

ELECTIONS AND DEMOCRATIC GOVERNANCE IN THE FORMER SOVIET UNION: THE CASE OF GEORGIA

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Introduction

This paper is inspired by research I have carried out in Georgia, both during the writing of my doctoral dissertation for the European University Institute in Florence¹ and during my current research for the project “Accounting for State-building, Stability & Violent Conflict: The Institutional Framework of Caucasian and Central Asian Transitional Societies” at the Osteuropa Institute. Studying the Georgian regime over the last five years has provided me with a great many insights on how the Soviet legacy has conditioned (and often hindered) attempts to build a functioning independent state and democratic institutions in Georgia. It has also helped me to understand the role of actors, and the extent to which they have been able to exploit or undermine that legacy. Observing first hand the so-called “Rose Revolution” that took place in November 2003 gave me a fascinating glimpse of how, after a long period of inertia, actors can “emerge from the shadows” and overturn old power structures in a period of “condensed history”. However, the question of whether (and how much) the new leaders in Georgia will be burdened by what Marx would call “the tradition of all the dead generations” and will remain doomed to tread the same path as their predecessors is an open one. It is the aim of this paper to shed light on one small aspect of this puzzle: the way the Soviet legacy fashioned political parties in Georgia and the effect of this legacy on one principle element of democracy – electoralism. It will also show how, generally speaking, actors behaved rationally within the institutional constraints under which they were operating and how this shaped (or deformed) electoral democracy in Georgia.

In the former Soviet Union (FSU) the decision to hold free and fair elections is more often the product of a strategic calculation by elites than evidence of a genuine commitment to democracy. A contrast must be drawn between “democratic moments” on the one hand and the consolidation of democracy as an institutionalised form of government on the other. A “democratic moment” is when, owing to a particular set of circumstances, fair and democratic elections are held. During the period of so-called transition in the FSU, these “democratic moments” occurred either a) as a concession granted by an entrenched communist leadership to an increasingly powerful

¹ “The Problems of Post-Soviet Regime Change: Dynamic and Static Elements of the Georgian Regime 1989-2001” (Florence: EUI, 2003).

nationalist opposition, or b) in response to a perceived need to keep potentially dangerous political forces off the streets and to give them a forum in which to channel their demands (which can later be neutralised), or c) as a means of giving a stamp of legitimacy (both within the country and for the sake of the international community) when the results of elections are already a foregone conclusion. Thus they were no more than a tactical manoeuvre aimed at preserving or bolstering power. However, once an elite faces a genuine threat to its hegemony, it is unlikely to cede power through democratic elections. The reasons for this are the following. First political elites are not socially embedded and political contests are a zero-sum game; if a ruling political elite loses an election it does not have a stable political party to propel it back to power in a subsequent election. Second, (in most of the FSU) civil society is insufficiently developed to resist a return to authoritarianism. Finally, within political elites the behavioural norm of collecting *kompromat* to discredit one's political rivals remains as a legacy of the Soviet period and this gives members of political elites a personal reason to fear a rotation of power.

This paper first illustrates this argument by examining successive presidential and parliamentary elections in Georgia after the introduction of political pluralism in 1990. In doing so, it shows that free and fair elections in Georgia, when these have occurred, are no more than a rational strategy employed by elites to preserve their grip on power. By focusing on the electoral element of democracy in Georgia this paper also casts light on other interrelated elements of democracy, such as political parties, civil society and a free media, which are essential if the electoral element is to function. The paper closes by using the Georgian case to set down some useful lessons for organisations that aim to promote democracy in the FSU.

Georgia: The First Free and Fair Elections 1990-1991

The nationalist Round Table – Free Georgia bloc, led by the former dissident Zviad Gamsakhurdia, came to power as a result of democratic elections that were held on 28 October 1990. This bloc won 54% of the vote as compared with 29.6% for the Communist Party. The elections, which were judged to be free and fair by almost all observers, were a culmination of a long power struggle between the incumbent Communist Party elite, led by Givi Gumbaridze, and the nationalist opposition, the most powerful element of which was an association of groupings loyal to Gamsakhurdia (the Round Table). Gumbaridze had finally agreed to open and competitive elections in August 1990 after action by supporters of Zviad Gamsakhurdia led to the main rail route between western and eastern Georgia being cut at the peak of the holiday season.

Gamsakhurdia's term of office was not a success. Despite being elected to the newly-established post of president in May 1991, with 86% of the vote in elections that were, once again, generally considered free and fair, by the beginning of the following year Gamsakhurdia had been driven from office by a broad opposition coalition that included other former dissidents, the intelligentsia, criminal groupings, shadow economy entrepreneurs and members of the former communist nomenklatura. Reasons often cited for his failure include his inability to compromise, his tendency to alienate his own allies, and his own paranoid personality.

