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THE SUBMISSIVE PRESIDENCY: FROM CONSTITUTIONAL ARBITER TO POLITICAL SUBORDINATE AMID DEMOCRATIC EROSION AND THE BREAKDOWN OF CONSTITUTIONAL CHECKS AND BALANCES IN ARMENIA'S PARLIAMENTARY REPUBLIC

Annotation

This article examines the transformation of Armenia's presidency from a constitutional arbiter into a politically subordinated figurehead amid broader patterns of democratic erosion and institutional decay in the parliamentary system. The analysis reveals how constitutional design flaws, informal political practices, and the centralization of power within dominant parliamentary majorities have dismantled the intended checks and balances. In particular, the study highlights how the president's role has shifted from guardian of constitutionalism to executor of parliamentary will, often serving partisan interests rather than acting as an independent counterweight. By tracing legal reforms, institutional behavior, and political dynamics in post-2015 Armenia, the article illustrates how façade institutions and symbolic constitutionalism mask authoritarian consolidation under a formally democratic guise.

Keywords: Armenian constitution, president of the republic, Democratic erosion, stealth authoritarianism, submissive presidency.

I. Introduction

Armenia's post-Soviet constitutional trajectory has seen a number of models of executive authority. From early hybrid and semi-presidential arrangements (which often justifiably are referred to as super-presidential)¹ to 2015 constitutional reforms that shifted the country toward a parliamentary system, the institutional design of Armenia's presidency has been a reflection of both legal innovation and political contingency. Though the 2015 constitutional reforms reshaped the presidency, giving it more of a ceremonial role, the office, at least on paper, retained symbolic and constitutional importance. Nevertheless, the real life practice, most notably post-Velvet Revolution, has shown a profound transformation of the presidency from a potential arbiter of legality and guardian of the constitution, its norms and values, into a politically submissive and functionally useless institution.

This article argues that the Armenian presidency has undergone not just formal weakening but institutional degradation. With an emphasis on the presidency inaugurated in 2022, we argue that the office has ceased to function even within the modest constraints of its mandate. It has failed to act as a guardian of constitutional norms, not only abstained from engaging with the country's democratic crises but instead served to legitimize executive overreach. We argue that, even though the legal design of the institute of the president was flawed from the very beginning under the latest constitutional reforms, the above-mentioned elements are mostly a result of political alignment and constitutional abdication.

The study of the presidency in Armenia is essential for understanding how ceremonial institutions, if politically captured, can become instruments of authoritarian adaptation. In young, fragile, or transitional democracies, even symbolic constitutional offices matter profoundly. Moreover, they constitute the cornerstone of shaping the legal and political customs. Their passivity and silence in the face of democratic erosion should not be falsely taken for neutrality, rather it is complicity. By examining the evolution and performance of the Armenian presidency, this article offers a broader reflection on the constitutional challenges of executive-dominated parliamentary systems, where symbolic offices are neither independent nor resistant, but instead are another tool for crushing democracy and opening the path for authoritarianism.

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

Methodologically, this article draws upon doctrinal constitutional analysis, comparative constitutional law, and empirical study of political practice in Armenia between 2018 and 2024.

II. Constitutional Role of the Presidency in Parliamentary Systems

In parliamentary systems, the presidency is usually shaped as a ceremonial office with minimal formal powers. However, such offices play an important role in preserving constitutional equilibrium. Instead of executive command, such offices operate through symbolic authority, constitutional stewardship, and moral suasion.

Presidents in these systems serve as guardians of legality and representatives of national unity. Their neutrality is not only an expectation but a constitutional requirement and a democratic safeguard. As neutral arbiters, presidents are often called upon to intervene during moments of institutional uncertainty by invoking the authority of the constitution itself. This informal influence becomes particularly significant in times of political crisis or democratic erosion.

Germany's Federal President is a perfect example of this role. Although mostly ceremonial, the office of the president has played significant roles in mediating coalition deadlocks and articulating moral positions during moments of societal unrest¹. Similarly, Ireland's President, though under strong constitutional limitations, uses the platform to deliver public addresses defending democratic values and institutional integrity². In Italy, the President holds key responsibilities in government formation and can refuse to confirm ministers perceived to compromise the constitutional order³.

