociology and Law, National Academy of Sciences, Armenia
Phone: +37411530571
Email: ipsl@sci.am, emil.ordukhanyan@gmail.com

**EDITORIAL BOARD**

*Advisory editors*
**Levon SHIRINYAN** – Doctor of Political Science, Professor. Institute of Philosophy, Sociology and Law, National Academy of Sciences, Armenia

**Hayk SUKIASYAN** – PhD in Political Science, Associate Professor. Institute of Philosophy, Sociology and Law, National Academy of Sciences, Armenia

**Emil ORDUKHANYAN** – PhD in Political Science, Associate Professor. Institute of Philosophy, Sociology and Law, National Academy of Sciences, Armenia

**Nerses KOPALYAN** – Doctor of Political Science, Assistant Professor. University of Nevada, Las Vegas, USA

**Josiah MARINEAU** – Doctor of Political Science, Associate Professor. University of North Carolina at Pembroke, USA

**Jérôme MAUCOURANT** – Doctor of Political Economy, Professor. Université Jean Monnet Saint-Etienne, France

**Otto LUCHTERHANDT** – Doctor of Law, Professor. University of Hamburg, Germany

**Tigran QOCHARYAN** – Doctor of Political Science, Professor. National Defense Research University, MOD, Armenia

**Hovhannes STEPANYAN** – Doctor of Law, Professor. Institute of Philosophy, Sociology and Law, National Academy of Sciences, Armenia

**Gor HOVHANNISYAN** – Doctor of Law, Associate Professor. University of Hagen, Germany

**Davit HAKOBYAN** – PhD in Law. Institute of Philosophy, Sociology and Law, National Academy of Sciences, Armenia

**Hayk KUPELYANTS** – Doctor of Law. King's College London, UK

**Khachik HOVHANNISYAN** – Doctor of Philosophy (Theology). Catholic University of Leuven, Belgium

**Lilit SARVAZYAN** – PhD in Philosophy, Associate Professor. Institute of Philosophy, Sociology and Law, National Academy of Sciences, Armenia

**Maria BAGHRAMIAN** – PhD in Philosophy, Professor. University College Dublin, School of Philosophy, Dublin, Ireland

**Sandeep Kumar GUPTA** – Doctor of Management, Professor. Mohan Babu University, Tirupati, India

## CONTENTS

**ABOUT THE JOURNAL** 4

**POLITICAL STUDIES, POLITICAL PHILOSOPHY, LEGAL STUDIES** 6

**Garnik SAFARYAN, Arthur IKILIKYAN**
The Ancient Greek Legal-Philosophical Doctrine: History and Modernity 7

**Liana MALKHASYAN**
The Problem of the Systemic Concept of a Civilized Society 17

**Mariam GZOGHYAN**
The Role of Artificial Intelligence in Modern Cybersecurity: Opportunities, Risks, and Global Implications 35

**Svetlana ARZUMANYAN, Aleksandr SAMARCHYAN**
The Interaction and Confrontation between Art and Politics 44

**Arman GRIGORYAN**
The Assessment of 2024 Amendments to Article 265 of the Labor Code of the Republic of Armenia: A Solution to the Problem or a Failed Attempt to Find an Equilibrium between Competing Interests? 69

**Artashes KHALATYAN**
Crimes against State Power as Fundamental Violations of the Principle of Citizen's Loyalty to the State: Some Observations 81

**NOTES TO CONTRIBUTORS** 96

## 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.

The POLITNOMOS welcomes manuscripts that utilize political and legal research as well as philosophical methodology and concepts or that bridge overlapping fields of works relevant to Political Science and Law.

The POLITNOMOS emphasizes an impartial assessment of submitted papers, ensuring that methodology and findings are correct and accurate.

The journal invites authors - outstanding experts, beginning researchers, students, post-graduates, and lecturers interested in political processes and institutions, regional issues, political discourse and political culture, political theory and history, international relations, theory and history of law, constitutional and international law, political and legal philosophy, comparative law, etc.

**The main sections of the journal POLITNOMOS are:**

POLITICAL PROCESS & INSTITUTIONS
REGIONAL POLITICS
POLITICAL SCIENCE THEORY
POLITICAL SCIENCE METHODOLOGY
POLITICAL PHILOSOPHY
DEMOCRATIZATION ISSUES
POST-SOVIET STUDIES
CONFLICTS
THEORY OF LAW
METHODOLOGY OF LAW

PHILOSOPHY OF LAW
CONSTITUTIONAL AND PUBLIC LAW
INTERNATIONAL LAW

**FOR AUTHORS**

The POLITNOMOS welcomes the submission of original and significant contributions concerning political and legal sciences.

The authors can submit their manuscripts quickly and easily through our online submission system: **www.politnomos.com**, or send them to the following email address: **politnomos@gmail.com**.

# POLITICAL STUDIES,
# POLITICAL PHILOSOPHY,
# LEGAL STUDIES

# THE ANCIENT GREEK LEGAL-PHILOSOPHICAL DOCTRINE: HISTORY AND MODERNITY

*Garnik Safaryan, Doctor of Law, Professor,*
*Chief Researcher at the Institute of Philosophy,*
*Sociology and Law of NAS RA*
*ORCID iD: 0009-0001-2991-8566*
*(email: safaryangarnik51@mail.ru)*

*Arthur Ikilikyan, PhD in Law*
*Rector of the Erebuni Medical Academy Foundation*
*(email: aikl@mail.ru)*

*Manuscript has been submitted on 05.03.2025, sent for review on 24.06.2025, accepted for publication on 10.07.2025.*

**Abstract**

*This research aims to reveal the essence and peculiarities of the ancient Greek legal-philosophical doctrine. Therefore, in this scientific article, the authors systematically analyze the legal-philosophical approaches of the main representatives of ancient Greek legal-philosophical thought – Solon, Heraclitus, Democritus, the Sophists, Socrates, Plato, Aristotle – and present their historical and modern significance in the further development of human theoretical thought.*

*The methodological bases of the research include both general (analysis, synthesis, deduction, induction) and special (comparative-legal) methods of scientific research. As a result, the impact of the Greek legal-philosophical thought on the formation of the developed Roman legal culture and the legal conceptual approaches of both the Middle Ages and the Modern and Contemporary periods, including: the supremacy of law, governance according to law, equality before the law and the court, the concept of legal state, as well as the formation of ideas about freedom and autonomy is presented in the article.*

***Keywords*:** Athens, Greece, *polis*, philosopher, democracy, right, law, natural law, positive law.

## Introduction

The Greek *polis* and its equivalent Latin “civitas” are often referred to in literature as “city-state”, which, in our opinion, does not sufficiently represent the meaning and content of that term (Lübker, 2018, p. 816).

In our opinion, the Greek "polis" has a different meaning and content. The polis was not a special state unit of governance. It was a form of organization of the life of ancient society, which represented a self-governing community of free and equal citizens. Such organizational communities of *polis* self-government were finally formed in the 4th century BCE, following the reforms of Solon and Cleisthenes, and served as an environment for the formation and development of Greek philosophical thought.

The *polis* was fundamentally different from the city-state of the East. The latter was characterized by absolute-unlimited power and a patrimonial approach: the monarch was the father, and the subjects were the children. Contrarily, the polis consisted not of subjects but of free and equal citizens. According to Aristotle, citizens were those who participated in the governance of the *polis* and in the adoption of laws, that is, citizens were endowed with political rights, which were excluded from the absolute monarchies of the Ancient East, as well as from totalitarian and authoritarian political systems (Aristotle, 1911, pp. 407-408).

Thus, it can be concluded that power in the *polis* belonged not to a person endowed with absolute power, but to a Citizens' Assembly, where decisions and laws were adopted based on the results of discussions. In this regard, the Citizens' Assembly of the Athenian *polis* can be considered as prototypes of the modern parliaments.

The general decision of the Citizens' Assembly (*Ecclesia*), in the form of a law was called "nomos", which in turn had to correspond to justice (*dike*). There was no necessary contradiction between law and justice. Moreover, they had to correspond to each other and act as a single entity. On the basis of this approach, Greek philosophical and legal thought, as well as political culture, were formed.

The main representatives of philosophical thought are Thales, Anaximander, Xenophanes, Pythagoras, Heraclitus, Empedocles, Anaxagoras, the Sophists, Socrates, and others. The first philosophical teachings were developed in the 7th-6th centuries BCE and by supplementing, editing each other, continued until Antiquity (3rd-4th centuries BCE).

In their worldview reflections, Greek philosophers sought the beginning and causes of the emergence, change, and development of all things.

They perceived primary matter not as dead and petrified matter, but as a living part of the whole, endowed with spirit and movement. By means of philosophical, natural, and social theoretical questions, they tried to find practical solutions to make *polis* life more favorable. The philosophers' legal and political concepts were especially aimed at this (Nersesyants, 1979, p. 19; Cassirer, 1941).

## The Doctrine of Law and Justice

One of the most important principles of the ancient Greek legal thought was the distinction between law (*nomos*) and justice (*dike*), but not their opposition.

Homer (8th century BCE) distinguished between the concepts of justice (*dike*) and law (*nomos*), which is extremely important for understanding and making sense of the further evolutionary development of law and legal concepts. Justice was perceived as the basis and starting point of law. In its essence, a just law was the method of regulating legal relations. This conceptual approach formed the basis for the formation and development of later concepts, teachings on natural and positive law.

Solon (c. 630-560 BCE), who was one of the Seven Greek Sages, characterized law as a combination of right and power, and from this conceptual approach, advocated the establishment of a just and legal order in the *polis*. It is noteworthy that the formation of democratic order in Athens is associated with Solon's reforms, at least through the establishment of two important principles: equality before the law (*isonomia*) and the creation of the people's court (*heliaia*), which is evidence that the judicial power ultimately went to the people (Anners, 1994, p. 44).

The conducted research shows that justice in Athens was characterized as the embodiment of fairness and legality. The ancient Greek legal concept also distinguished between written (positive) and unwritten (natural, customary) law. Written (positive) law, which was adopted by a Citizens' Assembly (*Ecclesia*), as a result of free discussions and debates, had to correspond to natural, universal law or at least not contradict it. Therefore, human life must correspond to the harmony existing in the universe, to "natural law" (cosmic, divine law). In this case, the ideas of positive law were based on the philosophical hypothesis that the organization of the *polis* life of society and written laws should have a divine origin and be based on justice (*dike*). Thus, according to the ancient Greek legal concept, the theoretical interpretation of the laws of the *polis* and their justification proceeded in the direction of "revealing the objective foundations of natural law" of the *polis* and its positive law (Mirumyan, 2006, p. 22).

Justice (cosmic, divine) was perceived as the objective foundation of positive law and, at the same time, a rational-legal criterion. Therefore, law, in its essence and content, was considered to be the positive, written law that corresponded to the principle of justice. This is exactly how Heraclitus (c. 540-480 BCE) interpreted the laws of the *polis* as a reflection of the cosmic order (Mirumyan, 2006, p. 23).

According to M. A. Dynnik (1955), for Heraclitus, knowledge about justice and law form an integral part of knowledge about the structure of the world

and the universe as a whole (pp. 39-40). Moreover, the great philosopher revealed that the Eternal Logos is the basis of all world events, and that justice lies in following the universal divine logos. In addition, Heraclitus pointed out, that the *polis* and its laws are divine and rational phenomena that are common in their origins and uniform in meaning. M.A. Dynnik indicated that, for Heraclitus, all human laws are nourished by a single divine being, which extends its power as far as it wishes, rules over the whole, and gains dominion over all. Thus, according to Heraclitus, justice (cosmic law, cosmic logos) is not only the source of positive legitimacy but also the supreme judge in the sphere of justice (Dynnik, 1955, pp. 50-51).

The famous researcher of antiquity, Ernest Cassirer (1941) noted that "dike" means "order of law", while for Heraclitus, "dike" means "order of nature". Since both law and nature are subject to the same general law: through *logos* and *dike*, existence establishes something universal, which stands above every peculiarity of individual images and illusions (Cassirer, 1941, pp. 19-20). In this way, law acts as a commandment of reason, and *logos* and *dike* are subject to recognition as "universal and divine". Considering the further evolution of legal thought, it can be stated that all the natural legal doctrines of the ancient world and the Modern Age originate from the Heraclitian concept.

The approaches to law and the state as somewhat artificial, secondary phenomena, which are essential for natural-legal theory, were presented in an extensive form by Democritus (c. 460-370 BCE). He valued conformity to nature as a criterion of justice in ethics, politics, and legislation. Democritus argued, that which is considered just is not natural. That which is contrary to nature is unjust. This, in its essence natural-legal, proposition of Democritus is skeptically and critically directed not against justice in general, but against false ideas about morality, against what is considered "just" by "dark" cognition and unenlightened "general opinion" (Luria, 1970, p. 370; Dzema, 2019).

According to S. Y. Luria, Democritus always criticized the adoption of such laws, which correspond to the general opinion and differ from the requirements of natural truth. Moreover, Democritus repeatedly stressed that commandments of the laws are artificial. In the same context of contrasting natural and artificial, he argued that laws were a stupid discovery of the society, therefore, a wise man should not obey laws, but should live freely with them. Obviously, this approach is complicated for the modern perception of laws and justice (Luria, 1970, p. 371).

Democritus emphasizes the importance of the principles of justice and fairness. Thus, it is the duty of every citizen to prevent the commission of an unjust act (action or inaction). However, if we are unable to do so, then, in

extreme cases, we should not contribute to an unjust act. According to Democritus, one of the primary tasks of the state is to take a reasonable balance among the interests of various social classes and groups in society and, ultimately, to reconcile them (social compromise).

Democritus promotes the conceptual approach of the "golden mean", which is essentially an expression of the ancient Greek principle of "proper size". Like Socrates, he argues that wrong and bad human behavior is the result of a lack of knowledge. Intellectual knowledge is clear only to a philosopher who recognizes the weaknesses of democracy and makes recommendations for its improvement (Mirumyan, 2006, p. 37).

It is noteworthy that Democritus considered an intelligent person to be a citizen of the world who did not participate in the socio-political life of the country. Moreover, if society consisted of wise men, there would be no objective need for any law or regulation.

Considering the distinction between natural and artificial, a number of Sophists ($5^{th}$-$4^{th}$ centuries BCE) already clearly contrasted natural law with the artificial (positive) law of the *polis*. Thus, the sophist Gorgias, highly appreciating the achievements of human culture, also counted among them the written laws, the guardians of justice. Gorgias characterized written law as "the essence of things" and "divine and universal law" (Mirumyan, 2006, p. 38).

Plato indicated that famous sophist Hippias, contrasting law (*nomos*) with nature (*physis*) declared: "All of you who are here present I reckon to be kinsmen and friends and fellow citizens by nature and not by convention, for by nature like is akin to like, whereas convention is the tyrant of mankind and often compels us to do many things which are against nature" (Plato, 1956, p. 39).

At the same time, Hippias critically noted the variability, current and temporary nature of *polis* laws, and their dependence on the discretion of successive legislators. In his opinion, all this shows that the laws adopted by people are not serious and are devoid of necessity. In Plato's well-known work "Protagoras", Hippias underlined: "Who will begin to think of laws and obedience to them as a serious matter, when often the legislators themselves do not encourage and change them. Unlike polis laws, the unwritten laws of nature are uniformly implemented in every country" (Plato, 1956, p. 41).

The sophist Antiphon substantiated the proposition that all people are equal by nature. Moreover, he relied on the fact that all people – Hellenes and barbarians, nobles and commoners – have the same natural needs. In its turn, the inequality of men arises from human laws, not from nature (Nersesyants, 1998, pp. 84-85).

From this standpoint, he noted that many things justified by law are hostile to human nature. Even the useful definitions of law are essentially a bondage for human nature, while the commandments of nature bring freedom to man. He justified this as follows: "Since the commandments of laws are arbitrary (artificial), then the commandments of nature are necessary. Besides, the commandments of laws are the result of agreement, of a contract between people, while the commands of nature are determined from above, by nature" (Nersesyants, 1998, p. 86).

The aristocratic concept of natural law was developed by the sophist Callicles. Criticizing the laws of the *polis*, he indicated, that the laws are established by the people themselves, the majority of them. For their own sake and their own benefit, they make laws, lavishing both praise and blame. Sophist Lycophron interpreted the state and laws as the result of a contract concluded between people, which are a direct guarantee of personal natural rights (Aristotle, 1911, p. 408).

The idea of the natural-legal equality and freedom of all people (including slaves) was substantiated by the sophist Alcidamas (Alkidamas), to whom the famous statement belongs: "God has left everyone free. Nature made no one a slave" (Aggelos, 2020). The beginning of conceptual theoretical research (with the help of logical definitions and general concepts) into the objective rational nature of official *polis* commands, justice, and legality is associated with Socrates (c. 470-399 BCE) and his followers. His theoretical approach to moral, political, and legal issues is generally based on the idea of the decisive, imperative, regulatory significance of knowledge (Nersesyants, 1979, p. 125).

The development of democracy in the Athenian Republic, including the creation of new elected bodies of power such as Citizens' Assembly (*Ecclesia*), and the people's court, led to challenges and problems. In this regard, it should be noted that the effectiveness of participation in the socio-political and judicial affairs of the *polis* was also largely determined by the citizen's ability to generate political and legal arguments and to persuade through rhetoric. Moreover, these problems were tried to be solved by the sophists, who taught citizens the art of rhetoric, the ability to debate and persuade.

In other words, the sophists taught not only certain political and legal skills and elementary knowledge, but also skillfully connected them with philosophical issues. In essence, the sophists are considered the founders of the concept of natural law, who clearly presented the general conceptual approach to the natural equality and freedom of people.

Like the sophists, Socrates also distinguished between natural (divine) law and positive law (the laws of the *polis*). However, unlike the Sophists, he does not oppose them, but considers that both types of law are aimed at the same

goal – the establishment of justice, which is identical to legality. According to Socrates, both unwritten divine laws and written human laws refer to the same justice, which is not only a standard of legality, but is essentially identical with it. In Plato's well-known work "Protagoras", the sophist Hippias persistently asks Socrates about his doctrine of justice, and Socrates replies: "I think that not wanting injustice is a sufficient proof of justice. I maintain that what is lawful is also just" (Plato, 1956, p. 39).

Researchers rightly believe that, in the history of philosophical thought, Socrates was the first to formulate a conceptual approach to contractual relations between the state and its citizens, with a characteristic paternalistic connotation (Anners, 1994).

Socrates' rationalist views on justice, rights, and law were developed by his student, the ancient Greek philosopher Plato (born c. 428-423 BCE, died 348/347 BCE), who in turn was the teacher of Aristotle. Plato interpreted the ideal state and rational, just laws as the fullest possible realization of the world of ideas within earthly, political, and legal life. Justice consists in each principle (each class and each member of the state) going about its own business and not interfering in the affairs of others. According to Plato, justice requires a corresponding hierarchical subordination of this principle for the sake of the whole. Thus, describing justice in the ideal state, Plato wrote: "It seems that justice is for each to mind his own business. Justice consists in ensuring that each has his own. Justice also consists in ensuring that no one seizes another's and is not deprived of what he has. Consequently, the ability of every citizen to do his job in the state competes with wisdom, prudence and courage" (Plato, 2017, p. 156).

Plato's definitions of justice (*dikaiosyne*) also refer to law (*dikaion*), thereby revealing his understanding of natural law as distinct from the law of the *polis*. However, like Socrates, Plato interprets this distinction between natural law and law not from the perspective of their opposition and rupture, but with the aim of revealing the objective (ultimately divine, rational, ideal) roots of the laws of the *polis*.

The famous German researcher of natural-legal concepts, H. Reiner (1976), characterizing the principle of "to each his own" as a basic tenet of natural law, emphasizes its connection with the Platonic definition of law, according to which laws is "to each his own" (pp. 2-3).

For Plato, justice always implies a "proper measure," a certain equality. Moreover, Plato, with reference to Socrates, distinguishes between two types of equality: "geometrical equality" (equality according to merit and virtue) and "arithmetical equality" (equality of measure, weight, and number). Clarifying the meaning of such a distinction, Plato observes that equality for the unequal would be unjust if proper measures were not followed. "Geometrical equality"

is “the most accurate and best equality”, which gives great things to the great and small things to the small, giving everyone something that is proportional to his nature” (Nersesyants, 1998, p. 85; Stephanides, 2022).

These principles were later understood and developed in Aristotle’s teaching on two types of justice: egalitarian justice and distributive justice.

Aristotle (384-322 BCE), in his “Ethics”, as well as in his teachings on politics and law, interprets justice as a certain equality and distinguishes between distributive justice and equalitarian justice. These concepts express the content of Aristotle’s natural-legal views. The empirical (experimental) method of reasoning allowed Aristotle to significantly expand the scope of the concept of “politics”. He also considers politics not only as a doctrine of the perfect state, but also as a theory of the state and law, as a practical reflection of legal concepts and legal thought.

Interpreting law as political justice, Aristotle writes: “We should not lose sight of the fact that the concept we are seeking lies both in general justice and in political justice (in laws)” (Aristotle, 1911, p. 51). In his opinion, political justice, or laws arises, in relations between people belonging to the same community, and has the goal of their self-fulfillment, moreover, between free and equal people, who are free either in proportion or in general in the sense of number. People who are not in such relations cannot have political justice (rights) towards each other, but they have a certain kind of justice, which is so called because of its similarity to the common kind. Such people have rights, and there are laws regulating their relations (Aristotle, 1911, p. 53).

According to Aristotle, political law is partly natural and partly conditional. Natural law is that which has a uniform meaning everywhere and does not depend on its recognition or non-recognition. Conditional law is that which could have been originally this or that without any essential difference, but if it has already been determined (this difference has been eliminated), then this is the difference: whether to buy a captive for one mina, to sacrifice one goat, and not two sheep. This also applies to the provisions of the law given for individual unique cases, for example, the provisions regarding the sacrifice of Brazida, which acquired legal force through a vote (Aristotle, 1911, p. 54).

The law can be just or unjust, and the criterion for its evaluation is the concept of justice. Therefore, only that law which is based on right is just. Any law, in essence, presupposes law. Without it, law turns into a means of tyranny. The pursuit of violent subjugation, of course, contradicts the idea of law (Aristotle, 1911, p. 55).

In general, the political and legal science developed by Aristotle was based on a natural-legal interpretation of all the key issues of *polis* life (the laws and institutions of the *polis*, the freedom of its members, justice in their relations with each other, etc.). Aristotle’s famous statement: “man is by nature a

political animal" (Abbate, 2016) also has a natural-legal meaning. Aristotle considered the state as a structure that ensures the well-being of people.

In the context of Aristotle's legal doctrine of politics (*polis*, state, laws), this provision also essentially means that man is by nature a legal being, "since law, which serves as a standard of justice, is a regulatory norm of political relations" (Aristotle, 1911, p. 55). Both Plato and Aristotle had a significant influence on the development of Western legal philosophy (for example, on the formation and development of the legal doctrines of Thomas Aquinas, Hugo Grotius, and others).

In Aristotle's teaching, the politicization and legalization (legal nature) of the state are the same thing, so his political science, which is a natural-legal doctrine of the state and law (positive law), contains the basic ideas of legal law and legal statehood.

These ideas were perceived and later developed in the new context of Roman legal thought and legal science.

## Conclusion

The legal and philosophical thought of ancient Greece had a profound influence not only on the formation and development of contemporary Roman law and legal thought, but also on the legal concepts and their ideological justifications of subsequent centuries (the Middle Ages, Modern and Contemporary periods). In particular, it contributed to the development and consolidation of ideas such as the community as a union of free and equal citizens (as exemplified by the European Union), the rule of law, governance in accordance with law, the separation of powers, equality before the law and the courts, the electoral principle in public institutions, the independence of the judiciary, and the principles of human freedom and autonomy.

## References

Abbate, C. E. (2016). *"Higher" and "Lower" Political Animals: A Critical Analysis of Aristotle's Account of the Political Animal.* Journal of Animal Ethics, Vol. 6, Iss. 1. 54-66.

Aggelos, I. (2020). *Alkidamas of Elaia about Freedom*. NovoScriptorium. Retrieved January 20, 2025, from: https://surl.li/mxgbnh.

Anners, E. (1994). *Istoriya Yevropeyskogo Prava* (History of European Law). Moscow: "Nauka" Publishing House.

Aristotle. (1911). *Politika* (Politics). Moscow: M. & S. Sabashnikov's Publishing House.

Cassirer, E. (1941). *Logost, Dike, Kosmos in der Entwiklung* (Logost, Dike, Kosmos in Development). Gothenburg: Elanders Print & Packaging.