However, while Gamsakhurdia's personality was clearly an issue, probably a more important reason for his downfall was the fact that he had no institutionalised societal organisation to support him. Although he had his own party, the Helsinki Union, this party had only around 2,000 members in early 1990² and lacked an organisational structure. Gamsakhurdia thus led a mass movement, rather than a coherent political organisation³. His political future was dependent entirely on the day-to-day vicissitudes of public opinion and was not rooted in any stable social or political structure. Once public opinion began to slip away from him, he had no institutional levers to maintain his grip on power.

² See Jonathan Aves, "The Rise and Fall of the Georgian Nationalist Movement, 1987-91" in Hosking, Aves and Duncan (eds.), *The Road to Post-Communism: Independent Movements in the Soviet Union 1985-1991* (London and New York: Pinter Publishers, 1992), 165.

³ According to Zhang, in communist states the leaders of such movements "do not derive their influence and power through control of highly institutionalised societal organisations. They are created by the democratic movement and get their influence and power from the dynamics of the movement. Therefore, leaders of democratic social movements are essentially movement-dependent leaders. Their influence and power depend on the continuous momentum of the movements. Thus they have to use populist if not demagogic political demands to sustain the movement's political momentum and their own power". Baohui Zhang, "Corporatism, Totalitarianism and Transitions to Democracy", *Comparative Political Studies*, Vol.27, No.1 (1994), 108-136.

By September 1991, Gamsakhurdia was already in a weak position. He had lost one of his closest allies, childhood friend and Defence Minister Tengiz Kitovani, after he had ordered that the newly-established army or National Guard be subordinated to the Ministry of Internal Affairs during the attempted coup in Moscow in August. From then on, Kitovani headed an independent military force that was loyal only to him. Moreover, the opposition National Democratic Party, led by another former dissident, Giorgi Tchanturia, had taken to the streets of Tbilisi calling for Gamsakhurdia's resignation. Finally, a group of his supporters in parliament had left the Round Table bloc and formed their own group "Charter-91", which called for Gamsakhurdia to compromise.

Gamsakhurdia refused to compromise and instead opted for repression. He declared a state of emergency, arrested Tchanturia, and forces loyal to the government drove opposition supporters from the streets of Tbilisi. He rejected requests by members of "Charter-91" and other former allies to hold pre-term elections to diffuse the crisis. Although he was often portrayed (probably justifiably) as irrational, Gamsakhurdia's rejection of pre-term elections was entirely rational, given that he had only his own charisma and no party or civil society organisation to rely on. Seeing his popularity wane, Gamsakhurdia realised that were he to call new elections he would be consigned once and for all to oblivion. Instead he chose to rely on a show of force. Unfortunately for him, his opponents were able to muster together a more powerful force than his own and this led to his being driven out of Tbilisi on 6 January 1992.

The Gamsakhurdia period provides us with two important insights. First, free and fair elections occurred under two distinct sets of circumstances. In October 1990 parliamentary elections were held as a concession granted by an entrenched communist leadership to an increasingly powerful nationalist opposition under conditions in which the former had lost its room to manoeuvre. On the other hand, the presidential elections of May 1991 were held under somewhat different circumstances; they were a means of giving a further stamp of legitimacy to Gamsakhurdia (and thereby strengthening his grip on power) when the result of the elections were already a foregone conclusion. Second, in a democratic system, a political leader requires the backing of social organisations; if there is no organised social constituency from which a political leader can draw support, his or her power is likely to be based on the shifting tides of public opinion. Once public adulation is lost, such a leader is likely to be consigned to scrap heap of history if free and fair elections are held and is therefore likely to perceive elections as a zero-sum game. In short, because Gamsakhurdia had no societal structures such as institutionalised political parties or

powerful civil society organisations to support him, his leadership was “socially disembedded”; despite short-term popularity, it had no stable, long-term links with any significant social actor.

“All Minus One”: Pluralist Anarchy in Georgia 1992-94

Following Gamsakhurdia’s overthrow, three men were left in charge of Georgia: the head of a paramilitary group called the *Mkhedrioni* (“Horsemen”), Jaba Ioseliani; the head of the National Guard, Tengiz Kitovani; and Gamsakhurdia’s former prime minister, Tengiz Sigua, who had been forced to resign by Gamsakhurdia in August 1991. These three men established a Military Council, which was to run the country, at least on a temporary basis. However, they faced a serious dilemma: how could two paramilitary leaders such as Ioseliani and Kitovani ever gain international recognition for Georgia and show that the country was worthy of vital foreign credit. Here I have deliberately neglected the role of Prime Minister Sigua. As Jonathan Aves points out “[a]lthough the Military Council was formally headed by Tengiz Sigua, real power lay with Kitovani and Ioseliani”⁴.

