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THE CONSTITUTIONAL CYCLES OF THE REPUBLIC OF ARMENIA

Annotation

In this article the thirty years of Armenian independence shall be analyzed from the point of view of constitutional cycles. Similarities and differences shall be outlined, as well as a general information about what constitutional cycles are shall be provided. The paper will further focus on the current constitutional cycle and outline possible solutions of how to avoid making the mistakes that have been omnipresent in the previous cycles.

Keywords: Armenian constitution, Constitutional cycles, abusive constitution-
alism, rule of the majority, illiberal democracy, rule of the majority.

INTRODUCTION

The analysis of issues related to the Constitution and Constitutionalism have always been a subject of great attention in legal literature and have traditionally been paid great attention to. Nevertheless, as societies evolve and change, constitutions and constitutionalism do not remain stagnant either. In case of Armenia this topics are of utmost importance, given the fact that since the independence of the Republic of Armenia in 1991, the country has had four different constitutional models and two other failed attempts of constitutional reforms since the 2018 Velvet revolution. Moreover, the discussions about constitution-

al reforms or adopting a new constitution in Armenia are constant especially in the last couple of years.

Nevertheless, one topic related to the field of constitutional law that has mostly been omitted from research by both scholars and practitioners in Armenia, but which bears an enormous importance when it comes to constitutional reforms is the theory of constitutional cycles.

CONSTITUTIONAL CYCLES: WHAT ARE THEY?

Constitutional cycles represent an interesting phenomenon in the field of political science, law and governance. These cycles are characterized by a sequence of regularity, repeating patterns of constitutional change and development over time. The present article delves into the complicated peculiarities of constitutional cycles, analyzing their dynamics, establishing and showing common patterns, and discussing their implications for political stability, institutional resilience, and democratic governance, with a strong emphasis on the Republic of Armenia, its constitutional developments and how the above mentioned elements influenced the process of democratization, rule of law, separation of powers and independent Armenian statehood in general.

A cycle is the fact of a series of events being repeated many times, always in the same order¹. The foundation of the concepts of natural cyclicity have developed in ancient times and have reached the modern times. Moreover, not only cyclicity is a stand-out characteristic of the whole western political and legal thought, it can be found in the majority of traditional religions and societies of ancient India and China. The presence of cycles can be found in Indian cosmology, as well as religions such as Buddhism and Hinduism². Thus, cyclicity remains and inalienable part of human development and runs like a red line throughout world history, playing an important role in understanding the rise and fall of civilizations. As societies and states developed and became more complex, so did legal thought: cyclicity can be detected from the Laws of Manu and the Code of Hammurabi all the way to modern legal texts and, of course, Constitutions. It is only natural

¹ <https://www.merriam-webster.com/dictionary/cycle>

² Медушевский А.Н. Теория конституционных циклов. – Москва: Издательский дом ГУ ВШЭ, 2005, р. 11.

that cyclicity is an unalienable part of constitutional development as well.

To be able to understand the complex phenomenon of constitutional cycles, it is crucial to first comprehend what are constitutions in general. Constitutions serve as the foundational legal frameworks that govern the relationship between the state and its citizens, establishing rights, powers and responsibilities. Thus, to put it in a simpler wording, a constitution is a social contract which lies in the foundation of the state as per the social contract theory¹. Accordingly, the constitutional biography of the government begins with the birth of the constitution. That biography is formed by the need of the moment that requires a practical solution².

Nevertheless, throughout history, constitutions have not abided to remaining static documents. On the contrary, they have gone through a process of development which was reflected in amendments, reinterpretations, and even replacements. These cycles mirror the evolving needs and values within societies. Constitutional cycles can be conceptualized as a series of phases through which the document advances during time. Such phases are made up of periods of stability, reformation, evolution, crisis and revolution. Depending on the society these periods and their triggers vary as well, for they heavily depend on the underlying values, legal and political thought, perception within the society of the different phenomena such as law, institutions, rights and powers and so on. The triggers that form the foundation of both evolutions and revolutions vary as well and, together with the above mentioned peculiarities, can and, most likely, will be influenced by things like history, social and political context and cultural variations, for these usually form the foundation of perception.

A number of patterns characterize constitutional cycles and bring understanding into the dynamics of governance and political development. Constitutional cycles often feature periods of constitutional transformation where new ideas, principles and institutions emerge in the face of challenges brought forth by time. By examining past cycles, policymakers may identify warning signs of institutional decay, and predict potential points of socio-political contention.