Dynnik, M. A. (1955). *Materialisty Drevney Gretsii* (Materialists of Ancient Greece). Moscow: "Gospolitizdat" Publishing House.

Dzema, A. I. (2019). *Mnozhestvennost Mirov i Zakony Logiki v Filosofii Demokrita* (The Plurality of Worlds and the Laws of Logic in the Philosophy of Democritus). Kant, Vol. 33, Iss. 4. 151-154.

Lübker, F. (2018). *Fridrikh Ljubkers Realleksikon des Klasishen Altertum fjur Gjumnazium* (Friedrich Lübker's Archaeological Manual Dictionary for Gymnasiums). London: Forgotten Books Publisher.

Luria, S. Y. (1970). *Demokrit* (Democritus). Leningrad: "Nauka" Publishing House.

Mirumyan, K. (2006). *Kaghakakan Usmunkneri Patmutyun* (History of Political Teachings). Yerevan: "Zangak-97" Publishing House.

Nersesyants, V. S. (1979). *Politicheskiye Ucheniya Drevney Gretsii* (Political Doctrines of Ancient Greece). Moscow: "Nauka" Publishing House.

Nersesyants, V. S. (1998). *Yurisprudentsiya. Vvedeniye v Kurs Obshchey Teorii Prava i Gosudarstva* (Jurisprudence. Introduction to the c Course of General Theory of Law and State). Moscow: "Norma" Publishing House.

Plato. (1956). *Protagoras* (B. Jowett, Trans.). Indianapolis: The Bobbs-Merrill Company.

Plato. (2017). *Yerker Chors Hatorov* (Collected Works in Four Volumes). S. Stepanyan (Ed.), Vol. 4. Yerevan: Antares Publishing House.

Reiner, H. (1976). *Di Hauptgrundlagen der Fundamentalisten Nomen des Naturrekhts* (The Main Foundations of the Fundamental Norms of Natural Law). Basel.

Stephanides, S. (2022). *Plato on the Mechanics of Koinōnia Formation*. Areté, Vol. 34, Special issue. 149-177. DOI: 10.18800/arete.2022ext.009.

# THE PROBLEM OF THE SYSTEMIC CONCEPT OF A CIVILIZED SOCIETY

*Liana Malkhasyan, PhD in Law, Associate Professor,*
*Director of the Institute of Law and International Relations,*
*Yerevan Haybusak University*
*ORCID iD: 0009-0000-5495-8829*
*(email: malkhasyanliana@gmail.com)*

*Manuscript has been submitted on 02.11.2025, sent for review on 04.11.2025, accepted for publication on 01.12.2025.*

## Abstract

*Analyses and judgments on civilizations give grounds to conclude that each type of civilization corresponds to its state-legal component (state and law), both in the past, present and in the foreseeable future. Therefore, the state-legal institutions, institutions and their practical activities of each country (people) are directly conditioned by the historically formed degree of civilization of a given society.*

*The category of civilization is an important prerequisite for understanding and assessing the essence of existing statehood and the main trends in development.*

*Over the centuries, numerous directions of science have tried to reveal the main characteristics of human society – society, the patterns of existence and development, and the qualities of rational self-expression. Social society has been mainly considered as a system of mutual, permanent and necessary relationships between rational individuals. It is the form and means of rational life that ensures the preservation, reproduction, self-knowledge, formation of a common value system and individual self-expression of the human species. The structural elements of society – political, economic, legal, social, cultural, etc. – are simply organic components of the system that form the necessary prerequisites for human life.*

***Keywords:*** Society, state, civilization, doctrine, primitive communal systems.

## Introduction

Civilizational problems, their historical fact, modern stages of development, comprehensiveness, and uniqueness occupy a significant place in the social sciences, including jurisprudence. And this is not accidental. The processes of civilizational development, neutralizing the formative approach to the study of

social phenomena, make it possible to present a more comprehensive picture of the world, to reflect the diversity and differences of different cultures, the invaluable contribution of each of the latter to the knowledge and forecasting of the development of world civilization.

The primitive scheme of "base-superstructure", which establishes the decisive role of the material factor in the development of the spiritual life of peoples, reduces the role of its components – religion, law, politics, state structure, morality, tradition, customs, science, art, in all its diversity of the civilization and socio-cultural system in the process of civilized development of mankind.

Research in this direction is aimed at the human factor, human activity, needs, values, principles, especially the behavior of people characteristic of a given historical-cultural type of society or self-sufficient civilization. This is perceived as a broad understanding of culture that goes beyond the generally accepted approach, which includes the concept of culture as art, literature, and law, in accordance with the behavioral standards accepted in society.

## Definitions and Comments on Civilized Societies

Civilized society is considered a comprehensive phenomenon, a system of socio-normative regulation, with all the complex expressions of the interaction of its components, the activity of people and the objects and existence that are the result of this activity.

Important components of a civilized society are the presence of a socio-normative value system conditioned by the social cooperation of people. The subjects of cooperation can be either individuals (interpersonal cooperation) or organized groups of people (intergroup cooperation). They cooperate in a certain social space not arbitrarily, but in accordance with the socio-cultural system of norms and values established in a given society, objectifying this cooperation in the material and intangible values of culture.

At the end of the 19$^{th}$ and the beginning of the 20$^{th}$ centuries, the need arose to interpret the functioning of social systems and the general principles of world history, the latter being more pronounced as a complex picture of the cooperation of human communities according to their organization, cultural style, symbols (symbolism) and historical destiny. In the research devoted to these processes, comparative historical studies played a dominant role. For a long time, comparative studies had a pro-European character, expressed in the value priority of European culture over all other cultures.

1. In the literature (broadly speaking) and scientific research, the following socio-cultural conceptual approaches are noted: Polymorphism, that is, multiformity, which is characteristic of each culture that possesses heterogeneous variants that have not undergone

uniform development. Already at the ethnic level, culture is quite diverse in order to give different reactions to external challenges or the requirements of the internal structure. The greatest diversity of culture is determined at the national and cultural levels. Within the framework of national cultures, as is known, there are also different subcultures of classes or classes, the relations between which are either cooperative or contradictory, and sometimes even primitive in nature.

2. Each component of a civilized society (language, tradition, religion, science, literature) acts as a subsystem correlated with the whole culture (national or pan-civilizational level) and with other components of social existence.
3. In comparative research, it is difficult to take into account the mobility of spiritual phenomena. Comparison of early versions of Christianity, Buddhism, Confucianism or Islam leads to results that differ from those obtained in the case of observation systems and versions formed at later stages of evolution (Yerasov, 1995, pp. 22-23).

That is why it is important to study the internal movement of civilization, the cooperation of its components, the mobility or stability of civilization and its components that respond differently to external challenges.

Such an approach has contributed to the diversity and self-sufficiency of existing civilizational societies, both Eastern and non-Eastern, and to the rejection of the extreme "Eurocentric" approach, as demonstrating the "only true path" for the development of all cultures and civilizations. This approach implies a rejection of the theory of "regressive monism" in favor of the establishment of a multilateral socio-cultural and civilizational approach. From the very beginning, I would like to note that the author of this study, while not at all excluding the significant contribution of European civilization to the development of world civilization, including the state and law, nevertheless accepts a multi-layered, multi-faceted socio-cultural conceptual approach – a conceptual approach to the emergence and development of world society, state and law. This turn in the development of science was not global, since a significant part of scientists adhering to the world systems theory maintained their loyalty to Western comprehensiveness. And this is understandable, since it was precisely the "civilizational thinking" that formed the extensive justifications for European hegemony in the world (Yerasov, 2001, p. 17).

The civilizational approach rejects the theory of the inevitable transition of all "supersystems" through the developmental stages of European civilization. The uniform path of development of all world civilizations is not applicable to the developments of both historical and modern reality. It impoverishes the richness and uniqueness of cultures, the principles of cooperation of people, and the societies and states included in this or that historical and cultural

community. Comparative analyses, which occupied a certain place in scientific research on states, nations, and regions, constructed a single linear process of social development, confirming the regularity that takes place in it, according to which all states must inevitably pass through the stages of development characteristic of European civilization: slavery, feudalism, capitalism. Modern research rejects this pattern, noting the specificity of the historical paths of development of socio-cultural communities, the nature of the cooperation of man, society, and the state, the specificity of the norms, values, traditions, and symbols that define the principles of organization and development of different civilizations. They express "first of all, the aspirations to isolate the dynamic, anthropological, or practical principle in the social structure as an expression of human subjectivity, activity, and vital activity, in order to overcome the "objective" comparative formula of the historical process with its impersonal sociological conduct" (Yerasov, 2002, p. 66).

Such an approach does not lead to a bifurcation or rupture of the socio-cultural and material components of the historical process. P. Sorokin (1992) noted that "it is wrong to speak of sociocultural phenomena as if they consist exclusively of people; in addition to people, they include intangible values and, as equally valuable and comprehensive components, are their material carriers. Music, fine arts, sculpture, and such material objects as tools, machines, weapons, clothing, buildings, monuments, cultivated fields, roads, reservoirs, all material phenomena essential for valuable human cooperation are carriers of sociocultural phenomena" (p. 200).

P. Sorokin (1992), revealing the structure of sociocultural cooperation, notes its three inseparable aspects: 1) the individual as a subject of cooperation, 2) society as a group of individuals cooperating through their sociocultural processes and relations, and 3) culture as a set of values, norms possessed by cooperating individuals, and a set of bearers that objectify socialize and reveal these values (p. 218).

Introducing the concept of "value" in culture, P. Sorokin essentially understands norms and values endowed with higher power (symbols of Christian faith, values of religion, science, education, music, democracy or health). In this way, sociocultural cooperation of people, objectified in real objects and subjects of the external world, is a historical-cultural type of society or self-sufficient civilization, which is characterized by the peculiarity of material and spiritual culture.

Particularly noteworthy is the fact that the term "society" originated from the Latin word "societas", the synonyms of which are the concepts of friend, companion, ally. Here the emphasis is on positive, friendly relationships, which, to put it mildly, is not very characteristic of the past history of mankind.

In the matter of revealing the essence of civilized society, scientific thought has developed in different directions. The previous millennium was characterized in particular by the likening of society to an organism, when an attempt was made to explain social life by biological regularities. The conceptualization of society as the result of voluntary interaction of individuals was also put forward, in which, however, the uncertainty of the relationship between voluntariness and necessary coercion is vulnerable.

According to the principle of the anthropological view of civilized society and man as a part of nature, only that society is considered worthy of existence which corresponds to the real, noble, unchanging nature of man, which, however, is more of an abstraction than a reality.

According to the sociological theory of civilized society, the idea of perceiving the "meaning" of each other's actions, goals, and intentions is at the heart of social relations. The most important elements in the interaction of people are their perception of common goals and problems, the commonality of the value system, the correct perception of each person's self-expression by other participants in social relations.

Regardless of the emphasis given to this or that criterion, a civilized society is a community of rational beings, whose vital activity is possible only within the framework of systemic integrity, interaction and legality.

The concept of a civilized society implies the discovery of objective regularities of the common life of people. Since ancient times, the following main problems of understanding the essence of society have been important:

1. To what extent does a civilized society differ from nature (some intellectuals generally excluded the boundary between nature and society, while others absolutized the differences between them)?
2. What is the relationship between group and individual principles in social life (in one case, considering it as a group of individuals, in the other case, as a self-sufficient whole)?
3. How are conflict and solidarity interconnected in the development of society (is the engine of society's development internal conflict or the desire for internal alliance of interests)?
4. How does society change (is there improvement, progress, or does society develop in cycles)?
5. Does civilized society, as a system, have the necessary and sufficient internal self-defense tools to identify, evaluate, restore and guarantee development for every manifestation of a disturbed systemic balance?

In this regard, it is also necessary to reveal the historical diversity of historical and cultural types of society (civilization).

The civilizational approach arose not only as a general methodological approach to the study of the development of different regions of the world

with their specific symbols, values, and material carriers. N.Ya. Danilevsky and O. Spengler consider the division of history according to the "Ancient World – Middle Ages – Modern Times" scheme to be erroneous. As O. Spengler (1998) notes, "only with the addition of the third era on a Western basis, our "Modern Times", did this picture manifest itself as a tendency to movement." The Eastern picture is calm, closed, petrified. This limits the volume of history, but what is worse is that it narrows its scope. In such a case, a Chinese historian would be entitled to design a world history in which the Crusades, Hellenism, and the Renaissance would be ignored as something insignificant. Why is the 18th century morphologically more important than each of the six decades that preceded it? Were Egypt and Babylon not ignored for the sake of the established scheme, are they only closed systems that balance the so-called world history from Charlemagne to the world war, interpreting them as preludes to antiquity? Were not the powerful Indian and Chinese cultures reduced to some kind of "closed civilizations" and were they not American great culture should be ignored in general, since in some places it is devoid of historical (i.e. ancient and medieval) connections (p. 77).

That is why the separation of civic education as special formations with socio-normative systems and material carriers allows each civilization to occupy a worthy place in the general historical process, not being oriented towards borrowings from other civilizations of those spiritual and material components that are not organically included in the principles forming a stable system of a given civilization. The forced imposition of other cultural norms and values is not useful for a society based on other traditions and spiritual values. As B.S. Yerasov (2002) rightly notes, "the assumption of the world-historical process as a certain comprehensive and objective path of development deprives science of the ability to reveal national or local peculiarities, the peculiarities in which the life of society proceeds. The objectivity of the process neutralizes the human dimension in history and leads to the individual's place in his ability to correspond to this objectivity" (p. 65).

The American scientist Z. Mull rightly notes that the theory "should avoid causality, assuming the inevitability of the passage of all civilizations through similar stages. These similarities become a source of efforts to include historical events in certain periods in order to establish the proportionality of processes and results attributed to different societies" (Kashanina, 2012, p. 17).

Although the problem of civilization has attracted much attention of researchers in the last century, there is still no unity in their scientific classification. And this is understandable, since there are no unified criteria conditioned by clearly defined historical and cultural types of society. Neither the state and its territorial borders, nor the nation or ethnos, nor any social

culture can be placed at the basis of such a classification. According to N.Ya. Danilevsky (1995), "the natural system of history should be summarized in the identification of historical and cultural types of development as the main basis for separating them from the stages of their development, according to which only these types (and not the set of historical phenomena) can be subdivided." He distributes post-cultural types, or self-sufficient civilizations, in chronological order: 1) Egyptian, 2) Chinese, 3) Assyrian-Babylonian-Finnish, Chaldean, or ancient Semitic, 4) Indian, 5) Persian, 6) Jewish, 7) Greek, 8) Roman, 9) New Semitic or Arabic, 10) Romance-Germanic or European. "Only the peoples that make up these historical and cultural types are the positive driving force of human history, each developing the beginning in its own way, which is summed up both in the peculiarities of its spiritual nature and in the external conditions of life, and thereby making its contribution to the treasury of the history of mankind" (p. 88).

Of course, it is difficult to agree with the scientist here, because he leaves out the "Armenian civilization", which has made a significant contribution to both the formation and development of world civilization. N.Ya. Danilevsky's civilizational typology was rightly subjected to sharp criticism, in particular, by V.S. Soloviev (1989, pp. 350-396). The grounds for this criticism were weighty, since according to Danilevsky, the following principles were considered to form a civilization: everyday life, political independence, particularism, the need for unification in a federation or political system, growth and inevitable decline. In practice, none of these features constitutes an element of the socio-historical type structure. It is enough to recall the linguistic and cultural diversity of a particular civilization, the long period of colonialism, which could not be overcome in India, Africa and other countries, the traditional beginning of major civilizations from the territory of a single state or political system. N.Ya. Danilevsky's criticism of the characteristics of historical and cultural types of society can be continued point by point. However, it is also possible to carry it out in the process of further research into the properties of civilization. O. Spengler (1998) noted "types of simultaneous spiritual eras (civilizations): Indian, Chinese, European, Arabic, ancient, Western" (pp. 189-197) (the "Armenian" civilization is omitted here too).

A.J. Toynbee (2011) distinguished 32 types of civilizations, dividing them into developed, developing and undeveloped civilizations (pp. 233-234). Differences in typologies and criteria of civilizations are reflected in the literature, which defines a great dispersion in the definition of the names of civilization types and their number. The famous American researcher R. Wescott, in the article "Enumeration of Civilizations", gives a list of 66 civilizations, which are distinguished by the ten most famous historians. Only

three (Chinese, Indian, Western) were agreed upon by all nine. As B.S. Yerasov (2002) notes, to this day there are great disagreements among researchers on these issues (p. 113).

Great disagreements exist not only on the number of civilization types, but also on their names. As already noted, N.Ya. Danilinsky calls such communities "historical-cultural types", N. Berdyaev "great cultures", O. Spengler – "high cultures", P. Sorokin – "large cultural supersystems with a special way of thinking". In our opinion, regardless of the name, the main civilizations are: the civilization of the Ancient East, the ancient Greek and Roman civilizations, the Armenian civilization with its historical past and present, the civilizations of Western Europe and America, and the Slavic (Western and Eastern) civilization.

A civilized society, as a systemic whole, is also characterized by a number of other features that are important from the point of view of the presented material. We would like to highlight the following among them:

1. There is a social division of labor, which implies that each member of society must have his or her role and contribution to any work of common benefit in the systemic whole. The latter is realized on the basis of the harmonization of behavior achieved by social consensus and the individual characteristics of each person;
2. Each member of a civilized society is transient, while the system is permanent. Individuals are born and die in a regularity that ensures the dynamic continuity of society, the formation of historical memory;
3. A civilized society is characterized by internal unity, a certain social structure, and qualities that guarantee systemic integrity, a common historical memory, culture (the meaning of its existence in time), traditions, customs, laws, other rules, or, as it is defined, a system of civilizational values;
4. Members of a civilized society interact through a wide system of social ties, which are regulated in nature, and the limits of the freedom of each individual are determined by the possibility of realizing the rights of others;
5. Each subsystem of a civilized society exists with relative independence, but is subject to general rules;
6. A civilized society is characterized by relatively stable, system-forming, as well as variable patterns. The latter are more subject to the influence of situational factors in space and time;
7. A civilized society can be considered social if the basis of public and interpersonal objective relations is the socio-cultural qualities formed as a result of their meaning-making and cognition, and not biological drives.

Based on the nature of fundamental relations, societies have gone through different stages of historical development, the key difference of which was determined by the position and place of the individual in society, the prerequisites and degree of realization of his subjectivity, the harmony of the nature of social relations, and the meaning-making and level of life in time.

The norms and values developed over centuries, which constitute the "relative structure" of civilization, are stable, preserving the civilizational heritage and passing it on from generation to generation. V.S. Stepin (2004) calls the mechanism of transmission of such comprehensive values the cultural-genetic code of this or that type of sociality, and "mutations in the genetic apparatus of social organisms are changes in the worldview comprehensiveness of culture" (pp. 76-77). According to him, it is a system of morals, traditions, customs, acting images, knowledge that preserves culture. This complexly organized collection of programs exists thanks to a special structure that acts as the genome of social life (Stepin, 2004, pp. 77-78).

Along with the stable components of culture (religion, traditions, morality, customs, beliefs, customs), which are difficult to change, or mutate, there are also dynamic elements in culture, which in the process of interaction with other civilizations exchange useful norms that have proven themselves in practice. Among them, it is necessary to include law, as well as moral and religious norms. In the 20$^{th}$ century, informatics emerged, technologies progressed, and a new stage in the development of science began. These cultural components are subject to appropriation, borrowing, and incorporation into the structure of a previously existing culture. A historical-cultural type of modernization of society takes place.

However, such borrowing is characteristic only of "open civilizations". In the modern world, and even more so in the past, there have been closed civilizations that were hostile to any innovations for a long time. A vivid example of this is the ancient Chinese and Indian civilizations.

Along with stable (traditional) and dynamic (developing) norms, there are also coercive, imposed norms. Such a situation causes enormous damage to the socio-cultural integrity, leads to disagreement of its components, and sometimes to the destruction of civilization.

A.J. Toynbee (2011) notes, "Cultural elements, quite harmless and even favorable in one land, can be dangerous and destructive in a foreign social context. On the other hand, it is enough for foreign elements to settle in a new environment, they acquire tendencies towards the attraction of other elements of their own culture to themselves". For example, A.J. Toynbee brings up the introduction of Western institutions of democratic governance in the African world (pp. 64-65). This process was quite destructive. The introduction of foreign borrowing can be minimized if one acts gradually, correctly assesses

the existing situation, and in efforts to introduce foreign elements, the traditions and public consciousness of the peoples are invariably taken into account.

There are many such examples in history. Often, the socio-cultural community is opposed to even the most harmless foreign influences. An uncompromising policy of self-preservation and self-isolation is quite common, although it does not lead to success. A classic example of a closed policy is the development of relations between Japan and the Western world in the late 16th-early 17th centuries. This period covered half a century and lasted until 1638. The policy of isolation was also characteristic of China in the 20th century, especially during the "cultural revolution" (Toynbee, 2011, p. 66).

In the modern world, it is difficult for different civilizations to oppose the advancement of Western and especially American culture, which aggressively penetrates all regions of the world. However, in the conditions of globalization, contacts between civilizations are inevitable, as they were inevitable in ancient times. R. Ihering (2013) rightly emphasizes that "the life of peoples is not an isolated opposition to each other, but the life of individuals within the state – contact, a system of mutual contacts and influences – friendly and hostile, appropriation and provision, borrowing and transmission, which covers all aspects of human existence" (p. 6).

R. Ihering (2013) declares isolationism a mortal sin of peoples, since the "highest law" of history is contact. It is a universal law of the spiritual and material world: life is an external exchange and internal appropriation, assimilation and adaptation – two main functions, on the existence and balance of which the existence and health of any living organism depend. Contact includes not only the economic and technological aspects of the life of people, but also cultural, language, customs, religion, ideas, prejudices, superstitions, science, and art (p. 5).

These conclusions of R. Ihering are indisputably correct, since they are derived from the study of Western civilization. However, they are difficult to apply to various civilizational contacts, especially when it comes to the assimilation and adaptation of such cultural components as religion, traditions, customs, etc. The origin of the difficulties is determined by the civilizational differences traditionally rooted in the world's public consciousness and their unequal status in the general system of historical and cultural types of society.

European civilization is considered a unique model of development and transformation for all countries and regions; the latter, according to the pro-European approach, must necessarily pass through the stages of development characteristic of the European historical and cultural type of society and ultimately move toward the direction of "real" civilization. And in the 30s-40s of the 20th century, the Soviet Union acted as the builder of communism,

since it followed from the Marxist-Leninist doctrine that imperialism was the last stage of capitalism, which by its nature contains destructive elements.

The pro-European approach did not give rise to open opposition during the colonization period. However, after the collapse of the colonial system, the process of "self-affirmation" of civilizations began – civilizations that insisted on their own way of life, ethnic identification, and disagreement with being labeled as backward or undeveloped by European standards, which required their transformation.

The idea of the superiority of Western civilization has become deeply rooted in the public consciousness. N.Ya. Danilevsky (1995) spoke out against such an approach, stating that "the apparent advantage of progress is not a distinctive feature of Europe". He noted that "the European peninsula is endowed with the ability to civil development, although Asia, which includes the majority of cultural states, is not devoid of it either" (p. 72). Using the example of the ancient civilization of China, he demonstrated the enormous achievements in agriculture and animal husbandry.

Printing, the compass, and paper were known to the Chinese for a long time, and, most likely, they introduced all of these to Western Europe. The Chinese have literature and a unique philosophy that we can characterize as a healthy and high system. Isn't this a high level of civil, industrial, and scientific development, which largely leaves behind the civilizations of the ancient Romans and Greeks? Have these people survived the old for four or five millennia without moving forward? A similar picture is observed in Byzantium, even a thousand years after its separation from the Roman Empire. N.Ya. Danilevsky emphasizes that the idea of the origin of a civilization other than European seems strange to the majority of educated people not only in Europe, but also among the Slavs. This is due, according to him, to the perception of ideas about the national as universal ones (Danilevsky, 1995, pp. 72, 74).

N.Ya. Danilevsky's ideas are consistent with the concept of O. Spengler (1998): "I note the scheme, common to the North-Europeans, in which developed cultures revolve around us as the center of the world perfection of the proletarian system of history, and consider as a Copernican discovery in the field of history what in this book ("The Sunset of Europe") takes the place of the old order – the system in which antiquity and the West, India, Babylon, China, Egypt, Arab and Mexican cultures – separate worlds of formation, having in parallel an identical significance in the general picture of history and surpassing antiquity in spiritual concepts, by the power of flight occupy a corresponding and non-privileged status" (pp. 146-147).