There were two components to the Military Council's response. First, they declared their commitment to democracy and signalled that they were willing to co-operate with all political parties and actors, with the exception of Zviad Gamsakhurdia in person. “All minus one” is the way Jaba Ioseliani described this arrangement, with the “one” referring to the deposed ex-president⁵. A Consultative Council was thus set up consisting of representatives of ten political parties, several opposition members from the 1990 Parliament and a group of intellectuals. Its decisions were not binding; it had the power to make recommendations only⁶. On 21 February 1992 the Military Council restored the 1921 Constitution, which envisaged free and fair elections and a democratic system⁷.

Consequently, in March, the State Council (see later) adopted the single transferable vote with no minimum threshold as the system that would be used for the subsequent elections. This would

⁴ Jonathan Aves, “Politics, Parties and Presidents in Transcaucasia”, *Caucasian Regional Studies*, Vol.1 (1996) at www.vub.ac.be/POLI/, accessed October 2001.

⁵ Interviews with the author. Ioseliani claims that he had even invited Akaki Asatiani, head of the Union of Georgian Traditionalists (formerly part of the Round Table), to take part in the Consultative Council, but that Asatiani had rejected the offer.

⁶ *Ibid.* and Charlie Bartholomew, *Georgia Country Profile*, on <http://www.eurasianet.org/resource/cenasia/hypermail/200002/0036.html>, and 0060&0072&0092.html, accessed October 2001.

⁷ See *Georgian Law Review* (First and Second Quarters 1999), 5 at <http://www.geplac.org/publicat/law/archives/glr99q1q2e.pdf>, accessed October 2001.

allow virtually all parties, even the very smallest, into Parliament⁸. This formula was chosen so that all politically active figures would be in Parliament, leaving Gamsakhurdia's followers as the only so-called street opposition. A "democratic" electoral system was therefore chosen because the authorities (such as they were) were weak and feared alienating even quite minor actors⁹. Although a new electoral law was passed on 1 August 1992 according to which 150 members of Parliament would be elected proportionally by regional party lists while eighty-four would be elected in single-mandate constituencies, the principle remained the same; even the smallest parties would be allowed into Parliament.

The second major decision made by the Military Council was to invite former First Secretary Eduard Shevardnadze back to the country to play a leading role in steering Georgia's future political course. Shevardnadze returned to Tbilisi on 7 March 1992. The power-sharing arrangement that was struck up between Ioseliani, Kitovani, Sigua and Shevardnadze was the following. Power would be transferred from the Military Council to a State Council, chaired by Shevardnadze, which would be a representative body with legislative power that would replace the Consultative Council. The State Council was envisaged as a temporary body and would only operate until elections were held later that year. Its Presidium would consist of all four men, each with the right of veto over decisions made by the Council¹⁰. Moreover, Sigua was confirmed as Prime Minister, Kitovani remained head of the National Guard and Ioseliani remained leader of the *Mkhedrioni*.

Two separate elections were held on 11 October 1992: the first for the Parliament and the second (separately) for the Chairman of the Parliament, for which the only candidate was Eduard Shevardnadze. No less than twenty-four parties and blocs gained representation of parliament, and the largest number of seats went to the avidly pro-Shevardnadze Peace bloc, which won 20.38% of the vote. In the election for the Chairman of Parliament, Shevardnadze won an overwhelming 96% of the vote. Most international observers judged the poll to be free and fair¹¹. However, due to political violence in Samegrelo, continuing hostilities in Abkhazia and a *de facto* separatist regime in Tskhinvali, polling was postponed indefinitely in nine districts within these regions. Thus only seventy-five majoritarian deputies were elected.

⁸ Bartholomew, *Georgia Country Profile*.

⁹ My thanks to Ghia Nodia for this observation.

¹⁰ Bartholomew, *Georgia Country Profile*; interviews with the author; The Caucasian Institute of Peace, Democracy and Development, *The Georgian Chronicle Monthly Bulletin: Major Events and Trends in Politics, Economy and Social Life*, January-February 1993 at www.cipdd.org/cipdd/GCh/, accessed October 2001.

¹¹ See, for example, US Department of State, *Georgia Human Rights Practices, 1993* at www.geocities.com/bcahoon.geo/Georgia.html, accessed October 2001; Suzanne Goldenberg, *Pride of Small Nations: The Caucasus and Post-Soviet Disorder* (London: Zed Books, 1994), 99.