¹ https://web.archive.org/web/20171215154541id_/https://www.ucc.ie/archive/hdsp/Rousseau_contrat-social.pdf, pp. 10-15.

² **Шайо А.** Самоограничение власти: краткий курс конституционализма. – М., 2001, р. 12.

Only based on the analysis of past cycles and thorough understanding of the social, economic and cultural peculiarities of a society may the policymakers devise necessary and working strategies to protect constitutional order. Furthermore, understanding what moves the constitutional change will successfully help to promote democracy, socio-political dialogue within the society and reduce the risk of authoritarian relapse.

THE IMPACT OF THE SOVIET UNION ON CONSTITUTIONAL DEVELOPMENTS OF POST-SOVIET STATES

The collapse of the Soviet Union in 1991 signified a new era of political transformation across the world and Eurasian region in particular. Fifteen independent states emerged and faced the necessity of creating new constitutional frameworks. Ever since, the post-Soviet space has been an environment of a series of constitutional cycles characterized by recurring patterns of constitutional change. In other words, the collapse of the Soviet Union triggered a wave of constitutional reform across the newly independent states of the post-Soviet region, and, over the past thirty years, these countries have gone through cycles of constitutional change, which included periods of reform, consolidation and regression. The peculiarities that lie within the foundation of constitutional reforms and constitutional cycles which we addressed above are precisely the reason why the process of independence and democratization in many post-Soviet states has undergone a more or less similar pattern, despite the differences between societies.

The Soviet political system was a system of centralized control, one-party system, ideological obedience and little hardly any political pluralism. It left a lasting imprint on the political cultures and institutions of the newly independent states. As a result, despite high hopes for democratic reform, the reality of post-Soviet constitutionalism was, and in some cases, still is tested by significant challenges, including corruption, weak rule of law and separation of powers, executive overreach, erosion of democratic institutions. The concentration of power in the hands of dominant political powers often undermined the system

of checks and balances, as a result undermining the possibility for genuine democratization and has often led to personification of power.

In all post-soviet countries, arose a severe need to transition from the existing model of government (the Soviet model) to forms of government that corresponded to the principles of democracy. Such a need came to be due to a number of significant shortcomings of the existing forms, which: a) not only did not meet, but directly contradicted the requirements of democratic governance and b) gradually lost their effectiveness under the conditions of a changing society. In particular, the following negative characteristics were specific to the state management systems of post-Soviet countries:

- A. The absence of separation of powers, as a result of which state power was concentrated in the hands of a small group of people.
- B. The absence of the position of head of state in the Soviet system of government.
- C. The absence of a professional parliament and the convening of 2 sessions per year, each lasting 2-3 days. Under these conditions, there could be no rule of law, because the most important spheres of public relations were regulated not by laws, but, usually, by joint decisions of the Council of Ministers and the central committee of the ruling and only party.
- D. The rigid and unequivocal dependence of the legislative, executive and judicial authorities on the will of the ruling party elite¹.

It is evident that the Soviet form of government could not ensure the realization of the internal component of state sovereignty, the principle of supremacy of state power within the country and a transition had to be made.

However, consecutive and evolutionary development of statehood is not possible in post-totalitarian period. Everything should be done at once. Nevertheless, the strategic direction of civil society formation must be maintained, which, however, is quite difficult².

¹ Հարությունյան Ա., «Կառավարման ձևի կատարելագործման հիմնախնդիրները Հայաստանի Հանրապետությունում», թեկնածուական ատենախոսություն, ԺԲ.00.02, 2016, pp. 93-95.

² Арутюнян А. Конституционализм: проблемы постсоветской реальности. - М., 2013, p. 76.

Thus, two important issues should be addressed in particular in regard to this transition from the Soviet Union to independence. First and foremost, the newly independent states found themselves in a situation where they had to establish a new system of government. And secondly, the states had to establish and create a civil society. The future development of the civil society was a factor that would derive from the choice of government in the country, but, at the same time, the right choice must have been made taking into account the current state of the society.

One of the goals of the transition from the authoritarian system to democracy in post-Soviet countries was the formation of civil society. The redistribution of property through privatization created an opportunity for the emergence of private property, which is one of the important prerequisites for the formation of civil society. However, to form a civil society, the economic foundations (diversity of forms of ownership and equal legal protection of different forms) were not enough, and there also was a strong need for political foundations (first of all, a multi-party political system)¹.

