ՀԱՆՐԱՅԻՆ ԿԱՌԱՎԱՐՈՒՄ
PUBLIC ADMINISTRATION

YURI SUVARYAN*
Academician of NAS RA
Academician-Secretary of the Department
of Armenology and Social Sciences

ON THE CONSTITUTIONALITY AND PUBLIC ADMINISTRATION IN ANCIENT AND MEDIEVAL ARMENIA

Key words: *hereditary monarchy, constitutionality, state and regional government, the Armenian dynasty Bagratids, Cilician Armenia, state system, statehood.*

Introduction

For a ten-thousand-year old nation that has had statehood for more than 1500 years and lost it four times the issues of public administration and the strengthening of constitutionality are of great importance. Their importance is first of all conditioned by such priorities as restoration of the lost statehood (for example M. Gosh's "Datastangirk" – Book of Law (1184) and Sh. and H. Shahamirians' Worogait Parats – Snare of Glory (1773) were written in the absence of statehood) the management of public institutions, the development of their efficiency (e.g. V. Barepasht's (Vacahagan the Pious) "Canonical Constitution" written in 488 and S. Sparapet's "Datastanagirk" created in 1265). Under the circumstances of non-existent statehood and the domination of foreign countries the Armenians' ecclesiastic, civil and everyday problems were solved through the canons of "Kanonagirk Hayots" (Book of Armenian Canons).

* *Հոդվածը ներկայացվել է 01.11.2019, գրախոսվել է 05.11.2019, ընդունվել է տպագրության 05.12.2019:*

"Kanonagirk Hayots" (Book of Armenian Canons) had the important function of a peculiar constitution and that of consolidating the nation.

Data on the system and principles of governing the state and regional institutions can be found in the famous works written by such Armenian historians as M. Khorenatsi (Moses of Khoren), P. Buzand (Faustus of Byzantium), Gh. Parpetsi (Ghazar of Parpi), Agathangelos.

Historians, jurists, experts in management have tackled the underlying issues of constitutionality and regional government. Gh. Inchichian the monk from Mekhitarist congregation was the first to have thoroughly examined the abovementioned issues[1]. Based on the studies by the Armenian and Greek historians[2], S.M. Krkyasharian examined and described the state system of ancient Armenia in the 6th–4thcenturies BC (about 700 years). R. I. Matevosian published a study on the state structure, administrative system, and the peculiarities of governing a country during the Bagratunis' (Bagratids') rule of Armenia[3].

The system of the state government was elucidated at length in A.G. Sukiasian's monograph[4].

In the abovementioned voluminous works the issues on state and regional government are not viewed as isolated phenomena but rather from the perspective of historical-political, often legal matters. The state and regional government in historic Armenia as an issue of public administration has been studied in accordance with its structure and authority by the author of the present article[5].

The legal basis for public administration is the basic law of the country - the constitution which consists in uniting the law (laws and canons) in the ancient eras of some countries. Constitutionality signifies the existence of the basic law (or laws and canons), its progressiveness, the mandatory and complete application of these laws in all spheres of public life.

Considering the fact that the improvement in the public administration in terms of historical experience and national traditions is of great importance, the

[1] **Ինճիճեան** 1835:
[2] **Կրկյաշարյան** 2005:
[3] **Մաթևոսյան** 1990:
[4] **Սուքիասյան** 1978:
[5] **Սուվարյան, Միրզոյան** 2013:

given research particularly lays emphasis on more essential methodological characteristics of the issue which are still topical.

The State and Regional Government in Ancient and Medieval Armenia

M. Khorenatsi's "History of Armenia" summarizes more comprehensive data on the system of government in the Armenian state from the 6th – 4th centuries BC during Armenia's seven-centuries-old statehood.

According to those data, the king was the head of the state that fulfilled both legislative and executive functions. He was also the commander-in-chief of the military forces, was entitled to appoint heads of management institutions in regions, arbitrators at court, cities and towns. According to Khorenatsi, "The King enacts laws in his regal residence, setting hours for entering the court, for gathering the council, for dinners and walks. He also establishes military orders (the first, the second, the third, etc.). The king appoints arbitrators at court, in cities and towns"[6]. It is both noteworthy and edifying that the king appoints two individuals "who are to remind him about goodness and vengeance in written form. The one who was to remind the king about goodness is given instructions to make him remember about the just and the humane in case the king was furious or has made an unfair decision"[7].