In contrast to this position, M. Weber (1990) tries to clearly define the course of other circumstances that led to the fact that only in the West did

cultural phenomena arise that developed in a direction that acquired comprehensive significance (p. 44). He studied in detail such components of culture as science, art, legal and administrative systems, state structure and "rational bourgeois capitalism", and came to the conclusion that the variations of these factors create a unique socio-cultural system, endowed with enormous adaptive capabilities. T. Parsons (1998), agreeing with M. Weber's position, emphasizes that the modern type of society "emerged in a single evolutionary zone in the West. The society of Western Christendom was the starting point from which what we call the system of modern societies "began" (p. 11).

Above we mentioned the points of view of the founders of the theory of civilization – historians N.Ya. Danilevsky, O. Spengler, sociologists M. Weber and T. Persons, who put forward opposing claims. It should be noted that historians were more far-sighted, putting forward the ideas of equal value of civilizations, which was confirmed by the events of the second half of the 20th century. However, it is also known that the social structure of civilizations is changeable.

The historical excursion of human society testifies that the aspiration of individual social strata to a dominant position has always played a significant role – the factor of dominant position, which has become both the cause of social instability and the driving force of social development.

When a person was the property of another person, a clear social stratification took place: the subordinate was called a slave, and society was classified as slave-owning one. When a person was tied to the land and his labor belonged to someone else, he was called a serf, and society was called serfdom.

When free people entered into contractual legal relations, this gradually led to the fact that human rights became the axis of social relations. And at a higher stage of development, these rights were constitutionally recognized as an inalienable and supreme value, a directly applicable right. The principle of the rule of law became the cornerstone of social relations. The basic laws of modern progressive countries are built on this value foundation. At the same time, they are called to guarantee normal and harmonious development on the basis of ensuring the constitutionally necessary and sufficient balance, forming an environment equivalent to the constitution.

With all this, the social essence of a person is manifested in individual motives and expectations for entering into public relations, which are also the basis for the formation of various social institutions, which become certain links in the manifestation of human social behavior.

The value motivation of an individual, in turn, has not only a subjective but also a public objective nature and significance. The key here is what the value system orientation of the individual is, the dialectic of satisfying his needs,

with what motives for satisfying those needs a person enters the dynamic process of public relations, proceeding from the objective reality that each satisfied need gives rise to new needs. It was with this circumstance in mind that in 1995, the famous American economist Robert Lucas, who won the Nobel Prize, within the framework of the theory of rational expectations, proposed to base public management on the concept of influencing people's social expectations.

The formula for achieving satisfaction and happiness by restraining needs has also become a spiritual value for millennia.

The public significance of an individual's social interactions and behavior increases in civil society, along with the appreciation of his place and role. In such a society, a person's social behavior should be stable, predictable, and in harmony with his ideals, aspirations, expectations, and meaningful orientations of social relations. And this is possible only in the presence of a solid value-based foundation for human rational existence and the formation of a social environment corresponding to it.

The exchange and unification of comprehensive standards and values (more precisely, pro-European) becomes unacceptable for some civilizations (for example, Islamic). These processes have been intensively developing at the end of the 20$^{th}$ - beginning of the 21$^{st}$ century. That is why the question of the formation of a global comprehensive civilization based on European values, about which so much was written and promised in the recent past, sounds utopian today. B.S. Yerasov (2002) believes that the concept of a comprehensive civilization is justified "both as the embodiment of a common worldview and as a network of cooperation". Noting the existence of a global civilization, which is formed on the basis of trade relations, common technologies, science and communication, B.S. Yerasov emphasizes that one cannot ignore "mutual principles of worldview, located at the base of these or those civilizations and beyond their borders, for example, American individualism, Islamic fundamentalism, and Japanese unity" (p. 100).

Of course, it is necessary to take into account the expanding network of cooperation, communication, and exchange, which reduces the local limitations of civilization in the conditions of globalization. All this would be a great boon for global social development if globalization processes proceeded in a universal legal space based on the principles of equality, justice, and common standards. Unfortunately, one cannot help but notice that globalization processes have deepened the abyss between countries belonging to different civilizations.

It becomes obvious that globalization, the main task of which is the harmonization of world economic relations, the formation of a homogeneous market economy, does not fulfill its functions, but has created, as a rule,

favorable conditions for the economic development of rich powers belonging to European or American civilizations at the expense of the use of resources and the dependent state of backward countries (Simonyan, 2001, p. 37).

In this regard, an important mission is assigned to nation-states, since the sphere of economic activity of the state is narrowing with the emergence of transnational corporations. Often, the functions of the state are reduced to supporting the "general rules of the game" in certain local conditions.

Among the important factors of globalization, it is necessary to note the growth of interconnections between different regions and civilizations of the world, which has made it possible to reveal the unequal conditions in which the latter find themselves not only in economic, but also in cultural relations.

Analyzing the anti-globalization movements that are becoming more widespread, M. Weber (2001) notes that they are based on the principles of justice, ensuring social and economic rights, self-government, environmental protection, a more equitable distribution of profits, the regulation of the export and import of capital, raising customs duties, and the inclusion of labor rights and environmental protection provisions in trade agreements, as well as principles of reducing the tax burden for developing countries (p. 52).

In May 2000, the Millennium Forum was held under the chairmanship of Kofi Annan. The forum's declaration states that if the architects of globalization are not held accountable, the consequences for everyone can be disastrous. "In the end, the rich will have no salvation, as intolerance, diseases, ecological disasters, wars, social division and political instability will become widespread" (UN Doc A/54/959, 2000). The negative, and often tragic, consequences of globalization have been repeatedly emphasized by scientists, politicians, and representatives of mass anti-globalization movements. These positions on globalization cannot be ignored, just as it is impossible to cancel or stop the processes of globalization. It is important to define the principles and conditions the implementation of which will increase the positive results of globalization.

Currently, the task of the world community is to prevent a humanitarian catastrophe that can arise from the violation of the principles of equality and justice.

In the modern world, the refusal to accept the equality of civilizations is necessarily accompanied by a civilizational "breakthrough" that imposes its worldview on another cultural community and seeks to rebuild it according to the Western-American model.

History knows several examples of the collapse and destruction of civilizations in the processes of such contacts. N.Ya. Danilevsky wrote that "temporarily emerging phenomena" (Mongols, Turks), who, in carrying out their "destructive heroism", destroyed "positively acting cultural types" or

self-sufficient civilizations, are considered "negative phenomena of humanity".

In parallel, in the 19th-20th centuries, some researchers have put forward propositions about civilizations or cultural supersystems that have passed a long path of their existence, but are suspended in their development due to the force of closure or the regularity embodied in the final collapse of self-sufficient civilizations. Thus, N.Ya. Danilevsky (1995) believes that civilizations, as well as living organisms, experience a depletion or elimination of their progressive force as a result of complex reasons. For example, he refers to modern China, India, as well as Egypt and Byzantium, which have been dormant for a long time (pp. 74-75). His point of view is shared by O. Spengler. According to the latter, when a civilization forms into its full and final image, the living development of culture ends, and the last possibilities of meaningful existence become exhausted. He calls what happened in the Egyptian, Chinese, Indian, and Arab civilizations "zoological fluctuations of the simple era," even if all this is "covered with a film of religious, philosophical, and above all political forms" (Spengler, 1998, p. 52).

Such a position gives rise to an objection. History knows civilizations that have disappeared but have left behind high cultural traces (Mayans, Aztecs, Incas). However, there are powerful civilizations that have integrated religious and philosophical worldviews, and which develop in a spiral, sometimes illuminating the world with powerful cultural values, sometimes temporarily fading away, accumulating strength for new leaps. In this regard, one can recall China and India, which made a huge cultural leap at the end of the 20th and beginning of the 21st centuries and in the future may represent a serious threat to American hegemony.

Modern science has substantiated a more complex path of civilization development than in the teachings of the founders of civilization theories, who considered the birth, flowering, collapse and destruction of civilizations inevitable (similar to human childhood, maturity, old age and death).

There is no irreversible destruction of civilization, since civilizations are stable communities that strive for self-preservation either as a whole or in their most stable elements. Beyond the processes of collapse and destruction of civilization, there is a universal meaning of historical development.

At the same time, in explaining the processes of civilization decline, the theory must leave room for both chance and subjective imagination, for natural disasters and for human errors (Muhl, 2001, pp. 67-68).

Preventing the destruction of civilizations implies the development of contacts between them, which in the modern world are expanding and becoming more complex. Relations between civilizations are becoming more complex, in particular because in social society (civilization) mechanisms of

transmission of cultural elements have been developed over centuries. V.S. Stepin draws an analogy with biology, where the adaptation of organisms to the environment is fixed in their hereditary DNA, and between social life, where "culture is the equivalent of such a gene pool, and the cultural foundations represented by worldview commonalities are the unique basic genes of this or that type of sociality." The origin of new types of sociality, society implies a change in the fundamental vital roots represented by cultural commonalities, their mutation (Stepin, 2004, pp. 78-79).

This mechanism of transmission of traditions, experience, people's self-consciousness strives for the preservation of their own civilization. However, the more humanity develops, the deeper and wider become the relationships, contacts, mutual exchange and interchange of cultural elements between civilizations.

As V.M. Mezhuev (2004) rightly notes, only traditions and memories connect us with culture. "Living in the modern world, it is difficult to limit ourselves only to the past. Much in it needs to be reinterpreted, and to borrow the newly created from other nations. Without it, culture is just a historical relic, the place of which is in the museum, not in life" (p. 569).

## Conclusion

The process of cultural development is complex and contradictory. It is important, on the one hand, to maintain one's own self-sufficiency, not to imitate other civilizations, and on the other hand, to borrow the standards of civilization, when necessary to raise the standard of living of the material and spiritual life of the people. Without the realization of such a need, the "mutation" in public life simply will not take place, which will lead to stagnation or chaos of the socio-historical-cultural type of society, caused by the discomfort of living conditions, which is negatively perceived by humanity in the modern world.

It is also necessary to take into account that culture in civilizational formations is not homogeneous. This heterogeneity is most pronounced in European and American civilizations. The processes of globalization have given rise to a huge flow of immigrants from Asian and African countries to the countries of European civilization. They have penetrated European culture with their customs, traditions, and beliefs. Finding themselves in a foreign cultural environment, the majority of immigrants from socially vulnerable strata did not accept foreign culture. In addition, the foreign culture caused intolerance in them, and sometimes hostility. This is most likely determined by the huge differences in social conditions of life, the negative attitude towards them as a foreign-born national majority, a "lower" stratum, which is used in unhonorable work and is satisfied with insignificant salaries.

Immigrants from the Islamic world find it especially difficult to adapt, since their whole life is strictly regulated by religious norms that evaluate people's actions and behaviors from the perspective of their compliance with ethnic concepts and Sharia.

If we take into account the diversity of socio-normative regulators in any European society, and the presence of groups with different subcultural orientations, then the aspirations of a society accepting migrants representing different civilizations to impose its own value concepts lead to what A.J. Toynbee called "stratification of cultures", which is a sign of the bio-purification of civilization.

## References

Danilevsky, N. (1995). *Rossiya i Yevropa* (Russia and Europe). St. Petersburg: St. Petersburg University Press, "Glagol" Publishing House.

Ihering, R. (2013). *Dukh Rimskogo Prava na* Razlichnykh Stupenyakh *Yego Razvitiya* (Spirit of Roman Law at Various Stages of Its Development), Part 1. Moscow: "Direct Media" Publishing House.

Kashanina, T. (2012). *Struktura Prava* (Structure of Law). Moscow: "Prospect" Publishing House.

Mezhuev, V. (2004). *Kultura v Zerkale Filosofskogo Znaniya* (Culture in the Mirror of Philosophical Knowledge). Moscow: "Science, Civilization" Publishing House.

Muhl, J. (2001). Kriterii Otsenki Obshchey Teorii Tsivilizatsiy (Criteria for Assessing a General Theory of Civilizations). In B. Yerasov (Ed.), *Comparative Study of Civilizations* (67–70). Moscow: Aspect Press.

Parsons, T. (1998). *Sistema Sovremennykh Obshchestv* (System of Modern Societies). Moscow: Aspect Press.

Simonyan, N. (2001). Globalizatsiya i Neravnomernost Mirovogo Razvitiya (Globalization and the Unevenness of World Development). *World Economy and International Relations*, № 3, 35–44. DOI: 10.20542/0131-2227-2001-3-35-44.

Soloviev, V. (1989). Natsionalnyy Vopros v Rossii (The National Question in Russia) Vol. 1. Moscow: "Pravda" Publishing House.

Sorokin, P. (1992). *Chelovek, Tsivilizatsiya, Obshchestvo* (Man, Civilization, Society). Moscow: "Politizdat" Publishing House.

Spengler, O. (1998). *Zakat Yevropy* (The Decline of Europe). Essays on the Morphology of World History. Moscow: "Mysl" Publishing House.

Stepin V. (2004). *Filosofiya i Tsivilizatsiya* (Philosophy and Civilization). Man, Science, Civilization. Moscow.

Toynbee, A. (2011). Tsivilizatsiya pered Sudom Istorii (Civilization before the Court of History). Moscow: "Astrel" Publishing House.

UN Document A/54/959. (2000). Millennium Forum Declaration and Programme of Action "We the Peoples: Strengthening the United Nations in the Twenty-first Century". Retrieved October 25, 2025, from: https://shorturl.at/jKT0F.

Weber, A. (2001). Antiglobalistskiye Dvizheniya – Nachalo Velikoy Smuty XXI v? (Anti-Globalization Movements – the Beginning of the Great Troubles of the 21st Century?) *World Economy and International Relations*, № 12. 50–56.

Weber, M. (1990). *Izbrannyye Proizvedeniya* (Selected Works). Moscow: Progress Publishing House.

Yerasov, B. (2001). *Sravnitelnoye Izucheniye Tsivilizatsiy* (Comparative Study of Civilization). Moscow: Aspect Press.

Yerasov, B. (2002). *Tsivilizatsii Universalii i Samobytnost* (Civilizations: Universals and Originality). Moscow: "Nauka" Publishing House.

Yerasov, B. (Ed.) (1995). *Tsivilizatsii i Kultury. Rossiya i Vostok: Tsivilizatsionnyye Otnosheniya* (Civilizations and Cultures. Russia and the East: Civilizational Relations). Scientific Almanac, Iss. 2. Moscow: Allegro-Press.

# THE ROLE OF ARTIFICIAL INTELLIGENCE IN MODERN CYBERSECURITY: OPPORTUNITIES, RISKS, AND GLOBAL IMPLICATIONS

*Mariam Gzoghyan,*
*PhD student in Political Science,*
*Institute of Philosophy, Sociology and Law of NAS RA*
*ORCID iD: 0009-0005-1655-9516*
*(email: mariam.gzoxyan.1998@gmail.com)*

*Manuscript has been submitted on 03.11.2025, sent for review on 04.11.2025, accepted for publication on 03.12.2025.*

**Abstract**

*The research paper explores the dual role of Artificial Intelligence (AI) in modern cybersecurity from a balanced analytical perspective. It begins by examining the philosophical origins of AI, including debates surrounding machine intelligence and human cognition. It then evaluates the positive effects of AI on society, such as increased efficiency, automation, and intelligent decision support, alongside its negative implications, including privacy erosion, algorithmic bias, and rising unemployment due to automation.*

*The core of the paper investigates how AI technologies are currently being integrated into cybersecurity frameworks for threat detection, predictive analytics, and intrusion prevention. Real-world case studies and statistical data from organizations such as the European Union Agency for Cybersecurity (ENISA), IBM, and Statista are included to highlight contemporary trends. Furthermore, the paper discusses the emerging threat of AI-powered cyberattacks and the growing AI arms race among nation-states, which raises concerns regarding global security, digital sovereignty, and international relations.*

*By providing a comprehensive academic analysis, this study underscores that AI in cybersecurity is both a strategic opportunity and a global security challenge. The conclusions emphasize the need for ethical AI frameworks, stronger cyber governance policies, and international collaboration to ensure AI is developed and deployed responsibly.*

***Keywords:*** Artificial Intelligence, cybersecurity, machine learning, ethics, international relations.

## Introduction

Artificial Intelligence has rapidly evolved from theoretical foundations into a transformative technological force that reshapes economic, social, and security landscapes worldwide. Among its diverse applications, AI has become a critical component in the field of cybersecurity, where it provides new capabilities for detecting and mitigating complex digital threats (McCarthy, 2007). However, AI also introduces significant risks, as malicious actors increasingly exploit AI-driven tools to enhance cyberattacks through automation, deepfakes, and adversarial machine learning.

In today's society, human interaction with the natural world and other humans is increasingly and pervasively mediated by networked computing. Human intelligence and capacities to act on that intelligence have been magnified by computing, though the elemental operations of computing machines are exceedingly simple – their capacity to generate signals based on a binary represented in an on/off electrical charge. This is called the digital age, though if our times are to be reduced to a signature technology, these computing machines should be characterized as binary rather than digital (Cope & Kalantzis, 2022).

Artificial Intelligence has emerged as one of the most transformative technologies of the 21st century, reshaping global economic systems, communication methods, governance structures, and international security strategies (Russell & Norvig, 2022). Its rapid development has introduced a new technological paradigm in which machines are no longer limited to executing predefined instructions but instead are capable of learning, evolving, and making autonomous decisions. In today's world, AI systems support a wide range of applications – from virtual assistants and autonomous vehicles to advanced medical diagnostics and financial analytics – fundamentally altering how societies function.

While AI's integration has generated unprecedented opportunities for progress, it has also introduced complex ethical, social, and security concerns. The proliferation of AI in critical infrastructures and digital ecosystems raises concerns related to transparency, accountability, privacy, and control (Floridi et al., 2018). Nowhere are these concerns more pronounced than in the domain of cybersecurity, where AI plays a dual role: it acts both as a powerful defense mechanism and as a tool that adversaries can exploit to conduct sophisticated cyberattacks.

Cybersecurity has become a strategic priority for nation-states, private corporations, and international organizations due to the growing dependency on digital technologies. Modern cyber threats have evolved beyond simple malware attacks to include large-scale ransomware campaigns, AI-driven phishing operations, and cyber espionage targeting national defense

infrastructures (Lella et al., 2024). Traditional rule-based cybersecurity systems are struggling to address the scale, speed, and complexity of these emerging threats. This has led to the widespread adoption of AI-driven cybersecurity solutions that leverage machine learning (ML), deep learning (DL), and natural language processing (NLP) to detect, predict, and neutralize cyber risks in real time (Sommer & Paxson, 2019).

At the same time, malicious actors are leveraging AI to automate cyberattacks, generate deepfake videos for disinformation, bypass authentication systems, and exploit vulnerabilities in autonomous systems. This asymmetry intensifies the global cyber arms race, raising serious concerns among policymakers regarding AI militarization and digital sovereignty (Puscas, 2023). Consequently, AI in cybersecurity represents both an unprecedented opportunity for digital defense and a serious strategic risk in international relations.

## Philosophy and Foundations of Artificial Intelligence

To begin the process of establishing whether or not Artificial Intelligence can philosophize, one must first attempt to outline what defines philosophy. Philosophy is a very vague and open-ended subject; however, there do exist several common hallmarks of philosophy, such as “the search for truth”. Truth in this context is a simple word that symbolizes fact based on overwhelming evidence. As such, philosophy is therefore geared toward “logical persuasion”. Where religion relies on superstitious supernatural beings, such as gods, angels, and demons, philosophy in most cases tries to provide a logical explanation for phenomena while using reason to convince others. As noted by John Messerly, philosophy would rely on reason, evidence, and experience in its pursuit of finding truth, whereas religion shall rely on faith, authority, and revelation (Tsuzuki, 2024).

Artificial Intelligence originated from the ambition to replicate or simulate human intelligence in machines. Philosophically, AI is rooted in computationalism – the theory that cognition can be reduced to computation (Putnam, 1960).

One of the earliest philosophical foundations came from Alan Turing’s (1950) concept of machine intelligence, evaluated through behavioral responses rather than consciousness.

John Searle (1980), however, criticized this viewpoint with his “Chinese Room” argument, asserting that machines manipulate symbols syntactically without understanding their meaning. This sparked a debate over Weak AI – machines simulating thought, versus Strong AI – machines possessing real consciousness.

AI as a field formally emerged in 1956 at the Dartmouth Conference, spearheaded by McCarthy, Minsky, and Shannon. Early approaches centered on symbolic reasoning but lacked adaptability, leading to the rise of machine learning and later deep learning, which now drive cybersecurity automation.

AI today is categorized into three types:

- Narrow AI – task-specific intelligence (e.g. spam filters, intrusion detection),
- General AI – hypothetical machine intelligence equal to humans,
- Superintelligent AI – surpassing human intelligence (Bostrom, 2014).

The philosophical challenge today lies in AI autonomy, responsibility, and ethical risk, especially in security domains.

## Positive and Negative Impacts of AI on Society

Artificial Intelligence has become one of the most influential technologies of the modern world, transforming the way people live, work, and communicate. By enabling machines to perform tasks that once required human intelligence, AI has introduced both significant benefits and serious challenges to society.

On the positive side, AI greatly enhances efficiency and productivity. Automation allows machines to handle repetitive or complex tasks faster and more accurately than humans. In industries such as manufacturing, transportation, and data analysis, AI has reduced time, cost, and human errors. Additionally, AI improves daily convenience – from virtual assistants like Siri and Alexa to personalized recommendations on platforms such as Netflix, YouTube, and Amazon. AI also contributes to innovation by enabling new technologies such as self-driving cars and smart homes. In education, AI creates personalized learning experiences that adapt to each student's needs. It is also used to solve global problems, such as climate prediction and environmental monitoring.

However, AI also brings negative consequences that society must address. One major concern is job displacement. Automation threatens jobs in fields such as manufacturing, transportation, and even customer service, creating unemployment and economic inequality, while also creating new areas of work and opportunities – as happened during the transition from agrarian to industrial society. Privacy is another concern, as AI systems collect and analyze large amounts of personal data, sometimes without user consent. AI can also be biased when trained on unfair or unbalanced data, leading to discrimination in areas like hiring and law enforcement. Moreover, AI is sometimes used maliciously – for example, deepfake technology can spread false information, and AI-powered cyberattacks can harm security systems. Overdependence on AI may also weaken human skills, creativity, and

decision-making, while rapid AI development raises ethical questions and fears about losing human control over technology.

AI has redefined industries and daily life. Its integration enables optimization, prediction, and large-scale data analysis. However, it also introduces ethical, economic, and security issues.

**Positive Impacts**

- Automation & Efficiency: AI reduces human-intensive work by automating repetitive tasks.
- Cyber Defense: AI enhances threat detection and real-time incident response.
- Smart Cities: AI supports traffic control, energy optimization.

**Negative Impacts**

- Privacy Erosion: AI surveillance systems threaten civil liberties.
- Job Displacement: Automation risks replacing millions of jobs (Brynjolfsson & McAfee, 2014).
- Algorithmic Bias: Machine learning can reinforce discrimination.
- Security Risks: AI can be weaponized for cyberattacks.

AI's dual-use nature has global geopolitical implications, especially in cybersecurity, where it acts both as a defense mechanism and a cyber threat.

In conclusion, Artificial Intelligence has the power to greatly improve society, but it also introduces serious risks. To ensure that AI benefits humanity, it must be developed and used responsibly. Governments, companies, and researchers should work together to create ethical guidelines, protect privacy, prevent bias, and support workers affected by automation. AI is neither completely good nor bad – it is a powerful tool, and its impact on society depends on how wisely we choose to use it.

## AI in Cybersecurity

Artificial Intelligence has become a powerful tool in modern cybersecurity, helping protect individuals, organizations, and governments from growing cyber threats. As cyberattacks become more complex, traditional security methods are no longer enough. AI provides smarter and faster ways to defend digital systems and sensitive information.

One of the greatest strengths of AI in cybersecurity is its ability to analyze huge amounts of data quickly. Every second, millions of emails, transactions, and network activities take place. AI systems can automatically scan this data, identify suspicious patterns, and detect potential threats like malware, phishing, or hacking attempts. Unlike humans, AI can work 24/7 without fatigue, offering constant protection.

AI-powered systems also learn and improve over time. Through machine learning, they analyze past attack patterns and use that knowledge to prevent future cyberattacks. For example, AI behavior analysis helps detect unusual user activity, such as a sudden login from a foreign country or unauthorized attempts to access private files. This allows quick action before damage occurs.

However, AI in cybersecurity also faces challenges. Cybercriminals are starting to use AI as well, creating smarter malware and automated attacks. AI systems can also produce false alarms, flagging harmless activity as dangerous, which may slow down work. Another major issue is the high cost and need for skilled experts to develop and maintain AI security tools.