It is of note that in case of post-Soviet states, where the search for more acceptable models of governance is still ongoing, the need for scientific analysis of these issues is more relevant². The scientific analysis of the problems related to this issue, the identification of positive and negative features of different forms of government is not only a theoretical interest, but also hold significant practical importance when it comes down to understanding the cyclicity of state development and constitutional cycles.

Examples of such developments are present in every post-Soviet state. For instance, in 2010, as a result of sharp social conflicts in Kyrgyzstan, a transition was made from the semi-presidential system of government to the parliamentary system. In Georgia, a model of governance was introduced, which has a

¹ Հարությունյան Ա., «Կառավարման ձևի կատարելագործման հիմնախնդիրները Հայաստանի Հանրապետությունում», թեկնածուական ատենախոսություն, ԺԲ.00.02, 2016, pp. 93-95.

² Հարությունյան Ա., «Կառավարման ձևի կատարելագործման հիմնախնդիրները Հայաստանի Հանրապետությունում», թեկնածուական ատենախոսություն, ԺԲ.00.02, 2016, pp. 22.

“hybrid” nature and is difficult to classify as any basic form or variety of modern governance¹.

FOUR MODELS OF THE ARMENIAN CONSTITUTION

The 2015 constitutional amendments in Armenia, which saw the country transitioning from a semi-presidential form of government to a parliamentary one, signify one of the more recent developments in the sphere of constitutional law and constitutionalism in the country and can be seen as one of the latest developments in the constitutional cyclicity of the Republic of Armenia. However, in order to understand where the country stands today in terms of constitutionalism, a thorough and in depth analysis of the constitutional cyclicity of Armenia’s last three decades must be made.

The constitutional cycles of the Republic of Armenia can be broken down into five periods:

1. **Early Independence (1991-1995):**
2. **Adoption of the constitution:**
3. **Constitutional reform of 2005:**
4. **Constitutional reform of 2015:**
5. **Velvet revolution of 2018:**

These first four periods were each based on a certain constitutional model and only the final phase, the Velvet revolution and post-revolution period did not bring a new constitutional model, despite two failed attempts of constitutional reform that never produced a final product.

Thus, during the past three decades, the form of government of the Republic of Armenia has undergone changes four times.

In 1991, on the basis of constitutional laws, a transition was made from the Soviet form of government to a new one, which can be more accurately described as “hybrid”, since it included elements characteristic of both the Soviet and presidential and semi-presidential models of government.

¹ **Հարությունյան Ա.**, «Կառավարման ձևի կատարելագործման հիմնախնդիրները Հայաստանի Հանրապետությունում», թեկնածուական ատենախոսություն, ԺԲ.00.02, 2016, pp. 14-15.

With the adoption of the Constitution of 1995, the strictly president-centered semi-presidential model was formed. It is noteworthy that this model is called “super-presidential” by some authors¹.

However, it should be noted that the discussed model cannot be characterized as super-presidential. In the literature, the following features of super-presidential models are distinguished:

1. They are usually established as a result of military coups, the president obtains his powers in an illegitimate manner (as a leader of a coup or head of a junta),
2. The president is endowed with extensive powers, and, in a situation of extremely weak control by the legislative and judicial authorities,
3. The powers of the president are exercised under a permanent state of emergency, during which the constitutional guarantees of protection of basic human and citizen rights and freedoms are eliminated or significantly limited and mass violence is carried out against the opposition².

The discussed model of semi-presidential governance of the Republic of Armenia was characterized by only one of the mentioned features: the president was endowed with extensive powers with very little control by the legislative and judicial authorities. Therefore, it would be more correct to characterize that model not by the term “super-presidential”, but by the term “president-centric”³.

In the government model of the Republic of Armenia of that period, due to a unique legal nature of presidential power, the President appears at the center of the state power system. The entire system of state power, its structural elements, the basics of the legal status of individual structures of the legislative, executive and judicial branches of power, their specific powers had to be somewhat adapted to the president. The need for such alignment also arose from the function of the President to ensure the normal functioning of the legislative, executive and judicial authorities. It is obvious that in order to ensure the normal operation of the three branches of the government, the President should have had effective legal levers of influence on those three branches.

¹ Арутюнян А. Институт Президента Республики Армения. - Ереван, 1996, p. 109.

² Конституционное право зарубежных стран. - М., 2008, p. 149.

