SSOAR

Open Access Repository

www.ssoar.info

No Dream in Georgia? Domestic quarrels and local elections show: "winner takes all" likely to continue

Schiffers, Sonja; Smolnik, Franziska

Veröffentlichungsversion / Published Version
Stellungnahme / comment

Zur Verfügung gestellt in Kooperation mit / provided in cooperation with:
Stiftung Wissenschaft und Politik (SWP)

Empfohlene Zitierung / Suggested Citation:
Schiffers, S., & Smolnik, F. (2017). *No Dream in Georgia? Domestic quarrels and local elections show: "winner takes all" likely to continue.* (SWP Comment, 43/2017). Berlin: Stiftung Wissenschaft und Politik -SWP- Deutsches Institut für Internationale Politik und Sicherheit. https://nbn-resolving.org/urn:nbn:de:0168-ssoar-55109-0

Nutzungsbedingungen:
Dieser Text wird unter einer Deposit-Lizenz (Keine Weiterverbreitung - keine Bearbeitung) zur Verfügung gestellt. Gewährt wird ein nicht exklusives, nicht übertragbares, persönliches und beschränktes Recht auf Nutzung dieses Dokuments. Dieses Dokument ist ausschließlich für den persönlichen, nicht-kommerziellen Gebrauch bestimmt. Auf sämtlichen Kopien dieses Dokuments müssen alle Urheberrechtshinweise und sonstigen Hinweise auf gesetzlichen Schutz beibehalten werden. Sie dürfen dieses Dokument nicht in irgendeiner Weise abändern, noch dürfen Sie dieses Dokument für öffentliche oder kommerzielle Zwecke vervielfältigen, öffentlich ausstellen, aufführen, vertreiben oder anderweitig nutzen.
Mit der Verwendung dieses Dokuments erkennen Sie die Nutzungsbedingungen an.

Terms of use:
This document is made available under Deposit Licence (No Redistribution - no modifications). We grant a non-exclusive, non-transferable, individual and limited right to using this document. This document is solely intended for your personal, non-commercial use. All of the copies of this documents must retain all copyright information and other information regarding legal protection. You are not allowed to alter this document in any way, to copy it for public or commercial purposes, to exhibit the document in public, to perform, distribute or otherwise use the document in public.
By using this particular document, you accept the above-stated conditions of use.

gesis Leibniz-Institut für Sozialwissenschaften

Mitglied der Leibniz-Gemeinschaft

SWP Comments

Stiftung
Wissenschaft und
Politik

German Institute
for International and
Security Affairs

No Dream in Georgia?

Domestic Quarrels and Local Elections Show: "Winner Takes All" Likely to Continue

Sonja Schiffers and Franziska Smolnik

Even though the country is a regional frontrunner, Georgian democracy is not yet consolidated. Parliamentary elections in 2016 saw the governing Georgian Dream returned with a constitutional majority. The October 2017 local elections brought the ruling party another sweeping victory. Despite Georgian Dream's overwhelming electoral successes, the country faces voter apathy. Alongside lack of parliamentary controls and a fragmentation of the party-political spectrum this does not bode well for consolidating democracy in the near future.

The governing Georgian Dream (GD) scored a resounding victory in the October 2016 parliamentary election, winning 115 of the 150 seats. That just exceeds the threshold of 113 required to amend the constitution. The result dashed hopes that the transition from a presidential to a parliamentary system would foster stable party politics with at least two strong camps. It had been widely expected that former President Mikheil Saakashvili's United National Movement (UNM) would mount an earnest challenge. Instead the UNM collapsed from 65 to 27 seats (but remained the second-largest party). Rather than by disagreement with the UNM's policies, however, the defeat was driven by voters' personal rejection of ex-president Mikheil Saakashvili in a political environment strongly fixated on individuals.

Other political forces were largely wiped out. The Free Democrats and the Republican Party – both small but courted by the West – failed to win a seat between them. Potentially even worse for their future prospects is the departure of many leading figures after the defeat. It remains in the balance whether these parties can recover from the blow, or whether new formations emerging from the election aftermath might gain an earnest footing. In the first place, the founding of new groups suggests further fragmentation.