In modern interpretation those people were today's advisors, assistants of the leader, and according to the lessons of history, one of their responsibilities consisted in securing just resolutions. Describing the Armenian King Vagharshak's activity, M. Khorenatsi points out, "Being a brave and wise man, he fearlessly reigned in his country and established rules and regulations of everyday life, as far as it was possible he founded ministries, selected patriarchs from the sensible people that descended from Hayk's generation or belonged to another lineage"[8]. This is how the agencies were formed, representing the functional bodies of regal power. The main leaders of the regional government were the ministers, the governors of the cities and the heads of rural communities. According to S. Krkyasharian's accurate observation, the Armenian feudal nakharars (ministers) were divided into three groups:

- Court officials dealing with court economy,

[6] **Մովսես Խորենացի** 1990, 76:
[7] **Մովսես Խորենացի** 1990, 76:
[8] **Մովսես Խորենացի** 1990, 67:

- officials occupying different positions at court,
- officials carrying out prime-ministerial functions on the instruction of the king in country's different regions[9].

By the order of the king the minister governed each unit. Thence the position became hereditary for the given ministerial house. The economy of the court was managed by the hazarapetutyun[10]. Finances, including tax-collection, initially military affairs as well (up to the 2nd century BC) were in the domain of hazarapetutyun. Maghkhazutyun was one of the court agencies that regulated the activity of court guards. The crowned knight was also one of the court officials. The first to have been granted the title by the order of king Vagharshak was Bagrat. Mardapetutyun was another unit, having the same characteristics. One of the functions of mardapetutyun was carrying out court supervision and safeguarding the treasures and estates[11]. Another essential unit of government was sparapetutyun which was founded at the end of the 2nd century. Sparapet was considered the commander-in-chief of the king's armed forces in Greater Armenia[12]. The feudal nakharar (minister) was a great landowner. The king rewarded him for his service with land which was inherited from generation to generation. Some of the nakharars (ministers) were given authority to manage smaller administrative units, while others had broad powers (in taxation, judicial and administrative spheres) of governing the regions (cities, villages) given to them. They were also legally entitled to own fortresses and army.

According to historic sources, the foreign policy and establishment of international ties worldwide were also regulated by the king. He was responsible for dealing with such issues as waging a war, or signing a peace treaty. He had the competence to set regional borders, found cities and name them. The same sources evidence that after the proclamation of Christianity as state religion the Armenian Apostolic Church was entitled to overseeing such issues as spiritual development, education, legal affairs. After the disappearance of the Armenian state it also dealt with the regulation of legal, political relations. The court was an advisory body, which included the members of king's inner circle, who occupied certain positions at court or were representatives of elite. Ashkharazhoghov or the

[9] **Կրկյաշարյան** 2005:

[10] The given position is more or less similar to intendancy.

[11] **Մովսես Խորենացի** 1990, 70–75:

[12] Հայ ժողովրդի պատմություն 1971, 834:

so - called general assembly was a special advisory body which was convened by the king on important occasions when an urgent state issue was to be discussed. Aristocracy, representatives of rural elite, along with ministers and noblemen participated in the general assembly convened by the king.

Ashkharazhoghov (general assembly) in essence was a supreme advisory body consisting of the Armenian noblemen[13].

Dwelling upon the initial state structure of the Yervanduni dynasty, S.M. Krkyasharian noted that pagan priests along with the king participated in governing the country. The Council of the noblemen which somehow restricted the king's power was also at the court. According to Xenophon, the Council had existed before Armenia was conquered by the Achaemenid Empire[14].

The system of public administration developed and ramified after the Empire of Tigranes II, particularly during the later period of the rule of the Arshakuni dynasty (diagram 1)[15] .

After introducing the brief outline of the structural characteristics of the public administration and singling out the distinct functions of each institution we shall dwell upon two essential issues: What conditioned the occasional strengthening of the Armenian state and what caused its disappearance from the political arena? The answer to these questions can be found in the distinguished works by Movses Khorenatsi and other prominent historiographers.

"Tigranes II was the most powerful, the wisest and the bravest of them all. All his contemporaries envied him. We, his successors dreamed of him and his era"[16]. M. Khorentsi wrote, "During his rule the infantry transformed into cavalry, the fighters who fought in groups became well-aimed archers, while those who fought with sticks armed themselves with swords and lances, the bare protected themselves with shields and armor"[17].