³ Հարությունյան Ա., «Կառավարման ձևի կատարելագործման հիմնախնդիրները Հայաստանի Հանրապետությունում», թեկնածուական ատենախոսություն, ԺԲ.00.02, 2016, p. 149.

At the same time, the maintenance of a certain balance between the three branches of government and the presidential power, as well as the application of optimal restraint mechanisms between the legislative, executive and judicial powers and the presidential power, were the most important issues in this area. The effectiveness of the semi-presidential governance model of the Republic of Armenia and the degree of compliance with the principles of democracy mainly depended on the quality of the implementation of those two tasks.

As a result of the constitutional amendments of 2005, the powers of the President of the Republic of Armenia were significantly limited and the powers of the Parliament and the Government were expanded.

The resulting semi-presidential government model can be defined as a parliamentary-presidential one.

One of the main directions of the amendments of 2005 in Armenia was the improvement of the model established by the 1995 Constitution within the framework of the semi-presidential form of government. Considering the fact that one of the main features of the model operating before the constitutional amendments was the endowment of the President of the Republic with extensive powers, in a reality of extremely weak control by the legislative and judicial powers and that the model was strongly “president-centered” in nature, the main direction of the reform should have been to ensure a balance between the President of the Republic and the three branches of power: legislative, executive and judicial. The government model formed in the Republic of Armenia as a result of the constitutional amendments of 2005 could be ranked among the most balanced ones in the post-Soviet area in terms of legal solutions. However, the insufficient level of establishment of the political party system, the insufficient level of democracy, political and legal culture and custom practically gave the President of the Republic the opportunity to significantly influence the formation, organization and activity of all three branches of power.

Finally, as a result of the constitutional amendments of 2015, a transition to the parliamentary governance model took place.

This model has a number of commonalities with other well-known models and, at the same time, a number of such essential peculiarities that give certain

grounds for evaluating that model as a special “Armenian” model. The central role of the National Assembly made the issue of ensuring a stable majority in that body very relevant. Such stability is a necessary precondition for the effective performance of its functions by the National Assembly. In addition, the stability of the parliament is a necessary prerequisite for ensuring the stability of the entire system of executive power, including the highest body of executive power, the Government. A majority which, on the one hand enables the National Assembly to effectively carry out its functions, and on the other hand, forces the parliamentary majority to take into account the positions of the opposition during the adoption of constitutional laws and the formation of the most important constitutional bodies can be considered more acceptable. Therefore, a majority that is close to, but does not exceed, three-fifths of the total number of deputies should have been made a priority, however, this was not the path taken, and in reality, the Republic of Armenia is living in a reality, where the parliamentary majority has total control and the parliamentary minority does not have a single effective mechanism to influence the decision-making processes in the country¹.

In other words, the National Assembly of the Republic of Armenia is a textbook example of how the rule of the majority operates. The reason of this phenomenon is quite clear: the above mentioned models, so different at first glance, had one thing in common. All were built around a person, resulting in the personification of power. This is the consequence of our historical reality. Having been stateless for centuries, we lacked the opportunity to develop a legal custom and political culture, and after independence we unwittingly adopted the latest system model we were familiar with. Thus, the Soviet pyramid-like authoritarian rule continued in newly independent Armenia under new names. This risk is relevant today, because in parliamentary republics, more than elsewhere, public administration and the state itself are a reflection of the parties and the party system².

¹ Հարությունյան Ա., «Կառավարման ձևի կատարելագործման հիմնախնդիրները Հայաստանի Հանրապետությունում», թեկնածուական ատենախոսություն, ԺԲ.00.02, 2016, pp. 6-8.

² https://168.am/2018/05/08/947788.html?fbclid=IwAR05vLDmrJPFtuDjNVoNQ7X-JE3CncVPGIldmHI54SpjBfstlefBn05bi3zQ_aem_ASJBm6d_vbalpY3PCtLeoksvjYAyVjHEZPkb-Glejdl8vzfK_BNg7Cg0M4laW11IIPeRZPHzJlyl7Y8JSKcmlicPw

CURRENT CONSTITUTIONAL CYCLE: HOW TO ADVANCE?