Weak Opposition – Inadequate Controls

Georgian Dream benefits in particular from discord within the main opposition party. In January 2017 21 of the UNM's 27 deputies quit their parliamentary group to form the breakaway Movement for Liberty – European Georgia (EG). The split was preceded by months of conflict within the party revolving largely around the role of its founder

Sonja Schiffers is a Visiting Fellow, Dr. Franziska Smolnik an Associate in SWP's Eastern Europe and Eurasia Division

Saakashvili. The breakaway group had been calling for more distance from the UNM's mastermind. Internal rivalries were only one aspect; they also felt a realignment was essential to win back support beyond the party's core base. Supporters of the rump UNM continue to stress their loyalty to Saakashvili. Although he has been stripped of his Georgian citizenship and remains abroad, the leadership is kept open for him. The post is likely to remain vacant for some time to come, given that Saakashvili faces prosecution for abuse of power if he returns, and possible imprisonment.

The dominance of Georgian Dream places question marks over the effectiveness of (parliamentary) control over government, the long-term stability of the division of powers and ultimately the consolidation of democracy as a whole. Critics of Georgian Dream see the danger of de facto one-party rule – as previously under Saakashvili's UNM. The depth of the divisions and the ubiquitousness of zero-sum thinking is illustrated very clearly by two central domestic issues: the constitutional reform process and the conflict over ownership and control of broadcaster Rustavi 2.

Constitutional Reform – Uncompromising Stances

Constitutional reform is a central project for Georgian Dream's second term. The declared goal is to complete the transition from a presidential to a parliamentary system, which was initiated in 2010 and passed by parliament in 2013. Georgian Dream is in a very comfortable position, possessing a majority large enough to pass constitutional amendments on its own. Opponents of reform accuse Georgian Dream of exploiting its legislative dominance to rewrite the constitution in a manner that will primarily boost its own power.

New modalities for presidential and parliamentary elections are especially controversial. According to the new constitution the president will no longer be chosen directly by the populace, but indirectly through an election board. Moreover, the future role of the president will be a rather ceremonial one. The governing party argues that both these changes are appropriate in a parliamentary system, while the opposition and the current head of state regard them as an attempt to abolish independent institutions with popular legitimacy of their own. Although the reform would no longer affect the current President Giorgi Margvelashvili, it nevertheless appears to represent an affront because he has become one of the government's foremost critics.

The opposition and various NGOs also accuse Georgian Dream of tailoring the parliamentary voting system to serve its own needs. Under the new constitution, parliamentary elections will move to an exclusively proportional system. While the opposition supports this provision, it sees no reason to wait until 2024 for the change to come into effect. As matters currently stand, the next parliament would still be elected under the current arrangement that combines proportional representation and first-past-the-post – which could again secure a large majority for Georgian Dream.

Perhaps even more than disputes over substance, the procedural fight demonstrates the deep divide between ruling party and opposition. The president boycotted the reform commission from the moment it was established by Georgian Dream, and European Georgia collected 150,000 signatures calling for a referendum on the new constitution. The governing party forced first and second readings through parliament in June 2017. Attempts by the Council of Europe's Venice Commission to mediate between the two sides came to nothing. Just days after the president and twenty opposition parties presented a counter-proposal, Georgian Dream passed the constitutional amendments with only marginal concessions in a third reading on 26 September. President Margvelashvili vetoed the draft bill – albeit to no avail. After Georgian Dream used its parliamentary majority to override the president's veto, Margvelashvili ultimately gave

in and signed the amendments into law on 19 October 2017.

Rustavi 2 and Fights Over Media Ownership

Changes in the media landscape provide further insights into the state of the country's democracy. It would seem strangely coincidental that all three parties elected to the Georgian parliament in October 2016 enjoyed privileged access to broadcasting – television being Georgia's most important information medium. That explains the great national and international attention devoted to the dispute over ownership of the TV station Rustavi 2. Kibar Khalvashi, the station's former owner, alleges he was forced to sell it for less than its real value in 2006. Rustavi 2 fell into the hands of supporters of then President Saakashvili, with repercussions for its political stance. After Georgian Dream came to power in 2012 and Saakashvili was voted out of office in 2013, Rustavi 2 maintained its allegiance to the UNM, and remained very critical toward Georgian Dream. For some years Khalvashi – whose brother is a Georgian Dream deputy – has been pursuing legal action to have the 2006 sale annulled.

The Rustavi 2 dispute needs to be seen in a wider context of changes in the Georgian media landscape since 2012. Another station, the very popular Imedi TV, had been forced to close in 2007 under Saakashvili, and reopened in 2009 under new leadership, now loyal to him. After Georgian Dream took power it was returned to the heirs of the (meanwhile deceased) former owner. Imedi TV is now regarded as the mouthpiece of the Georgian Dream government. This makes Rustavi 2 the last influential broadcaster within Georgia that is critical towards the government. Many fear that it would come too close to the state leadership if it were returned to the former owner – as occurred with Imedi TV.