In these cases, the presidency is understood not as an executive agent, but as a custodian of the constitutional order, even a physical representation of constitutionalism and constitutional values. The informal powers of speech, visibility, and discretion - though not judicial or legislative - contribute to what Bruce Ackerman calls "the new separation of powers," where legitimacy

¹https://www.barrons.com/news/german-president-steps-in-amid-vote-date-deadlock-cd1370b2?utm_source=chatgpt.com

²<https://www.irishtimes.com/news/ireland/irish-news/nice-attack-make-a-stand-for-democracy-says-president-higgins-1.2725967>

³ Constitution of the Italian Republic, articles 83-91.

derives not only from checks and balances but from the performative upholding of democratic norms¹.

Based on the above, it can be stated that ceremonial presidencies are capable of acting as vital components of a resilient constitutional system. Their authority stems from restraint, but also from principled intervention when the constitutional order is at risk. In this light, the Armenian presidency should be evaluated not only by what it is legally empowered to do, but by what it is normatively expected to represent and defend.

III. The 2015 Constitutional Reform: Formal Weakening, Normative Expectations

The 2015 constitutional reform in Armenia marked a decisive turn from a semi-presidential to a full parliamentary system. Proposed and passed under the administration of then-President Serzh Sargsyan, the reform was framed as a democratizing effort to reduce executive dominance and strengthen parliamentary governance. However, the context, process, and subsequent implementation of the reform suggest a different reality, one where the president lost all its powers and became another bullet in the chamber of executive overreach.²

Under the revised Constitution, adopted via national referendum, the President of the Republic is elected not by the people but by the National Assembly³, reflecting the office's newly ceremonial status. The President's term was extended from five to seven years, but the opportunity for reelection was eliminated, further distancing the office from direct political ambition. The constitutional text not only stripped the presidency of significant policy-making authority, but was devised in a way that rendered any powers that the president retained under the amended constitution useless, since they can be easily overlooked by authorities without any consequence. For example, the signature of laws by the president⁴.

Despite this formal transformation, the Constitution preserved critical expectations of presidential responsibility. The President's task is safeguarding the observance of the Constitution, ensuring the normal functioning of

¹ **Bruce Ackerman**, "The New Separation of Powers", 113, Harvard Law Review, 2000, pp. 712-715.

² **Հարությունյան Ա.**, «Կառավարման ձևի կատարելագործման հիմնախնդիրները Հայաստանի Հանրապետությունում», թեկնածուական ատենախոսություն, ԺԲ.00.02, 2016, p. 9.

³ Constitution of the Republic of Armenia, Article 125.

⁴ Constitution of the Republic of Armenia, Article 129.

institutions, and representing the nation's unity¹. These normative responsibilities are amplified by the broader constitutional tradition in which the head of state - no matter how symbolic - is expected to act as a guardian of legality and a moderator in moments of crisis, polarization, and animosity of the society and leading political powers. 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. And it is essential that the president in such cases remains a neutral arbiter and guardian of the constitution and its values.

Moreover, the Venice Commission, in its analysis of the 2015 amendments, endorsed the shift to parliamentarism as compatible with European standards but cautioned that the success of the model depended on the strength of political culture and institutional integrity. The Commission emphasized that the ceremonial presidency should not become politically co-opted, and that its symbolic role remained essential in maintaining constitutional balance³.

Thus, the 2015 reform created a legal paradox: it stripped the presidency of its powers while leaving intact the obligations to act as a constitutional conscience. The trajectory taken post-2018 illustrates how the gap between formal competencies and normative expectations was exploited to disable the presidency as a site of constitutional resistance.

IV. Post-2018 Constitutional Practice: Submissiveness and the Deactivation of the Presidency

The 2018 Velvet Revolution in Armenia ushered in a new era of political optimism, as a mass movement against entrenched corruption led to the resignation of Serzh Sargsyan and the rise of Nikol Pashinyan as Prime Minister. The revolution was widely celebrated as a democratic breakthrough, yet its institutional consequences have been more ambivalent. One of the most significant casualties has been the Armenian presidency, which has evolved from a limited but symbolically important institution into a full extension of the ruling political power.