The current constitutional cycle began in 2018, when events took place which, by some people are referred to as the Velvet, Non-Violent Revolution. Now, a revolution occurs when the social contract, i.e. the Constitution, either does not work, works partially, or is imposed by a dictatorial regime. In this case, the revolutionary government must first make a change of values, because only a legitimate government is able to introduce a unifying positive value system that will contribute to progress. In such situation constitutional reforms must be the number one thing on the to-do list of a revolutionary government. The new government should have fully understood the simple fact that first of all it must start implementing value system changes in society, because without them any norms, including the provisions fixed by the Constitution, will be formal, and as a result the country would have a facade constitution and a legal system that exists on paper but has no practical application¹.

However, it took the “revolutionary government” nearly two years to simply initiate the process of constitutional amendments². Whereas it is yet to be seen what kind of amendments would be initiated, since the initiator’s rhetoric about this process has changed a number of times since 2020 and the initial transparency has slowly become non-existent, it can already be stated with full responsibility that the process of constitutional rot is steadily advancing in the Republic of Armenia. The fact that at the last parliamentary elections in Armenia in 2021 less than 50% of voters participated in the election, is a clear sign of distrust of both government and opposition³. This is an indication that the people of Armenia no longer trust the major political figures in the arena for they do not believe that they have the best interest of people in their mind and will act accordingly. This extends the polarization within the society where people lose trust in their fellow citizens, which bears the risk of further shattering the

¹ https://168.am/2018/12/04/1052026.html?fbclid=IwAR1JXNIU3Aalz_6VFs8MXTJgikhZsoY-h8PNNVxcrVuHxJb2aOdNOCUImi1s_aem_ASI-wBD8aVW18J_1NqKX8O5rdZFDBZG-7G7VbelID10Ybu_oxFaRjsravYdP-4knUzrScU30K401ajnQdnpFxlvdSc

² ՀՀ վարչապետի 2020 թվականի փետրվարի 12-ի N 181-ա որոշում:

³ OSCE/ODIHR Election Observation Mission Final Report on Early Elections to the National Assembly of June 20, 2021, p. 24.

foundations of democracy and paving a way for wealthy donors and influential figures to manipulate politics enhancing tendencies towards oligarchy¹.

Polarization, unaccountable government and political opposition breed overconfidence, bring forth an unhealthy and stagnant political setting thus creating a favorable environment for policy disasters, which further undermine the trust in government and so on².

In the current constitutional cycle of the Republic of Armenia, one of the biggest policy disaster threats remains the risk of abusive constitutionalism. Abusive constitutionalism refers to the misuse or manipulation of constitutional mechanisms and processes to concentrate power, undermine democracy, and violate human rights. In other words, “abusive constitutionalism” refers to the use of mechanisms of constitutional change in order to make a state significantly less democratic than it was before³. Abusive constitutionalism, in its turn comes alongside the risk of bringing dangerous challenges to democracy that come disguised as democratic decisions and reforms. In the work “Anatomy of Post-Communist regimes” the authors provide a very interesting analysis and their classification most accurately characterizes all the features and details of the regimes, which are often called “illiberal democracies”. The terms Patronal democracies and patronal autocracies are used⁴.

Evidently, protecting the constitutional structure against abusive constitutional practices is quite difficult. It is more difficult in countries that lack the necessary legal and political customs and traditions, such as most post-soviet countries. However, if the Republic of Armenia is to emerge differently from the current constitutional cycle, as opposed to the ones preceding it, the country must approach this cycle differently.

In this regard it may prove beneficial to look upon the so-called “unconstitutional-constitutional amendment doctrine”, which holds that a constitutional

¹ **Jack M. Balkin**, The cycles of constitutional time, Oxford university press, 2020, p. 50.

² **Jack M. Balkin**, The cycles of constitutional time, Oxford university press, 2020, p. 50.

³ **David Landau**, Abusive Constitutionalism, 47 U.C. Davis L. Rev. 189 (2013), p. 195.

⁴ **B. Magyar & amp; B. Madlovics**, The Anatomy of post-communist regimes. A Conceptual framework, Central European University Press, (2020).

amendment can itself be substantively unconstitutional under certain conditions¹.

The “unconstitutional-constitutional amendment doctrine” is, of course, one of the most, if not the most extreme of counter-majoritarian acts². However, the above-mentioned and analyzed constitutional cycles of the Republic of Armenia clearly show that if such measures are not taken, it would be impossible to avoid the rule of the majority, especially in the Parliament. The approach of the dogmatic democracy that the rule of the majority should be unlimited, we consider false since it ruins the idea of democracy itself. If this idea is implemented in a society, the idea of democracy, which has always been drawn towards elimination of authoritarianism not only will fail, but it will become the foundation for new authoritarianism through normalization of the system of checks and balances.

