

MacroInstitutional Political Structures and Their Development in Armenia

ALEXANDER MARKAROV

Abstract: Semipresidentialism as a political phenomenon was quite rare fifteen to twenty years ago. Since the late 1980s and early 1990s, more than forty countries have adopted semipresidential features in their constitutions. In this article I will examine semipresidential development in Armenia, which has evolved through various stages. I will analyze the constitutional alternatives that have been discussed in Armenia and will conclude with the constitutional amendment process that has been taking place since 1998 that ended with the amendments adopted at the referendum of November 2005.

Key words: Armenia, constitutional and institutional design, executive-legislative relations, semipresidentialism

The question of adopting forms of institutions, defining the manner in which state institutions should interact, and defining executive-legislative relations was part of the political discourse of all post-Soviet nations, especially in the early 1990s. In some cases the debate is still raging and the processes are ongoing, such as in Armenia, where a revised constitution was put to a general referendum in November 2005.

In Armenia the issues of institutional design and the adoption of a new constitution, were put forward soon after Armenia's Supreme Soviet adopted the Declaration on Independence (which laid the groundwork for the referendum on the Declaration of Independence in September 1991). On November 5, 1990, the Parliament established the Constitutional Commission, which was comprised of twenty politicians, members of the Parliament, and lawyers, to draft a new constitution. The chairman of the Supreme Soviet, Levon Ter-Petrossian, headed the

Alexander Markarov is an associate professor in the Department of Political Science at Yerevan State University. His academic research interests include issues on democratic transformation and consolidation. His most recent research, writing, and consulting focuses on regime formation and semipresidentialism. He has edited two books and is also the author or coauthor of more than twenty-five articles and book chapters devoted to the study of transformation in the former Soviet Union. Copyright © 2006 Heldref Publications

commission. However, before the commission's first meeting on October 15, 1992, the Armenian political system had undergone considerable changes. Based on the Declaration on Independence, which separated the executive, legislative, and judicial branches of government, the Supreme Soviet decided to formally establish the presidency on June 25, 1991, and to hold elections three months later on October 16. Ter-Petrosian scored an overwhelming victory, receiving 83 percent of the votes cast. Paruyr Hayrikyan, of the Union of National Self-Determination Party (AIM), received 7.2 percent of the votes, while the candidate of the Armenian Revolutionary Federation (HHD) received 4.3 percent of the votes.

While there was no doubt the presidency was necessary, there were disagreements over the limits of presidential powers. Two main camps, one favoring a stronger Parliament, the other a more powerful presidency, had already emerged in the summer of 1991. Those favoring the parliamentary system stressed its implicit democratic nature, cautioning against the ills of too much power being concentrated in the hands of one individual. They also argued that Armenia had a parliamentary tradition, pointing to the experiences of the First Armenian Republic (1918–1920) and Soviet Armenia. Furthermore, they argued, a strong Parliament would assist in the institutionalization of political parties, while a strong presidency would discourage it. Advocates of a strong presidency made their own arguments, stipulating that a nonprofessional Parliament, composed of weak political parties, would be detrimental to the young republic, leaving the country in anarchy, and thus one step away from the emergence of a dictatorship. They pointed out that using the Soviet system as an example was not a valid model, as real authority during the Soviet period was concentrated in the hands of the Communist Party and its first secretary, providing the basis instead of one-person and one-party rule. No less important for those arguing for a strong presidency was the context of the time, including the need for a strong leadership to transform the political and economic systems, in addition to the processes of state and nation building. Additionally, Armenia was overburdened by the Nagorno-Karabakh conflict and the economic blockades by Turkey and Azerbaijan. This led some to see a strong presidency as a more effective way of dealing with the problems of the time.

In 1991, the Supreme Soviet adopted two laws—the Law on the President of the Republic of Armenia (August 1), and the Law on the Supreme Soviet of the Republic of Armenia (November 19)—which were the first steps taken toward the creation of a strong presidency. The debates on presidential authority have continued to the present, generally falling into two camps: those in power favoring a strong presidency and those in opposition favoring a strong Parliament.