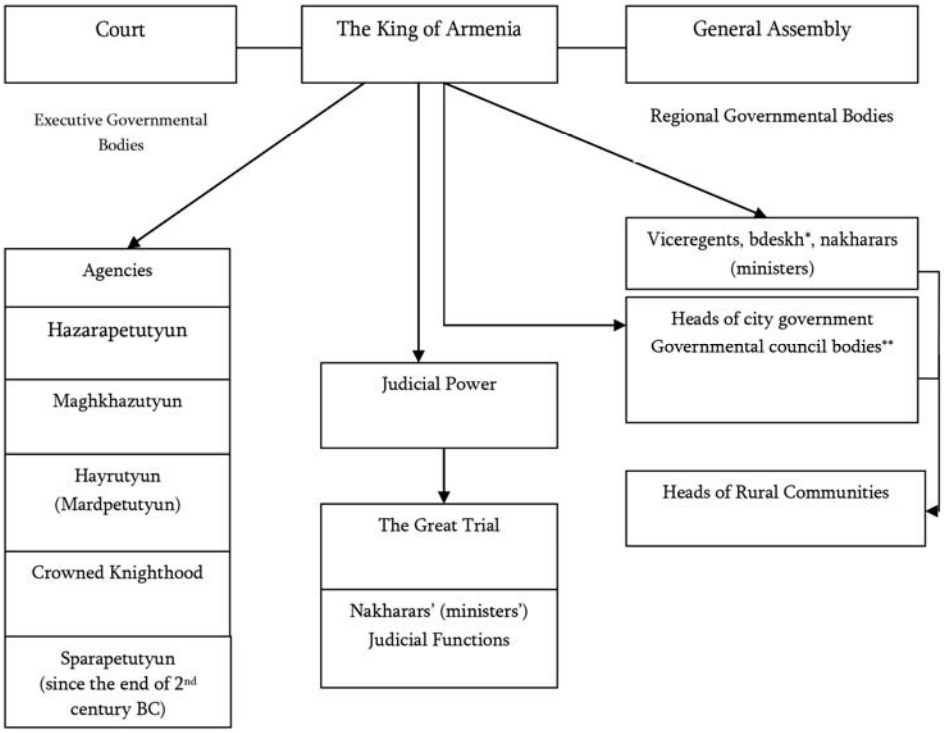
In modern interpretation the army was rearmed, becoming more powerful, the soldiers were protected and the potential of attacks was multiplied. According to Khorentsi, "As an individual the king was wise, eloquent and had all the characteristics that any human being should have. He was a just king and had a

[13] Հայ ժողովրդի պատմություն 1971, 828:
[14] **Կրկյաշարյան** 2005, 154:
[15] **Կրկյաշարյան** 2005, 154:
[16] **Մովսես Խորենացի** 1990, 46:
[17] **Մովսես Խորենացի** 1990, 46:

balanced attitude due to which he treated everybody as equals, looking at life through the prism of his broad mind. He never envied the best, did not despise commoners and generally tried to shield everybody with his care"[18].

Diagram 1

The System of Public Administration in Historic Armenia



The king was a monarch endowed with all the legislative and executive power. He made all the governmental decisions by himself, thus, his characteristics as a leader conditioned the quality and purposefulness of the latter. State councilors of high rank and senior ecclesiastic institutions, being the representatives of secular and religious institutions of the country, could have influence on his decisions. If the monarch had an efficient leader's stark characteristics, and the church and councillors cooperated with the king, then the country's inner and foreign policy might record achievements and the country would experience progress and become more powerful. The epoch of Tigranes II was identified by the

[18] **Մովսես Խորենացի** 1990, 47:

aforementioned characteristics. The king himself was sensible, courageous and just, endowed with all the noble human traits, he had the propensity of encouraging progress and novelty. As a result, the country became absolutely independent, "turning from a tax payer into a tax-collector". He rearmed the army, spread peace and prosperity "plying people with honey and butter"[19]. Under such circumstances people lived in a society where the united, patriotic healthy social-psychological atmosphere prevailed. If the aforementioned trinity was broken, namely –problems arose among the monarch, nakharars (ministers) and religious center, their cooperation was ruptured and then unfair, ungrounded governmental decisions were made. This caused turmoil in the public environment, making it less stable and more dangerous. Inner instability along with foreign threat undermined the safety of statehood and the country's independence. The given situation was described by M. Khorenatsi. It concerned the case when there was a rift among King Artashir, Catholicos Sahak and the nakharars (ministers). M. Khorenatsi described it in his famous "Lament": "The Armenian King Artashir began to indulge in such depraved activities that all the nakharars (ministers) loathed him. They came to Sahak the Great, protested, appealing to him for helping them to charge the King (Artashir) with a slander before the Persian king. This would overthrow their king and a Persian would come to rule in their country"[20].