The Rustavi 2 case went through all the appeals. Finally, in early March 2017, the Supreme Court of Georgia ruled that the station was to be returned to its original owner. The ruling provoked vocal protests, with many renowned civil society organisations questioning the impartiality of the courts over Rustavi 2. They saw the decision as an attempt by the government to bring the main opposition media outlet under its control. International watchdogs like Amnesty International and the Council of Europe's Commissioner for Human Rights also criticise the Georgian judiciary's lack of independence in this and other cases.

As with the constitutional reform, the incident called an international body into play. In a legally binding interim measure, which it issues only in exceptional cases, the European Court of Human Rights called for the Georgian Supreme Court ruling to be suspended indefinitely and urged the Georgian government to "abstain from interfering" in the "editorial policies" of Rustavi 2. Whether or not political pressure was actually exerted upon the Georgian Supreme Court, the future of Rustavi 2 – and of the country's media pluralism as a whole – appears to remain uncertain.

Local Elections and the Electorate

Despite garnering less (international) interest than last year's parliamentary elections, Georgia's recent local elections had been discussed as potential reality check for the ruling party's popularity – in particular given the domestic controversies. Special attention was accorded to the mayoral elections in the capital Tbilisi with its population of 1.1 million (more than a quarter of Georgia's overall 3.7 million). Here, as in three of the other four self-governed cities, the Georgian Dream candidate won in the first round. Georgian Dream's sweeping success was facilitated not least by the strong fragmentation of the party landscape and in particular of the opposition: In Tbilisi eight candidates vied for the mayoral office, four of them nominated by opposition parties with a decidedly pro-Western orientation. Country-wide, Georgian Dream won almost 56 percent of the proportional vote

and all but six of the mayoral races. After the UNM's withdrawal from the runoff, only four districts will see a second round.

Given the campaign financing figures, the election results come as little surprise: Between 1 July and 15 October 2017 Georgian Dream received 11.6 million Georgian lari in donations (approximately €4 million), compared to less than 1 million Georgian lari for European Georgia and approximately 108 thousand for UNM. The National Democratic Institute criticised the unevenness of the political playing field in the run-up to the elections, even though on election day only minor violations were noted, and fundamental freedoms were generally respected.

Before the local elections of October 2017 it seemed that support for the governing party had fallen. A survey by the National Democratic Institute published in June 2017 found only 23 percent support for Georgian Dream, compared to 40 percent in November 2016, shortly after the parliamentary election. Despite the crushing parliamentary majority won by Georgian Dream, no Georgian party, however, has succeeded in securing a long-term electoral base. That includes Georgian Dream, whose performance in the recent local elections should not be misread as proving otherwise. Indeed, political cleavages are vague and voters tend not to understand parties as committed advocates of particular interests and programmes. According to a survey by the International Republican Institute published in March 2017, only 13 percent of respondents have faith in Georgian Dream to solve the country's most urgent problems; more than 70 percent are negative towards political parties in general.

Outlook

The constitutional reform process and the Rustavi 2 dispute reveal a number of central obstacles to a consolidation of democracy. Politics remains a "winner takes all" affair, with vested and power interests coming before pluralism and division of powers. Fewer than 52 percent of the electorate bothered to vote at all in the parliamentary vote (and less than 46 percent in the local elections of October 2017). Of those who did vote in 2016, less than 50 percent chose Georgian Dream in the PR ballot that decided 77 of the 150 seats. Georgian Dream owes its narrow constitution-amending majority to its success in the first-past-the-post constituency ballot that distributed the other 73 seats (of which it won all but two). Yet Georgian Dream is still unwilling to seek broader consensus or make compromises with the opposition. With its huge majority it can always outvote the parliamentary opposition and override any veto by the critical president. Georgian Dream's recent success in the local elections will likely further boost its resolve. But riding roughshod over its opponents will do little for public confidence in parliamentary democracy. At the same time, the opposition is showing little willingness to compromise either. In the near future, Georgian (domestic) politics will thus likely remain characterised by fickleness and stalemate.

© Stiftung Wissenschaft und Politik, 2017
All rights reserved

These Comments reflect the authors' views.

SWP
Stiftung Wissenschaft und Politik
German Institute for International and Security Affairs

Ludwigkirchplatz 3–4
10719 Berlin
Telephone +49 30 880 07-0
Fax +49 30 880 07-100
www.swp-berlin.org
swp@swp-berlin.org

ISSN 1861-1761

Translation by Meredith Dale

(Updated English version of SWP-Aktuell 71/2017)