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Georgia's 2016 Parliamentary Election: One Year Later

By Tornike Zurabashvili

Abstract

This article reviews the results of Georgia's 2016 parliamentary elections and assesses the post-electoral political development, focusing on the constitutional reform process and the dramatic changes in the opposition spectrum that followed the polls. The article concludes that despite the overall democratic conduct of parliamentary elections one year ago, the political implications in the aftermath have been worrisome. The ruling Georgian Dream-Democratic Georgia party solidified its presence in the Parliament, while the liberal opposition spectrum has become fragmented and further weakened, losing its leverage for influencing everyday political decisions. The ruling party has also embarked on an ambitious and single-handed journey to transform the country's constitution, including pushing through the widely denounced abolition of direct presidential elections and postponing its earlier plans to transition into a fully proportional parliamentary representation in 2020.

Introduction

On 8 October 2016, Georgia held its eighth parliamentary elections since it regained independence in the early 1990s. Georgia's constitution, which holds the cabinet accountable solely to the 150-member legislature, makes parliament a pivotal player in its political system and the parliamentary elections a milestone event in the country's political existence.

In Georgia's mixed electoral system, voters elect 73 members of parliament in majoritarian, single-seat constituencies (more than 50 percent of votes are required for an outright victory). The remaining 77 seats are distributed proportionally in the closed party-list contest among the political parties that clear a 5 percent threshold.

The 8 October elections ended with an overwhelming victory for the ruling party. The Georgian Dream-Democratic Georgia (GDDG) party garnered 48.68 percent of the votes and 44 mandates in a nationwide party-list contest. The GDDG party's major contender—the United National Movement (UNM) party—finished with 27.11 percent of the votes and obtained 27 mandates. The Alliance of Patriots, the third party to enter parliament, narrowly cleared the five percent threshold and secured six parliamentary mandates. No other potential entrants have come close to the five percent threshold, except the Free Democrats who were just 0.37 percent short of passing the target.

The GDDG party also secured an outright victory in 23 single-seat electoral districts in the first round of elections and won almost all runoffs on 30 October, thus claiming a constitutional majority of 113 seats in the Parliament. Only one oppositional candidate managed to win a majoritarian contest (representative of the Industrialists party) along with one GDDG-supported but formally independent candidate (former Foreign Affairs Minister Salome Zurbashvili). The former—

Simon Nozadze—joined the GDDG's parliamentary majority group soon after the polls, increasing the ruling party's parliamentary representation to 116 MPs.

A New Political Configuration

Despite some allegations of unlawful campaigning and several cases of violence, Georgia's 2016 parliamentary contest was mostly peaceful, competitive and well-administered. Fundamental freedoms were generally observed; candidates were able to campaign freely, and voters were able to choose from a wide range of candidates, a significant step forward for Georgia's young democracy.

The political consequences have been worrisome, however. The hopes for a multi-party parliament have been effectively dashed. The pre-electoral expectations for a close race between the incumbent Georgian Dream-Democratic Georgia and the formerly ruling United National Movement appeared to be largely overstated as well; the UNM trailed far behind in the proportional contest and failed to narrow this difference in the majoritarian runoffs. As a result, the GDDG secured a constitutional majority in the parliament, which is a considerable step backwards from the diversity and balance of the previous parliamentary composition.

The Alliance of Patriots, the Georgian replica of contemporary European right-wing populist parties, cleared the 5 percent threshold and obtained six parliamentary mandates, leaving much older and more experienced liberal "third parties" far below the electoral bar and prompting a fundamental reshuffle of the oppositional spectrum. Soon after the elections, Irakli Alasania, leader of the Free Democrats, announced that he would be "temporarily quitting" politics, followed by Davit Usupashvili, the leader of the Republican Party and the former Parliamentary Chairman, who announced that he would be parting ways with the Republicans

and starting a new oppositional political force—the Development Movement. Operatic bass turned politician Paata Burchuladze, whose State for the People party was considered to be a possible third party challenger to the UNM-GDDG duo, won just 3.5 percent of the vote before also leaving politics. One year after the elections, it remains unclear whether the three parties¹ that won a cumulative 9.6 percent of support will survive their defeat and the subsequent high-profile defections.

The Big Schism

The United National Movement was beset by troubles as well. While Mikheil Saakashvili, the country's exiled former president and the leader of the party, called for a boycott of the runoff elections and parliament, the Tbilisi-based party leadership preferred to enter the parliament and the majoritarian runoffs. Saakashvili lost the debate, and the party opted against the boycott, except in the city of Zugdidi where UNM's candidate and Mikheil Saakashvili's wife Sandra Roelofs refused to participate in the second round.

The UNM's expectedly meager performance in the runoffs reignited intra-party frictions and gave the former president an upper hand in the debate. Disagreements emerged on a range of issues, from filling the vacant seat of the party chairperson to the date and scale of the 2017 party convention. The UNM's decision to conduct the convention with 7,000 delegates, as Saakashvili wanted, did not end the crisis. The sides continued exchanging accusations, with the conflict particularly felt in social networks where sympathizers of Saakashvili challenged their numerically fewer opponents and accused them of trying to distance the party from Mikheil Saakashvili and its grassroots.