"And Sahak said", – "I do not prove you wrong, I myself have heard about his lamentable and disgraceful acts, I have reproached him many times but he has denied it"[21]. When the Catholicos offered the nakharars (ministers) an alternative they said, "As you do not agree with us to overthrow him we do not want you to be our priest anymore"[22].

Ghazar Parpetsi (Ghazar of Parpi) described these events in detail[23]։ The Persian King Vram was very eager "to annihilate the kingdom of the Arshakuni dynasty". He rejoiced when he heard one of the king Artashes' accusers say,

[19] **Մովսես Խորենացի** 1990, 46:
[20] **Մովսես Խորենացի** 1990, 235:
[21] **Մովսես Խորենացի** 1990, 228:
[22] **Մովսես Խորենացի** 1990, 229:
[23] **Ղազար Փարպեցի** 1982, 45–85:

"Why do we need a king? Let a Persian ishkhan (nobleman) come temporarily and be our overseer and inform you about our obedience or disobedience"[24].

Consequently, the kingdom was annihilated. The Persian king appointed a regional governor, the Catholicos was also replaced. Priest Surmak replaced Catholicos Sahak. However, a short time later the Assyrian Brikisho came to substitute the latter, then the Assyrian Shamuel succeeded him[25].

The sad consequence of this happening is that it led to a clash between the king, the nakharars and the church. This escalated the adverse public environment in which "the ishkhans (noblemen) were rebels, not much different from common thieves, corrupting and devastating the country", while "the judges were inhuman, false, deceitful and corrupt, violating the law", "the clergy were hypocritical, pretentious and vain", "teachers were stupid, elected by money", "the military men were cowardly, boastful and lazy, detesting weapons", "the rulers breached regulations ruthlessly, the loved ones were betrayed, the enemies became more powerful", "kings gave unrealizable orders", "everybody had neither love nor shame"[26].

Such decisive factors as conflict, highly unhealthy, dangerous and discordant atmosphere that had emerged due to inefficient government, the hostile and invasive ambitions of the external enemies led to the downfall of the 700-year-old kingdom and to the loss of the country's independence.

As a result of a long-lasting and persistent fight the Armenian Bagratuni kingdom was created in 885. The kingdom survived for 160 years up until 1045. The head of the state was the king, whose power, like in Greater Armenia, was hereditary. The state government basically kept the same original traditions found in the Armenian statehood. However, it could be marked by some peculiarities. Firstly, the state government system was not unitary, since it was of a semi-federative nature. According to the historical sources, the administrative system consisted of two parts – one was of nationwide nature, while the other one comprised administrative bodies (the main ishkhan and appointed officials that were either local or approximated to the court), functioning within the jurisdiction of the given feudal house (which in its turn was the administrative unit)[27]. In the

[24] **Ղազար Փարպեցի** 1982, 57:
[25] **Ղազար Փարպեցի** 1982, 59–61:
[26] **Մովսես Խորենացի** 1990, 238–239:
[27] **Մաթևոսյան** 1990, 99–100:

middle of the 10th century up to the 11th century the Armenian kingdom consisted of the Bagratuni (central) kingdom along with such kingdoms as that of Vaspurakan, Syunik, Kars, Tashir, Dzoraget and the princedoms of Andzevatci, Sasun, etc[28]. The state council and court institutions formed the court. The Armenian Kings from the Bagratuni dynasty, the kings of Vaspurakan and Syunik along with reigning Ishkhans had their own courts[29].

Secondly, in the state system of government the Bagratunis preserved some names of positions, such as marzpan, ishkhanats ishkhan, which dated back to the near past. Such titles as "shahnshah" and "vostikan" (policeman), having penetrated from the Arab world, were also very common[30].

