

THREE BETTER WAYS FOR SARGSYAN TO BECOME DICTATOR

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Erdogan's Constitutional Sultanate (Source: everywhereaksim.net)

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Raffi Elliott-ian, Ottawa, 22 November 2015

I remember sitting in a cafe in Istanbul, frequented by the city's liberal opposition types on election day, the 1st of November, 2015, watching many faces drop as the results were announced. The ruling AKP (Justice and Development Party) which had been in power for 13 years won the parliamentary majority it needed to call a constitutional referendum and transform the country into a Presidential republic. Many critics deplored this as a ploy to turn President Erdogan into a modern Sultan.



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This was the second time in a year that the ruling AKP party called an election, with the intention of triggering constitutional reform. This particular electoral campaign was marred by evidence of intimidation against the kurdish-backed opposition HDP party, as well as a deadly terrorist attack. Every means, it seemed, was necessary for Erdogan's much-dreamed-of sultanate to become constitutionally validated.

Erdogan's Constitutional Sultanate (Source: everywheretaksim.net)

Back home in Armenia meanwhile, many of my compatriots were opposing a constitutional reform package which aimed at doing the exact opposite: to transform the country from a semi-presidential republic towards a parliamentary model. Somehow, the accusations that President Sargsyan was looking for an alternative way to stay in power, past his constitutionally mandated 2 terms, persist.

I'm not a constitutional lawyer, and don't want to go into the details in this reform package, but the idea that a president would transfer powers to a parliamentary body in order to solidify his hold on power is just odd to me, especially since he has signaled his intention to leave politics a number of

times. Since moving to Armenia, I have taken part in all sorts of opposition activities, as a participant and an organizer, from the Civically minded Mashtots Park movement to the famed #ElectricYerevan protests, with everything in between, and I don't consider myself to be a fan of Mr Sargsyan. However, given the precedents in the region, I want to propose three easier alternative scenarios which President Sargsyan could potentially choose to perpetuate his hold on power:

Scenario 1: **Remove presidential term limits (as seen in Belarus, and Azerbaijan)**

This option seems to be the most popular in the former soviet space, where constitutionally mandated limits to two consecutive terms have been manipulated in very creative ways. The Republic of Kazakhstan appears to be a trendsetter in this regard. When the country's soviet-era leader, Nursultan Nazarbayev faced a potential end to his apparently boundless rule, Item 5 in the Constitution's Article 42 was amended so that "The present restriction shall not extend on the First President of the Republic of Kazakhstan"; meaning that the term limits still applied, ... just not to him.

Turkmenistan's Communist-party-first-secretary-turned-President, Saparmurat Niyazov, in no mood to be held back by pesky constitutional restrictions, decided to simply forgo with the term limits all together, having his hand-picked parliament declare him President for Life, with the new title: "TurkmenBashi" (Leader of All Turkmen).

Belarus's President Lukashenka (known in the West as Europe's last dictator), and President Ilham Aliyev, heir to the throne of the post-soviet space's first petro-monarchy, Azerbaijan, also seem to favour this option, both having done away with their own presidential term limits. Notably, both Presidents Lukashenka, and Aliyev (who insists that his presidency for life has strengthened the country's democracy) are actively grooming their sons (Nikolai, and Heidar Jr. respectively) to succeed them in power.



Scenario 2: **Russian style President/Prime-Minister switcheroo**

In 2008, many feared that Serj Sargsyan's candidacy for the highest post in the land was meant as a way for then-President Robert Kocharyan to circumvent the constitutional term limit, by plotting a return after a four year hiatus. Since Kocharyan was known to be close with Russia's President Putin, it was only natural for him to take inspiration from Putin's 4 year-long stint as Prime Minister (with albeit, uniquely enhanced powers) which was cut short by his 're-election' as President in 2012.

This scenario is appealing because it doesn't require any constitutional re-writing, or attract any unwanted international scrutiny. President Putin is now set to stay in power until at least 2024, unless he dies in office.



An armenian version apparently didn't materialise in 2013, as Kocharyan failed to present himself as a candidate, and would seem even less likely post-referendum.

Scenario 3. **Simply ignore the Constitution all together (as seen in Uzbekistan, Tajikistan, Transnistria)**

The easiest way for a would-be-dictator to stay in power is to simply ignore the constitutional term limits. Article 90 of Uzbekistan's constitution clearly states "One and the same person may not be the President of the Republic of Uzbekistan for more than two consecutive terms." President Islam Karimov's brutal regime, however, seems to be above that. The country's electoral commission apparently just keeps approving Karimov's nomination despite the fact that it's totally illegal.



(source: RFE/RL)

Tajikistan's President Emomalii Rahmon(ov) found a simpler solution to this problem: just stop holding presidential elections.

This scenario is also attractive because it removes the need to worry about a president's rule's legality all together. Countries who choose this option are usually notoriously corrupt and authoritarian anyway, making it easier to deal with the international condemnation.

If Sargsyan's critics are to be believed, he doesn't even follow the constitution anyway, why bother changing it after all?

Conclusions

One scenario that I didn't discuss was the Georgia option. After almost a decade in power, pretty-boy Kartvelian president, and noted reformer, Mikhail Saakashvili also opted to transform his country into a parliamentary republic, even going so far as to build a brand new state-of-the-art Parliament building in the country's second largest city, Kutaisi. This ended up biting him in the arse, however, as he was soundly defeated in both the following parliamentary and presidential elections; and so the only other example of an authoritarian-ish post-soviet leader opting for a parliamentary system has had the opposite effect.

Though there is much doubt as to the legitimacy of Serj Sargsyan's 2008 and 2013 presidential bids, and given the often-vindicated level of cynicism in the country, it isn't difficult to surmise that there may be less-than-altruistic reasons for calling a constitutional referendum in Armenia. However, if the goal really was for Serj Sargsyan to maintain power indefinitely, he's doing it all wrong...