CONCLUSION

To avoid the repetition of the previous constitutional cycles in Armenia, we believe that reforms should not be all-encompassing, but should rather start small and bring more targeted solutions. Thus, the adoption of an entirely new constitution or major “surgical” changes to the document would be out of time at the moment. The reforms should be aimed at restraining the possibility of the rule of the majority in parliamentarism. This is where “unconstitutional-constitutional amendment doctrine” may come into place. Limiting the number of seats at the parliament the ruling party or coalition may have, is one step towards this.

Firstly, a fixed number of parliamentary seats should be established by the Constitution.

Secondly, the issue of the stable majority must be considered. For the effective implementation of the functions of the National Assembly, a stable majority should probably consist of three-fifths of the total number of deputies. However, it is important to take into account that the definition of a qualified majority

¹ **David Landau**, Abusive Constitutionalism, 47 U.C. Davis L. Rev. 189 (2013), p. 231.

² **Gary J. Jacobsohn**, The permeability of Constitutional Boards, 82 TEX. L. REV. 1763, 1799 (2004).

of votes for the adoption of constitutional laws, as well as for the appointment to certain high positions or the formation of constitutional bodies, is not arbitrary, it is a means of protecting the rights of the parliamentary minority. Therefore, it is more acceptable to have such a majority that, on the one hand, enables the National Assembly to effectively carry out its functions, and on the other hand, forces the parliamentary majority to take into account the positions of the opposition during the adoption of constitutional laws and the formation of the most important constitutional bodies. Therefore, a majority that is close to, but does not exceed three-fifths of the total number of deputies can be considered more acceptable. The greater “stability” of the parliamentary majority may be fraught with the danger of establishing the dictatorship of one party or several parties forming the parliamentary majority (something that has been witnessed in post-soviet states more than once). Thus, establishing a maximum threshold for the most successful political team at the elections may itself seem undemocratic (after all, what if a political team gains for example 80 percent of the votes at the elections, but can have an amount of parliamentary representation that is a little below 60%), however, from the perspective of “unconstitutional-constitutional amendment doctrine” and in the long run, this shall be more beneficial for democracy and legal and political discourse in the country. Want it or not, at some point the political powers will have to engage in political dialogues and form a consensus regarding different major issues, such as the election of the Ombudsman, Prosecutor General and so on.

The above-mentioned example is just one of many that can be considered in the path of Armenia’s true democratization; however, it is strong enough to show how it will change the overall political climate and prepare the necessary environment for the next step in the current constitutional cycle.

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ՀԱՅԱՍՏԱՆԻ ՀԱՆՐԱՊԵՏՈՒԹՅԱՆ ՍԱՀՄԱՆԱԴՐԱԿԱՆ ՑԻԿԼԵՐԸ

Ամփոփագիր

Այս հոդվածում սահմանադրական ցիկլերի տեսանկյունից վերլուծվում են Հայաստանի անկախության երեսուն տարիները: Ընդգծվում են նմանություններն ու տարբերությունները, ինչպես նաև ընդհանուր տեղեկություններ են տրամադրվում այն մասին, թե ինչ են սահմանադրական ցիկլերը: Հոդվածի մնացած մասը կկենտրոնանա ներկայիս սահմանադրական ցիկլի վրա և կնախանջի հնարավոր լուծումները՝ խուսափելու այն ծուղակներից, որոնք առկա էին նախորդ ցիկլերում:

Հիմնաբառեր. Հայաստանի Սահմանադրություն, սահմանադրական ցիկլեր, չարաշահող սահմանադրականություն, մեծամասնության կանոն, ոչ լիբերալ ժողովրդավարություն:

КОНСТИТУЦИОННЫЕ ЦИКЛЫ РЕСПУБЛИКИ АРМЕНИЯ

Аннотация

В данной статье анализируется тридцать лет независимости Армении с точки зрения конституционных циклов. Выделены сходства и различия, а также представлены общие сведения о том, что они из себя представляют.

Далее в статье основное внимание уделено текущему конституционному циклу и изложены возможные решения, чтобы избежать ошибок, имеющих в предыдущих циклах.

Ключевые слова: Конституция Армении, конституционные циклы, абьюзивный конституционализм, правило большинства, нелиберальная демократия.

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