After the introduction of the presidency in Armenia, and the adoption of the laws on the Supreme Soviet and the president, the balance in executive-legislative relations shifted in favor of the president. Before the adoption of those laws, Armenia could have been considered a parliamentary republic with an executive head, the chair of the council of ministers, and a government appointed by the Parliament, subject to its vote of confidence. The Supreme Soviet could remove the government by a two-thirds majority vote. In general, the Parliament was the most powerful institution, responsible for passing laws and even amending the consti-

tution, as well as filling political offices. According to the new laws, the president would be elected to a five-year term through a popular election and, as the chief executive, would have the power to appoint and dismiss the prime minister and suggest the removal of other members of the cabinet. The prime minister and cabinet ministers were subject to parliamentary votes of confidence.

Following the establishment of a basic framework regulating executive-legislative relations, the Constitutional Commission began performing its duties more actively, and between October 15, 1992 and May 11, 1995, held one hundred nine meetings.¹ On June 24, 1993, the Constitutional Commission presented its first draft for public discussion. The draft reflected the then-existing executive-legislative relations, favored a strong presidency. In addition to the official draft, others—such as lawyer Henrikh Khachatryan, the Ministry of Justice, the Standing Committee of the Parliament on State Building, and the Democrat-Liberal Party (RAK) and HHD—presented alternatives. In each draft the issue of presidential authority was a controversial issue. In 1993–1994, the opposition developed its own draft, known as the “Draft of Six.” Six of the major opposition parties signed it, including the HHD, the RAK, the Democratic, the Republican, the Agrarian Parties and the Union of Constitutional Self-Government (SIM). Two opposition parties, the Communists and AIM, abstained from signing the draft. The draft, developed mostly by the RAK, stipulated that the president would be elected by a special body, composed of Parliament members and an equal number of representatives from local legislative bodies. The president would be capable of dissolving Parliament in some cases, such as if Parliament withdrew its confidence in a government but was unable to agree on a new one within fifteen days, or if Parliament gave a vote of no confidence by voting against a new program or proposed law and could not agree on a new prime minister and cabinet within twenty-one days. Parliament could raise questions of confidence in the government at any time. Parliament could also exert control over the prime minister, having the right to confirm the president’s appointee as well as the power to elect one under specific circumstances.

On April 20, 1994, the Constitutional Commission presented its new draft to the Supreme Soviet, which, on June 1, decided to expand the commission’s membership to include at least one member from each political organization, as well as one member from each group presenting alternative drafts. This newly enlarged commission held fifty-six meetings until April 13, 1995, and was headed by then-chair of the Supreme Soviet, Babken Ararktsyan. On July 23, 1994, the Constitutional Commission finally decided which draft would serve as the basis for the final version. The authors of the “Draft of Six” opted not to vote for their own draft. The legislature began discussing the presented draft on May 2, 1995, and on May 12 decided to submit it to a referendum to be held on July 5 of that year. To be adopted, the draft needed to receive at least 50 percent of all votes cast, but no less than one-third of all eligible voters. The official results of the referendum, contested by the opposition, indicated that out of 2,189,804 eligible voters, 1,217,531 participated in the referendum, and 68 percent of those voters cast their ballot in favor of the proposed draft.

The adoption of the constitution was a major step in the development of the Armenian political system. Theoretically, the new constitution could be seen as semipresidential, but in practice it showed more signs of presidential dominance than an equal distribution of power with checks and balances. Under the constitution, the president is elected to a five-year term and is limited to two consecutive terms; the president appoints the prime minister, who then forms his own government. Within twenty days of the formation of the government, the prime minister must submit his cabinet and program to the National Assembly (NA) for its approval. The NA, a 131-member unicameral legislature, then has twenty-four hours to initiate a vote of no confidence in the cabinet or proposed program.² The government, i.e., the cabinet, executes the executive authority of the republic. Government meetings are chaired by the president, or the prime minister. The prime minister manages the daily activities of the government and coordinates the work of the ministries. The president signs bills passed by the NA into law. To pass laws, the NA needed a quorum of 50 percent plus one, in which case it could vote on legislation by a simple majority of those present. Some issues required a vote of a majority of the total membership of the NA; these include a vote of no confidence in the government. The president could refuse to sign a bill into law, or send it back for reconsideration with comments within twenty-one days of its adoption by the NA. The NA could consider changes or could readopt the bill without change by a simple majority, in which case the president was obligated to sign it into law within five days.