In conclusion, Artificial Intelligence has become essential in today's cybersecurity. It improves threat detection, speeds up response time, and strengthens digital defense. However, AI alone is not enough – human experts are still needed to monitor, control, and guide AI systems. The future of cybersecurity depends on strong cooperation between humans and intelligent machines to stay one step ahead of cyber threats.

AI-driven cybersecurity solutions leverage machine learning, deep learning, and natural language processing to detect and respond to threats in real time.

Key applications include:

- Anomaly Detection: Machine learning algorithms analyze network traffic to identify unusual patterns that may indicate a cyberattack (Sommer & Paxson, 2019). For example, intrusion detection systems (IDS) now incorporate AI to reduce false positives and accelerate incident response.
- Threat Intelligence Automation: AI can collect, correlate, and analyze threat data from multiple sources, providing security teams with actionable insights faster than manual methods (Lella et al., 2024).
- Malware Detection: AI models, especially those using deep learning, can detect previously unknown malware by recognizing behavioral patterns rather than relying solely on signatures (IBM Security, 2025).
- Security Operations Center (SOC) Automation: AI assists in automating routine tasks within SOCs, including log analysis, alert prioritization, and response playbooks, allowing human analysts to focus on complex investigations (Henein, 2025).
- Real-World Example: According to ENISA's 2024 report, organizations that adopted AI-driven cybersecurity platforms were able to reduce incident response times by up to 50% (Lella et al., 2024).

While AI strengthens cybersecurity, it also introduces risks as attackers leverage AI tools:

- AI is making phishing attacks far more dangerous by eliminating these traditional warning signs. Modern AI-powered phishing campaigns can generate highly personalized phishing emails that mimic legitimate communication from trusted sources with perfect grammar and contextual awareness ("CMIT Solutions", n.d.).
- Adversarial Machine Learning: Attackers can manipulate AI models, causing misclassification or bypassing security systems (Bostrom, 2014).
- AI-Powered Malware: Malicious software can now adapt to detection, learning from security defenses to avoid identification (IBM Security, 2025).
- Statistical Overview and Graph: Based on data from IDC, ENISA, IBM, and Statista, global cybersecurity spending is projected to rise to $377 billion by 2025, while AI-driven security solutions see accelerated adoption.

## Conclusion

Artificial Intelligence has transformed the cybersecurity landscape by providing advanced tools for threat detection, predictive analytics, and automated response. The dual-use nature of AI presents both opportunities and challenges: while it enhances digital defenses and operational efficiency, it also empowers attackers to conduct sophisticated cyber operations, including AI-driven phishing, malware, and deepfake campaigns.

Artificial Intelligence is transforming cybersecurity by enabling faster threat detection, automated responses, and smarter decision-making. It allows organizations to analyze vast amounts of data in real time, identify potential risks, and prevent cyberattacks more effectively than traditional methods. However, AI is not a complete solution on its own – challenges such as adversarial attacks, false positives, and the misuse of AI by cybercriminals highlight the need for human oversight. The future of cybersecurity depends on collaboration between AI technologies and skilled professionals, ensuring both efficiency and ethical protection of digital systems.

The analysis demonstrates that organizations that integrate AI into their cybersecurity frameworks experience faster incident response, improved threat intelligence, and reduced operational costs. However, ethical concerns, algorithmic biases, privacy risks, and the potential for an AI-fueled cyber arms race underscore the necessity for comprehensive governance, policy frameworks, and international collaboration.

In conclusion, AI in cybersecurity is a double-edged sword. To maximize benefits and mitigate risks, stakeholders must invest in ethical AI practices, workforce training, and coordinated international efforts. Effective regulation,

transparent AI systems, and proactive threat monitoring will be critical to ensuring that AI strengthens rather than undermines global digital security.

## References

"CMIT Solutions". (n.d.). AI Phishing Detection & Attacks: How to Protect Against Them. Retrieved October 26, 2025, from: https://shorturl.at/VZlrA.

Bostrom, N. (2014). *Superintelligence: Paths, Dangers, Strategies*. UK: Oxford University Press.

Brynjolfsson, E. & McAfee, A. (2014). *The Second Machine Age: Work, Progress, and Prosperity in a Time of Brilliant Technologies*. New York: W. W. Norton & Company.

Cope, B. & Kalantzis, M. (2022). Artificial Intelligence in the Long View: From Mechanical Intelligence to Cyber-social Systems. *Discover Artificial Intelligence*, Vol. 2, No. 13. DOI: 10.1007/s44163-022-00029-1.

Floridi, L., Cowls, J., Beltrametti, M., Chatila, R., Chazerand, P., Dignum, V., Luetge, C., Madelin, R., Pagallo, U., Rossi, R., Schafer, B., Valcke P. & Vayena E. (2018). AI4People – An Ethical Framework for a Good AI Society: Opportunities, Risks, Principles, and Recommendations. *Minds and Machines*, Vol. 28, No. 4. 689–707. DOI: 10.1007/s11023-018-9482-5.

Henein, N. (2025). *Cybersecurity and AI: Enabling Security While Managing Risk.* "Gartner". Retrieved October 22, 2025, from: https://shorturl.at/WlGPT.

IBM Security. (2025). *Cost of a Data Breach Report 2025*. Retrieved October 22, 2025, from: https://shorturl.at/ZbEnV.

Lella, I., Theocharidou, M., Magonara, E., Malatras, A., Naydenov, R., Ciobanu, C. & Chatzichristos, G. (Eds.). (2024). *ENISA Threat Landscape 2024*. European Union Agency for Cybersecurity. DOI: 10.2824/0710888.

McCarthy, J. (2007). *What is Artificial Intelligence?* Formal Reasoning Group. Retrieved October 05, 2025, from: https://shorturl.at/yGByc.

Puscas, I. (2023). *AI and International Security: Understanding the Risks and Paving the Path for Confidence-Building Measures*. UNIDIR.

Putnam, H. (1960). Minds and Machines. In S. Hook (Ed.), *Dimensions of Mind: A Symposium* (138-164). New York: New York University Press.

Russell, S. & Norvig, P. (2022). *Artificial Intelligence: A Modern Approach* (4th Ed.). UK: Pearson Education Limited.

Sommer, R. & Paxson, V. (2019). Outside the Closed World: On Using Machine Learning for Network Intrusion Detection. *IEEE Security & Privacy*, Vol. 17, No. 5. 42–49. DOI: 10.1109/MSP.2019.2911059.

Tsuzuki, K. (2024). Possibilities and Limitations of AI in Philosophical Inquiry Compared to Human Capabilities. Retrieved October 15, 2025, from: https://shorturl.at/8nqZp.

# THE INTERACTION AND CONFRONTATION BETWEEN ART AND POLITICS

*Svetlana Arzumanyan,*
*PhD in Philosophy, Associate Professor*
*Senior Researcher at the Institute of Philosophy,*
*Sociology and Law of NAS RA*
*ORCID iD: 0009-0002-9617-869X*
*(email: s.arzumanyan@inbox.ru)*

*Aleksandr Samarchyan,*
*Junior Researcher at the Institute of Philosophy,*
*Sociology and Law of NAS RA*
*(email: al.samarchyan@gmail.com)*

*Manuscript has been submitted on 10.11.2025, sent for review on 12.11.2025, accepted for publication on 04.12.2025.*

## Abstract

*The article examines one of the pressing cultural issues of our time, facing political science – the question of the connection between art and politics, which involves identifying its possible causes, the nature of its manifestation and the degree of their interaction or confrontation. Based on the fact that society, as a complexly organized system, for its unimpeded functioning at all times strives to establish, as far as possible, harmonious connections between its components, be it the economic, political, social or cultural spheres, the existence of a certain connection between politics and art is also recognized. It is argued that ignoring this problem can confront a person with inexplicable processes occurring in society, complicating the understanding of their causes and consequences. The specific manifestations of this relationship are analyzed in two contexts: firstly, from the point of view of the subordination of art to political goals, and secondly, taking into account the ability of art to specifically influence political processes. The defining role of art in the processes of aestheticization of politics and politicization of art, which has become especially strong since the beginning of the 20$^{th}$ century, is emphasized.*

*The analysis demonstrates that many avant-garde movements of the 20$^{th}$ century contributed to the aestheticization of politics, while political regimes – especially autocratic and totalitarian ones – intensified the politicization of art. The article concludes that although art in democratic societies seeks to*

*function independently of politics, in today's conflict-ridden world the work of any genuine artist inevitably reflects a civic position.*

***Keywords*:** Art, politics, mutual influence, propaganda of political ideas, aestheticization of politics, politicization of art, Futurism, Dadaism, art of the Third Reich.

## Introduction

One of the pressing cultural issues facing political science today is the relationship between art and politics, which requires identifying its possible causes, the nature of its manifestations, and the degree of their possible interaction or confrontation. Given that society, as a complexly organized system, has always strived to establish harmonious connections between its components, be they economic, political, social, or cultural, for its smooth functioning, it is necessary to recognize the existence of a certain connection between politics and art, especially since they are the most important forms of social consciousness and manifestations of human spiritual culture. Of course, during the development of various nations, the latter did not always manifest itself in an obvious form. More often, it was veiled, not prominent. But it would be difficult to point to any state whose ruler would completely reject the potential of art as a means of strengthening his power, if such an opportunity were outlined. Therefore, the existence of a connection between art and politics should not be questioned in any way.

Even with the most superficial approach to studying the problem at hand, one cannot lose sight of the fact that art is primarily aimed at a specific emotional reaction of people. And this cannot pass by politics, which, in shaping people's political orientations, assessments and attitudes towards the government, towards the state, also relies in many ways on their emotional reaction, is guided by the latter, and therefore cannot ignore the suggestive (inspiring) power of art. It is also important for politics that art is an indispensable means of moral and aesthetic education of a person, shaping his attitude to reality, as well as his norms, values, and style of behavior. Politicians try to use all these artistic possibilities to achieve their goals, i.e., to propagate a worldview, values, ideas, and orientations that are preferable for the current political situation, and to disseminate a specific political doctrine.

It should be noted that, depending on the nature of the research being conducted, different questions may be identified as principal. For example, the possible indirect influence of art on the formation of a particular state's ideology is of interest, as is the reverse process associated with investigating the influence of the socio-political situation on the formation of the content and specific form of art. It is also important to clarify the role of specific

artistic movements and individual artists in this process, related to the nature of their political views and orientations, as well as to understand how the encouragement or punishment of artists, based on certain political goals, for example, the destruction of works of art, the ban on creativity and even the killing of creators of art, can affect the quality of the emerging cultural situation as a whole.

Examples of the obvious interconnection between the artistic and political components of the social system became especially evident in the 20th century – a time of global and numerous local political and economic revolutions, two world wars, i.e. processes leading to a change in the world as a whole. Indeed, the 20th century provides us with a wealth of material demonstrating the intimate relationship between art and politics. This includes, first and foremost, the art of the historical avant-garde, represented by Futurism, Dadaism, Surrealism, and so on (Bürger, 2014; Turchin, 1993), as well as the opposing Socialist Realism (Morozov, 2007; Schultz, 2024, pp. 5-15). They are spreading across various countries, which gives rise to the hypothesis that the process is perhaps logical, rather than random, and is directly linked to the intensification of the interaction between the political and artistic consciousness of artists. The significance of this interaction increases especially during critical times that touch upon the problem of human existence.

No less important are other, more local manifestations of this interaction, among which we can point to expressionism, the art of fascist Germany, the art of the so-called "new left" – a revolutionary movement that engulfed students and professors of universities in Europe and the USA, which experienced a violent manifestation especially in 1968 in France and claimed to create a "counterculture". Although the movement included such renowned thinkers as Herbert Marcuse, Frantz Fanon, Jean-Paul Sartre, Michel Foucault, Mikel Dufrenne, Charles Wright Mills and Guy Debord, inspiring young people with a critique of capitalist society, but its stated goal was not achieved (Davydov, 1975). We should also note the so-called "Sots-art", which developed in the USSR in the 1970's as an alternative to the culture encouraged by the government (Erofeev, 2007, pp. 14-23). Of interest are also various performances that touch upon important social and political issues that have become widespread in Europe, the USA, Latin America, many post-Soviet countries, etc.

Does this mean that, when considering the relationship between art and politics, politics should play a leading role? At first glance, this seems to be the case. However, when you consider that art has the ability to have a powerful emotional impact on a person, causing excitement in his soul, that it is capable of giving birth to certain feelings and moods, then you understand

that the problem is much more complex. It seems clear that politicians consciously turned to art to address the political challenges they faced. Art appealed to them as a means of non-violent, powerful influence on the masses, while also evoking a sense of aesthetic pleasure. Thanks to art, the "powers that be" moved towards the specific political goal they had set in a "bloodless" way. The point is that many ideas that are important for one's life are more easily assimilated by a person with the help of artistic images that carry an emotional charge, rather than ideological doctrines or scientific concepts. This is why many rulers of various states, in order to strengthen their power, turned not only to the help of the army or to the propaganda of political and economic reforms by forceful methods, but also to the help of art, turning its capabilities into a tool for solving pressing socio-political problems. For example, the exaltation of the image of the ruler, bringing him closer to the image of God, with the aim of generating feelings of reverence and submission necessary for establishing order in the country, has become common for artistic practice in all periods of the existence of state entities.

## Art as a Means of Glorification of Rulers

One of the earliest examples of the crucial role of art in commemorating historical events and addressing political issues is the Stele of the Vultures (Stele of King Eannatum), created in the 25$^{th}$ century BCE. This unique Sumerian monument, featuring several rows of relief images and an inscription, recounts the victory of Eannatum, the ruler of the city of Lagash. The victory, achieved through divine intervention, is evidenced by the image of the city's Supreme God, who has caught his enemies in his net. The king, meanwhile, triumphantly walks over the corpses of his fallen enemies, whose heads and limbs are carried off by ravenous vultures (Chegodaev, 1956, p. 54). As a clear demonstration that every enemy of the country would suffer the same fate- to perish and become prey to the vultures – this terrifying scene was intended to awe the viewer, evoke strong emotions, and become a means of successfully promoting the policies of the ruler.

The famous Stele of Hammurabi's Laws, created by order of the ancient Babylonian king Hammurabi around 1780 BCE to perpetuate laws establishing order and justice in the country, also serves a propaganda purpose. The cuneiform text recounts the titles, power, and majesty of a just king, almost equal to a god, caring for the people and the country's patron gods – Enlil, Marduk and Shamash – revealing its important sociopolitical significance (Afanasyeva, 1976, pp. 69-71).

Similar processes are observed in the art of Ancient Egypt. For example, on the famous Stele of Djet, the "Serpent King" (3100 BC), the pharaoh's name is

inscribed, and below is a falcon, the embodiment of Horus, the Egyptian god of sovereignty, hinting at the pharaoh's divine nature (Pomerantseva, 1976, pp. 220–221; Stele of Pharaoh Djet, n.d.). To avoid repetition and numerous examples, we note that the practice of glorifying rulers, inextricably linked with the promotion of the cult of gods, would become an essential component of art, a clear indication of the influence of politics on it. Art would later become interested in perpetuating the images not only of kings but also of individuals who had achieved high social status and played an important role in the life of the nation, whether in politics, science, philosophy, etc., as evidenced by the art of Ancient Greece.

All ancient Greek art is aimed at cultivating a morally and physically harmoniously developed ideal person, a phenomenon that Socrates conceptualized with the concept of "kalokagathia" (Losev & Shestakov, 1965, pp. 100-110). This concept is the most important expression of the socio-political and aesthetic ideal of Ancient Greece. And the criticism of art carried out by Plato in the dialogue "The Republic" was connected only with the problem of creating an "ideal state" populated by ideal citizens, as close as possible to this ideal, whose harmonious souls should be formed with the help of music and gymnastics controlled by statesmen. In his dialogue with the Adeimantus, Socrates asserts, "For they must beware of change to a strange form of music, taking it to be danger to the whole. For never are the ways of music moved without the greatest political laws being moved…" (Plato, 1991, p. 102). It's noteworthy that Plato directly states that changes in music will lead to changes in the state (Plato, 1991, pp. 102-103). After all, musical education shapes people's morals and social order. Clearly, the philosopher opposes innovations in art primarily for political reasons and purposes. In his view, any innovations will lead to the destruction of the foundations of society and the decline of the state, which he sought to make "ideal".

The ancient Romans, who created a great empire, also invested considerable effort in developing art that served political purposes. Suffice it to mention the creation of triumphal arches, which were erected to commemorate Rome's victories over its enemies. These majestic structures depicted scenes of Roman generals' victories over their enemies.[*] A vast number of sculptural portraits were also created – of emperors, military leaders, senators, and so on. The sculptural portrait of the Emperor Augustus, seated on horseback, is impressive. Many portraits emphasize his noble origins and godlike qualities. His portrait in the image of Jupiter is famous. Emperor Claudius is also depicted as Jupiter, demonstrating that the mythologization of

[*] The most famous of them are the arches of Constantine, Titus, Janus, Drusus, Septimius Severus and others.

the ruler's image was actively used for political purposes as an effective tool of influence. A large number of portraits of emperors – Hadrian, Trajan, Antoninus Pius, Marcus Aurelius, Septimius Severus, Caracalla, Constantine, and others – with minor variations to emphasize certain details, had one goal – to portray a truly valiant, noble, "ideal" ruler, who directed his efforts towards strengthening the power of his country and its exaltation (Chegodaev, 1956, pp. 313-335).

The Roman Empire also produced a huge number of portraits of Roman aristocracy and wealthy citizens. Interestingly, some of these were destroyed, while others have survived disfigured. This was not always the result of some random accident, but rather the direct consequence of a conscious decision. Destruction or disfigurement, such as beheading, damaging the nose, eyes, etc., was the result of a decision to subject a person who had committed a crime to the "curse of memory" (Latin: "Damnatiomemoriae"). As a special form of posthumous punishment, it was intended to erase the memory of a person who had committed certain sins and was even applied to emperors, including Domitian, Caligula, Common, Nero, and others (Hanaghan, 2024).

The practice of "memory erasure" for political purposes was used not only in Ancient Rome but also in other states and cultures, dating back to ancient times, and has retained its significance to this day (Anisimova, n.d.). Art played a significant role in this.

The Middle Ages, which followed antiquity and was a time of religious dominance, subjugated all other spheres of human activity, including politics and art, to the powerful influence of religion, forcing them to act as "servants", as is often figuratively noted. Religion acted as a meta-ideology. Therefore, any aspect of the culture of this time, including political or artistic, must be discussed only with an eye to religion, noting that one of the main conclusions following from theological tenets was that the state and law are the result of divine design. They were created by God to establish order and regulate relations between people.[*] Based on this premise, political thought aimed to justify the authority of the church and monarchy as manifestations of divine will (Anisimova, n.d.). Art followed the same path, figuratively instilling in the people ideas about the divine origin of the state and power in general and the ruler himself in particular.

It is enough to look at the architecture of the Middle Ages, in particular at the inimitable Armenian apostolic churches and monasteries, Romanesque and Gothic cathedrals, to be convinced that they were created in accordance with a religious worldview, first of all pointing to the greatness of God and the path leading to him, and also testify to the power of the state in which they are

[*] See more in detail in Augustine, 1998.

erected and to the greatness and invincibility of the king ruling this state. A religious context was a constant backdrop for depictions of medieval rulers, defenders of faith and state. Images of holy kings, benefactors of the church, and valiant warriors affirmed their divine right to rule. Statues of rulers adorning cathedrals and other public buildings symbolized their role in defending the state and faith. They were also depicted in various manuscripts, stained glass windows, and mosaics, most often in allegorical or historical scenes, as characters from biblical stories, and as patrons of the church. (Tyazhelov & Sopotsinsky, 1975, pp. 20-40; Tyazhelov, 1981)

Freed from the pervasive influence of religion and acquiring a free character, art, inspired by the ideas of Renaissance humanism, nevertheless continued to express political content in the same vein as in previous eras, creating images of sovereigns, members of the upper class, and the clergy, presenting them in an aura of glory (Zheglova, 2017, pp. 199-212). Numerous examples can be cited confirming that the primary message of these images remains the same – emphasizing the king's greatness, his divine election, and his commitment to Christian virtues – wisdom, justice, and so on. We believe that nothing has changed in this regard; the presented images are, once again, purely visual propaganda with a political subtext. What has changed is that, with the development of printing (1445), which made it possible to replicate not only texts but also images, the people were able to see their rulers through engravings, which became a new, additional means of promoting their political greatness.

Thus, the main purpose of statues, paintings, engravings, medals, etc., depicting the German King and Holy Roman Emperor Maximilian I of Habsburg, representatives of the English Tudor dynasty – Henry VIII and Elizabeth I, the equestrian portrait of the Spanish King Philip IV by Diego Velázquez, the equestrian portrait of Charles I by Anthony van Dyck, portraits of the French "Sun King". Louis XIV, and many others – radiate imperial confidence, the qualities of a strong and noble personality. Their images are often mythologized (Frolova, 2018; Dmitrieva, 2012. pp. 22-47; Makarova, 2017, pp. 20-46). For example, the depiction of Louis XIV with a laurel wreath, crowned with the sun, i.e., the attributes of the god Apollo, or in the guise of Alexander the Great, indicate that he is God's viceroy on earth and a powerful ruler (Voitenko, 2022)

The above confirms that, from ancient times onward, rulers have sought to present themselves to their people in the best possible light. To do this, they needed art as a means to exalt, idealize, and mythologize them, presenting them as courageous knights, enlightened and noble monarchs, patrons of the arts, and even God's representatives on earth. Viewed from this perspective, art was directly subordinated to political goals. It was used as a means of

political propaganda, without exerting any significant influence on the political processes developing in the state.

## The Formation of Anti-War Art

The connection between politics and art intensifies with the foregrounding of the issue of war, to which the artist expresses his attitude. The first to address the theme of war, not to glorify rulers but to document its horrors, was Jacques Callot (1592-1632), who created a series of 18 large-format etchings, "The Great Disasters of War" (Callot, 2018). Turning to the Thirty Years' War, which engulfed Europe from 1618 to 1648, he depicts scenes of battle, mass executions of soldiers, beatings, fires, cripples, poverty, robbery and other crimes, i.e. disasters that befell the majority of people, but which were not usually depicted within the boundaries of official art. It's clear that Callot's etchings, which depict the devastating consequences of war, are directed against it and should be perceived as essentially anti-war statements. They offer a veiled call for peace, since the objective depiction of the disasters that war leads to breeds hatred for it. It is clear that the artist sowed the seeds of anti-war art, which sprouted first in the work of Francisco Goya, in particular in his etchings "The Disasters of War" (Doronchenkov, 2015).

Despite working at the court of Charles IV, Francisco Goya (1746-1828) never sugarcoated reality in his works, boldly presenting pressing social issues and criticizing political power. In his satirical series of engravings, "Caprichos", he exposed the abuse of power by members of high society and the imperfections of humanity in general. In his 82-piece series, "The Disasters of War", he protested the cruelty of war, depicting the pain and suffering of ordinary people, especially the victims, and demonstrating their despair and resilience (Doronchenkov, 2015). Another famous work by Goya is the painting "The Third of May 1808: Execution of the Defenders of Madrid", which depicts the execution of Spanish revolutionaries who rose up in defense of their homeland. In his works, the artist focuses on the inhumanity that has become dominant. Death, torture, atrocities, dead and wounded bodies are the main themes of his works. It is no coincidence that Goya's ideas resonated with some 20$^{th}$ century artists in their perceptions of war itself and its consequences (Doronchenkov, 2015). Following Callot, Goya strengthened the foundations for the development of anti-war art, which gained new momentum in the 20$^{th}$ century.

In the 20$^{th}$ century, the First World War served as a direct stimulus for the emergence of anti-war art. Expressionist artists, most notably Käthe Kollwitz and Otto Dix, were among the first to respond, capturing the suffering and destruction brought on by war in their works. Kollwitz opposed the war,

especially after the tragic death of her 17-year-old son, who had volunteered for the front. Her series of etchings "War", sculpture "Grieving Parents" and poster "Never Again War", are a powerful call for peace and condemnation of war (Byron, 2024). Like Goya, she focuses the viewer's attention on the human tragedy of ordinary people – the victims of a brutal war, including her.

War is also a central theme in the work of Otto Dix, a veteran of World War I, who volunteered for the war at the age of 22 and served until its end. The 1924 series of graphic works "War" consisting of 51 etchings is placed on a par with the cycle "The Disasters of War" by F. Goya, indicating the same powerful emotional impact that a truthful representation of the horrors of war has. Indeed, having witnessed death, injuries, rotting corpses in the trenches, and other shocking scenes firsthand, he depicted them all without embellishment in his works, unashamedly depicting horrific details. It is no coincidence that after the Nazis came to power in Germany, preparing for revenge and propagating war, his art was rejected and declared "degenerate", and Dix was dismissed from his post as a teacher at the Dresden Academy of Fine Arts on the grounds that his works "undermine the will of the German people to defend themselves" (Lesin, 2019).