Why did the new leadership allow free and fair elections? Certainly the track records of paramilitary leaders Ioseliani and Kitovani do not mark them down as “democrats”. However, the answer to this question is simple: it was an eminently rational thing to do. First, as was mentioned earlier, there was the overriding need to “bring all political forces on board” and keep the opposition off the streets. Second, there was a need to gain international legitimacy and receive much needed foreign credit (whether this was for their own interests or for that of the country is another question), and the holding of free elections as well as the return of Shevardnadze gave Georgia the semblance of statehood. Third, elections posed no risk for the new leaders; for Shevardnadze, his short-term popularity assured him of victory in much the same way as Gamsakhurdia’s popularity had assured him of victory just over one year earlier, while Ioseliani and Kitovani could rely on their armed groupings to make sure they would remain in *de facto* control, even if they failed to gain representation in parliament. The elections were more or less an irrelevance for Ioseliani and Kitovani; they did not belong to any political bloc and instead stood (and won) in single mandate constituencies. Far more important for them was the fact that their power on the ground assured them of continuing predominance.

Shevardnadze Consolidates Power: An Oligarchy is Established 1995-2000

By the time of the next parliamentary and presidential elections, which were held on 5 November 1995, the election law had been changed once again and a 5% threshold was established for parties and blocs aiming to enter parliament by the proportional system. At the same time the regional party lists were replaced by a single national party list. By now Shevardnadze and forces close to him had managed to marginalize both the paramilitary groups and the pro-Gamsakhurdia opposition, and therefore no longer feared the danger of a street opposition. Moreover, a “ruling party”, the Citizens’ Union of Georgia (CUG), had been created in November 1993 by Shevardnadze’s supporters. Thus power had been consolidated in the hand of a pro-Shevardnadze elite (or rather several different elites united in their support for the Head of State) and this elite felt much less threatened by the opposition than had been the case three years earlier. As a consequence, both the electoral rules and the procedures that took place on election day were deliberately devised to assure victory for the CUG, of which Shevardnadze was Chairman.

The result of the elections was that the CUG won almost half the seats (or more than half the seats if one includes loyal independents) despite winning only 23.71% of the vote. In the

proportional system, 61.5% of the population voted for parties that failed to overcome the 5% barrier and these votes were therefore wasted. Three parties gained between 4% and 5%, including two parties that had previously supported Gamsakhurdia, leading to widespread suspicions that their vote had been artificially “massaged” to fall short of 5%. In the presidential elections, Eduard Shevardnadze won with 74.32% of the vote. According to some sources, however, there was a real fear amongst members of the Shevardnadze camp that he might lose to his rival, former First Secretary of the Georgian Communist Party Jumber Patiashvili, and in at least one district where Patiashvili was winning, the vote tallies for the two men were simply swapped over¹². The OSCE described the elections as generally free and fair, except in Atchara, where significant violations were observed. However local observers were more critical, and reported significant irregularities. Thus we see an erosion in the electoral element of democracy between the 1992 and the 1995 elections.

However, this did not mean that all power was concentrated in the hands of Eduard Shevardnadze as some observers have claimed. Pluralism remained, but it was a more regulated, intra-elite pluralism from which populist mass movements that were so dominant just three or four years previously were more or less excluded. In the first place, pluralism existed within the ruling party, the CUG. This party was a broad coalition of rather uneasy bedfellows: former Communist Party apparatchiks and part of the Soviet-era industrial elite, who were dominant in the regional branches of the CUG; younger reform-minded (and often western-educated) individuals who had been brought in by the former leader of the Green Party, Zurab Zhvania¹³; and members of the liberal intelligentsia. A second political centre formed around the autocratic Chairman of the Supreme Council of Atchara, Aslan Abashidze. This was the Union of Democratic Revival (UDR), which constituted a second “ruling party” based around the Atcharan political elite and which gradually developed a conflictual relationship with the CUG, particularly with its reformist wing. Both ‘ruling parties’ managed to overcome the five per cent barrier in the 1995 elections, a feat that was accomplished by only one other party, the National Democratic Party, which had begun as a dissident organisation and now represented “soft” opposition to Shevardnadze.

This “oligarchisation” of politics continued throughout the late 1990s. Political power became somehow “feudalised” as various elite cliques (generally economic clans rather than ideologically-based parties) all demanded official posts and the lucrative resources associated

¹² Source: interviews with the author.