The current phase of constitutional practice has witnessed not merely the formal passivity of the presidency, but a more profound phenomenon: the

¹ Constitution of the Republic of Armenia, Article 123.

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

³ [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2015\)038-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2015)038-e)

strategic use of institutional submission to consolidate executive authority. This dynamic is most clearly embodied in the presidency inaugurated in 2022. Elected through the parliamentary supermajority of the ruling Civil Contract party, the incumbent President entered office not as an independent constitutional figurehead but as a loyalist of the ruling party and PM Nikol Pashinyan.

This transformation is best illustrated through several emblematic episodes:

1. Response to the 2023 Artsakh Exodus

In the wake of Azerbaijan's military offensive and the subsequent forced displacement of over 120,000 Armenians from Nagorno-Karabakh, the Armenian presidency remained strikingly silent. There was no public condemnation of the aggression, no expression of solidarity with the displaced, and no attempt to frame the crisis as a constitutional emergency implicating state sovereignty and the right to self-determination. The presidency's inaction reflected not neutrality, but a deliberate alignment with the illegal actions of Azerbaijan.

2. Silence in the Face of Domestic Repression (2021–2024)

As Armenia faced rising protests, mass arrests of opposition figures, journalists, and clergy, the presidency did not intervene either publicly or procedurally. There was no effort to act as a mediator between conflicting societal forces or to caution against potential violations of constitutional rights. This is particularly striking when compared with other parliamentary systems where ceremonial presidents have historically intervened - symbolically or otherwise - during democratic breakdowns.

3. Politicized Appointments

In line with the executive's broader project of institutional capture, the presidency has routinely approved controversial judicial and oversight appointments without resistance. This includes support for nominees to the Constitutional Court and the Human Rights Defender's Office who were closely affiliated with the ruling party. Such acquiescence undermines the expectation that the presidency will exercise discretion or raise concerns about constitutional balance.

4. Support for Unilateral Territorial Concessions

The presidency has publicly endorsed contentious border demarcations with Azerbaijan, including those involving the Tavush region, despite widespread domestic opposition and unresolved constitutional questions regarding territorial integrity. Rather than invoking the need for constitutional review,

national consultation, or legal precision, the presidency uncritically echoed the executive's narrative of peace at any cost.

5. Symbolic Misalignment and Genocide Memory

Perhaps most troublingly, the presidency has adopted a diplomatic posture that sidelines the memory of the Armenian Genocide. Official visits to Turkey, public praise for Atatürk, and avoidance of genocide recognition language have eroded Armenia's constitutional and historical identity. Given the constitutional significance of genocide memory as a foundational narrative for the Republic, such symbolic actions amount to a profound institutional betrayal.

Collectively, these patterns demonstrate that the Armenian presidency has not only failed to function as a constitutional safeguard but has actively contributed to the dismantling of institutional pluralism. What was intended as a neutral office has become a legitimating tool for majoritarian domination - a shift that signals not constitutional maturity, but democratic decay.

V. Constitutional Implications: Submissiveness as Legal and Institutional Failure

The passivity of the Armenian presidency in the post-2018 period has not merely been a matter of political temperament; it represents a deeper constitutional failure. In a parliamentary republic, where formal power is concentrated in the legislature and the executive, ceremonial offices like the presidency play an outsized role in safeguarding legality and symbolizing institutional integrity. Their silence in moments of crisis is not benign - it can constitute a breach of constitutional duty.

Under Article 123 of the Armenian Constitution, the President is mandated to ensure the observance of the Constitution and to guarantee the normal functioning of state bodies. These obligations are not contingent upon holding veto power or legislative initiative. Instead, they are rooted in the symbolic authority of the office, which serves as a stabilizing force in the constitutional architecture. When the presidency fails to fulfill these responsibilities, it facilitates constitutional disintegration...

The Armenian experience reveals how institutional submission can erode the very fabric of constitutional governance. The presidency's silence in response to executive encroachment, democratic backsliding, and the normalization of legal violations contributes to the collapse of horizontal accountability. Without a functioning counterbalance, the executive becomes the sole interpreter of

legality, and the system of checks and balances collapses into performative legality.