The four-month tug-of-war ended with the departure of several UNM party heavyweights, including former Parliamentary Chairman Davit Bakradze and former Tbilisi mayor Gigi Ugulava, released from prison in January 2017 after the Tbilisi Court of Appeal requalified the mispending charges against him. They announced that they would leave the party and establish a new political movement under the name of the European Georgia party.

This was not the first time the United National Movement had lost members of parliament; almost 20 lawmakers left in 2012, and more defected in 2015 and 2016. However, the party had successfully managed to minimize the negative consequences of these defections or at least managed to present the impact of such differences as of little importance. The remaining UNM leaders did exactly that this time as well; they commented on several members "defecting" from the party rather than the

European Georgia-advanced "splitting" of the party in an apparent attempt to downplay the significance of the development. Despite their attempts, however, it is clear that the division has significantly affected the party itself and the overall political configuration of the country.

First, the UNM party lost a majority of its lawmakers and the Tbilisi-based leadership, reducing its parliamentary representation to six MPs and stripping the party of some of its most skilled party bureaucrats and opinion-makers. The victory of the less compromising faction under the leadership of Mikheil Saakashvili over its consensus-oriented rivals also signaled the beginning of the party's transformation to a more vocal, protest-oriented movement, with the potential to solidify UNM's traditional support base but repel disgruntled GDDG voters or third party supporters. The fact that the UNM incurred the electoral cost of the division was clearly demonstrated in the National Democratic Institute's June opinion poll, where only nine percent (down from 15 percent in June 2016) of respondents named the UNM as "the party closest" to them, compared to 23 percent who named the GDDG (up from 19 percent in June 2016).

The split has been particularly hard for the European Georgia party and its leaders, whose constituency has never been as stable as that of Mikheil Saakashvili. The party has failed to win over the non-UNM oppositional vote, which could have opened up following the defeat and gradual weakening of liberal third parties. As a result, NDI's July survey shows the party struggling to clear the five percent threshold (the European Georgia party is "closest" for 4 percent of respondents).

The New Constitution

Possibly the most significant political development in the aftermath of the 2016 polls is the constitutional reform process, which completes the country's evolution towards a parliamentary form of government through introducing a number of important changes to the existing institutional arrangement.

The history of the Georgian Dream-led constitutional reform process dates back to 2013, a year after the Georgian Dream coalition won a decisive victory over the then-ruling United National Movement. The three-year tenure of the Constitutional Reform Commission, established to address "serious shortcomings" in the constitution, yielded no result. Lacking intra-coalition consensus and sufficient legislative votes to pass the proposed constitutional amendments, the Georgian Dream coalition backtracked on its plans to amend the country's constitution.

The environment changed drastically in the aftermath of the 2016 parliamentary election. The GDDG,

1 I.e. State for the People party, Free Democrats, Republican Party

with a much larger parliamentary mandate, re-launched the constitutional reform process with the aim of “perfecting” the constitution. The 73-member State Constitutional Commission, consisting of legal experts and representatives of seven political parties, government agencies, and non-governmental organizations, was established on 15 December 2016 and was tasked with offering its official proposals by the end of April 2017.

The Commission endorsed the draft constitutional amendments with 43 votes to eight at its final session on 22 April, following four months of intensive, closed-door discussions and earning a “positive assessment” from the Venice Commission, Council of Europe’s (CoE) advisory body for legal affairs.

The Commission’s work and the subsequent public discussions were, however, marred by claims by the president and opposition that the ruling party aimed to craft a system that would solidify its hold on power. Dissatisfied with the composition of the Constitutional Reform Commission, the presidential administration rejected the Commission and publicly criticized the reform process on numerous occasions. As the commission neared the end of its work, seven opposition parties left the body, accusing the ruling party of wanting to cement its power through constitutional changes.

Proposed presidential elections through an indirect, parliamentary vote, the postponement of the introduction of the fully proportional electoral system to 2024 (instead of 2020 as initially planned) and the proposed rule attributing wasted votes to the winner in the proportional parliamentary polls (the bonus system) were particularly criticized.

Despite criticism and several failed attempts to resume political dialogue over the amendments, the parliament of Georgia approved the draft constitution in its third and final reading at its special sitting on 26 September 2017, with 117 lawmakers voting in favor and two voting against it. The United National Movement and the European Georgia boycotted the parliamentary vote.

When combined, the presidential and political party boycotts severely affected the constitutional reform process and undermined the public trust in the work of the commission and the overall reform process. It also affected the state of the country’s democracy: by adopting the draft of the new constitution without broad political participation, the ruling party reinforced the long-lasting tradition of single party-led constitutional revision processes and contributed to the erosion of the principle of constitutionalism with the potential to affect the country’s long-term prospects of democratic consolidation.