According to the 1995 constitution, the president has the right to dismiss Parliament after consulting with the prime minister and the speaker of the NA, and call for new elections for the legislature, with two exceptions: the president could not dismiss Parliament for a year after legislative elections or during the last six months of his term. The president also makes senior civil appointments, often on the recommendation of the prime minister, such as of the prosecutor general and governors of the regions. The president appoints four of the nine members of the Constitutional Court; in case of a deadlock in Parliament, he would also appoint its chair. Furthermore, the president formulates foreign and security policies, represents the country in the international arena, appoints and recalls diplomatic representatives, and signs treaties; the latter, however, must be ratified by the NA. The president is commander-in-chief of the armed forces and appoints its senior officials. The right to declare war belongs to the Parliament, a right exercised on the recommendation of the president, who, nonetheless, retains the right to use military force. Theoretically, the Parliament could impeach the president for high treason or other crimes. Before acting on impeachment, Parliament must receive the opinion of the Constitutional Court on the constitutionality of the charges. The president can also resign, as he did in 1998, less than two years into his second term.

The constitution called for a separation of powers, but in actuality provided little, if any, means for real checks and balances, or any real guarantees for the branches to function independently. It could be argued that the government's structure is overshadowed by the presidency; the imbalance can be, in part, blamed for

the pseudo-democratic practice of the time, especially during the period from 1995 to 1997.³ Within the existing constitutional framework, two possible trajectories of development may be outlined. Under the first, the president, with a one-party parliamentary majority, would enjoy virtually unlimited power in most spheres of state politics and policies. That was, essentially, the political reality of Armenia from 1995 to 1997, when the various branches of government were completely subordinate to the president. The second path of development allows for more balanced relations between the executive and the legislature, either in the case of the Parliament's majority being opposed to the president, or if the majority, while being in favor of the president, is more of a coalition than a one party majority.

The semipresidential system envisioned by the constitution also provides for a smooth transition of power, such as when Ter-Petrosian was compelled to resign in 1998 on the critical question of the Nagorno-Karabakh conflict. In September 1997, Ter-Petrosian's indicated his readiness to accept an Organization for Security and Co-

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operation in Europe (OSCE) Minsk Group's peace plan to resolve the conflict. The plan offered a step-by-step approach that would leave the question of the future status of the territory to a later phase of negotiations. The opponents rejected the plan and insisted on a package deal. The Security Council meetings of January 7 and 8 pitted Prime Minister Robert Kocharian, Defense Minister Vazgen Sargsyan, and Interior and Security Minister Serge Sargsyan against the president. The internal opposition was joined by President Arkady Ghukasyan of Karabakh. Eventually forty members of the ruling coalition decided to join the Yerkarapah group of legislators who opposed Ter-Petrosian, as a result of which the president lost his majority in the NA. Ter-Petrosian had the option of either dissolving Parliament, or attempting to work with Kocharian. He resigned on February 3. Parliament accepted the resignation the next day; then, within forty days, in accordance with the constitution, new elections took place.⁴ Robert Kocharian, who led the opposition against Ter-Petrosian, defeated the former first secretary of the Armenian Communist Party (HKK) and leader of Soviet Armenia, Karen Demirjian, with 59.49 percent of the vote in a second round of balloting.