This phenomenon aligns with the theoretical framework of "abusive constitutionalism," as articulated by David Landau. In such systems, legal structures remain formally intact while their functional essence is hollowed out. Submissive presidencies, particularly in transitional democracies, are instrumental in producing the illusion of institutional continuity.¹

Moreover, the presidency's inaction in relation to genocide denial and symbolic foreign policy alignment implicates constitutional values far beyond daily governance. The Armenian Constitution, shaped by the memory of the 1915 Genocide and the ongoing struggle for sovereignty, embeds a moral identity that the presidency is expected to embody. Disregard for this foundational narrative constitutes not just symbolic failure but a break with the constitutional self-understanding of the Republic.

Therefore, the submissiveness of the Armenian presidency must be understood as both a legal and normative breakdown. It has deprived the Constitution of one of its key interpretive agents, normalized executive supremacy, and undermined the trust of the citizenry in the independence of constitutional institutions. It is a paradigmatic example of how institutional design without institutional will cannot sustain constitutional democracy.

VI. Comparative and Theoretical Reflections

The Armenian experience must be contextualized within broader global patterns of institutional erosion under the guise of legality. In recent decades, numerous parliamentary democracies have witnessed the strategic weakening or co-optation of ceremonial institutions, particularly the presidency, to enable authoritarian drift. Comparative constitutional analysis reveals that while the formal design of ceremonial presidencies remains constant, their political function varies dramatically in different countries, based on elements such as perception of democracy and democratic institutions by the society, political will, legal and political custom.

Hungary presents a revealing case. Under Prime Minister Viktor Orbán, the presidency, once intended as a check on executive dominance, has become a deferential arm of the ruling Fidesz party. President Katalin Novák, elected in 2022, has continued the pattern of presidential acquiescence, endorsing controversial

¹David Landau, *Abusive Constitutionalism*, 47 U.C. Davis L. Rev. 189 (2013), pp. 195-210.

legislation, judicial appointments, and democratic rollbacks without public resistance¹.

Similarly, in Serbia, the ceremonial presidency evolved into a platform of majoritarian legitimation under Aleksandar Vučić's political dominance. Though formally separate from the executive, the presidency's silence during repeated electoral manipulations and suppression of dissent contributed to the erosion of checks and balances. In such contexts, the presidency becomes an ornamental institution whose legitimacy is weaponized to simulate pluralism while neutralizing opposition².

Contrast these trends with more resilient constitutional models. In Ireland, President Michael D. Higgins has used his ceremonial office to defend constitutional values through public addresses, engagement with civil society, and symbolic dissent. Likewise, Italy's presidency has frequently acted as a constitutional mediator in moments of political instability, insisting on lawful coalition-building and ministerial appointments. Even when their powers are constrained, these presidencies maintain independence.

Theoretically, these divergences illustrate the difference between "symbolic legitimacy" and "constitutional guardianship." The former refers to passive representation of state continuity, while the latter entails an active role in upholding constitutional norms through speech, presence, and principled resistance. Stealth authoritarian regimes thrive not by dismantling institutions outright, but by co-opting them through legality and depoliticization.³ In this light, the Armenian presidency represents a textbook case of symbolic legitimacy deployed for anti-constitutional ends. Rather than safeguarding the constitutional order, it legitimates its disfigurement. Its silence is not a byproduct of legal limitation, but a conscious institutional choice that enables executive overreach without formal rupture. The lesson from comparative practice is clear: ceremonial offices matter deeply in constitutional ecosystems, especially in fragile democracies.

Therefore, Armenia's experience underscores a critical constitutional insight: the health of a democracy does not depend solely on institutional design, but on the integrity, independence, and constitutional imagination of those

¹https://www.theguardian.com/commentisfree/2024/feb/17/hungary-viktor-orban-scandal-president-resign?utm_source=chatgpt.com

²https://freedomhouse.org/country/serbia/freedom-world/2024?utm_source=chatgpt.com

³Ozan O. Varol, "Stealth Authoritarianism", 100 Iowa Law Review, 2015, pp. 1686-1718.

entrusted with even the weakest offices. Submissiveness, in this context, is not institutional modesty - it is complicity in constitutional decay.