¹³ Zhvania was elected Secretary General of the CUG at the party’s founding congress in November 1993. After the 1995 elections he became Chairman of Parliament.

with them. This feudalisation took place at two levels. First, at local level considerable power accrued to regional bosses, primarily the "governors" or authorised representatives to the regions, and, to a lesser extent, the presidential appointees at rayon level (*gamgebelis*). Second, power became feudalised *sectorally* in that certain individual ministries or even informal "circles of friends" within the political elite themselves came to form their own informal centres of power. Thus all main elite actors were guaranteed a piece of the cake, both in terms of official posts and in terms of deputies' mandates.

This system of oligarchic power-sharing became even more vividly apparent in the results of the 1999 parliamentary elections. The two main protagonists were the CUG, on the one hand, and a bloc grouped around Abashidze's UDR, on the other. These two blocs gained 41.75% and 25.18% of the vote respectively, according to official returns. The only other party to overcome the threshold required to enter parliament on the proportional basis, which had now been raised to 7%, was another party based around an economic elite, "Industry Will Save Georgia". According to official figures, this party garnered 7.08% of the vote. Both local and international observers noted numerous instances of electoral fraud. As a result of these elections, none of the parties that won seats in the 1999 elections were socially embedded; they were instead based on cliques that were an integral part of the political and economic elite. Their political programmes were vague and lacked credibility, suggesting that for these groups political ideology was mere window-dressing, cooked up to disguise the true (resource-driven) logic of their existence.

Electoral fraud was most evident during the 2000 presidential elections, which, according to official figures, Shevardnadze won with 79.82% on a turnout of 75.86%. However, while most independent observers agree that Shevardnadze obtained more votes than his rival, Jumber Patiashvili, they doubt whether even 50% of the electorate turned out to vote¹⁴. According to the Constitution, if less than 50% of eligible voters cast their ballots in presidential elections, new elections must be held within two months (Article 70). This was a situation that Shevardnadze's circle were prepared to do their utmost to avoid.

Non-democratic elections in 1999 and especially in 2000 were essential for maintaining the elites' grip on power. Shevardnadze and his cliques were now no longer popular and truly competitive elections threatened their grip on power. As so-called "administrative resources" (i.e. control over the country's bureaucracy) provided their only guarantee of continued

¹⁴ Interviews with the author.

predominance, they feared that losing such resources would put a permanent end to their oligarchic rule.

The Rise of the Third Sector 1995-2003

Paradoxically, however, the failure of any one clique to gain hegemony over all the others and the consequent pluralism that existed in the Georgian political system allowed for the establishment of a relatively free media and an NGO sector that was quite active, at least in comparison with most other former Soviet republics. The reformist members of the CUG, many of whom had positions of authority in the parliament (Zurab Zhvania was Chairman of Parliament and other so-called reformers were chairpersons of parliamentary committees) were keen to promote rather progressive legislation such as the Civil Code (which improved the legal basis for the registration of NGOs) and the Law of the Courts (which aimed at improving the professionalism of the judiciary). As a result, the number of NGOs mushroomed, especially during the period 1995-98; several became quite powerful and even managed to play a role in drafting and amending legislation.

Within the media, of particular importance was the independent television channel, Rustavi-2, which was established in 1994, originally as a local channel in the town of Rustavi. In 1996, Rustavi-2 had its licence revoked by the Ministry of Post and Communications, supposedly on the grounds that the station was registered as a limited liability company without specifying that broadcasting would be one of its activities. As a result of the Ministry's action, Rustavi-2 was off the air from July 1996 until May 1997, when the Supreme Court found in the company's favour and it was allowed to resume broadcasting. During this period two Rustavi-2 journalists, Levan Ramishvili and Giga Bokeria, spearheaded the defence of the channel by establishing their own NGO, the Liberty Institute, which became one of the most important NGOs involved in the defence of media freedom and freedom of speech in general.

The Liberty Institute and other powerful NGOs were generally perceived as being close to the reformers' group within the CUG and it would appear that Zurab Zhvania and Mikheil Saakashvili (a Columbia University law specialist who Zhvania invited back from the USA to become a leader of the CUG and who in October 2000 became Minister of Justice) were attempting to use them as a support base. Through their influence, several representatives of NGOs were elected on the CUG party list in the 1999 parliamentary elections. During the period 1999-2001, these NGOs became much more critical of the Georgian government for its failure to

fight against corruption and its apparent desire to stall, if not reverse, democratic reforms. At the end of October 2001, the Liberty Institute helped organise demonstrations in defence of Rustavi-2 after an attempt by officials from the Ministry for State Security to raid the premises of the TV channel, ostensibly on the pretext that the company owed the state unpaid taxes. The demonstrators, who at one point numbered between five and ten thousand, demanded the resignation of Minister for Internal Affairs, Kakha Targamadze (who several days previously had threatened to 'smash' anyone who opposed him), and of Shevardnadze himself. The outcome was that Zurab Zhvania agreed to resign as Chairman of Parliament, providing Targamadze also left his post. On 1 November, following the resignation of both men, Shevardnadze dismissed *all* his ministers, although he later re-appointed most of them (with the exception of Targamadze and the Minister of State Security, Vakhtang Kutateladze).