Kocharian made the issue of constitutional reform a cornerstone of his election platform, which considered amendments to the constitution to be an urgent matter. On May 19, 1998, he signed a decree forming the Constitutional Reform Preparation Committee under the president of the Republic of Armenia, which worked closely with the European Commission for Democracy through Law (the Venice Commission). A proposed package of amendments was presented to the

NA in July 2001, but debates in Parliament lasted until 2003. In May of that year the proposals failed at a general referendum.

The outcome was expected, as none of the parties proposing the reforms were fully satisfied by them. Those supporting Kocharian were disappointed by the attempts to decrease presidential powers, while the opposition sought more powers for the Parliament. The referendum, held simultaneously with parliamentary elections, was also not a priority for the political parties. The parties were more concerned with their strength in the next legislature. There was little public awareness of, or debate on, the constitutional amendments during the short period of campaigning.

Following the elections and referendum, the three parties with the highest votes, the Republican Party of Armenia (HHK), the HHD, and the Country of Law (OEK) formed a governing coalition that intended to deliver on their promise of constitutional amendments. The three parties had also agreed in their pre-election memorandum to divide control over parliamentary positions and ministries among themselves. Artur Baghdasaryan, leader of the OEK, was elected chairman of the NA, along with a deputy chairman from the other two parties—Vahan Hovannisyan from the HHD and Tigran Torosyan from the Republican Party. The HHD landed the chairmanship of the Foreign Relations Committee and three ministries: Health, Agriculture, and Social Security. The Republican Party took control of three standing committees: Finance and Budget; Science, Education, Culture and Youth Affairs; and Judicial Affairs. The OEK also received posts on two standing committees, including Defense, and was allotted several ministries, including Culture and Education and Science. The current prime minister, Andranik Margaryan, a member of the Republican Party, is continuing a precedent set by Kocharian of filling that position with a member from the largest party in Parliament; Margaryan continued to serve as prime minister after the 2003 presidential election.

The newly formed Parliamentary Committee on European Integration,⁵ headed by NA deputy chairman Tigran Torosyan, was responsible for passing new constitutional amendments. Its role was to address Armenia's obligations to the Council of Europe (CoE). In August 2004, the committee presented a draft to Parliament. Two more drafts were written, one by Arshak Sadoyan, an opposition leader, and the second by Gurgen Arsenyan from the United Labor Party (MAK). The former followed the tradition of the early 1990s opposition, which favored a strong Parliament, while the second one represented, according to the Venice Commission, "a better balance of powers by strengthening the Government and the National Assembly's position."⁶

In the spring of 2005, the NA began discussing the draft proposals, and decided on May 11 to use the coalition's draft as a basis for further deliberation in its first reading. The two other drafts became a part of Armenian political history, Sadoyan's received thirteen votes in favor, thirty-six abstentions, and zero against, and the MAK draft nineteen votes for, twenty-nine abstentions, and zero against.⁷ The Venice Commission issued a press release, supported by the opposition parties, that expressed deep dissatisfaction with the decision adopting the coalition's draft as a basis in its first reading, stressing that the commission's earlier sug-

gestions were not fully considered. The commission presented three main criticisms. The first one was related to the president's authority to dismiss the prime minister on a whim. Second, it pointed to problems in the area of checks and balances and argued for a more independent judiciary. Third, they argued for the president's appointment powers to be restricted, specifically that the mayor of Yerevan should not be appointed by the president, but elected instead. The commission suggested that the amendments be "drastically revised before they undergo a second reading."⁸

Thus, the coalition had to revise its draft, but was able to use the Venice Commission's recommendations as a positive tool. While the commission's criticisms overlapped with the opposition's, the Venice Commission adopted less radical language and offered more realistic alternatives. Cooperation between the coalition and the Venice Commission then continued through the summer, resulting in the signing of the Memorandum on Further Cooperation between the Armenian authorities and the commission on June 2, 2005. Following a CoE Parliamentary Assembly session in late June, the Armenian authorities were required to submit an updated draft, taking into consideration the previous criticisms, by July 7. It was then to be submitted to the NA for a second reading on August 20, with a referendum being held at the end of November.