VII. Consequences for Armenian Constitutionalism and Security

The institutional submission of the Armenian presidency has produced consequences that extend well beyond the symbolic domain. It has contributed to the erosion of Armenia's constitutional culture, the weakening of democratic legitimacy, and a loss of strategic coherence in matters of national security and state identity. These outcomes underscore the real-world costs of institutional decay and the failure to uphold constitutional guardianship.

At the constitutional level, the presidency's failure to act as a check on executive power has hastened the collapse of horizontal accountability. With parliament dominated by a single party and the judiciary increasingly politicized, the presidency could have served as a final, if limited, site of constitutional conscience. Its absence from this role has left the political system structurally unbalanced, with the executive effectively operating without counterweights. The veneer of legality remains, ...

This institutional vacuum undermines democratic legitimacy. Citizens observing presidential silence in the face of repression, displacement, and political manipulation come to view constitutional offices as hollow or irrelevant. In a context where all branches appear aligned with the ruling party, public trust in state institutions declines, and democratic engagement becomes increasingly difficult to sustain. The presidency's inaction not only reflects constitutional deterioration - it accelerates it.

The implications for national security are equally serious. A constitutionally passive presidency has proven incapable of articulating or defending Armenia's sovereign interests in the face of external threats. Its silence during the forced displacement from Nagorno-Karabakh in 2023 and its support for opaque border negotiations with Azerbaijan have deprived Armenia of a unifying voice at moments of existential crisis. By failing to assert national dignity or demand constitutional clarity, the presidency first and foremost forfeited its primary duty to the people and democracy itself.

Additionally, the symbolic erosion of genocide recognition undermines Armenia's historical legitimacy on the international stage. The presidency's avoidance of genocide language and its overtures to Turkish and Azerbaijani

leaders contradict the moral and legal foundations of the Armenian state. Such actions damage Armenia's standing in global forums, where historical justice and minority rights are crucial elements of diplomatic advocacy. Together, these developments show how the submissiveness of a single office - when that office carries symbolic and constitutional significance - can unravel multiple layers of democratic and national integrity. The Armenian presidency's retreat from its constitutional role has not only diminished the office itself; it has exposed the entire constitutional order to further fragility and external manipulation.

VIII. Normative Proposals: Restoring the Office's Constitutional Integrity

While the Armenian presidency may lack substantive powers, its symbolic and constitutional significance warrants urgent attention. Restoring its integrity does not require a return to semi-presidentialism or the expansion of formal powers. Rather, it calls for a constitutional recalibration that affirms the presidency's role as a moral compass and legal safeguard within a parliamentary framework. The following proposals aim to revitalize the office without compromising the principles of parliamentarism.

First, constitutional reform should clarify the president's duty to act in the face of constitutional crises. This could include an express obligation to address the public during emergencies, issue advisory opinions on constitutionality, or request independent legal assessments when institutional practices appear to violate constitutional norms. While these actions may not carry binding legal authority, they would reinforce the presidency's role as a site of constitutional conscience.

Second, reform of the presidential election process is critical. Currently, the president is elected by a simple parliamentary majority, effectively ensuring that the ruling party can unilaterally install a loyalist. A shift to a qualified majority - requiring a supermajority or multi-round consensus - would encourage cross-party negotiation and potentially produce presidents with broader legitimacy. Alternatively, reintroducing limited civic input through indirect public nomination or consultative mechanisms could strengthen...

Third, institutional safeguards must be introduced to preserve presidential neutrality. These could include a mandatory non-partisan period prior to the election, restrictions on recent political office holders from assuming the presidency, or even a publicly vetted selection process for presidential advisors

and constitutional staff. By reducing the presidency's proximity to executive politics, such reforms would protect its symbolic independence. Fourth, transparency and public engagement should become core presidential functions. The presidency must regularly report on constitutional concerns, engage with civil society, and host public forums on institutional integrity. These soft powers can rebuild public trust and cultivate a culture of constitutional accountability without altering the distribution of formal authority.

Finally, broader civic and constitutional education is essential. The public must be reminded that ceremonial institutions are not ornamental. A president who remains silent in the face of injustice is not neutral - they are failing. Elevating public expectations of presidential conduct can generate political pressure on future officeholders to act with dignity, restraint, and principle.