In historiography the Byzantine aggression and the loss of capital Ani[31] were considered the main reasons for the fall of the Bagratuni state. According to another viewpoint put forward by Matteos Urhayetsi (Matthew of Edessa), the loss of statehood was due to the disintegration in a certain political system[32]. Presumably, this viewpoint can be considered accurate for the semi-federative country which had neither legal nor ideological strong basis, as historians affirm, was mainly founded on bilateral interpersonal relationships. Moreover, in this case it is a very complicated task to secure unity and consolidation between constituent kingdoms and princedoms. The dissolution of the political system can be seen as the underlying basis for the aforementioned two reasons which led to the loss of statehood.

In Cilician Armenia (during the era of the Great Ishkanapetutyun (princedom) from 1080 up to 1198 and a kingdom lasting from 1198 up until 1375) the system of the government was formed on the basis of the principles typical of the Armenian statehood, where the European practice was also taken into account.

The state government of Cilician Armenia was realized via Smbat Sparapet's "Datastanagirk" ("the Book of Law" 1265) which being a peculiar document, was essential in terms of its legal and regulatory nature.

---

[28] **Մաթևոսյան** 1990, 199:

[29] **Մաթևոսյան** 1990, 101:

[30] Հայ ժողովրդի պատմություն 1976, 266:

[31] **Մաթևոսյան** 1990, 248–261:

[32] **Մաթևոսյան** 1990, 250:

The regal power, the functions and authority of governmental institutions in Cilician Armenia were comprehensively elucidated in the works by A.G. Sukiasian along with the author of these lines[33].

Within the framework of scholarly literature, two reasons which brought about the fall of the Armenian state in Cilicia were of great significance[34].

- the foreign policy – i.e. the insidious policy realized by the western European countries along with the hostile attitude on part of the Catholic Church, for the population was against the unification of the Armenian Church with the latter.
- the permanent internal strife between the regal power and the individual defiant princedoms, as well as the disruptive, virulent discord between feudal houses led the Armenian kings to fail to eliminate state – defying forces and create a centralized strong monarchy.

Unfortunately, the last reason is the underlying basis for the demise of all the Armenian statehoods. The given phenomenon which is of ubiquitous nature should be alarming for the Armenian civilization specifically, both for those political forces and general public that focus on the Armenian political thought and the practical specifics of the state-building processes.

The Methodological Principles and the Constitutionality of Public Administration According to Armenian Thinkers

The fulfillment and development of the state, regional government was accompanied by the creation of the legal regulatory bases. The king as the head of the state and the church, having legal, authority for trials and as a responsible body for people's intellectual and civil life sought to create legal bases for their acts and decisions. Furthermore, in anticipation of future statehood, legal, regulatory and constitutional works were created. In this respect valuable are such works as "Kanonagirk Hayots" (The Book of Armenian Canons), "the Canonical Constitution" by the king of Artsakh and Utik Vachagan, "The Canonical Legislation" by Davit Alavka Vordi, "Datastanagrker" ("The Books of Law") by Mkhitar Gosh and Smbat Sparapet, Sh. and H. Shahamirians' Worogait Parats (A Snare of Glory) written later, etc.

[33] **Սուքիասյան** 1978. **Սուվարյան, Միրզոյան** 2013, 127–130:
[34] **Սուքիասյան** 1978, 99:

While the content of the aforementioned works has been analyzed in scholarly literature, we shall dwell upon the pivotal theses which are of great methodological significance in terms of public administration.

Armenian thinkers were primarily concerned about the ***nature of the state government and the structure of the state apparatus.*** The given issue was elucidated in the works by the Armenian historians with reference to the state of Greater Armenia and the medieval statehoods mentioned above. The issue was thoroughly studied in the books of law written by Mkhitar Gosh and Smbat Sparapet as well as in Sh. and H. Shahamirians' *Worogait Parats (A Snare of Glory)*.

M. Gosh and S. Sparapet adhered to the theological interpretation of the state. In their opinion, kings were selected by God and were his representatives[35]. According to them, the appropriate structure of the kingdom consisted in centralized power, led by the monarch. Moreover, Smbat Sparapet considered the strong centralized power to be necessary, for he was sure it was conditioned by the imperative of securing the country's safety.

According to the characteristic feature of the theory put forward by Mkhitar Gosh, state and church are seen as two pillars which hold the building of the society as a political reality[36]. The given thesis was a certain step towards the idea of public administration, when apart from state institution, another body – church is essential in terms of the governmental system. In ancient Armenia bodies of regional government i.e. nakharars (ministers), mayors, the heads of rural communities along with the central authority were state institutions.