Another artist whose work has been compared to Francisco Goya in terms of its anti-war content is Pablo Picasso, whose work includes Guernica, a painting created after the bombing of the Spanish city of the same name on April 26, 1937, during the Spanish Civil War. The Cubist technique used in the painting somewhat complicates the understanding that the artist is painfully narrating the brutality of war, which creating chaos and death, despair and hopelessness. Only after discerning the images of the unfortunate woman holding a dead child, the soldier with severed hands, the despairing women, and so on, does one understand the full tragedy of the situation, an impression heightened by the work's black-and-white color scheme. The painting depicts death and destruction, pain and helplessness (Robinson, n.d.). An anti-war sentiment is also present in Picasso's work "Massacre in Korea", which condemns the massacre of civilians as a result of US intervention in the Korean War. Researchers consider this work a direct quotation from the composition of Goya's painting "The Third of May 1808 in Madrid". Like Goya, Picasso depersonalizes the executioners, presenting them as a faceless mass, directing the viewer's attention to the victims. He depicts unfortunate women and children facing the guns of robotic executioners. Art historian Kirsten Hoving Keen argues that the painting was "inspired by reports of American atrocities" in Korea (Keen, 1980, p. 464).

## Art and Aesthetization of War (Futurism)

One of the influential artistic movements of the 20th century, Futurism, founded by the Italian poet, writer and political figure F.T. Marinetti, had a diametrically opposite, militaristic orientation.* Political ideas were no less important to him than artistic principles. He was closely associated with fascism and served as cultural adviser to D. Mussolini. He was elected to Parliament and, in 1929, received the title of academician. But it's no secret that long before the fascist regime came to power, the Futurists advocated war, believing that the world needed to be cleansed of "unnecessary" people and that war was the best means for this. The movement's ideological inspirer, already in his first manifesto (1909), asserted, "We want to glorify war – the world's only hygiene – militarism, patriotism, the destructive gesture of anarchism, beautiful ideas that condemn to death and contempt for woman" (Marinetti, 1914, p. 7). And these were not just empty words. The Futurists were sincere adherents of this idea. Many of them, as volunteers, personally participated in the First World War. Moreover, some of them became victims of this merciless slaughter.** According to the renowned philosopher and founder of the Italian Communist Party, Antonio Gramsci, Futurism was popular among the working class before the war. But after the peace, the Futurist movement lost its influence among workers (Gramsci, 2012).

In 1920, the Italian Futurist Party merged with the Fascist Party, but Futurism did not develop into fascism, primarily because of the movement's split, secondly, because Marinetti strove to aestheticize politics. Thus, regarding the colonial war in Ethiopia, he writes, "… War is beautiful because thanks to its gas masks, it's terrifying megaphones, its flame throwers, and light tanks-it establishes man's dominion over the subjugated machine. …War is beautiful because it creates new architectures, like those of armored tanks, geometric squadrons of aircraft, spirals of smoke from burning villages, and much more.... Poets and artists of Futurism... remember these principles of an aesthetic of war, that they may illuminate ... your struggles for a new poetry and a new sculpture!" (Benjamin, 2008, pp. 41-42).

The Italian journalist and writer Giuseppe Prezzolini was one of the first to point out that fascism shares characteristic features of futurism. He notes that

* Futurism spread across Europe, the United States, and Russia. Armenia also participated in this process, represented by the futurist group "The three" (Charents, Abov, Vshtuni) and others, among whom Kara-Darvish stands out.

** Marinetti volunteered in World War I, the Ethiopian War, and World War II, where he was wounded twice. Many Futurists were seriously wounded, and two of them – the sculptor and artist Umberto Boccioni and the architect Antonio Sant'Elia – were killed. However, this did not stop Marinetti. He attempted to translate Futurist ideas into political struggle and establish Futurism as the official art of the Fascist regime.

"the cult of speed, the attraction to strong decisions, the contempt for the masses and simultaneously the captivating appeal to them, the penchant for the hypnotic power of crowds, the exaltation of national sentiment, the antipathy toward bureaucracy – all these emotional positions passed from futurism to fascism almost completely" (Prezzolini, 2013). But he also pointed out their contrast, expressed in fascism's quest for hierarchy and order, for the past, for the spirit of Rome. Meanwhile, one of Futurism's main demands was the rejection of all traditions and the pursuit of complete freedom. Concluding that Futurist art and Italian fascism are distinct entities, he writes: "It was a misunderstanding, born solely from the circumstances of close proximity, from purely chance encounters, from the sheer confusion of various forces that led Marinetti to Mussolini's side. It worked well during the revolution, but it will be surprising under the current government" (Prezzolini, 2013). He was convinced that Italian fascism could not accept the destructive program of Futurism, and he was right. Having squeezed Futurism to its limits, the Fascist regime began to distance itself from Futurism by the late 1930's, denying it the status of "officially state-approved Italian art". One of the reasons for this was the alliance between Hitler and Mussolini.[*] Since avant-garde art was banned in the Third Reich, Futurism lost its former significance for Il Duce. But before that time, the Futurists continued to influence the formation of fascist ideology and even contributed to the rise of the fascist regime. It's important to remember that Futurism emerged as an artistic movement. Its goal was to create an art of the future, oriented toward technological progress. Choosing speed, aggression, force, and punching as their main principles, they entrusted the implementation of their plans to young people. But the goal of revolutionizing the artistic sphere soon acquired socio-political implications. Already at the outset of World War I, the Futurists established themselves as a serious political movement. They advocated Italy's entry into the war and advanced their militaristic program. One of Marinetti's main political demands was the establishment of Italian dominance over the world. All nations must submit to Italy, Marinetti asserted, burning Austrian flags. Thus, the Futurists led to the creation of the first "Political Futurist Fascia" and the "Association of Italian Arditi", with ideas that almost entirely became part of the fascist program. Mussolini did indeed utilize the Futurists' practical methods. He favored extravagant actions that attracted popular attention. It was through Futurist tactics that Mussolini initially maintained his influence among the masses, using their ideas to advance his own political career. In 1919, he founded the political party "Italian Union of Struggle", which three years later was transformed into the "National Fascist Party". Mussolini's political

[*] Let us recall that the collaboration between Hitler and Mussolini began in 1936.

program incorporated many provisions of the "Manifesto-Program of the Futurist Party of Italy", presented in 1918 (Nesterova, 2004, pp. 159-164). The Futurists also adopted the idea of combat units – "arditi" – which were transformed into paramilitary "Blackshirt" units. The Futurists' most important achievement was the creation of the "myth of the Leader". They presented Mussolini as a superman, a figure Marinetti had already described in his 1910 novel, "The Futurist – Mafarka: An African Romance". They presented him as a hero leading the people to great goals, the builder of a "beautiful" future in which technological advances played a central role. Ann Bower drew attention to this, noting that the image of the dictator is brutalized and mythologized, as evidenced by this description: "… Rising to speak, he bends forward his masterful head, like a squared-off projectile, a package full of good gunpowder, the cubic will of the state.... His will split the crowd like a swift antisubmarine boat, an exploding torpedo" (Bowler, 1991, p. 777). The term "Il Duce", which became synonymous with Mussolini, was also coined by the Futurists. "This was done by the artist Gerardo Dottori, who painted a portrait of Mussolini by the same name, in which airplanes, familiar to Futurists, circle above the fascist leader's head, forming a halo. ... Beginning in 1925, the image of the Duce became a central theme in the work of Italian Futurist artists. They depicted Mussolini as a trainer taming the Lion of Judah, as a giant helmsman standing at the helm of the Italian nation, in profile, hovering above the Colosseum", and so on ("Free Verse and More", 2021). In 1923, the manifesto "Italian Empire" was published, dedicated specifically to "Benito Mussolini, the Head of Italy". Marinetti appealed to the youth, calling for the conquest of an Italian empire destined to rule the world, pointing out that it was "in the hands of the best of Italians. He will rule without Parliament, with the help of the Technical Council of Youth". This was followed by honors for Marinetti and greetings to the Futurist Congress (November 23, 1924, Milan), at which Mussolini admitted that "without Futurism there would be no fascism" (Girin, 2010). For Marinetti, art and the state shared a common goal, and so he believed that the victory of a Futurist artist would be a victory for the entire Italian nation, for the new art would lead to a transformation of life as a whole. Art is inseparable from life, which is an endless struggle, without which there is no beauty. While glorifying violent methods, he was unable to transcend his vision of politics, which remained largely within the confines of the aesthetic, thereby undermining the alliance between Futurism and Fascism. According to Anne Bower, "that while the Futurist movement was explicitly political from its inception, the Futurist project for the creation of an art that would give form to a new social order could not in the end succeed because of the Futurists' inability to

subsume their aesthetic vision under the imperatives of a concrete political order" (Bowler, 1991, p. 777).

It has already been noted that actions that had an impact on the masses were important to the nascent fascist movement. This is precisely what attracted them most to the Futurists' work. In this context, we must recall another extraordinary figure that influenced both Marinetti himself and the rise of fascism in Italy. This figure is the poet, legendary figure, and beloved people's hero, Gabriele D'Annunzio, whose heroic life demonstrated his sincere love for his homeland and his dream of restoring its glory. Promoting Italy's entry into World War I, he volunteered for the front at the age of 52. His nationalist ambitions led him to embrace and celebrate fascism. The legendary capture of the Croatian city of Fiume by a small detachment of legionnaires and the creation on its territory of an independent "Republic of Beauty", which existed from September 1919 to December 1920, made him a man worthy of the highest honors and awards, followed by the people. He is considered one of the creators of the aesthetics and many rituals of Italian fascism. During his time as mayor, he held mass rallies, delivering fiery speeches to crowds from the balcony of his residence. He introduced the so-called "Roman salute" – a greeting with an outstretched arm – which became popular among fascists, and organized torchlight processions in black shirts. The fascists also adopted D'Annunzio's oratorical style, transforming the poet's images and slogans. Thus, the "March on Ronchi" would soon become the "March on Rome", and the famous motto "Fiume or Death" would become "Either Rome, or Death" (Sushkov, 2021, pp. 94-95).

The poet's artistic potential was demonstrated in the composition of the "Constitution of the Republic of Fiume" (or "Charta of Carnaro"), presented in verse form and an expression of his aesthetic views on the political structure of the state. The text of the "Charta" demonstrates that for D'Annunzio, aesthetics was the highest value. He extols the beauty of the surrounding world, which is essential for the education of people. Recognition of the importance of aesthetics was also expressed in the involvement of artists in the management of state affairs: the brilliant conductor Arturo Toscanini became Minister of Culture, and the anarchist poet Leon Kokhnitsky became Minister of Foreign Affairs. The highest office in the state – "Comandante", intended for a poet and thinker endowed with dictatorial powers – was naturally destined for him. Annunzio was a proponent of the "art state" ideology. His unwavering faith in his own strength and the young republic's successful future was expressed in the fact that its "state" flag bore the phrase "Who is against us?!" As Sushkov notes, "the historical myths that permeated the poet's pathos regarding the origins of the Italians and the role and place of the 'Latin race' became firmly entrenched in the cultural milieu of the 'Twenty

Years'; the spirit of leadership, of a man of universal abilities, was supported and spread through the figure of Mussolini, and D'Annunzio himself was not rejected; he became a living legend for fascism, a model of a man of 'true' feeling, a patriot who fully reflected the renewed 'Latin' spirit" (Sushkov, 2021, p. 95).

## The Anti-war Pathos of Dadaism

The direct connection between politics and art becomes evident in Dadaism, one of the most radical and experimental expressions of the artistic avant-garde of the first half of the 20th century, which spread across Europe, the United States, Russia, and Japan. Unlike the Futurists, who voluntarily participated in military operations, the Dadaists were opposed to war. They were repelled by the militaristic spirit of Futurism. Of course, they called for destruction, but these calls had nothing in common with militarism. They were anarchists, striving for freedom in all things. Many of them, fleeing the horrors of war, emigrated to Switzerland, a relatively peaceful country, and all their activities were carried out in opposition to the war, which they considered senseless and absurd, and which they opposed with their anarchic art, which they identified with "Nothingness". The political orientation of Dadaism is evident in the fact that, to carry out their "artistic" or "anti-artistic" activities in Zurich, they rented a small pub and beer hall, the "Mayerai", renaming it the "Cabaret Voltaire". The name of the French enlightener Voltaire, a prominent rebellious thinker, was chosen specifically to emphasize the rebellious nature of the movement (Arzumanyan, 2022, pp. 111-132). The primary goal of Dadaism was a critique of bourgeois society and its culture. The critique stemmed from the fact that this society not only failed to prevent the brutal massacre but, in many ways, contributed to its incitement. It is not surprising that they were inspired by Nietzsche's philosophical propositions, aimed at re-evaluating and destroying the values of European culture. The anarchist ideas of Max Stirner, Franz Brupbacher, Mikhail Bakunin, and Peter Kropotkin also significantly influenced some of the movement's founders, particularly Heinrich Boell, Raoul Hausmann, and Johannes Baader (Sedelnik, 2010). The anarchic spirit inherent in Dadaism found direct expression in various manifestos, statements, declarations, etc., the purpose of which was to promote Dadaist art, created through the use of unusual, experimental techniques and methods. The texts were most often intended for public reproduction, in the form of a performance, accompanied by dancing, singing, pantomime, incoherent cries, trumpeting, drumming, and other noise effects that irritate the audience and lead to scandal, proving that Dada is "Freedom, … a weave of opposites and contradictions, … life" (Tzara, 2016, p. 70).

Dadaism cannot be approached simply by emphasizing its focus on shock value. It addresses complex aesthetic, ethical, psychological, and sociopolitical issues of the time. It represents life itself and fights for the rights of a reality formed on the basis of new ideals. As R. Huelsenbeck believes, "Dadaism (…) tears to shreds all concepts of ethics, culture, and inner life, which are merely a mask concealing a flabby body" (Gülsenbeck, 2001, p. 207).

It's worth noting that the German branch of Dadaism had a distinctly revolutionary character. In 1919, the Dada Club, founded by Huelsenbeck, was established in Berlin and included artists such as George Grosz, Otto Dix, Raoul Hausmann, and others. Some of them advocated for an art that expressed the interests of the proletariat and revolutionary forces in general. Among them was Hausmann, with his articles "Communism and Anarchy", "The Proletariat and Art", and "Individualism and Dictatorship". The authors of the manifesto "What is Dadaism and What Does It Want in Germany?" demanded "an international revolutionary unification of all creative and thinking people throughout the world based on radical communism" (Hausmann et al., 2001, p. 213). The political content of Dadaism becomes more apparent thanks to the work of artists such as Otto Dix and George Grosz, who created brilliant examples of social satire. In his caricatures, Grosz ridiculed the army, the church, and the entire state apparatus. He later wrote: "We mocked everything; nothing was sacred to us; we simply spat on everything, and that was Dada. Not mysticism, not communism, not anarchism. All these movements had their programs. We, however, were complete, absolute nihilists; our symbol was Nothingness, a vacuum, a hole" (Gross, 2010). With the Nazis' rise to power, difficult times began. Hitler needed art to strengthen the influence of his ideology.

## Art of the Third Reich

"After Auschwitz, any word that could be described as sublime loses its right to exist" (Adorno, 2003, p. 328). This categorical thought by the eminent German philosopher Theodor Adorno also raises the question of how the very existence of Auschwitz and other concentration camps became possible, and what role does art play in this? With the tragedy of World War I in mind, the Dadaists responded to this question. They blamed a culture founded on faith in lofty ideals. Adorno also pointed this out, noting that culture stinks, and admiring Brecht's phrase that its palace "is built of dog shit. Years after these lines were written", the philosopher writes, "Auschwitz proved that culture had collapsed" (Adorno, 2003, p. 327).

To answer the question, "How did the Auschwitz phenomenon become possible?" requires a thorough analysis of the vast body of research examining

the socio-political situation that emerged in Germany after its defeat in World War I. We are interested in another question: how art became one of the main means for inciting nationalistic sentiments, presented in the guise of patriotism, and how its various forms were used to spread Hitler's Nazi ideology, which put forward the goal of establishing world domination of the Aryan race and eliminating any foreign influence in politics and culture. It seems contradictory that Nazism, one of the most inhumane regimes in human history, accorded such a significant role to art as something meaningful in the life of an Aryan. Some attribute this to the fact that, while possessing a certain creative talent, Hitler, who aspired to receive a professional art education but failed to achieve it, deeply considered himself an artist and carried a love of art throughout his life. This love was expressed in a very peculiar way. Just three months after he came to power, bonfires of books were lit on the streets of German cities. Soon, the visual arts were also included.

Hitler rejected any manifestation of avant-garde art, which he considered a manifestation of so-called "degenerate art". According to the established ideological cliché, the latter was considered dangerous to the Aryan race, "Jewish-Bolshevik", anti-classical, and incomprehensible to the people. Consequently, works of art were removed from museums. The "blacklist" of untrustworthy individuals included Ernst Barlach, Max Beckmann, Max Ernst, George Grosz, Otto Dix, Paul Klee, Oskar Kokoschka, Käthe Kollwitz, and others. At the opening of the "Degenerate Art" exhibition (July 19, 1937, Munich), featuring 650 works confiscated from German museums, it was noted that "These are the products of madness, degeneration, and impotence. Everything presented in the exhibition evokes anger and disgust in us" (Schumann, 2017). In total, more than 20,000 works of art by 1,400 artists and sculptors were confiscated from more than 100 museums in Germany. Artists residing in Germany at the time were banned not only from exhibiting but also from painting. The ban, which applied to all forms of art, was primarily based on nationality. Writers Franz Kafka and Stefan Zweig were banned because of their Jewish origin. But beyond nationality, political views were also taken into account. Thomas Mann, who had already won the Nobel Prize, and Erich Maria Remarque were banned for supporting liberal or socialist views.

A "revision" was also carried out in the field of music. Again, due to Jewish nationality, the music of F. Mendelssohn, G. Mahler, P. Hindemith, J. Gershwin, K. Weill, E. Korngold, A. Schoenberg, and others was banned. Schoenberg's music, in particular, was banned because of its atonality, which was met with hostility. It was noted that "atonality in music signifies degeneration and artistic Bolshevism", and that "the entire atonal trend in music contradicts the rhythm of the blood and the soul of the German nation" (Levi, 1991, p. 17). But it shouldn't be thought that the public was offered

only light music, consisting of folk or popular songs. Works by such great composers as Bach, Mozart, Beethoven, Bruckner, and Wagner were also performed. The role of the latter, with his interest in Germany's mythical past, deserves special mention. Hitler idolized Richard Wagner. He noted that to understand the Nazi Party, one must first understand Wagner, in whose music he saw the artistic source of his ideas about the superiority of the German race. "I recognize in Wagner my only predecessor… I regard him as a supreme prophetic figure". This confession of Hitler was recorded by Heinrich Rauschning in the book "Hitler Speaks". According to Sh. Zalampas, "Hitler saw himself as Parsifal, the savior of Aryan blood... He was to answer Wagner's call for a new Barbarossa, a spiritual reincarnation of Siegfried or Parsifal, who would save Germany" (Zalampas, 1990, p. 50). She also sees Wagner's influence in the dramatic power of his speech, noting that, striving for spectacle, he carefully honed his speech, combining "elements borrowed from the circus, grand opera, and the church such as banners, march music, repetitious slogans, communal singing, and repeated cries of 'Heil'. In looking at the type of rallies Hitler held, it is easy to see that he was a fan of the dramatic spectacle with his speeches often stirring the crowed into an emotional frenzy" (Zalampas, 1990, p. 41). Hitler knew how to manipulate people, to make them react the way he wanted. As strong as Wagner's influence was, a surge of new energy was needed, and it arrived in the form of D. Eckart, F. Tönnies, and E. Hanfstaengl. The latter convinced Hitler that the rhythms of orchestral music had a beneficial physical and psychological effect on audiences, leading to an increase in the number of orchestras, drum corps, and brass bands, bolstering the nation's spirit. Hitler believed that "the government was responsible for the security of the 'man's inner life and a nation's will to live' through the promotion of a culture which was rooted in appreciation of traditions of the past" (Zalampas, 1990, p. 66). These were distorted interpretations of ancient art traditions, pressed into service of Nazism in the neoclassical style. The latter emphasized monumentality, order, and a return to misunderstood classical ideals. It was in this style that new art was created, the criteria for its recognition being Hitler's personal artistic priorities. An important requirement was that art be accessible to the masses. Artists eager to implement this program were immediately found. Among them were the sculptors Arno Breker and Josef Thorak. Their goal was to create physically perfect, idealized figures of nude women and men in a monumental style. Artists Arthur Kampf, Konrad Hommel, and others also strove to achieve this, creating landscapes and everyday scenes alongside nudes. Characterizing this art, Klaus Fischer notes that it was "colossal, impersonal, and stereotyped. People were stripped of all individuality and became mere symbols expressing eternal truths. Looking at Nazi architecture,

art, or painting, one might get the impression that faces, shapes, and colors serve a propaganda purpose; all of this is a stylized assertion of Nazi virtues – power, strength, solidity, and Nordic beauty" (Fischer, 1997, p. 368).

The party also monitored the development of cinema, which was also dependent on the liberation of the dominant non-Aryan elements. German descent became a prerequisite for working in the film industry. Understanding that cinema was one of the most powerful means of influencing the masses, the government transferred propaganda to the screen, transforming it into a means of expressing the German spirit. Propaganda films began to be produced beginning in 1933 (such as "The Young Hitlerite Quex", "Hans Westmar – One of Many", about young people killed by communists, and others). This was followed by the anti-Semitic films "The Rothschilds" (1940) and "Jew Süss" (1940), the anti-British "Uncle Kruger" (1941), "Kolberg" (1945), and so on. However, they were outnumbered by entertainment films – comedies, operettas, family or romantic dramas – which, firstly, brought in significant profits and, secondly, distracted people from the hardships of real life. The insufficient number of propaganda films was compensated for by newsreels (like the "Deutsche Weibliche Review"), whose showing in cinemas became mandatory.

In the cinema of the Third Reich, the most significant figure was the actress and talented director Leni Riefenstahl. She achieved fame with the documentaries "Victory of Faith", dedicated to the first congress of the NSAP, which captured the grand procession with mega-banners and featuring a giant eagle with a 30-meter wingspan; the 18-minute short "Freedom Day: Our Army", which depicts the demonstration exercises of the German armed forces in 1935; and, especially, "Triumph of the Will" and "Olympia".

"Triumph of the Will" documents the 1934 Nazi Party rally in Nuremberg. Featuring speeches by Nazi leaders and mass parades, the film presents Germany as a great power. It is considered one of the most popular propaganda films in history. The film's use of crowd scenes, monumental architecture, and Nazi symbols created a powerful impression of national strength and unity. Dedicated to the XI Summer Olympic Games held in Berlin in 1936, the film "Olympia" documents the entire competition. The film utilized cutting-edge filming techniques for its time, including underwater cameras and aerial footage. It is considered revolutionary for its time in terms of camerawork and editing. The hard work of the director and cameramen paid off with a gold medal at the Venice Film Festival.

Riefenstahl also initiated a documentary about the "new Berlin", designed by Hitler's favorite architect, Reich Minister of Armaments and War Production Albert Speer. He was one of the few people granted complete freedom to implement his designs. A. Tiefentale writes, "Speer's projects are

always viewed in the context of Hitler's policies, and it would hardly occur to anyone to speak of them as self-sufficient architectural objects, alienated from the ruling ideology – they became an integral part of the condemned policies of Nazism" (Tiefentale, 2013).

His calling was to create an imperial style for the Third Reich, demonstrating its greatness and superiority over other cultures, based on recreating ancient ideals of beauty, strength and grandeur. Speer's unrealized Berlin projects are striking in their scale. Among the completed projects, the most impressive is the main grandstand of the Third Reich, built on the grounds of the Nazi Party rallies in Nuremberg – the enormous Zeppelin Grandstand, 20 meters high and 360 meters wide. It was built based on the Pergamon Altar, one of the largest pagan temples of antiquity. Of the many planned halls, palaces, temples, stadiums, and squares, only one, called the "Temple of Light", was completed. As P. Romanov noted, "Speer understood his patron's aesthetic preferences perfectly, and all his projects were overpowering in their scope and gigantomania... Essentially, it was Albert Speer who shaped and embodied the visual style of the Third Reich in all its ruthless power, oppressive grandeur, and pomp. In the 'halls' and 'palaces', squares and avenues, there was no room for the individual, no room for individuality. This was a space for the masses – a faceless crowd in the shadow of the imperial eagle's wings" (Romanov & Orlova, 2021).