These reforms do not aim to empower the presidency as a rival to parliament or the prime minister. Rather, they seek to restore its integrity as a symbolic, legal, and moral actor within a constitutional system. Armenia's experience demonstrates that without active constitutional guardianship, even the most balanced designs can collapse into majoritarian authoritarianism. The presidency must therefore be reimagined not as a vestigial institution, but as a quiet but vital pillar of democratic resilience.

IX. Conclusion

The Armenian presidency, once conceived as a constitutional arbiter and symbol of national unity, has devolved into a politically subordinate office. Though the 2015 constitutional reforms formally redefined the presidency as a ceremonial role, they did not erase its normative responsibility to defend the Constitution, represent the nation's unity, and speak in times of crisis. The post-2018 period has revealed the consequences of interpreting institutional modesty as political submission.

This article has argued that the presidency's transformation is not simply a byproduct of constitutional design, but a manifestation of political capture and constitutional abdication. By failing to intervene during democratic breakdowns, approving partisan appointments without scrutiny, and remaining silent during national and humanitarian crises, the presidency has abandoned its symbolic and constitutional function. This submission has enabled authoritarian consolidation and undermined public trust.

Comparative experiences from Europe and beyond confirm that even ceremonial presidencies can play critical roles in defending democratic norms - through speech, discretion, and symbolic leadership. Armenia's failure to cultivate such a presidency has not only damaged its constitutional architecture but has weakened its national cohesion and diminished its voice on the international stage.

Yet the Armenian case also offers a warning and an opportunity. The symbolic power of the presidency, though difficult to quantify, remains real. It can be revived - not through executive power, but through principled conduct, legal clarity, and cultural revalorization. The constitutional guardianship expected of the presidency is not a fiction; it is a democratic necessity.

Armenia's constitutional future depends on more than institutional design. It depends on the willingness of its leaders, including those in the most symbolic offices, to embody and defend the values enshrined in its constitutional order. The path forward requires reform, vigilance, and a renewed commitment to constitutionalism - not just in form, but in spirit.

Bibliography

1. Հայաստանի Հանրապետության Սահմանադրություն, 1995 (2015):
2. Իտալիայի Հանրապետության Սահմանադրություն, 1947 (1948):
3. **Ա. Հարությունյան**, «ԿԱՌԱՎԱՐՄԱՆ ՁԵՎԻ ԿԱՏԱՐԵԼԱԳՈՐԾՄԱՆ ՀԻՄՆԱԽՆԴԻՐՆԵՐԸ ՀԱՅԱՍՏԱՆԻ ՀԱՆՐԱՊԵՏՈՒԹՅՈՒՆՈՒՄ», թեկնածուական ատենախոսություն, ԺՔ.00.02, 2016, 268 pages.
4. **Арутюнян А.** Институт Президента Республики Армения. - Ереван, 1996, 311 pages.
5. **Bruce Ackerman**, "The New Separation of Powers", 113, Harvard Law Review (2000), pg. 633-729.
6. **David Landau**, Abusive Constitutionalism, 47 U.C. Davis L. Rev. 189 (2013), pg. 191-258.
7. **Jack M. Balkin**, The cycles of constitutional time, Oxford University Press, 2020, 246 pages.
8. **Ozan O. Varol**, "Stealth Authoritarianism", 100 Iowa Law Review, 2015, 70 pages.

9. https://www.barrons.com/news/german-president-steps-in-amid-vote-date-deadlock-cd1370b2?utm_source=chatgpt.com
10. <https://www.irishtimes.com/news/ireland/irish-news/nice-attack-make-a-stand-for-democracy-says-president-higgins-1.2725967>
11. [https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD\(2015\)038-e](https://www.venice.coe.int/webforms/documents/default.aspx?pdffile=CDL-AD(2015)038-e)
12. https://www.theguardian.com/commentisfree/2024/feb/17/hungary-viktor-orban-scandal-president-resign?utm_source=chatgpt.com
13. https://freedomhouse.org/country/serbia/freedom-world/2024?utm_source=chatgpt.com