From that time on the reformers' group formed within the CUG joined the opposition and formed separate parliamentary factions. The CUG as a party then began to collapse and by July 2003 had only 13 members in its parliamentary faction, as compared with 119 members in February 2000. Shevardnadze himself had resigned as Chairman of the party in September 2001, which acted as a trigger for the collapse. A large part of the NGO movement had sympathies with Mikheil Saakashvili; following his resignation as Justice Minister in September 2001, Saakashvili became the most outspoken member of the opposition. Meanwhile, the Liberty Institute was attempting to develop a strategy to force Eduard Shevardnadze out of office; their aim was to reproduce the democratic movement in Serbia that eventually brought about the fall of Slobodan Milosevic by creating a strong network of civic organisations and a *united* opposition. In April 2003, the students' movement *Kmara* was established with the support of the Liberty Institute on the basis of the breakaway students' union "Students Self-Government Development", which had broken away from the official Union of Students and Postgraduates in April 2001¹⁵. The establishment of *Kmara* followed a fact-finding visit of Serbia by Bokeria and Ramishvili, which was funded by the Soros Foundation: *Kmara's* aim was to emulate the Serbian "OTPOR" resistance movement, which had helped depose Milosevic.

The "Rose Revolution" and its Aftermath 2003-04

As the November 2003 parliamentary elections approached, Eduard Shevardnadze and his pro-government "For a New Georgia" bloc, which had been cobbled together in the summer mainly

¹⁵ *Georgian Times*, 1 May 2001.

by members of the executive branch of government¹⁶, faced a dilemma: allow free and fair elections and risk losing power (if not immediately then inevitably after the presidential elections scheduled for April 2005) or resort to fraud and risk a well-orchestrated popular revolt. The opposition was now much more well-organised than previously, was led by experienced politicians such as Saakashvili and Zhvania, and had already demonstrated its capacity to mobilise the population during the Rustavi-2 protest in 2001. Shevardnadze's clique, on the other hand, still had "administrative resources" at its disposal, but had no social base from which it was able to draw support¹⁷. Thus, the President's supporters knew that once they lost power, they would lose it permanently and would never persist as a political force (as subsequent events confirmed). Moreover, the bureaucratic system which characterised Shevardnadze's mode of governance was based on the old late-Soviet model in which the norms were rule-breaking, corruption, and the collection of *kompromat* (compromising material) to discredit one's opponents. Thus there was a real fear that many in Shevardnadze's circle would be prosecuted were they to relinquish their grip on power. Electoral fraud thus appeared to be the only option for them.

Fraud, however, was made problematic by the decision of Rustavi-2 to publish an exit poll on the evening of election day, which was carried out by the US Polling Firm, Global Strategy Group, and by the fact that Shevardnadze's supporters were unable to prevent a clause allowing non-governmental organisations to carry out a parallel tabulation of the votes from being introduced into the electoral code. After the election, as official returns trickled in gradually from the constituencies, it became clear that the counts did not tally and that the two 'ruling parties' (i.e. the CUG and UDR, who despite their earlier differences were now co-operating) were having their votes artificially inflated, mainly at the expense of Saakashvili's National Movement, which, according to both the parallel count by the NGO "Fair Elections" and the exit poll, had won by a margin of around 10%. When the official results were finally published, nearly three weeks after the vote, the "For A New Georgia" bloc was in first place with 21.32%, Abashidze's UDR was second with 18.84%, Saakashvili's National Movement was third with 18.08%, followed by the Labour Party with 12.40%, the Burjanadze Democrats (led by the Speaker of Parliament, Nino Burjanadze, and Zurab Zhvania) with 8.79% and another business-based party, the New Rights, with 7.35%. All other parties failed to surmount the 7% barrier. The OSCE condemned the vote as marred by numerous irregularities.

¹⁶ Although Irina Sarishvili-Tchanturia's previously oppositional National Democratic Party also joined.

¹⁷ While it is true that most members of ethnic minorities (Azeris and Armenians) supported Shevardnadze, they did so more out of fear of a return to the ultra-nationalism of the past, than out of any sense that Shevardnadze's group represented them.