In Sh. And H. Shahamirians' Worogait Parats (A Snare of Glory) the concept of parliamentary state with its legislative, executive and judicial branches is substantiated[37]. Although the functions of those branches were not clearly differentiated, the formation of authorities through direct democratic election as well as the essence of state government could be seen as a vital progress compared to the state governing paradigm of the time (diagram 2)[38].

---

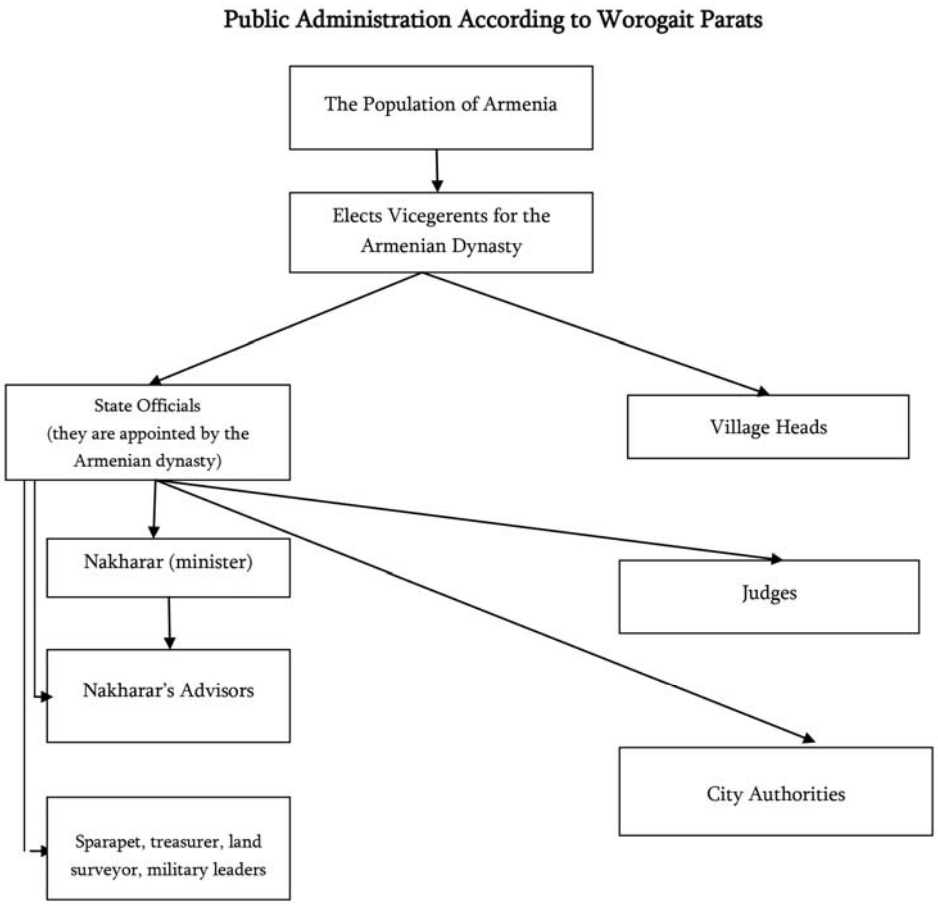
[35] **Մխիթար Գոշ** 2001, 301–305, 404–405:

[36] **Մխիթար Գոշ** 2001, ԺԵ:

[37] Որոգայթ փառաց 2002, 298:

[38] For details see **Սուվարյան, Միրզոյան** 2013, 165.

Diagram 2



The next pivotal issue observed by the Armenian thinkers refers to the rule of law, the consideration of human rights and justice in terms of governmental decisions which are the essential components of constitutionality.

"Kanonagirk Hayots" (The Book of Armenian Laws) is a comprehensive paper. Being of legal and regulatory nature it includes the decrees issued during the famous ecclesiastic meetings, namely – meetings in Ashtishat (4th century), Shahapivan (5th century) Dvin (6th and 7th centuries etc.) and writings by eminent religious figures. Those decrees refer to the principles of religious rituals, the behavior of the clergy, the acceptable norms of marriage and family, moral values in case they were violated certain penalties were imposed. The main idea of "Kanonagirk" (Book of Laws) consists in the existence of certain canons, rules of

coexistence that are mandatory for all members of society. The collection of these canons which comprised 21 articles was called "Canonical Constitution" by King Vachagan. Davit Alavka Vordi named it "Canonical Legislation" (97 articles).