ՀԱՋԱՆԴ ՆԱԽԱԳԱՀՈՒԹՅՈՒՆ. ՍԱՀՄԱՆԱԴՐԱԿԱՆ ԱՐԲԻՏՐԻՑ ԴԵՊԻ ՔԱՂԱՔԱԿԱՆ ԵՆԹԱԿԱ՝ ԺՈՂՈՎՐԴԱՎԱՐՈՒԹՅԱՆ ԷՐՈՋԻԱՅԻ և ՍԱՀՄԱՆԱԴՐԱԿԱՆ ՀԱԿԱԿՇԻՈՒՆԵՐԻ ՈՒ ԶՍԴՈՒՄՆԵՐԻ ՔԱՅՔԱՅՄԱՆ ՊԱՅՄԱՆՆԵՐՈՒՄ ՀԱՅԱՍՏԱՆԻ ԽՈՐՀՐԴԱՐԱՆԱԿԱՆ ՀԱՆՐԱՊԵՏՈՒԹՅՈՒՆՈՒՄ

Ամփոփագիր

Հոդվածը վերլուծում է Հայաստանի Հանրապետության նախագահի պաշտոնի վերափոխումը՝ սահմանադրական արբիտրի դիրքից դեպի քաղաքականապես սուբմիսիվ պաշտոնյա՝ խորհրդարանական համակարգում ժողովրդավարական էրոզիայի և ինստիտուցիոնալ ապամոնտաժման ընդհանրական միտումների համատեքստում: Վերլուծությունը ցույց է տալիս, թե ինչպես սահմանադրական նախագծման թերությունները, ոչ պաշտոնական քաղաքական պրակտիկաները և իշխանության կենտրոնացումը իշխող խորհրդարանական մեծամասնությունների ձեռքում են զսպումների և հակակշիռների մեխանիզմները: Մասնավորապես, ուսումնասիրությունը ընդգծում է, թե ինչպես է նախագահի դերը փոխվել՝ սահմանադրականության երաշխավորից վերաճվելով իշխանության կամակատարի՝ հաճախ սպասարկելով կուսակցական շահեր՝ անկախ հակակշռող ուժի փոխարեն: Հիմնվելով 2015 թ.-ից հետո իրականացված իրավական բարեփոխումների, ինստիտուցիոնալ վարքագծի և քաղաքական դինամիկայի վերլուծության վրա՝ հոդվածը ցույց է տալիս, թե ինչպես են ձևական ինստիտուտները և ֆասադային սահմանադրականությունը քողարկում ավտորիտար իշխանության հաստատումը՝ պահպանելով ձևական ժողովրդավարության կերպարը:

Հիմնաբառեր. ՀՀ սահմանադրություն, հանրապետության նախագահ, ժողովրդավարության էրոզիա, քողարկված ավտորիտարիզմ, սուբմիսիվ նախագահություն:

ПОКОРНОЕ ПРЕЗИДЕНТСТВО: ОТ КОНСТИТУЦИОННОГО АРБИТРА К ПОЛИТИЧЕСКОМУ ПОДЧИНЕННОМУ НА ФОНЕ ДЕМОКРАТИЧЕСКОЙ ЭРОЗИИ И РАСПАДА КОНСТИТУЦИОННЫХ СДЕРЖЕК И ПРОТИВОВЕСОВ В ПАРЛАМЕНТСКОЙ РЕСПУБЛИКЕ АРМЕНИИ

Аннотация

В статье рассматривается трансформация института президентства в Армении — от конституционного арбитра к политически подчинённой фигуре — на фоне более широких процессов демократической эрозии и институционального упадка в рамках парламентской системы. Анализ показывает, как недостатки конституционного проектирования, неформальные политические практики и концентрация власти в руках парламентского большинства разрушили предусмотренную систему сдержек и противовесов. В частности, подчеркивается, как роль президента сместилась от гаранта конституционности к исполнителю воли парламента, часто обслуживающему партийные интересы вместо того, чтобы быть независимым противовесом. Прослеживая правовые реформы, институциональное поведение и политическую динамику в Армении после 2015 года, в статье показывается как фасадные институты и символическая конституционность маскируют авторитарную консолидацию под формально демократическим обликом.

Ключевые слова: Конституция РА, президент республики, эрозия демократии, скрытый авторитаризм, “сабмиссивное” президентство.

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