The coalition's new draft addressed the Venice Commission's concerns. The amended document did not allow the president to dismiss the prime minister at his will, and appointment to that post became incumbent on a majority approval by the NA. Presidential powers were further revised with respect to the appointment of officials. Other measures were introduced to bring more balance to the distribution of power between the branches of government. The final draft was debated in Parliament and the first reading was approved in the final days of August. Ninety-two of the ninety-three MPs voted to approve, the opposition having left before the voting took place. The opposition argued that the authorities lacked legitimacy, and that they would campaign for the rejection of "cosmetic" amendments. At the second reading, on September 1, the amendments were approved, and at a special session of Parliament called on September 28, the package of amendments was unanimously approved on the third reading. In each case the opposition boycotted the voting. Victor Dallakyan, a Justice bloc MP, stated that the process violated the NA standing rule requiring that draft legislation be distributed to members one hour before they are due to vote on it.⁹

On October 4, Kocharian signed a decree scheduling the nationwide referendum for November 27.¹⁰ After scheduling the date, the president and the ruling coalition had to perform two major tasks. First, they had to spread public awareness of the amendments. The 2003 effort failed, in part, because people were not fully aware of what was going on and they were not willing to participate. NA Chairman Artur Baghdasaryan stated that widespread apathy would have to be overcome to pass the amendments. The warning was heeded and a major campaign ensued. Mher Shahgeldyan chaired a special coordinating council, the purpose of which was to persuade voters to participate in the referendum and approve the proposed amendments. By October 18, twenty-one parties and the People's

Deputy group of the NA expressed their support. The only open disapproval of the amendments came from parties associated with the *Artarutiun* (Justice) bloc. Second, the coalition had to purge voting lists of irregularities.

The government's confidence in the referendum's success grew over time. On November 16, national security adviser to the president, Garnik Isagulyan, claimed that more than enough yes votes would be cast, while Galust Sahakyan, the HHK leader in the NA, stated on November 18, that the ratio of yes to no votes would be 80 to 20. Despite the optimism, there were concerns. The president of the CoE Parliamentary Assembly, Rene van der Linden, urged all Armenian citizens to participate in the forthcoming referendum, saying that revisions to the constitution were a major political event and that low voter turnout would be a major setback for the country. An opinion poll conducted by the Vox Populi Center in Yerevan showed that 54 percent of respondents intended to participate in the referendum, 46.6 percent planning to vote yes.¹¹ Still, the government's confidence continued to rely on the endorsement of international organizations. In addition to the CoE, the amendments were also lauded by Gianni Buquicchio, secretary of the Venice Commission, and by the OSCE's Yerevan mission. Buquicchio had particular praise for the amendments, describing them as an "improvement," and that their adoption would "facilitate Armenia's integration into European structures and expedite the establishment of stability and prosperity."¹²

The opposition's stance on the draft amendments, as shown through their behavior during parliamentary debates, was ambiguous, confusing, and inconsequential. First, there was no real unity within the Justice bloc. In mid-July, the Republic Party, a part of the bloc, stated it would not participate in the parliamentary debates on the draft constitution, and urged its supporters to vote against the amendments. On the other hand, other bloc member parties agreed to support the amendments on the condition that changes be made regarding the powers of the NA, the judiciary become more independent, and that an election be held for the mayor of Yerevan. In addition to those three main points, there were also concerns regarding granting legal immunity to the president at the completion of his term and the presidential power to change the borders of the country with Parliament's approval. Most opposition parties, however, simply rejected the proposals, arguing that the Armenian authorities lacked legitimacy and, therefore, had no right to change the basic laws of the country.