By that time, protest action by the opposition was already two weeks old. The protests were led by Mikheil Saakashvili, Nino Burjanadze and Zurab Zhvania and a key role was played both by Rustavi-2 (who gave considerable publicity to the opposition and announced when and where there would be demonstrations) and *Kmara*, which mobilised mainly young people to demonstrate. After Mikheil Saakashvili led his supporters from the regions to Tbilisi on 22 November, culminating in a huge rally and the occupation of Parliament by the opposition, Eduard Shevardnadze resigned and Nino Burjanadze, as Speaker of Parliament, became interim President until new elections were held.

The new leadership (i.e. Saakashvili, Burjanadze and Zhvania) then set the date of the presidential elections for 4 January 2004 and Mikheil Saakashvili was chosen as their joint presidential candidate. Given Saakashvili's enormous popularity in the wake of the so-called Rose Revolution, no major political figure chose to stand against him, except Temur Shashiashvili, the former governor of the western region of Imereti, who had his small following of loyal supporters. In the event Saakashvili won with 96.27% compared with 1.85% for Shashiashvili. The OSCE concluded that "the 4 January 2004 extraordinary presidential election in Georgia demonstrated notable progress over previous elections, and brought the country closer to meeting international commitments and standards for democratic elections", adding that "the authorities generally displayed the collective political will to conduct democratic elections, especially compared to the 2 November 2003 parliamentary elections that were characterized by systematic and widespread fraud"¹⁸. Thus the elections were more or less free and fair, if not particularly competitive.

Following a decision by the Supreme Court on 25 November 2003 to satisfy an appeal by Fair Elections and cancel the proportional results of the 2 November parliamentary elections, repeat parliamentary elections were held on 28 March 2004 for the 150 seats that are decided by the proportional vote. However, the Supreme Court did not cancel the results of the vote for single mandate districts and therefore most of 75 candidates elected by the first-past-the-post system on 2 November 2003 were allowed to take their seats¹⁹. According to international observers, the March elections represented a further improvement in democratic standards and marked "commendable progress", in the words of the OSCE. However, the new "ruling coalition" of Saakashvili, Burjanadze and Zhvania, united in a bloc called "National Movement – Democrats",

¹⁸ http://www.osce.org/documents/odihr/2004/01/1765_en.pdf.

¹⁹ Except in cases where the elections were not held, or where the elected member was either prosecuted or appointed to the executive branch.

won 90% of the seats, as the seven per cent barrier excluded some smaller parties, such as the Labour Party and the UDR. According to official results, the bloc of the new government won with 66.24% of the vote and received 135 proportional seats. The only other party or bloc to surmount the 7% barrier was the moderate opposition bloc, “Right Opposition” (a coalition of “Industry Will Save Georgia” and the New Rights), which won 7.56% of the vote and 15 seats. Deprived of administrative resources, the “For a New Georgia” bloc had ceased to exist and the only remaining fragment of this bloc that participated in the March elections, the Georgian Socialist Party, secured just 0.48% of the vote.

Thus the 2004 elections in many ways represent a return to the presidential elections of 1991 or the 1992 elections for the post of Chairman of Parliament. Electoral fraud was unnecessary, because the power-holders were going to win anyway. Moreover, falsification would have actually been counter-productive as it would have damaged the new government’s reputation both at home and abroad. International good will was particularly important for the new government not only because of its espoused pro-western orientation, but also because of the need for foreign credit. Once again, the decision on how to conduct elections was based on the rational calculation that more or less free and fair elections would bring greater benefits to the new leadership than rigged ones. As yet, however, there is no evidence that there is any real inculcation of democratic norms in the body politic of Georgia.

Although the new government in Georgia clearly enjoys popular legitimacy (unlike most other governments in the Commonwealth of Independent States), if democracy is to become institutionalised, democratic elections must evolve from a “useful strategy” to an accepted element of a democratic political culture. While this article has focused on Georgia, this challenge is equally relevant for most other republics of the former Soviet Union. How the international community can help consolidate these norms is the topic of the final part of the paper.

Democracy Promotion in the CIS: Lessons Learned

The above discussion provides us with some useful lessons about how international democracy-building organizations can devise strategies to improve democratic governance in the former Soviet union. In my view, the most important lessons are the following:

First, parties matter. Parties are the vehicles of democracy. The problem in Georgia and in most of the rest of the Soviet Union is that parties are not institutionalised, have no coherent political programme and are either based on (oligarchic) business interests or act simply as a “fan club” for some charismatic individual. Moreover, parties in government tend to act as “ruling parties”, in other words they have at their disposal “administrative resources” which gives them control of, or at least influence over, a substantial part of the state bureaucracy. However, they are hierarchical organizations that are not socially embedded and lack any meaningful links with the population. Thus, once they lose access to the levers of power, they are likely simply to disappear. This means that for them elections are a battle for survival and the stakes are therefore very high. In such circumstances, fraud is almost inevitable. To date, few democracy-promoting initiatives have worked with political parties and a change in emphasis would therefore be desirable²⁰.