So, in the Third Reich, all forms of art were used as a means of influencing the consciousness of the masses and successfully manipulating them.

## Conclusion

After examining some of the problems of the interplay between art and politics, we identified some important aspects. The problem of interaction between art and politics has existed since the emergence of the first states and their rulers. With rare exceptions, art remained subordinate to politics until the 20$^{th}$ century. Harnessing its inherent power of aesthetic and emotional impact, art typically served to glorify rulers and states, idealizing them. Only in the 20$^{th}$ century did politics begin to utilize artistic ideas that resonated with it, and political figures began to employ particular artistic styles in their speeches. A reverse process of art's influence on politics began, manifested in its aestheticization. This process was significantly influenced by many avant-garde artistic movements (Futurism, Dadaism, Expressionism, and others), which, along with aesthetics, also revealed political content. As for the politicization of art, this process becomes decisive when art ceases to act as something self-valuable and self-sufficient and, ignoring the artistic and aesthetic goal, concentrates on solving a political problem that is different to

its essence. More often than not, the propaganda of a particular ideology takes center stage. It's no coincidence that autocratic and totalitarian states witness a process of unequivocal politicization of art, the goal of which is to demonstrate the superiority of a particular ideology. In contrast, since the 20th century, art in democratic countries has attempted to function relatively independently of politics, which in our time of conflict is becoming increasingly difficult, since the work of any genuine artist becomes an expression of his civic position.

## References

"Free Verse and more" (2021). *Iskusstvo na Sluzhbe Zla. Futurizm i Fashizm.* (Art in the Service of Evil: Futurism and Fascism). Retrieved September 19, 2025, from: https://shorturl.at/VDmzO.

Adorno, T. V. (2003). *Negativnaya dialektika.* (Negative Dialectics). Moscow: "Nauchny Mir" Publishing House.

Afanasyeva, V. K., (1976). *Iskusstvo Ranneklassovogo Obshchestva Dvurechya. Shumer i Akkad.* (The Art of Early Class Society in Mesopotamia. Sumer and Akkad). A Brief History of Art. Moscow: "Iskusstvo" Publishing House.

Anisimova, E. (n.d.). *Zakon i Poryadok v Rossii XVIII Veka* (Law and Order in 18th Century Russia). "Arzamas Academy". Retrieved September 10, 2025, from: https://shorturl.at/nDoZQ.

Arzumanyan, S. (2022). Ostsilliruya na Granitse Iskusstva i Antiiskusstva: Ili o Protivorechivoy Sushchnosti Dadaizma. (Oscillating on the Border of Art and Anti-Art: or about the Contradictory Essence of Dadaism). *Yearbook of the Academy of Fine Arts*, Vol. 13, No. 2. 111–132.

Augustine, B. (1998). *O Grade Bozhiyem* (On the City of God), Vol. 3. Kyiv: UCIM-Press.

Benjamin, W. (2008). *The Work of Art in the Age of Its Technological Reproducibility and Other Writings on Media*. England: The Belknap press of Harvard University Press.

Bowler, A. (1991). Politics as Art: Italian Futurism and Fascism. *Theory and Society*, Vol. 20, No. 6. DOI: 10.1007/BF00678096.

Bürger, P. (2014). *Tseoriya Avangarda.* (Theory of the Avant-Garde). Moscow: V-A-C Press.

Byron, G. (2024). *A Century Later, Käthe Kollwitz's Phantoms of War Go Unheeded*. Exhibition Reviews. New York.

Callot, J. (2018). *Gravyury iz Serii "Uzhasy voyny" (Bolshiye Bedstviya Voyny)* (Engravings from the "Horrors of War" series (The Great Disasters of War)). Retrieved September 15, 2025, from: https://shorturl.at/6FVm1.

Chegodaev, A. D. (Ed.). (1956). *Vseobshchaya Istoriya Iskusstv: Iskusstvo Antichnogo Mira*. (General History of Art: Art of the Ancient World), Vol. 1. Moscow: "Iskusstvo" Publishing House.

Davydov, Yu. N. (1975). *Estetika Nigilizma (Iskusstvo i "Novye Levye")* (The Aesthetics of Nihilism (Art and "the New Left")). Moscow: "Iskusstvo" Publishing House.

Dmitrieva, O. V. (2012). "*Zolotoy Vek" Angliyskogo Dvora: Evolutsia Pridvornoy Kulturi ot Genriha VIII do Karla I* ("The Golden Age" of the English Court: The Evolution of Court Culture from Henry VIII to Charles I). Exhibition catalogue. Moscow.

Doronchenkov, I. (2015). *Kak Ponimat Zhivopis XIX Veka* (How to Understand 19th Century Painting). "Arzamas Academy". Retrieved September 12, 2025, from: https://shorturl.at/DfXJQ.

Erofeev, A. (2007). *Sots-Art. Politicheskoe Iskusstvo v Rossii* (Soc-Art. Political Art in Russia). Tretyakov Gallery Magazine. No. 15. Retrieved September 08, 2025, from: https://shorturl.at/39j9B.

Fischer, K. P. (1997). *Nazi Germany: A New History*. New York: Bloomsbury Academic.

Frolova, L. V. (2018). *Khudozhestvennyy Zakaz Maksimiliana I i Nemetskoye Iskusstvo Kontsa XV-Nachala XVI vv* (Maximilian Is Artistic Commission and German Art of the Late 15th-Early 16th Centuries). St. Petersburg: Russian State Pedagogical University named after A. I. Herzen.

Girin, Yu. N. (Ed.) (2010). *Avangard v Kulture XX veka (1900-1930 gg.): Teoriya. Istoriya. Poetika.* (Avant-Garde in 20th Century Culture (1900-1930): Theory. History. Poetics). Book 1. Moscow: IMLI RAN.

Gramsci, A. (2012). *Pismo L. D. Trotskomu ob Italyanskom Futurizme.* (Letter to L. D. Trotsky on Italian Futurism). "Theatre". Retrieved September 19, 2025, from: https://surl.lu/qpreun.

Gross, G. (2010). Iz Knigi Vospominaniy "Malenkoye 'da' i bolshoye 'net'" (From the book of memoirs "Little 'yes' and big 'no'"). In V.D. Sedelnik (ed.), *Dadaism and Dadaists*. Moscow: IMLI RAS.

Gülsenbeck, R. (2001). *Dadaistskiy Manifest 1918 Goda.* (The Dadaist Manifesto of 1918. Moscow: "Republic" Publishing House.

Hanaghan, M. (2024). What was *Damnatio Memoriae*? How to Get Cancelled in Ancient Rome. "The Conversation". Retrieved September 10, 2025, from: https://shorturl.at/tz4cQ.

Hausmann, R., Gülsenbeck, R. & Golyshev, E. (2001). *Chto Takoe Dadaizm i Chego on Khochet v Germanii?* (What is Dadaism and What does it Want in Germany? Moscow: "Republic" Publishing House.

Keen, K. H. (1980). Picasso's Communist Interlude: The Murals of 'War' and 'Peace'. *The Burlington Magazine*, Vol. 122, No. 928. 464–470.

Kennedy, P. (2015). *War and Compassion: The Art of Käthe Kollwitz.* Illustration Chronicles. Retrieved September 17, 2025, from: https://surl.li/nthcqz.

Lesin, A. (2019). *"Vojna" Otto Diksa.* (Otto Dix's "War"). Retrieved September 17, 2025, from: https://shorturl.at/PfyMn.

Levi, E. (1991). *Levi Atonality, 12-Tone Music and the Third Reich*. Tempo. Vol. 178. 17–21.

Losev, A. F. & Shestakov V. P. (1965). *Istoriya Esteticheskikh Kategoriy.* (History of Aesthetic Categories). Moscow: "Iskusstvo" Publishing House.

Makarova, E. A. (2017). Vizualizatsiya Obrazov Vlasti v Pravleniye Rannikh Styuartov (Rubens. Rospis Potolka Banketnogo Zala v Uaytkholle. (Visualization of Images of Power during the Reign of the Early Stuarts. (Rubens. Painting of the Ceiling of the Banqueting House in Whitehall). *Historical Research*, No. 7. 20–46.

Marinetti, F. T. (1914). *Manifest Futurizma* (Manifesto of the Futurism). Moscow: "Russian Partnership" Publishing House.

Morozov, A. I. (2007). *Sotsrealizm i Realizm.* (Socialist Realism and Realism). Moscow: "Galart" Publishing House.

Nesterova, T. P. (2004). *Manifest Futuristicheskoy Partii Italii (1918).* (Manifesto of the Futurist Party of Italy (1918)). Yekaterinburg: Ural University Publishing House.

Plato. (1991). *The Republic*. "Basic Books" Publishing House.

Pomerantseva, N. A. (1976). *Iskusstvo Drevnego Egipta* (The Art of Ancient Egypt). A Brief History of Art. Moscow: "Iskusstvo" Publishing House.

Prezzolini, G. (2013). Fashizm i Futurizm (Fascism and Futurism). In E. Lazareva, *The Second Futurism: Manifestos and Programs of Italian Futurism*. Retrieved September 19, 2025, from: https://surl.li/lavtro.

Rauschning, G. (1993). *Govorit Gitler. Zver iz Bezdny*. (Hitler Speaks. The Beast from the Abyss). Moscow: "Mif" Publishing House.

Robinson, L. (n.d.). *Pablo Picasso, "Guernica".* Smarthistory: The Center for Public Art History. Retrieved September 12, 2025, from: https://shorturl.at/ns6Kk.

Romanov, P. & Orlova, L. (2021). *Shpeer risuet Rejh.* (Speer draws the Reich). Retrieved October 04, 2025, from: https://shorturl.at/C9WGb.

Schultz, E. E. (2024). Sotsialisticheskiy Realizm kak Tip Kultury (Socialist Realism as a Type of Culture). *Science. Society. Defense*, Vol. 12, No. 2. DOI: 10.24412/2311-1763-2024-2-15-15.

Schumann, E. (2017). *Natsisty Protiv "Degenerativnogo Iskusstva"* (Nazis against "Degenerate Art"). "Deutsche Welle". Retrieved October 02, 2025, from: https://shorturl.at/dk1UW.

Sedelnik, V. D. (Ed.) (2010). *Dadaizm i dadaisty* (Dadaism and Dadaists). Moscow: IMLI RAS.

*Stela Faraona Dzheta* (Stele of Pharaoh Djet). (n.d.). Retrieved September 10, 2025, from: https://shorturl.at/pZagF.

Sushkov, D. D. (2021). Gabriele D'Annuntsio kak "Predtecha" Italyanskogo Fashizma (Gabriele D'Annunzio as the Forerunner of Italian Fascism). *LOCUS: People, Society, Cultures, Meanings*, Vol. 12, No. 4. 81–97.

Tiefentale, A. (2013). *Iskusstvo i politika.* (Art and Politics). Retrieved October 04, 2025, from: https://shorturl.at/SUM9t.

Turchin, V. S. (1993). *Po Labirintam Avangarda.* (Through the Labyrinths of the Avant-Garde). Moscow: Moscow State University Press.

Tyazhelov, V. & Sopotsinsky, O. (1975). *Iskusstvo Srednih Vekov. Iskusstvo Armenii*. (Art of the Middle Ages. Art of Armenia). Moscow: "Iskusstvo" Publishing House.

Tyazhelov, V. N. (1981). *Iskusstvo Srednih Vekov v Zapadnoj i Centralnoy Evrope.* (Medieval Art in Western and Central Europe). Moscow: "Iskusstvo" Publishing House.

Tzara, T. (2016). *7 Manifestov Dada*. (Seven Dada Manifestos). Moscow: GMM.

Voitenko, M. (2022). *Obraz Yevropeyskogo Pravitelya XVII - nach. XVIII vv. na Primere Izobrazheniya Lyudovika XIV* (The image of a European Ruler of the 17th-early 18th centuries, as exemplified by the image of Louis XIV). Retrieved September 15, 2025, from: https://shorturl.at/98Vs7.

Zalampas, Sh. O. (1990). *Adolf Hitler: A Psychological Interpretation of His Views on Architecture Art and Music*. University of Wisconsin Press.

Zheglova, A. A. (2017). Khudozhestvennyy Obraz Pravitelya v Zapadnoy Yevrope v Epokhu Vozrozhdeniya kak Politicheskaya Propaganda (Artistic Image of the Ruler in Western Europe during the Renaissance as Political Propaganda). *Social Sciences and Humanities: Theory and Practice*, Vol. 1. 199–212.

Zhitenev, D. (2015). *Voyna i Smerts Glazami Otto Diksa* (War and Death through the Eyes of Otto Dix). *Archeology of Russian Death*, No. 1. 213–223.

# THE ASSESSMENT OF 2024 AMENDMENTS TO ARTICLE 265 OF THE LABOR CODE OF THE REPUBLIC OF ARMENIA: A SOLUTION TO THE PROBLEM OR A FAILED ATTEMPT TO FIND AN EQUILIBRIUM BETWEEN COMPETING INTERESTS?

*Arman Grigoryan, PhD in Law, Researcher at the Institute of Philosophy, Sociology and Law of NAS RA*
*(email: arman.grigoryancc@gmail.com)*

*Manuscript has been submitted on 03.11.2025, sent for review on 04.11.2025, accepted for publication on 05.12.2025.*

**Abstract**

*The article addresses the issue of the employer's pecuniary liability for an employee's loss of income in cases of unjustified dismissal. The author discusses the goals of imposing such liability on the employer in a modern market economy and, in light of these goals and European human rights standards, proposes approaches that, in their view, ensure a balance between competing private interests and proportionality in the limitation of the employer's property rights. The article also constitutes a critique of the existing regulations of the Labor Code of the Republic of Armenia, with the author arguing that they offer disproportionate solutions that violate the fundamental right to property of the employer.*

*The article is construed in the light of general human rights standards, and given the similarities of the adopted solutions in various jurisdictions, the ideas presented herein may be useful for a wide range of researchers and practitioners interested in these problematics. In order to focus on the presentation of the subject matter, the author tried, as much as possible, to avoid burdening readers with references to theoretical sources, being confident that the readers are already familiar with their content.*

***Keywords*:** loss of income, liability, unjust dismissal, proportionality, employer, employee.

## Introduction

Prior the introduction of the latest legislative changes to the Article 265 of the Labor Code of the Republic of Armenia (2004)* (hereinafter also referred

* The English version of the Code does not contain the most recent amendments. Therefore, it is recommended to use the latest consolidated Armenian version and translate it into English by any available means.

to as the "Code") the same provision prescribed that in case of unlawful termination of the employment, besides ensuring a reinstatement the employer shall pay to the employee (1) a compensation in the amount of his or her average salary for the entire period of idleness (starting from the point of dismissal and ending with the reinstatement or in case of the impossibility of the reinstatement, the termination of judicial proceedings) and (2) in case the reinstatement is impossible, an additional compensation amounting to 1-12 times of average salary.

Due to systematic delays in adjudication of employment disputes, these regulations in fact disrupted the equilibrium between the interests of the employer and employee. In most of cases, the judicial proceedings took up to two years, and the eventual material burden of such delays was entirely shifted to the employer.

The author has dedicated a separate paper to these problematic,** which are not the primordial target of this article. The current article aims to discuss the amendments to the Article 265 of the Code, which were entered into force in November 2024 and were initially devised to find a reasonable balance between the competing interests of employees and employers.

Subsequently, the newly adopted regulations will be discussed from the perspective of the achievement of a just balance between the interests of parties to employment disputes, and the author will present his viewpoints on the legal regulations dealing with the issues of compensation in cases of unlawful dismissal.

## The Analysis of the Amendments to the Article 265 of the Labor Code of the Republic of Armenia

The amended Article 265-1 of the Code, deals with the matters of remuneration of lost salary. The mentioned provision stipulates the following regulations:

1. As a general rule, the average salary is to be paid for the entire period of forced idleness, which ends upon the reinsertion of the employee or the entry in force of the final judgement.
2. In case the employee starts a new job for another employer during the period of forced idleness, he or she will be paid an amount of money equal to their salary for the nine months prior to the unlawful termination of the employment. The sum to be paid is fixed and does not depend on the length of the period of forced idleness or adjudication of the case.

** See more in detail in Grigoryan, 2024.

3. In case the employee, who started a new job for another employer during the period of forced idleness, worked less than 9 months for the previous employer, he or she will be paid an amount of money equal to the salary received for the entire past period of work.
4. In case the employee starts a new job during the period of forced idleness, in addition to the sums mentioned in points 2 and 3, the employer shall also cover the positive difference between previously and currently receiving salary.

From the same Article 265 of the Code, it follows that the period of forced idleness ends (1) when the employee is reinstated in the position he or she occupied before the unlawful termination of employment or (2) when, in case reinstatement to the same position is impossible, the final judgement enters into force.

From the above-mentioned it follows that irrelevant of the fact the reinstatement is provided by law or not, the employee is entitled to demand a renumeration for the entire period of forced idleness. In turn, the period of the forced idleness is entirely dependent on the duration of the adjudication proceedings. Thus, even if the adjudication of the case was dilatory, and if the dispute was resolved quicker and in reasonable time the aggregate amount of the salary to be paid to the employee would be (significantly) smaller the negative consequences of the breach of the requirement of the reasonableness of the proceedings would bear the employer. From this point of view, the amendments to Article 265 of the Code have still not addressed the main issue, namely the imposition of excessive monetary obligations on the employer in cases of a breach of the requirement of adjudication within a reasonable time.

The new regulations mainly concern situations when the employee starts a new job during the period of idleness. The novelty is that in the mentioned case, the remuneration amount is fixed and determined from the very beginning, thus the amount of responsibility of the employer is not dependent on the length of adjudication. The question to be resolved is whether the imposition of an obligation to pay an average salary for nine months (if the employee worked less than for nine month – the entire period of employment) even if the period of idleness is shorter, can be considered as a proportionate solution.

The new regulations also prescribe that the employer shall additionally cover the positive difference between previous and current salary for the entire period of forced idleness, again not addressing the above-discussed negative consequences due to a prolonged idleness period, caused by the delays in adjudication.

## The Essence of the Connection between Fundamental Rights and the Article 265 of the Labor Code of the Republic of Armenia

According to the Article 60-1 of the Constitution of Armenia everyone shall have the right to possess, use and dispose of legally acquired property at his or her discretion. Similar provision is prescribed in the Article 1 of Protocol No 1 to the European Convention on Human Rights, which states that every natural or legal person is entitled to the peaceful enjoyment of his possessions.

Article 265-1 of the Code prescribes that the courts are entitled to order the employer to pay compensation to the employee in the amounts presented above. In this case, the employer is legally obliged to transfer the funds from its own patrimony and in case it restrains from complying with court's order the corresponding sums will be seized and eventually transferred from the employer to the employee.

Thus, eventually the employer is derived from the legal opportunity to peacefully enjoy its possessions, i.e. funds which shall be transferred to the employee. Hereby, this constitutes a clear intervention to the fundamental right to property, and the intervention is undertaken via court order obliging the employer to pay compensation.

Besides the intervention to the fundamental right to property, the Article 265-1 also intervenes with the freedom to economic activity. In most cases the employer is a private subject undertaking entrepreneurial activity. Thus, the funds which shall be transferred to the employee would normally be spent to finance the entrepreneurial activity or be distributed as profit, or in other way be exploited for the needs of the enterprise. The possibility to freely possess the funds for the mentioned purposed constitute an integral part of the fundamental right to engage in economic activity.

Given the above-mentioned, our position is that the imposition of the obligation to transfer certain funds to the employee under the regulations of the Article 265-1 of the Code constitutes an intervention to the fundamental right to property (peaceful enjoyment of one's possessions) and the fundamental right to engage in economic activity.

In this case, the intervention with the right to engage in economic activity is always secondary to the restriction of the right to property as the former is a consequence to the latter: the unavailability of using the corresponding funds in course of economic activity is a derivate of the restriction of proprietary rights towards them. Hence, it is more appropriate to mention that Article 265-1 interferes with the right to property in conjunction with the right to engage in economic activity.

## The Considerations on the Issue of the Legitimate Aim Pursued by Article 265-1 of the Labor Code of the Republic of Armenia

As it was discussed in the previous paragraph, the Article 265-1 of the Code interferes with the right to property in conjunction with the right to engage in economic activity. Article 60-3 of the Constitution of the Republic of Armenia states that the right to property may be restricted only by law, for the purpose of protecting public interests or the basic rights and freedoms of others.

Given that Article 265-1 of the Code deals with the consequences of the unlawful termination of employment, it is evident that the mentioned provision is devised to address the issues of restoration of the violated rights of the employees. Article 265-1 of the Code prescribes a legal remedy offered to the employee in case its employment was terminated unlawfully. Hence, the Article 265-1 of the Code can only pursue the aim of the protection of the basic rights and freedoms of employees.

The Constitutional Court of the Republic of Armenia, in its decision DCC-902 of July 7, 2010, has stated that "*[I]n this case the person, who has been unlawfully dismissed, has a legitimate expectation to continue to receive remuneration for their work. Thus, the unlawful dismissal of the employee by the employer constitutes a violation of their proprietary rights*" (Paravyan v National Assembly, 2010).

In turn, the theory of tort law recognizes a separate group of torts - the economic torts: the torts that belong to this group are so-called because they all involve inflicting some kind of economic harm on someone else (McBride & Bagshaw, 2024, p. 143). The loss of salary constitutes the economic loss the employee sustains due to the inability to be remunerated in exchange for the labor they were supposed to provide.

Indeed, in case of unlawful dismissal, the employee loses the salary they could have received during the entire period of forced idleness. If there had been no unlawful dismissal, the employee would have continued to receive their salary. Thus, due to the unlawful termination of employment, the employee loses the income they had a legitimate expectation to receive, and suffers damage in the form of loss of income.

The above leads us to the conclusion that the regulations of Article 265-1 of the Code (the restrictions of the employer's property rights that provision imposes) pursue the aim of protection of the violated fundamental labor rights and property rights. The loss of salary is a consequence of the violation of the right to property (legitimate expectation to receive funds), as well as of the violation of labor rights.

As a conclusion, it is worthy to mention that the imposition of the obligation to pay the average salary for the period of forced idleness **serves**

**the goal to cover the monetary losses of the employee, arising due to the fact they were unjustifiably dismissed**. This is the legitimate aim the restrictions of the employer's right to property pursue and the very lawfulness of these restrictions shall be assessed from this perspective.

## Do the Adopted Legal Solutions Aim to Protect Violated Rights of the Employees, and Do They Achieve a Balance between Competing Interests? An Inquiry into the Issue of the Maintenance of the Equilibrium in the Light of General Human Rights Standards

In this section, the lawfulness of the limitation of the fundamental right to property under Article 265-1 of the Code will be discussed in light of the aim pursued (1) and (2) proportionality of the intervention. We will examine separately the scenarios under Article 265-1 of the Code and assess the proportionality of the regulations that the legislator provides for each of them.

1. *The imposition of an obligation to provide the average salary for the period of idleness in cases the employee obtains a new job.*

Before starting the main analysis, it is worth reaffirming that the remedy under Article 265-1 of the Code is of a compensatory nature. Hence, by imposing an obligation on the employer to pay remuneration in the amount of the average salary for the period of forced idleness, the goal of covering the loss of income is pursued.

From this perspective, it becomes evident that in case the employee obtains a new job, there can be no loss of income since the employee continues to work and receive a salary. If there is no loss of income, the imposition of the obligation to pay the average salary for the period of forced idleness does not appear to pursue any compensatory aim. This leads us to the conclusion that in this case, the legitimate aim to oblige the employer to pay the average salary for the period despairs. To this end, it would be much more justified to prescribe that, if the employee obtains a new job, the employee may claim remuneration only for the period between unlawful dismissal and the start of the new job.

The only exception to the presented logic may concern the situations of concurrent employment, when the employee reasonably demonstrates that they were holding two or more jobs concurrently or in fact, have done so.

2. *The imposition of the obligation to provide the average salary for the period of idleness in case the employee does not obtain a new job and can be reinstated under the applicable law.*

In case the employee does not have new employment, they can be reinstated in their former position and challenges the dismissal in court: indeed, they shall be entitled to get a satisfaction in the amount of the average salary for the period they did not work. As it was discussed above, in this case,

the employee loses the income they could legitimately expect to receive. Thus, as a part of the restoration of the violated right the employee shall be granted a renumeration for his losses emerging due to the violation of their employment rights.