Not satisfied with the package of amendments, particularly with respect to proposed presidential powers, on August 18, the Justice bloc announced it would campaign against the constitution. Artashes Geghamyan, the leader of another major opposition group, the National Accord Party (AMK), stated that his group would urge voters to approve the amendments only if the authorities agreed to hold early parliamentary and presidential elections should the proposed amendments pass. He argued that a new Parliament would form a new government that would, in turn, ensure "free, fair, and transparent" presidential elections. The opposition's stance changed in early September, when former prime minister and National Democratic Union (AZhM) Chairman Vazgen Manukyan argued that the opposition should lead a boycott of the referendum instead of trying to lead

people to vote against it. They argued that this way the government would not be able to falsify no votes. The opposition still lacked unity, but two weeks before the referendum most opposition parties decided to boycott it. The Justice bloc and the AZhM withdrew their representatives from the electoral commissions.¹³

The official results of the referendum, held on November 27, 2005, according to the Central Electoral Commission (CEC), were as follows: of the 2,317,462 registered voters, 1,514,307 had cast ballots, of which 1,411,711 had voted yes and only 82,018 voted no. Thus, the referendum passed, due to the participation of half the voting-eligible population and the approval of one-third of eligible voters. The opposition accused the authorities of inflating the numbers, arguing that only 16 to 20 percent of the population actually participated in the referendum. The only international observers monitoring the referendum was a small delegation from the Parliamentary Assembly and the Congress of Local and Regional Authorities from the CoE. Having visited one hundred fifty polling stations in Yerevan and across the country, on November 28, the delegation officially declared that the referendum reflected the will of the people. Despite witnessing serious abuse in several districts the previous day, the delegation stated that “the general atmosphere was calm and no incidents of public disorder were witnessed. In the majority of the polling stations visited the conduct of the poll was in compliance with international standards.” Supporting opposition claims, the delegation also noted that “extremely low voting activity did not correspond to the high figures provided by the election commissions. There were also clear instances of forged additional signatures on the voters’ register and of ballot stuffing. The electoral regulations, requiring the stamping of the ballot after completion, created numerous situations where the secrecy of the vote was not respected.”

While the amendments are now officially approved, the majority of them will be put into effect in 2007 and 2008. The most notable change will come when the term of the Parliament is increased from four to five years, which will allow the NA become more active in the appointment of the government. The amended constitution requires the president to appoint the prime minister, after taking into consideration the distribution of mandates in the NA, and consulting with parliamentary factions. The prime minister must enjoy the support of the majority of Parliament members. Furthermore, the president no longer has the right to dismiss the prime minister, making the latter subject to the Parliament’s confidence. The president also lost the authority to dissolve Parliament by merely consulting with the prime minister and chairman of the NA. Under the new system, a president may dissolve Parliament only under constitutionally outlined conditions, such as the failure in two attempts within two months to approve the government’s proposed program, or if Parliament fails to meet for three months during a session.

The president remains commander-in-chief of the armed forces and formulates foreign policy. While the government now has a clear advantage in the formulation of domestic policy, it also shares in the making of foreign policy. Thus, the prime minister now holds many of the domestic powers once held by the president, such as holding and chairing government meetings, and the government no longer needs the president’s signature to enact decisions. However, the president

can delay their implementation for a month by appealing to the Constitutional Court. The president also lost the authority to decide on the structure of the government. Finally, the president has lost some authority in making appointments.

In addition to macroinstitutional relations, the amendments also address a few other critical issues. One such area is Armenia's obligations as a member of the CoE such as the banning of the death penalty and reform of laws on mass media, political parties, nongovernmental organizations (NGOs), and the alternative military service citizenship issues, and the right of citizens to appeal to the Constitutional Court.

One critical issue addressed by the amendments is the status of Yerevan and its mayoral elections. According

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to the 1995 Constitution, Yerevan holds the status of a *marz*, an administrative unit corresponding to a province.¹⁴

The new version of the constitution addresses this issue, in part, by allowing either direct or indirect elections. Article 108 states that the government of Yerevan is to be determined by law, while Article 4 pro-

claims that local governing bodies are to be decided by direct elections. The situation is loaded with legal ambiguity.