Nerses Shnorhali's (Nerses the Gracious) "Toukht Enthanrakan" (written in 1166)[39] should be singled out, for it put forward theses on the rule of law, justice and election of leaders. The following thesis propounded by him is really noteworthy from the perspective of the rule of law, "The wealthy, who can lordly do what he wishes, is even more criminal as the law is broken"[40].

In the works under discussion the principle of fair taxation and tithes are of greater importance. In this respect, of particular interest is the following statement by Nerses Shnorhali: "Do not treat your subjects unjustly by imposing heavy taxes, which cannot be endured. Judge everybody in accordance with law and their capacity"[41]. Statements of similar nature can be found in the Aghvank "Canonical Constitution" (chapter "D") as well as in "Kanonagirk Hayots" (The Book of Armenian Canons), "Datastanagirk" (Book of Laws) by Smbat Sparapet.

In historic Armenia the ***development of education, science and culture*** was also essential from the perspective of legal, regulatory canons. Specifically, in "Kanonagirk Hayots" (The Book of Armenian Canons) in the canons formulated by Sahak Partev the organization of schools was considered indispensable[42]. In the 6th chapter of the decree issued during the Ashtishat meeting it was required "to open schools of the Assyrian and Greek languages to spread enlightenment throughout Armenia"[43].

In Worogait Parats (A Snare of Glory) special emphasis was laid on the development of science and culture, "The Armenian dynasty should provide assistance to specialists, especially in the spheres of philosophy, astronomy, medicine, music, eloquence, etc"[44].

In Worogait Parats (A Snare of Glory, chapter 502) along with the assistance to science and culture, particularly prioritized was the encouragement of innovations, according to which, for the creation of new, high quality products (of

[39] **Ներսես Շնորհալի** 2009:
[40] **Ներսես Շնորհալի** 2009, 85:
[41] **Ներսես Շնորհալի** 2009, 80–81:
[42] Կանոնագիրք Հայոց 1964, 372–373:
[43] **Ավագյան** 2001, 109–110:
[44] Որոգայթ փառաց, 2002, 134:

European kind) the Armenian dynasty should offer financial incentive to the creators.

This is an issue which is currently extremely topical in terms of technological development.

Conclusion

Summing up, it should be noted that the state and regional government in ancient and medieval Armenia was realized via legal regulatory principles, consistent with the time and through sufficient constitutionality. Within the frames of Armenian intellectual culture, certain methodological bases were worked out, whereas the accumulated past experience, cultural heritage and the lessons of history in particular, deserve special attention in terms of the appropriate orientation of the civil society, the development of political thought and growth of efficiency in public administration.

BIBLIOGHRAPHY

Ավագյան Ռ., 2001, Հայ իրավական մտքի գանձարան, (մ.թ.ա. IX – մ.թ. XIX դդ), Երևան, ՄՆԻԻ ԵՄ – 21 դարի հրատ., 672 էջ:

Ինճիճեան Ղ., 1835, Հնախօսութիւն աշխարհագրական Հայաստանեայց աշխարհի, հ. Բ, Վենետիկ, Սրբոյն Ղազարու, 427 էջ:

Կանոնագիրք Հայոց, 1964, գիրք Ա, Երևան, ՀՍՍՌ ԳԱ հրատ., 742 էջ:

Կրկյաշարյան Ս.Մ., 2005, Հին Հայաստանի պետական կառուցվածքը (մ.թ.ա. VI – մ.թ. IV դդ.), Երևան, «Լուսակն», 312 էջ:

Հայ ժողովրդի պատմություն, 1976, հ. 3, Երևան, ՀԽՍՀ ԳԱ հրատ., 1023 էջ:

Ղազար Փարպեցի, 1982, Հայոց պատմություն, Երևան, ԵՊՀ հրատ., 540 էջ:

Մաթևոսյան Ռ.Ի., 1990, Բագրատունյաց Հայաստանի պետական կառուցվածքն ու վարչական կարգը, Երևան, ՀԽՍՀ ԳԱ հրատ., 295 էջ:

Մխիթար Գոշ, 2001, Դատաստանագիրք հայոց, 242 էջ:

Մովսես Խորենացի, 1990, Հայոց պատմություն, Երևան, «Հայաստան», 321 էջ:

Ներսես Շնորհալի, 1991, Թուղթ ընդհանրական, «Գանձասար» հանդես, 124 էջ:

«Որոգայթ փառաց», 2002, Երևան, «Հայաստան», 298 էջ:

Սուքիասյան Ա.Գ., 1978, Կիլիկիայի հայկական պետության և իրավունքի պատմություն, Երևան, ԵՊՀ հրատ., 392 էջ:

Սուվարյան Յու.Մ., Միրզոյան Վ.Ա., 2013, Հանրային կառավարման տեսություն ու պատմություն, Երևան, «Գիտություն», 368 էջ:

ՀԻՆ ԵՎ ՄԻՋՆԱԴԱՐՅԱՆ ՀԱՅԱՍՏԱՆՈՒՄ ՍԱՀՄԱՆԱԴՐԱԿԱՆՈՒԹՅԱՆ ԵՎ ՀԱՆՐԱՅԻՆ ԿԱՌԱՎԱՐՄԱՆ ՄԱՍԻՆ: ՊԱՏՄՈՒԹՅԱՆ ԴԱՍԵՐԸ

ՍՈՒՎԱՐՅԱՆ ՅՈՒ.

Ամփոփում

Բանալի բառեր. *ժառանգական միապետություն, սահմանադրականություն, պետական ու տարածքային կառավարում, Բագրատունյաց հայոց թագավորություն, Կիլիկյան Հայաստան, պետական համակարգ, պետականություն:*

Հին և միջնադարյան Հայաստանում հայկական պետականությանը բնորոշ էր ժառանգական միապետությունը, թագավորն, իբրև միապետ, պետության գլուխն էր, ուներ օրենսդիր և գործադիր լիազորություններ, արքունիքը և աշխարհաժողովը կառավարման գործառութային գլխավոր մարմիններ էին, ոլորտային կառավարման համար ստեղծվել էին գործակալություններ, իսկ տարածքային կառավարումն իրագործվում էր նախարարների, քաղաքապետների և գյուղական համայնքների ղեկավարների միջոցով: Եկեղեցին իրագործում էր մեծն դատավարության և հոգևոր զարգացման գործառույթները: Պատմական Հայաստանում պետական ու տարածքային կառավարումն իրականացվել է ժամանակին համահունչ և պատշաճ մակարդակի սահմանադրականությամբ, հայ մտավոր մշակույթում կարևորվել և մշակվել են հանրային կառավարման մեթոդաբանական սկզբունքներ, որոնք արտացոլվել են Արցախի և Ուտիքի թագավոր Վաչագանի «Կանոնական սահմանադրության» մեջ, «Կանոնագիրք Հայոց»-ում, Մխիթար Գոշի և Սմբատ Սպարապետի «Դատաստանագրքերում», ավելի ուշ Հ. և Շ. Շահամիրյանների «Որոգայթ փառաց»-ում և այլն:

О КОНСТИТУЦИОННОСТИ И ОБЩЕСТВЕННОМ УПРАВЛЕНИИ В ДРЕВНЕЙ И СРЕДНЕВЕКОВОЙ АРМЕНИИ

СУВАРЯН Ю.

Резюме

Ключевые слова: наследственная монархия, конституционность, государственное и территориальное управление, армянское царство Багратидов, Киликийская Армения, государственная система, государственность.

В древней и средневековой Армении для армянской государственности характерна была наследственная монархия. Главой государства был царь, который имел законодательные и исполнительные полномочия, а функции штабных (совещательных) органов выполняли царский дворец и народное вече. Были созданы также функциональные органы (агентства) для управления отдельными сферами общественно-государственной жизни, а функции территориального управления были возложены на нахараров (крупных феодалов), градоначальников и глав сельских общин. Функции духовного развития и судопроизводства выполняла церковь.

В исторической Армении государственное и территориальное управление осуществлялось в соответствии с духом времени и уровнем конституционности. В древней армянской духовной культуре особое значение придавалось методологическим принципам общественного управления и их разработке. Эти принципы нашли отражение в «Канонической конституции» царя Арцаха и Утика – Вачагана, в «Армянской книге канонов», «Судебниках» Мхитаря Гоша и Смбата Спарапета, а позднее – в «Западне славы» А. и Ш. Шаамирянов и т.д.