From the mentioned perspective, the regulation of Article 265-1 of the Code serves the legitimate aim, presented above. The following question to be answered is whether the subject matter limitation can be considered as proportionate intervention with the employer's property rights. The cornerstone factor to answer this question is the reasonableness of the duration of the judicial proceedings.

The object of the provision of the requirement of reasonableness of the length of the adjudication is to protect the individual concerned from living too long under the stress of uncertainty and, more generally, **to ensure that justice is administered without delays which might jeopardize its effectiveness and credibility** (Rainey et al., 2021, p. 306). An adjudication resulting in a prolonged idleness, which has economic consequences, crates ineffectiveness.

As the period of forced idleness is dependent on the length of the proceedings it is a just approach to infer that the consequences of the idleness shall be attributable to the employer insofar as the duration of the proceedings is reasonable.* Hence, from the moment the adjudication of the case becomes dilatory, the imposition of the resulting consequences on the employer seems to excessively interfere with the employer's proprietary rights. The employer cannot be held responsible for the delays in administration of justice, even if the latter is in fact the initiator of the dismissal. The negative consequences one private actor (the employee waiting for reinstatement) bears due to the improper implementation of public functions (deliverance of justice in time) cannot be coped at the expense of the other private actor.

Referring to the practice of the European Court of Human Rights, it should be noted that there is no absolute or objective limit to the length of time that can be taken to decide a case. Whether there has been an unreasonable delay is a matter that must be assessed in the light of the particular facts of the case and having regard to the criteria laid down in the Strasbourg Court's case law, in particular the complexity of the case, the conduct of the applicant and of the relevant authorities and the importance of what was at a stake for the applicant in the litigation (Wilcox, 2016, pp. 73-74).

Indeed, the importance of what is at a stake is a particularly relevant factor in labor disputes. The employment is vital for the employee as the salary is their primarily source of income, maintaining their subsistence and quality of

* For further justification, see Grigoryan, 2024.

life. Thus, the employment disputes touch the ultimately essential interests of the employee. On the other hand, the adjudication of the employment disputes touches the crucial interests of the employer, as the length of proceedings predetermines the amount of their monetary liability, which continues to accrue up to the resolution of the dispute. The employer continues to pay a salary to an employee, which in fact does not provide the corresponding labor. Though the imposition of such financial liability on the employer is in general, justified, the excessive burden will lead to the violation of their fundamental right to property.

In the light of the above consequences for the employer, we estimate that the average time for adjudication exceeding one year cannot be considered reasonable from the perspective of the employer, the liability thereof continues to abruptly accrue without receiving any labor from the employee in return. Hence, we are of the position that the continuation of accumulation of the compensation amount beyond one year period results in the prolongation of the liability period of the employer beyond the reasonable length of adjudication which cannot but disproportionately interfere with the latter's fundamental right to property.

The legislator themselves accepts that the adjudication of the labor disputes shall be prioritized and not dilatory. For this reason, the procedural laws prescribe strict timelines for the resolution of the employment disputes. Given the regulations of the Article 210-3 and 377-1 of the Civil Procedure Code of the Republic of Armenia (2018) the adjudication of the labor disputes shall be handled (in first instance and appellate courts) within **a maximum** of 9 months (3+6 correspondingly). Although there is no strict temporal limit for the proceeding before the Court of Cassation, most cases do not pass the admissibility threshold, and the Article 397-2 of the same Civil Procedure Code prescribes a maximum of 3 months period for the admissibility stage. Hence in most cases the very maximal possible timespan given to the judicial system for the adjudication of the labor disputes is 12 months in aggregate. Moreover, the judiciary is obliged to exploit all possible instruments to adjudicate the cases with the deadlines as swiftly as possible. Returning to the stage of cassation, it is also worth to add that even if the complaint was declared admissible, (1) the Court of Cassation must prioritize the resolution of such kind of complaints, (2) irrelevant of any other factor the continuation of accumulation of the amount of employer's liability beyond 12 months is excessive and disbalanced.

3. *The imposition of the obligation to provide the average salary for the period of idleness in case the employee cannot be reinstated under the applicable law.*

According to the Article 265-2 of the Code, in case the law does not provide for a possibility to reinstate the employee to their former position, the period of forced idleness shall end on the date the final judgement enters into force. In this case, the employer shall pay the employee their average salary for this particular period and, in addition, compensation in the amount ranging from one to twelve times their average salary for not being reinstated.

The concept of determining the period of idleness by the moment when the final judgement enters into force seems to be unreasonable. If the period of idleness is understood as the time during which the employee is unable to fulfill their duties for reasons beyond their control, if should end when these reasons no longer exist. As with all temporal periods, this one too should have clearly defined starting and ending points. In this case, the starting point is the termination of the employment, however there is no actual ending point, since the causes preventing the performance of labor duties never cease to exist, as the law does not provide for the possibility of reinstatement. To overcome this predicament, the legislator has introduced a fictional moment in time – the entry into force of the final judgement, which is, in fact, arbitrary and does not accurately reflect the nature of labor idleness.

Given the above, we posit that if the employee cannot be reinstated to their former position, there would be no effective period of idleness. It is worth reiterating that the obligation to pay the average salary for the period of idleness pursues a compensatory purpose. Therefore, the payment of the average salary should cover the loss of income the employee sustained due to the termination of employment.

If, in fact, there is no definite end point (except the one fictionally introduced by the legislator), one cannot argue that there is a determined period of time during which the employee could expect to receive an average salary, and that, due to the violation of their labor rights, they were deprived of such an opportunity. This leads us to the conclusion the imposition of the obligation to pay the average salary for the period up to the entry into force of the final judgement does not pursue a purely compensatory aim but also implies punitive elements.

Our position is that there is no evidence that the employee could have received the average salary for the period up to the entry into force of the final judgement. This means that there is no reason to obligate the employer to provide an average salary for the mentioned period. Instead, it would be much more logical and just to obligate the employer to provide a salary for a reasonable period during which the employee (who cannot be reinstated) would need to find new work. We believe that beyond such a reasonable period of time, it is not correct to assert that the employee has been deprived of their source of income due to the unlawful acts of the former employer.

Moreover, the Article 265-2 of the Code prescribes the provision of a separate compensation for the non-reinstatement.

Given the above presented, our position is that **if the employee is not going to be reinstated in their former position, there cannot be any effective period of idleness**. It is worth to reinstate that the imposition of the obligation to provide average salary for the period of forced idleness pursues compensatory aims. Hence, the payment of the average salary shall cover the loss of income the employee sustained due to the termination of the employment. If in fact, there is no definite ending point (except the fictional one the legislator introduced) one cannot argue that there is a determined period during which the employee could expect to receive average salary if their labor rights were not violated.

We estimate that the average period for a specialist to find a new job does not exceed three to 6 months after the termination of employment. To ensure that the interests of the employee are taken into consideration to the maximal possible extent, we suggest providing the average salary for a period of 6 months following the date of termination.

This would be a fair approach, balancing the competing interests of both parties. On the one hand, it would allow to intervene in the employer's property rights to the maximum **necessary extent** in order to protect the employee's rights, and from the other, the employer has to bear (to the maximum necessary extent) the consequences of their unlawful conduct.

Alternatively, the legislator can bestow the authority to determine the mentioned period to a competent executive organ, which would periodically monitor the labor market in order to ensure the correspondence of the mentioned period to the existing economic conditions. Still the period for compensation cannot exceed six months.

In addition, it shall be stated that in any case, the obligation to pay an average salary cannot exceed the moment the employee starts a new job.

4. *The imposition of the obligation to provide the positive difference of the former and current salaries to the unlawfully dismissed employee.*

The conclusions set forth in this subparagraph are derived from those presented in the preceding ones. Therefore, we will present these conclusions without reinstating the justifications already delivered above.

1. In case the employee has found a new job but under the applicable law they may be reinstated in their former position, the employer shall be obliged to pay the positive difference between the current and former salaries only for the reasonable period of adjudication.
2. In case the employee has found a new job and under the applicable law they may not be reinstated in their former position, the employer

should not have an additional obligation to pay the positive difference between the salaries for any period.

## Conclusion

To sum up the positions presented in this article, the following conclusions can be made:

1. Article 265-1 of the Code is clearly interfering with the fundamental right to property of the employer, meanwhile providing a remedy for the employee unjustly dismissed.
2. As the mentioned provision is interfering with the fundamental right to property, the intervention shall pursue a legitimate aim and be proportionate.
3. The aim to impose an obligation to pay the average salary for the period of idleness is to cover the loss of income the employee sustained due to the unjust dismissal.
4. The interference can serve the aforementioned purpose and be proportionate only if the payable amount covers the period during which (1) the employee has no new job (source of income), and (2) the adjudication does not become dilatory.
5. In case the employee has a new job with a smaller salary, the employer's obligation to pay the positive difference can only cover the period during which the length of adjudication is considered reasonable.
6. In cases where the employee cannot be reinstated to their former position, the payment of average salary can be imposed only for a maximum period of 6 months, but in no case exceeding the moment the employee starts a new job.

## References

Civil Procedure Code of the Republic of Armenia. (2018). HO-110-N. Retrieved October 18, 2025, from: https://shorturl.at/mUkgN.

Grigoryan, A. (2024). Breach of the Requirement of Reasonableness in the Length of Proceedings in Civil Litigation and Possible Remedies Available to the Losing Side: The Case of Disputes Relating to the Termination of Employment Contract in Armenia. *"European University" Scientific Collection of Articles*, Vol. 15, No. 2. 140–151.

Labor Code of the Republic of Armenia. (2004). HO-124-N. Retrieved October 10, 2025, from: https://shorturl.at/AM67T.

McBride, N. J. & Bagshaw, R. (2024). *Tort Law*, 7th edition. Harlow: Pearson Education Limited.

Paravyan v National Assembly. DCC-902. (2010). Retrieved October 15, 2025, from: https://shorturl.at/i2ZMQ.

Rainey, B., McCormick, P. & Ovey, C. (2021). *Jacobs, White, and Ovey: The European Convention on Human Rights*, 8th edition. New York: Oxford University Press.

Wilcox, V. (2016). *A Company's Right to Damages for Non-Pecuniary Loss*. Cambridge: Cambridge University Press.

# CRIMES AGAINST STATE POWER AS FUNDAMENTAL VIOLATIONS OF THE PRINCIPLE OF CITIZEN'S LOYALTY TO THE STATE: SOME OBSERVATIONS

*Artashes Khalatyan, PhD in Law,*
*Senior Lecturer at the Brusov State University*
*(email: artashesjurist@gmail.com)*

*Manuscript has been submitted on 25.10.2025, sent for review on 04.11.2025, accepted for publication on 09.12.2025.*

## Abstract

*The scientific issue of this article is the analysis of crimes against state authority as bases for revocation of citizenship of Armenia. In this context, the notion of citizenship has been examined under the angle of social contract, entailing mutual rights, obligations and responsibility between the state and its nationals. The main stress has been made on the national's duty of loyalty owed to the state, which inter alia implies the citizen's obligation to refrain from any action, made against the state or to detriment of the state, including grave criminal offenses against state power.*

*Based on the research done, a thesis has been proposed by the author under which the duty of loyalty, as the core essence of the national's obligations, owed to the state, becomes senseless, if a citizen has committed a crime, directed against constitutional order, security, and (or) sovereignty of the state. Consequently, in such cases, the legal relationship between the state and the national, whose guilt has been proved by the judicial verdict, entered into force, shall be terminated.*

*As under the RA Constitution, termination of citizenship is prohibited, it is proposed to consider the respective amendment which may be included in the draft of the new Constitution, being elaborated now by the specialized body, established by the RA Prime Minister. The next step will be the amendment of the RA Law on Citizenship to add the institute of revocation of citizenship based on the commitment of certain crimes against the state.*

***Keywords:*** Citizenship, social contract, duty of loyalty, treason, crimes against constitutional order, state power, revocation of citizenship, Constitution, the RA Law on Citizenship.

## Introduction

Crimes against state power are notable for their diversity of dispositions, multifaceted nature, high degree of politicization of goals, and heterogeneity of the individuals involved. The crimes of this type are aimed at disrupting the mechanisms of normal functioning of social relations that underlie the organization and activities of the state and thus pose a particular social danger.

Leaving the study of legal aspects of crimes with the aforementioned specific object to criminal law theorists, it deserves scientific attention to dwell on the possible constitutional legal consequences of those crimes, due to their high degree of politicization.

In particular, this concerns the questionability of legitimacy of further existence of legal relations of citizenship between the perpetrator, who has been convicted for committing a number of crimes against state power, prescribed in inter alia Articles 418-421 and 423 of the Criminal Code of the Republic of Armenia (2021) (treason, usurpation of power, overthrow of the constitutional order, actions aimed at violating the territorial integrity of the Republic of Armenia or renouncing sovereignty, and coercing the highest state institutions: the President, the National Assembly, the Government, or the Constitutional Court) and the state, taking into account the legal bases of the origin of these legal relations, the social and political prerequisites, which determine both the institution of citizenship and the content of the specific "alliance" or "contract" between the state and the citizen arising from it.

Since the current Constitution provides a certain and unequivocal regulation concerning the issue under discussion, in our opinion, the answers to the questions raised in this article, should also be sought in constitutional amendments, especially in the context of the current elaboration of the draft of the new Constitution.

## The Gist of Relations of Citizenship

The state and state power are a complex socio-legal phenomenon, the centuries-old theoretical and practical evolution of which currently continues to be tied to the theory of the social contract, from which the contemporary perception of the essence of legal relationship of citizenship also stems.

Accordingly, the state is a socio-political and legal structure, created by mutual consent of people to ensure safe and mutually beneficial social coexistence, by formation of which people alienate the part of their absolute rights and freedoms in favor of that structure, receiving in returnguaranteed protection of their reasonably limited rights and security through implementation of the state mechanism, including adoption and enforcement of jointly binding laws and other normative regulations (Nersesyants, 2004).

In its turn, citizenship, as one of the fundamental institutions of the modern liberal constitutional order, is a concept derived from the theory of the social contract, a legal construct that predetermines the latter's scope of action.

Citizenship is defined as a special status that implies legal recognition of a person (by the state) within the country and abroad by establishment of mutual rights and obligations defined by law (Lukasheva, 2009). Moreover, citizenship confers upon a person the highest level of legal protection within the territory of a given state and the opportunity to limit and obligate state authority to ensure his or her fundamental rights, as defined in the Constitution. At the same time, it is the multitude of citizens that collectively becomes the material-anthropological foundation for the existence and functioning of the state and its institutions, without which the state cannot exist. Notably, the famous Convention on the Rights and Duties of States (Article 1), signed in Montevideo, the capital of Uruguay, on December 26, 1933 (League of Nations, 1933), first of all mentions the permanent population among the main criteria of a state. The latter refers specifically to people, who are connected to the state through legal and political relationship – citizenship, the entirety of which is made up of the people of the given state, as the source and bearer of the state's sovereignty.

Citizens are the segment of the population of a given state that constitutes its vast majority and fully enjoys all rights, provided for by the Constitution: personal, political, socio-economic, and cultural. Among these rights, the rights to vote and to be elected, as well as to participate in referendums, stand out, which, with some exceptions, belong exclusively to the citizens of a given state.

The key moment of the institution of citizenship is the process of mutual empowerment and legitimization of the individual as a member of the political community (polity) and the state, when the citizen forms the highest bodies of state power by his or her vote and thus endows them with unconditional legitimacy, and the state authorities, by proclaiming the right of a person to citizenship, defining the legal conditions for obtaining citizenship and ensuring their fair application, grant the citizen a cornerstone legal status within the territory of the state, which includes not only the rights of the citizen, but also the duties.

The substantive guidelines of the mutual legal relationship between a citizen and the state are defined by the Constitution or, in the absence of a written Constitution, by constitutional laws, as well as is crystallized in judicial practice.

The core of the legal relationship between a citizen and the state is mutual rights and obligations. In particular, according to paragraph 2 of Article 3 of the Constitution of the Republic of Armenia (2015), respect and protection of

the fundamental rights and freedoms of a human and citizen are the duties of public authorities.

Pursuant to paragraph 3 of the same article, public power is limited by the fundamental rights and freedoms of a human and citizen, as a directly applicable right.

In its turn, Chapters 2 and 3 of the Armenian Constitution define the fundamental rights and guarantees that the Republic of Armenia undertakes to ensure for its citizens.

The following circumstance is noteworthy here: the recipients of constitutional rights are, in general, not only the citizens of a given state, but also other persons under the jurisdiction of the state. The difference between the latter and citizens, however, lies in the fact, that the state is limited and bound by the rights of citizens, regardless of territorial and temporal boundaries, and that only citizens of a given state are the recipients of (political) rights, that are of key importance for the formation and functioning of the state (rights to form national elective institutions and participate in referendums, rights to be elected and to enter public service, the right to form political parties and join them, etc.). In other words, citizens are recognized by the state as full subjects of state-legal relations (Shahbazyan, 2016).

In particular, according to paragraph 8 of Article 47 of the Constitution of the Republic of Armenia (2015), citizens of the Republic of Armenia outside the borders of the Republic of Armenia are under the protection of the Republic of Armenia, based on international law. This constitutional provision is detailed in Article 7 of the RA Law "On Citizenship" (1995), according to which, citizens of the Republic of Armenia outside the Republic enjoy the protection and patronage of the Republic of Armenia.

The Republic of Armenia, the diplomatic service bodies of the Republic of Armenia and their officials are obliged to protect the rights of citizens of the Republic of Armenia residing in other states, as well as to take measures to restore their violated rights in accordance with the legislation of those states and international treaties.

Instead, persons who are not citizens of a given state, as a rule, benefit from the legal system of that state by virtue of their presence on its territory, while at the same time not having the above-mentioned political rights.

The same logic applies to constitutional obligations: the latter bind a citizen unconditionally and to the full extent, while stateless persons or persons, holding the citizenship of another state, are bound by them as a result of being under the jurisdiction of that state and not to the full extent.

In particular, persons who are not citizens of a given state have no obligation to participate in the defense of the state, including mandatory military service.

The system of citizen's constitutional duties is constructed, using a deductive method, i.e., defining the duty to respect the legal order and obey the decrees of the state as a fundamental duty of a general nature, while the remaining duties are branches and particular manifestations of that basic duty. The aforementioned obligation, in essence, also extends to persons who are not citizens of a given state, but mainly as long as they are within the territorial jurisdiction of the state (Zhadan, 2017)

In addition, the scope of a citizen's constitutional duties is more comprehensive and relates, in particular, to the obligation to refrain from committing certain crimes, which has a special subject – only the citizen of a given state. One of such crimes is treason.

We find that the constitutional obligation of a citizen to respect the legal order and laws of the state is one of the key aspects of his or her status in legal relations with the state and is summarized in the concept of loyalty.

In essence, the legal order and laws of a state are the "pipes" through which the authority of the state and state power "flows," therefore, to submit to the legal order of a state means to accept the authority of the state and state power and to be loyal to it (Dan-Cohen, 2012).

The duty of loyalty to the state, corresponding to the citizen's duty to demonstrate law-abiding behavior, is, however, deeper and more comprehensive in nature, encompassing not only the legal and political, but also the historical-philosophical aspects of the issue.

The principle of loyalty to the state and government in its current form is an evolutionary manifestation of the relations between serf and feudal lord, vassal and suzerain, dating back to feudal times.

In the first case, the serf lived and worked on the landlord's plot and received security of life and protection from him in return for his conscientious service. In case of a vassal and a suzerain, the vassal recognized the supremacy of the suzerain, had certain obligations to him: tax, military, etc., and in return received recognition of his subjectivity and comprehensive protection (Hostovsky Brandes, 2018).

In the same way, now a citizen, by fulfilling his duties to the state, receives protection from it, as well as guarantees of public order, security, and his or her vital rights. In other words, loyalty or allegiance, both in feudal times and now, in case of the institution of citizenship, is an act of recognition of the authority of the government, in return to which a person receives state protection of life, property, security, and other basic rights.

Of course, the citizen's loyalty to the state, as a fundamental commitment, arising from the social contract, also has pronounced moral and psychological aspects, which are no less important. The citizen's loyalty to the state means, that the citizen undertakes not to harm the state, its structures, national interests

and security intentionally, since the stability and security of the state are aimed at the security and well-being of every member of society and, in general, are one of the vital prerequisites for the existence of a political community, the state, meaning, that each citizen has the reciprocal obligation to express positive attitude to the state.

Citizens must demonstrate adequate devotion to the state, which must at least be expressed in refraining from taking any action against the state, be it a crime, a misdemeanor, or other unlawful behavior. This comes from the idea, stemming from the theory of the social contract, that the state is a common good, consequently, the harm caused to it is a harm caused to the entire society, the community of citizens, and the danger, targeting the state is a danger threatening all citizens.

It is worth mentioning, that both in the Middle Ages and today symbols of recognition and "submission" to the legal order of the state have unique importance, and acts of loyalty to the state have the status of custom and ritual, such as, for instance, official ceremonies of honoring the state flag and coat of arms, playing the state anthem, placing the state flag on state institutions, etc.

The institution of loyalty to the state also has a cultural dimension. A number of authors, presenting the state as the political embodiment of a cultural or national community, consider the loyalty of citizens to their state as a component of citizens' identity and self-esteem (Hostovsky Brandes, 2018).

In this context, it is noteworthy that a citizen's loyalty to the state is often associated with representatives of the titular nation of that state, while foreigners can be problematic from a state perspective, regardless of being a citizen of the given state (Hostovsky Brandes, 2018). A vivid example is the Arab citizens of Israel. In other words, there is a tendency to condition the duty of loyalty of citizens to the state by the ethnic factor, which, of course, contradicts the essence of the institution of citizenship.

No less important is the moral and psychological aspect of the citizen-state relationship, which is manifested or at least should be manifested by the mutual duty of care (also known in corporate law): state policy should be aimed at creating the necessary conditions and prerequisites for the material well-being of citizens, social support for vulnerable groups, continuous improvement of the coverage and quality of public services, and so on, and citizens should relate or at least associate their vital activity with the vision of strengthening and empowering the state, that is, carry out publicly beneficial activities, which, first of all, mean law-abiding behavior (Hostovsky Brandes, 2018).

At the same time, both the state and the citizen should be guided by the principle of "do no harm", on which the normative complex of mutual rights and obligations should be built.

## Incompatibility of Certain Crimes against State Power with the Constitutional Status of Citizenship

In the previous section of the article, the multi-component nature of the legal relationship of citizenship was briefly analyzed, which includes legal, political, and moral-psychological aspects of state-citizen relationship.

It is important to emphasize that the legal relations of citizenship are constitutional in nature, that is, they have primacy over those legal relations that arise on the basis of the regulations, derived from the Constitution, which to a greater or lesser extent relate to the specific aspects of state-citizen legal relations. It should not be forgotten, that the legal norms, regulating these legal relations, are primarily aimed at the "localization" of the norms of the Constitution and disclosure of their normative content, including the definition of positive or negative legal consequences for various manifestations of citizenship relations.

In light of the above, it is of significant importance how the legal consequences of practice, that significantly disrupts the legal relations of citizenship, are regulated by current legislation. For the state the legal consequences of such unconstitutional behavior are relatively certain: the state is represented by its authorized representatives, state officials, whose unlawful behavior is subject to criminal, administrative, disciplinary or civil liability, as well as the state, may be legally obligated to pay a civil penalty to the victim of the violation. Moreover, taking into account, that the state's obligations towards its citizens are comprehensive and constitute the main meaning of the state's existence, practically any violation, committed by the state, contains behavior inconsistent with the relationship of citizenship.

The situation is different in case of citizens, who are ideally the founders and beneficiaries of the state and, as a result, their rights towards the state outweigh their obligations, therefore, an individual or targeted approach can and should be taken to the adverse legal consequences that may arise for their violation

Coming to the subject at hand, it is worth noting, that the principle of a citizen's loyalty to the state, by definition, excludes any illegal action against the state, including and especially the commission of a crime. Moreover, taking into account not only the legal-political, but also the moral-psychological aspect of citizen-state legal relationship, it is obvious, that criminal encroachment on the state implies neglect and violation of the citizen's moral duty towards the state and state authorities, by which the citizen, who committed the crime, shows, that well-being, security, and even the existence of the state of his citizenship are be of no concern to him or her.

The Criminal Code of the Republic of Armenia (2021) contains crimes of such a flagrant anti-state nature, that their commitment by citizens of the

Republic of Armenia in itself testifies to denial of mutual legal ties with the Republic of Armenia.