Another issue debated passionately was the right to dual citizenship. The issue is viewed as a practical problem by Armenia's politicians and parties and as a symbolic one by Armenians living outside the country, roughly half of all Armenians. Dual citizenship was explicitly banned in the 1995 Constitution in Article 14; Article 11.3 assured Armenians of an expedited procedure to obtain citizenship once they decide to live in Armenia. That ban does not appear in the revised one and contains no implicit limitations. Those opposing dual citizenship cited potential threats from the sheer numbers of the nouveau Armenian citizens who might have a significant influence on the politics and policies of the country by holding dual citizenship while living abroad. Furthermore, there were concerns on how to deal with taxation and military service, obligations of citizens. Although these issues might be thoroughly regulated by law, some phobias remain part of the rhetoric. Kocharian, on the other hand, supported the change during his reelection campaign, as well as during the pre-referendum debates. His favorable stand on dual citizenship ensured the support of some political parties, including the junior partner in the governing coalition, the *Dashnaksutiun*, which has well-developed structural units and supporters outside the country. The question of dual citizenship is to be determined by law; until a new law passes, existing law based on the 1995 Constitution prohibits dual citizenship.

The amended constitution also resolved the issue of the right of citizens to appeal to the Constitutional Court in favor of the citizen. In addition to citizens,

the list of those who can now appeal to the highest court includes local authorities, other courts, the prosecutor general, human rights activists, and one-third of members of Parliament. This constitutes progress over the current provisions from the point of view of protection of citizens' rights.

While the current amendments do not adequately address the semipresidential nature of the Armenian regime, the issue is whether they will allow for the creation of a more unbiased system of governance, with more effective checks and balances and a more independent Parliament and judiciary. The successes or failures will be determined later. In the interim, by 2007 Armenia must bring its legislature into line with the new constitution and develop strategies for further action.

Notes

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1. Henrikh Khachatryan, *Pervaiia Konstitutsiia Respubliki Armeniia* (Yerevan: Nzhar, 2001).

2. The first National Assembly, elected in July 1995, the same day the constitutional referendum took place, had one hundred ninety members.

3. In his classification of regimes at the end of 1997, L. Diamond listed Armenia as a pseudo-democracy. See *Developing Democracy toward Consolidation* (Baltimore: Johns Hopkins University Press, 1999), 280.

4. According to the constitutional law of the time, a president who resigns is succeeded by the president of the National Assembly, and in case that is not possible, then by the prime minister, on an acting basis. Ter-Petrossian's resignation was followed immediately by the resignation of the president of the National Assembly Babken Ararktsian, his close ally. Kocharian, then prime minister, became Acting President.

5. Representatives of the opposition boycotted the activities of the temporary commission, where all parties in Parliament were represented, as well as NA sessions in general, demanding a referendum of confidence on the president is held first. Such a recommendation was made by the president of the Constitutional Court after the disputed presidential elections in 2003, after confirming the Central Electoral Commission's ruling that Kocharian had won.

6. European Commission for Democracy through Law, *Interim Opinion on Constitutional Reforms in the Republic of Armenia*. Strasbourg, December 6, 2004. Opinion no. 313/2004, adopted at the Sixty-first Plenary Session, Venice, December 3–4, 2004. The opinion was formed on the basis of the following members' comments: Aivars Endzins (Latvia), Kaarlo Tuori (Finland), Owen Masters (United Kingdom), and Bruno Nascimbene (Italy).

7. *RFE/RL Newslines*, vol. 9, no. 90, May 12, 2005.

8. Venice Commission Press Release, Strasbourg, May 27, 2005.

9. *RFE/RL Newslines*, December 17, 2005.

10. Previously, at a meeting between the president and representatives of three coalition partners in the government, the date had been set for November 20.

11. "Armenia Gears up for Constitutional Referendum," *RFE/RL Newslines*, vol. 9, no.

217, November 21, 2005.

12. *RFE/RL Newslines*, vol. 9, no. 186, October 3, 2005.

13. Later, they argued they had monitored the referendum by having thousands of observers in electoral districts.

14. Armenia is divided into ten administrative units, or *marzes*, and the capital city. Governors of the *marzes* are appointed by the prime minister, and the mayor of Yerevan is appointed by the president on the suggestion of the prime minister.