What is needed is a strategy for building political parties “from the bottom up”, so that they can become wedded to more or less stable interest groups within society rather than merely cliques within the state bureaucracy. Once a party represents a “core group” in society, it may lose elections, but it will be able to maintain its influence and live to fight again in subsequent elections because it enjoys a social base from which it can draw support. The development of “socially embedded” political parties lowers the stakes at election time and (hopefully) will make fraud less likely.

Second, a free media is essential for the establishment of democratic governance. A fairly obvious point, but one which is still worth emphasising. As we have seen, media channels, particularly Rustavi-2, played a key role in the so-called “Rose Revolution” that removed Shevardnadze’s government. Through the media, Georgian citizens were more or less aware of the Georgian government’s shortcomings. Political conflicts were openly aired, government corruption entered the realm of public knowledge and humorous programmes openly mocked the president and his government. However, it should be made clear that independent television has a far greater impact than independent newspapers in the CIS; few people read newspapers, while most of the population (or at least most of the urban population) watch television.

Third, the establishment of a democratic system is impossible as long as Soviet era norms remain a defining feature of post-Soviet political elites. Soviet era norms remain entrenched

²⁰ There are, of course, a few exceptions to this tendency. The German Konrad Adenauer Foundation (KAS) as well as the US-based International Republican Institute (IRI) and National Democratic Institute (NDI) all support the development of political parties.

in the organisational culture of the *apparat* in most of the CIS. This organisational culture is characterised by rule-breaking, dissimulation, corruption, clientelism, indifference towards the affairs of ordinary citizens, and an extreme degree of dependency on superiors. It has also led to the proliferation of informal patronage networks. In this system control is exercised by collecting compromising material (*kompromat*) on one's opponents and political struggles are aimed at discrediting one's opponent, rather than criticising his or her policies.

Under such a backdrop a ruling elite is most unlikely to relinquish power of its own free will. The only way to survive in such a political culture is by breaking the rules and by acting illegally. Therefore, once an elite loses power, its members will be discredited or even imprisoned by its newly-ascendant rivals. In fact, this is precisely what has happened to members of Shevardnadze's government. Under such circumstances, political elites will spare no effort to resist democratic mechanisms that may loosen their control of government.

This feature is particularly hard to eliminate. Elite political culture is slow to change, at least without the sort of revolutionary changes that occurred in Georgia in November 2003 (and even here it is still too early to tell the extent to which this culture has really changed). "Democracy promoters" can adopt one of two strategies. First, if they believe that an opposition movement has a real possibility not only of gaining power but of bringing about a significant "sea change" in elite culture, then it may be worth their while to actively support the opposition. This was the strategy used by the Soros Fund in Georgia, where the opposition was already well-organised and its leaders had some experience of government. However, this is not always possible, as in most republics of the CIS the opposition remains weak and divided. A second "softly softly approach" would be to attempt gradually to change the organisational culture, by working with government structures to encourage decentralisation, personnel changes, reduced emphasis on targets and more emphasis on quality of work. This, however, is only likely to work if the government shows a genuine commitment to reform, such as is apparently the case in Georgia at the present moment.

However, there may come a point when it becomes patently obvious that the government has no wish to reform and that further co-operation with government structures is pointless. It is noteworthy that Georgia was the second biggest per capita recipient of foreign aid in the world during the Shevardnadze era, but saw little, if any, improvement in either living standards or standards of democratic governance. It is difficult to avoid coming to the conclusion that foreign assistance programmes in general and democratic governance projects in particular proved

advantageous both to corrupt government officials and to western “consultants” who managed to earn six-figure salaries for their “contributions”. Such projects can only give rise to cynicism amongst the population of the target state, especially given that some of them are in the form of loans whereby the six-figure salaries must eventually be paid back from the country’s own budget!

Fourth, interventions are never politically neutral. Donors must appreciate that empowering society and society’s capacity to influence decision-making at local and national level is not a politically neutral activity and will have implications for the future of society. If they are to have any meaningful effect at all, such activities will inevitably cause conflict between the new civil society organisations and semi-authoritarian national governments. This is not to say that such conflicts are necessarily a bad thing, and it is even possible that their consequences may eventually lead to the establishment of a more stable, democratic and prosperous state. The point is simply that before intervening, donor organisations must analyse the possible implications of what they are doing.