We find, that these crimes are at least the following, defined in Articles 418-421 and 423 of the Criminal Code of the Republic of Armenia (2021): treason, usurpation of power, overthrow of the constitutional order, actions aimed at violating the territorial integrity of the Republic of Armenia or renouncing sovereignty, and coercing the highest state institutions: the President, the National Assembly, the Government, or the Constitutional Court. The study of the dispositions of these crimes shows that they are practically aimed at denying or thwarting the sovereignty of the Republic of Armenia, since they target such attributes of sovereignty as territorial sovereignty of the state, independence in relations with other states, public and state order and the constitutional powers of the highest bodies of state power. Moreover, the specific crime of treason has a special subject: only a citizen of the Republic of Armenia can commit this crime.

Taking into account both legal and moral-personal connotations of the term "treason", it can be concluded, that specific actions, aimed at weakening the state – defecting to the enemy, cooperating with the special services of other states, and other manifestations of state treason – have a pronounced moral and psychological dimension, emphasizing the severance of the moral connection of the citizen, who committed the crime, with the state.

Surely, the fact of the commission of a crime can only be recorded from the moment the guilty verdict enters into force, which is a requirement of the constitutional principle of the presumption of innocence.

At the same time, while acknowledging the inevitability of punishment and the paramount importance of the criminal, facing the criminal consequences of his or her behavior, we believe, that in case of such crimes against the state order, a legal and moral-political rupture inevitably arises in the founding legal relationship between the citizen, who committed the crime and the state, a gross violation of the concluded constitutional "pact" is taking place, which cannot be considered overcome even after the criminal has served his sentence and the conviction has been expunged. In this case, the subjects of regulation of constitutional law and criminal law and the legal methodology used differ. The serving of a sentence by a person, who has committed a crime, exhausts his criminal legal obligation and liability to the state, which stems from the inadmissibility of being tried twice for the same act, humanity, the necessity of re-socializing the criminal and other assumptions. Meanwhile, from the point of view of constitutional law, the key question in this case is whether, in the event of a deliberate and gross encroachment on the common good by a person, who is a member of a political society, a citizen of the state, the state, should continue to bear constitutional obligations towards that person: protection of

rights, social support, etc., and whether the citizen has not excluded himself from that political society by his or her criminal act, and thus is his further participation in state governance, through voting and being elected, and having other rights towards the state for which he consciously created an existential threat, not contradictory?

It should be noted that the practice of depriving citizenship for committing treason or other acts against the interests of the state of citizenship is widespread. In particular, in 15 of the European Union Member States (Belgium, Bulgaria, Denmark, the Netherlands, Estonia, Latvia, Lithuania, France, Cyprus, Malta, Ireland, Greece, Romania, Slovenia and the United Kingdom) the institution of deprivation of citizenship operates in cases, where a person has committed treason or other serious crimes, that constitute a breach of loyalty to the state of citizenship: crimes against the state, crimes against the constitutional order and institutions, including terrorism, violation of loyalty to the state by an action or word or the commission of actions against national interests (Mentzelopoulou & Dumbrava, 2018).

As we can see, the legal regulations in force in the member states of the European Union provide for deprivation of citizenship for a large number of crimes that are directed against state security, national interests, or constitutional order. In other words, the deprivation of citizenship itself is not considered a priori unjust if the "tip of the scale" is a comparable or more important social value or public interest, such as citizen's loyalty to the state, state security, and constitutional order.

Having confirmed the regularity of termination of the institution of citizenship or the right to citizenship in the event of a number of intentional crimes against the state, it is necessary to consider possible limits of application of this unique constitutional-legal sanction against a person, which are necessary to maintain a balance between different constitutional values and ensure social harmony.

Within the realm of our current research, it is necessary to consider mainly two interrelated aspects that will unavoidably affect the content of consequences, arisen after revocation of citizenship. These aspects are: three main types of getting citizenship: the principle of "blood", the principle of "soil", and naturalization, as well as the international obligation of states to create conditions, targeted at decrease of stateless persons under their jurisdiction (League of Nations, 1930).

The principle of "blood" presupposes obtaining citizenship based on one's parents' nationality, meaning that a person obtains this or that citizenship by birth by virtue of his or her parent(s)' nationality, regardless of a place of birth. On the contrary, the principle of "soil" means that a person obtains citizenship of the state, where he or she was born.

In its turn, naturalization is a means of obtaining citizenship by applying to the competent state body in case of meeting certain criteria, stipulated by relevant legislation. In other words, by naturalization a foreign national or stateless person applies for granting citizenship of a state with which he or she has no "blood" or "soil" affiliation.

In the context of our research issue there is a connecting line between each of the aforementioned principles of citizenship and the state's international undertaking to stimulate restriction of the status of statelessness. In cases where a person is not recognized as a citizen by any state, he or she becomes stateless, which deprives him or her of rights such as the right to gainful employment and freedom of movement. He or she is unable to access education, medical care and services, is deprived of property rights and even the ability to register marriage and the birth of his or her child. Stateless persons are also unable to participate in legal processes in their country of permanent residence, such as elections. This makes them "invisible" from a legal perspective: people who actually exist, but are not legally recognized (Irwin & Manly, 2008).

Based on the aforementioned, the international community denies statelessness as a major hindrance for availability of public goods for a person. Particularly, the UN Convention on the Reduction of Statelessness of 1961, Article 8, point 1, prescribes, that a Contracting State shall not deprive a person of its nationality, if such deprivation would render him stateless. The Republic of Armenia is a party to this Convention.

European Convention on Nationality of 1997, adopted under auspices of the Council of Europe, Article 4, point "b", prescribes that statelessness shall be avoided. Respectively, Article 6 of the same Convention prescribes different venues for obtaining citizenship that shall be ensured by the Contracting Party in order to avoid statelessness.

At the same time, Article 7, point "d" of the Convention legitimizes a competing public interest: the imposition of sanction for the breach of duty of loyalty to the parent state – loss of the citizenship.

This equilibrium of rules makes it important to draw a line between two competing interests – ensuring and if necessary enforcement loyalty to the parent state and one's right to citizenship.

First of all, the principle of "blood" is the primary principle of acquiring citizenship insofar, as it aims to form the demographic basis of the state, the titular nation and to create an ethno-cultural hearth that will allow a long-term preservation of the social basis of the state and contribute to the crystallization of its national identity. Consequently, as a rule, persons who acquire citizenship by the principle of "blood," that is, on the basis of their parents' citizenship, do not have a legal opportunity to acquire another citizenship, and

in case of losing citizenship on any basis can inevitably join the ranks of stateless people.

The situation is better in the case of the principle of "soil". First, this principle, unlike the principle of "blood", is not always applied by states and depends on the existence of the goal of increasing the population. In case of acquiring citizenship on this basis, a person has the right to acquire citizenship of another state by blood origin.

On the other hand, in case of acquiring citizenship on the basis of naturalization, individuals freely apply to become citizens of a given state upon reaching adulthood, if they meet specific conditions set by the state. That is, unlike the previous two principles, when a person's acquisition of citizenship was conditioned by a certain status at birth, in case of naturalization, the "transactional" nature of citizenship is pronounced: a person applies to become a citizen of a given state in order to benefit from the legal protection system of that state, if certain formal conditions are met and assumes corresponding constitutional and legal obligations towards the state. As a rule, before naturalization, a person has the citizenship of another state and can even retain his previous citizenship, if dual citizenship is permitted in the new "parent" state. At the same time, usually, persons, who have renounced citizenship, regain it via simplified procedure, which means mitigating or overcoming the risk of becoming a stateless person in the event of deprivation of citizenship, discussed above.

The short comparative study of three main venues of obtaining citizenship shows, that revocation of citizenship in case of committing crimes, entailing grave breach loyalty with almost no risk for becoming stateless, is applicable to naturalization, as well as to the obtaining of citizenship based on the principle of "soil".

The current Law of the Republic of Armenia "On Citizenship" does not provide for the institution of deprivation of citizenship as such. Instead, the institution of termination of citizenship is established (Article 23) in case of change of the citizenship of the Republic of Armenia, acquisition of the citizenship of the Republic of Armenia on the basis of false or incorrect documents or false data and in cases, specified by international treaties. In other words, under current legislation in Armenia, the termination of citizenship is linked either to a person's voluntary act of terminating citizenship, or to committing fraud or submitting incorrect documents when entering into a citizenship relationship, or in cases specifically provided for by international law. All these cases are related to procedural issues related to the legal relationship of citizenship, whether lawful or not, but there is no basis for the termination of lawfully acquired or established citizenship as a result of criminal acts against the state of citizenship. The reason for this is, among

other things, the general prohibition on deprivation of citizenship established by the Constitution (Article 47, paragraph 5, sentence 1).

Without delving into the reasons for constitutionally establishing such an absolute ban, which is perhaps the topic of another article, let us only note that a significant increase in the number of revealed cases of treason is observed in the Republic of Armenia, and a number of crimes aimed at the forcible overthrow of the constitutional order have been revealed during the preparatory phase. One of the main reasons for the created criminal atmosphere, in our opinion, is the inadequacy of public censure at the legal, political, and moral-psychological levels, when a person who commits a crime against the state will face sharp backlash from public opinion.

We believe that this situation may significantly change for the better if non-standard countermeasures are used against citizens who oppose the state. Such an example could be the establishment in the new Constitution of a mechanism for depriving citizenship on the basis of committing grave and particularly grave crimes against the state. Enshrining such a constitutional norm will provide an opportunity to make adequate changes to the RA Law "on Citizenship" and establish clear mechanisms that will ensure the implementation of the constitutional innovation in practice. In this way, the state will send a clear message to the public and potential criminals, that it will not tolerate criminal encroachments on political community, even by alienating from the political community those convicted of the relevant crime by a final verdict, depriving them of their citizenship.

On the other hand, a newly established legal mechanism for deprivation of citizenship may apply only to persons, obtained citizenship via naturalization or on the basis of the principle of "soil".

We believe that this approach will serve as a basis for a reassessment and legal reloading of citizen-state relations, emphasizing the importance of law-abiding behavior for the continuity of a citizen's legal relationship with the state, at the same time upholding legal guarantees for the main segment of Armenian citizens.

## Conclusion

The study conducted shows that the legal relationship of citizenship is multifaceted and is not limited to procedural aspects, filled with legal formalism or obligations that do not have constitutional consequences. The state-citizen relationship is of essential importance for statehood, operating under the "nation-state" concept, where citizens and the state have a mutual legal, political, and moral-psychological affiliation and connection with each other, with mutual rights and obligations. The latter can be ignored in no way, and violations cannot remain without constitutional consequences, especially in

cases where a citizen encroaches on the state by committing the most serious crimes, that harm the security of the state and the integrity of the constitutional order. The state does not and cannot have any obligations or commitments towards citizens, who have been convicted for anti-state activities by a legally binding verdict. At the same time, international obligations toward stimulation of decrease of statelessness necessitates thorough analysis of the main bases of obtaining citizenship to strike off those ones, that have the lightest or no effect in terms of boosting statelessness in case of revocation of citizenship.

In light of this, the absolute prohibition on deprivation of citizenship in the Constitution of the Republic of Armenia, which prevents the severance of the state's legal ties with individuals who have committed crimes against the state, seems problematic. It is a serious legal, political, moral, psychological, and even symbolic problem when the state, in addition to criminal-legal measures, does not send a message at the constitutional-political level that the sovereignty and security of the state are the foundations of public consensus, violating which in itself makes it impossible and intolerable for the person, who committed the crime to maintain his citizenship of the Republic of Armenia.

At the same time conscious approach should be employed when addressing possible legal consequences of the revocation of citizenship, avoiding an inescapable boost of statelessness.

We believe that the Constitutional Reform Council should consider the issue of eliminating the absolute prohibition on deprivation of citizenship in the new draft Constitution for the cases when it comes to the forced termination of citizenship of persons who have committed crimes that undermine the foundations of the existence of the state, taking into account also possible concerns about the fulfillment of international obligations of Armenia.

Moreover, the employment of revocation of citizenship in the aforementioned cases can also be viewed as symbolic within the framework of the “Fourth Republic” concept, as a significant step towards strengthening the state-centered ideology.

## References

Council of Europe. (1997). *European Convention on Nationality*. European Treaty Series, No. 166. Retrieved November 28, 2025, from: https://shorturl.at/Fjzzs.

Criminal Code of the Republic of Armenia. (2021). HO-199-N. Retrieved October 6, 2025, from: https://shorturl.at/IwZtr.

Dan-Cohen, M. (2012). Law, Loyalty and Citizenship. In A. Marmor (Ed.), *The Routledge Companion to Philosophy of Law*, (540–553). New York: Routledge.

Hostovsky Brandes, T. (2018). Law, Citizenship and Social Solidarity: Israel's "Loyalty-Citizenship" Laws as a Test Case. *Politics, Groups, and Identities*, Vol. 6, No. 1. 39–58. DOI: 10.1080/21565503.2017.1318758

Irwin, E. & Manly, M. (Eds.) (2008). *Statelessness: An Analytical Framework for Prevention, Reduction and Protection*. United Nations High Commissioner for Refugees. Retrieved November 27, 2025, from: https://shorturl.at/ECjnG.

League of Nations. (1930). *Convention on Certain Questions Relating to the Conflict of Nationality Law*. Treaty Series, vol. 179, No. 4137. Retrieved October 28, 2025, from: https://shorturl.at/18xtY.

League of Nations. (1933). *Convention on the Rights and Duties of States*. Treaty Series, Vol. 165, No. 3802. Retrieved October 6, 2025, from: https://shorturl.at/7feAY.

Lukasheva, E. (2009). *Prava Cheloveka* (Human Rights), 2nd edition. Moscow: "Norma" Publishing House.

Mentzelopoulou, M. M. & Dumbrava, C. (2018). *Acquisition and Loss of Citizenship in EU Member States: Key Trends and Issues.* European Parliamentary Research Service. Retrieved October 17, 2025, from: https://shorturl.at/hDQp0.

Nersesyants, V. (Ed.) (2004). *Istoriya Politicheskikh i Pravovykh Ucheniy* (History of Political and Legal Doctrines). Moscow: "Norma" Publishing House.

Shahbazyan, M. (2016). Qaghaqatsiutyan Instituti Haskatsutyuny ev Zargatsman Mitumnery (Iravahamematakan Verlutsutyun) (The Concept of Citizenship and Development Trends (Comparative Legal Analysis)). *Bulletin of Eurasia International University*, № 2. 27–37.

The Constitution of the Republic of Armenia. (2015). Retrieved October 6, 2025, from: https://shorturl.at/gSsbs.

The Law of the Republic of Armenia on the Citizenship of the Republic of Armenia (1995). RA Law, No. 16. (Amended version on February 26, 2007, by RA Law No. 75-N). Retrieved October 6, 2025, from: https://shorturl.at/Qw7Lo.

United Nations. (1961). *Convention on the Reduction of Statelessness*. Treaty Series, vol. 989. Retrieved November 29, 2025, from: https://shorturl.at/hxyey.

Zhadan, V. (2017). Konstitutsionnyye Obyazannosti Cheloveka i Grazhdanina v Rossii, Ikh Realizatsiya (Constitutional Duties of Man and Citizen in Russia, Their Implementation). *Tavrichesky Scientific Observer*, Vol. 23, No. 6. 5–16.

# NOTES TO CONTRIBUTORS

**MANUSCRIPT must:**

- correspond to the topics of the journal,
- not include information about the author(s),
- be submitted in English, in Microsoft Office Word,
- not exceed **9000 words**,
- page size – A4, margins - 2 cm from each side,
- font face - Times New Roman,
- font size for the text of the article – 12, for the footnotes – 10,
- line spacing for the text of the article - 1, first line - 0.5 cm (first line of the first paragraph after subtitles - none),
- line spacing for the footnotes - 1, hanging - 0.3 cm,

**TITLE PAGE:**

- should include the paper title, author name(s), author affiliation(s), running head, and page number.

**Title**

- should outline the general scope of the article,
- 3-4 lines down from the top,
- centered bold capitalized major words for the title,
- font size - 12.

**Running head**:

- in the page header of all pages,
- capital letters,
- aligned from left,
- font size – 12.

**Subtitles:**

- bold sentence case**,**
- font size - 12,
- first-line - none.

**Authors' data:**

- one double-spaced line down the title, centered, italic,
- full name and email address of each author's workplace, organization,
- position, rank, academic degree,
- ORCID ID (if available), email,

- the surnames and the first letter in names of authors should be full,
- when different authors have different affiliations, superscript numerals after author names should be used to connect the names to the appropriate affiliation(s).

**ABSTRACT:**

- should not exceed 250 words,
- should be informative and not contain general words and phrases,
- should describe the research, methodology and the results,
- should reflect the main content of the article taking into consideration the following viewpoints: subject, purpose, research results and conclusions,
- information contained in the title should not be duplicated in the abstract,
- should provide a good perspective on the final message of the article.

**KEYWORDS:**

- between 5 to 10,
- should be separated by a comma and end by a full stop.

**TABLE/ FIGURE HEADING**

- align left, table/figure and number (e.g., Table 1, Figure 1),
- table/figure title appears double-spaced line below the table/figure number capitalized in italic title case,
- figures/charts and tables created in MS Word should be included in the main text rather than at the end of the document. Figures and other files created outside Word (i.e., Excel, PowerPoint, JPG, TIFF, and EPS) should be submitted separately. Please add a placeholder note in the running text,
- if an embedded table or figure appears on the same page as the text, place it at either the top or the bottom of the page, and insert a blank double-spaced line to separate the table or figure from the adjacent text.

**INTRODUCTION:**

- should reflect the article's contribution to the scope of political science, law, political, legal philosophy and related fields of research.
- should reflect the current concerns in the area,
- should specify the research objectives.

**MAIN TEXT**

- should reflect the main arguments and evidence,
- may contain sections with the appropriate headings.

**CONCLUSION:**

- should be clearly formulated and presented.

**TYPES OF MANUSCRIPT**

- scholarly articles and unpublished research papers,
- essays of symposiums and scientific events,
- article reviews, book reviews,
- scientific reports.

**REFERENCES & IN-TEXT CITATIONS**

APA citation format must be used for the in-text citations and references.

**IN-TEXT CITATIONS**

*When the author is mentioned in the running text, place the publication date in parentheses (narrative citation).*
For example, Huntington (1993)

*When the author is not mentioned in the running text, include the author's last name and the year of publication in parentheses. Separate author and year by a comma (parenthetical citation).*
For example, (Huntington, 1993)

**Two authors**

(Lintz & Stepan, 1996),
Lintz & Stepan (1966)

**Three and more authors**

(Smith et al., 1998), Smith et al. (1998)

**Two or more works with different authors**

(Torbakov, 2019; Mankoff, 2022)

**Two or more works with the same author**

(Huntington, 1993, 1996)

**Citations with the same author(s) and with the same publication year**
*Identify citations with the same author(s) and with the same publication year by the suffixes a, b, c, and so forth. Assign the suffixes alphabetically by title (consistent with the order in the reference list).*
(Kissinger, 1979a, 1979b).

**Authors with the same surname**
*If a reference list contains works by two leading authors with the same surname, provide the initials of both authors in all text citations.*
R. Smith (2011) and S. S. Smith (2014).

**Works with an unknown publication year**
*When the publication year of a work is unknown, use the abbreviation 'n.d.' (no date).*
(Carter, n.d.).

*When the author's name is unknown, use the source title.*
(*Source Title*, 2020).

*When the page number is missing either use an alternative locator or omit the page number.*
(James, 2020, Chapter 3) or (James, 2020).

**Direct quotations**
*In a direct quote include the page number or specific parts of a source.*
(Brzezinski, 2000, p. 175)
Brzezinski (2000) … (p. 175)
(Atkinson, 2007, Chapter 8)
(Huntington, 1996, Table 2.1, p. 55)

***Secondary sources***
(Brzezinski, as cited in Kakachia, 2011)

**REFERENCES**
*References must be arranged in alphabetical order by the last name of the (first) author, followed by the initials. (Hanging - 1.5).*
*The Latin transliteration of all non-Latin references should be included together with the English translation. There is no need to transliterate the author(s) surname(s).*
Вебер, М. (1990). *Наука как призвание*. Москва: Прогресс.

Weber, M. (1990). Nauka kak prizvaniye (Science as a Vocation). Moscow: Progress.

*Works by the same author (or by the same two or more authors in the same order) with the same publication date are arranged alphabetically by title. Add lowercase letters - a, b, c, etc. - immediately after the year.*
Fukuyama, F. (2018a). Against Identity Politics: The New Tribalism and the Crisis of Democracy. *Foreign Affairs*, 97(5), 90-114.
Fukuyama, F. (2018b). Why National Identity Matters? Journal of Democracy, 29(4) 5-15. DOI: 10.1353/jod.2018.0058.

**Print book or its digital version**
Waltz, K., (1979). *Theory of International Relations*. Reading, MA: Addison-Wesley.
Smith, G., Law, V., Wilson, A., Bohr, A., & Allworth E. (1998). *Nation-Building in the Post-Soviet Borderlands: The Politics of National Identities.* Cambridge and New York: Cambridge University Press.
Brzezinski, Z. (1997). *The grand chessboard: American primacy and its geostrategic imperatives.* Retrieved June 15, 2023, from: http://armpolsci.com/books/.

**Chapter in an edited book**
Norris, P. & Inglehart R. (2016). Muslim Integration into Western Cultures: Between Origins and Destinations. In T. Abbas (Ed.), *Muslim Diasporas in the West: Critical Readings in Sociology* (228-251). London, England: Routledge.

**Articles**
Phillips, N. (2017). Power and inequality in the global political economy. *International Affairs, 93(2),* 429–444. DOI: 10.1093/ia/iix019.

**Newspaper article**
Miliband, E. (2011, December 1*)*. British Politics is "Far Too Macho". *The Telegraph*. Retrieved June 15, 2023, from: https://www.telegraph.co.uk/.

**ELECTRONIC SOURCES**
*Encyclopedia*
Graham, G. (2005). Behaviorism. In E. N. Zalta (Ed.), *The Stanford encyclopedia of philosophy* (Fall 2007 ed.). Retrieved June 15, 2023, from: http://plato.stanford.edu/entries /behaviorism/.

*Dictionary*
Consensus. (n.d.). In *Merriam-Webster's online dictionary* (11th ed.). Retrieved June 15, 2023, from:
https://www.merriam-webster.com/dictionary/consensus.

*Websites*
Bercow, J. (2010, July 6). *Speech to the Centre for Parliamentary Studies*. Retrieved June 15, 2023, from: www.johnbercow.co.uk.

*Video clip*
University of California, Berkeley. (2008). Political Science 179: Election 2008, lecture 1 [Video] YouTube.
http:// www.youtube.com/watch?v=3D9Dq8VsxnM.

**Legal Cases**
Thorne v. Deas, 4 Johns. 84 (N.Y. Sup. Ct. Feb. 1, 1809)
https://www.casebriefs.com/blog/law/torts/torts-keyed-to-dobbs/contract-and-duty/thorne-v-deas/.

**Treaties, agreements, declarations, international conventions**
Declaration on Principles of International Law concerning Friendly Relations and Cooperation among States in accordance with the Charter of the United Nations, 24 October 1970. Retrieved June 15, 2023, from:
https://www.refworld.org/docid/3dda1f104.html.

**Proceedings, published in book form**
*To cite published proceedings from a book, use the same format as for a book or book chapter.*
Palkovska, I. F. (2018). Characteristics of Judgments of the EU Court of Justice. In K. Cermakova & J. Rotschedl (Eds.), *3rd Law & Political Science Conference, Lisbon*, (pp. 30-52), International Institute of Social and Economic Sciences. DOI: 10.20472/LPC.2018.003.002.

**Proceedings, published regularly online**
*To cite proceedings that are published regularly, use the same format as for a journal article.*
Szabo, S. F. (1991). The New Europeans: Beyond the Balance of Power. *Proceedings of the Academy of Political Science, 38*(1), 26–34. DOI: 10.2307/1173810.

**Conference paper, from the web**

Wentworth, D. (2012, November). E-learning at a glance. Paper presented at the *Distance Education Conference*. Retrieved June 15, 2023, from: http://www.umuc.au/conference/distance_education.html.

***Doctoral dissertation / Master's thesis***

Christiansen, W. T. (2020). *International Conflict, Political Leaders, and Accountability*. (Doctoral dissertation). Retrieved June 15, 2023, from: https://scholarcommons.sc.edu/etd/5794.

Bang-Jensen, B. (2022). *Principled and Pragmatic Exit: Understanding Treaty Withdrawal*. (Doctoral dissertation, University of Washington). Retrieved June 15, 2023, from: https://www.polisci.washington.edu/research/dissertations.

## GRAPHS AND DIAGRAMS

If the manuscript contains non-alphabetic characters (e.g. logical formulae, diagrams) then:

- the PDF version of the text should be attached for the demanded verification,
- photo images should be of high quality.