The manner in which the process was conducted also contributed to the widely held assumption that the

constitutional reform process was aimed specifically at weakening the presidency of Giorgi Margvelashvili due to his acrimony toward the ruling party. The GDDG’s compromise that the implementation of the new mode of presidential election would start with the 2024 presidential election and thus not affect the upcoming 2018 election remedied the situation but failed to resolve concerns entirely.

The proposed bonus system, the postponement to 2024 of the introduction of the fully proportional electoral system and the abolition of electoral blocs have raised concerns as well, with opponents arguing that the move would serve further consolidation of the GDDG party’s grip on power and hinder smaller parties from entering the legislature. The ruling party’s pledge that it would allow the party blocs for the next parliamentary elections and abandon the bonus system from 2024 is indeed a positive but insufficient development for ensuring long-term party pluralism and equal distribution of votes.

Foreign Policy

The government has in general continued to pursue a broadly democratic agenda despite a number of controversial decisions in 2017, including the Rustavi 2 TV ownership dispute, the government’s crackdown on Fethullah Gülen-affiliated schools, and the mysterious disappearance and subsequent detention of Azerbaijani journalist Afgan Mukhtarli.

Regarding foreign policy, the orientation towards the West has continued despite the fact that the two ardently pro-Western political parties—the Free Democrats and the Republicans—are no longer in the Cabinet and the pro-Western opposition spectrum has weakened at the expense of its Russia-sympathetic alternatives, most notably the Alliance of Patriots. The country formalized visa-free travel with the Schengen area and secured a number of important mentions in U.S. government documents, including sanctions against Russia and the military budget for 2018.

EU and NATO integration has remained the GDDG party’s top priority, as underlined by Prime Minister Giorgi Kvirikashvili and other GDDG leaders on numerous occasions after the elections. This was particularly the case for the country’s EU aspirations, which the government has actively lobbied for at EU institutions and with member state governments.

The country’s diplomats continued engaging with their Russian counterparts in the Geneva International Discussions and the Prague talks, the two regular formats of dialogue, but no major breakthrough has been achieved in the relations between Tbilisi and Moscow. Fundamental differences on the status and the future

of Abkhazia and Tskhinvali Region/South Ossetia and Moscow's step-by-step political and military integra-

tion of the two regions have hampered any further progress in the bilateral relations between the two countries.

About the Author

Tornike Zurabashvili is Editor-in-Chief of Civil Georgia. Civil.ge is a daily news online service devoted to delivering quality news about Georgia. Published in three languages (Georgian, English, Russian), Civil.ge has a history of editorial and political independence.

The Public Political Mood in Georgia

By Tsisana Khundadze (CRRC-Georgia)

Abstract

Georgia's population's perception of the government's performance and overall direction of the country's development has fluctuated during the last several years. Individuals appear to be more positive toward the government and the country's future immediately after elections, though these feelings fade over time. Considering that issues related to employment and the economic situation continue to be the top concerns for citizens throughout the years, it appears that individuals are more hopeful for positive change during election periods and become disillusioned after several months. The following article discusses national-level issues that people perceive as salient. It also follows individuals' perceptions of the government's performance and overall assessments of the country's development over time, seeking the link between perceived issues of importance and the assessment of the government's performance.

Introduction

Political life in Georgia stepped into a new phase after the 2012 parliamentary elections when, for the first time in independent Georgia's history, the political power was passed from one party to another through elections. Five years and four national and local elections later, Georgian citizens continue to give the mandate to the party that promised to make the Georgian dream come true. While the ruling party changed in 2012, data shows that individuals' perceptions of the most important national issues has not. What changed is the people's perception of the government's performance and the country's direction. Nationally representative survey data¹ from CRRC-Georgia and NDI-Georgia draw a picture of the dynamics of the public political mood in Georgia. Observed trends in Georgian public opinion resonate with the notion that people in democracies have more positive attitudes toward the government immediately after elections (Ginsberg & Weissberg 1978; Blais & Gelineau 2007).

During the past five years, there were some significant changes in economic and political terms in Georgia. The parliament adopted several pieces of controversial legislation and drafted amendments to the constitution that triggered extensive discussions in political circles (Transparency International-Georgia 2014 / Radio Tavisupleba 2017). Continued and fluctuating devaluation of the national currency has also raised concerns about financial stability in the country since the end of 2014 (Jandieri 2015 / Namchavadze 2015). On the other hand, significant advances occurred in terms of foreign relations. Georgia and the EU signed the association agreement in June 2014, and as of spring 2017, Georgian citizens can enjoy visa-free travel to the EU's Schengen area countries.

Democracy

Individuals' perceptions of Georgia as a democracy have been more or less consistent since the end of 2013, despite many changes in political life. According to data from the CRRC/NDI April 2017 survey, approximately half of the population says that Georgia is a democracy, while 40% think that it is not a democracy. The pic-

¹ The data are available at <http://caucasusbarometer.org/en/datasets/> as well as at <https://www.ndi.org/georgia-polls>