

The President in Opposition: Georgia's 2012 Parliamentary Elections

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Abstract

Georgia's 2012 parliamentary elections marked the first peaceful transition of power in Georgian history. The result was the product of a strong opposition that was able to present a viable alternative to President Mikheil Saakashvili's ruling party. The broadcast of videos depicting prison torture, confirming already widely-held beliefs, helped ensure the demise of the ruling party.

Surprise Results

The October 2012 parliamentary elections were an important test for Georgia's young democracy. All previous elections in Georgia, especially since the Rose Revolution in 2003, were also considered tests for Georgian democratic development by international society and partner governments. But the parliamentary elections of October 2012 must be seen as the most significant and unprecedented for Georgia's post-Soviet history since they led to the first constitutional and orderly transfer of political power in an independent Georgia.

Already on Election Day, October 1, President Mikheil Saakashvili accepted defeat; in a TV statement he officially announced that according to the election results the ruling political party he led—"The United National Movement—More Benefits to People" had moved into opposition.

Even though the election results were deemed invalid in 16 precincts (out of 3,766), TV broadcast clear violations of the electoral law using administrative resources (the special forces and police plundered ballots from a polling station in one of the regions), and supporters of opposition leader Irakli Alasania in Zugdidi protested against Roland Akhalaia, a hated candidate from the ruling party, in the days following the elections, the parliamentary elections of October 1, 2012 "were held in a peaceful and transparent environment," according to Georgia's Central Elections Commission. An unprecedented number of local and international observers monitored the polling process, including 62,115 local and 1,641 international observers, more than 33,000 representatives of parties and other organizations and 3,295 media representatives. The International organizations (the Parliamentary Assembly of the Council of Europe (PACE), the OSCE Parliamentary Assembly, the OSCE Office for Democratic Institutions and Human Rights (ODIHR), the European Parliament and the NATO Parliamentary Assembly) evaluated the elections positively.

Georgian billionaire Bidzina Ivanishvili's political coalition "Bidzina Ivanishvili—Georgian Dream" won control of the parliament—the Georgian Dream defeated the United National Movement (UNM), which had been the ruling and most popular party since 2003,

both in the proportional (54.97% to 40.34%; 44 seats to 33 seats) and majoritarian (41 seats to 32 seats) voting, in total winning 85 seats against 65. The Coalition won in all self-governing cities, including the capital Tbilisi (Georgian Dream won in all 10 districts of the capital city).

None of the other opposition parties were able to cross the 5 percent barrier. The "Giorgi Targamadze—Christian Democratic Union"—the most numerous opposition political party in the previous parliament—received only 2.04 percent of the votes. (http://cesko.ge/files/2012/SUMMARY_PROTOCOL_2012.pdf)

The majority of pre-election opinion polls had predicted a victory for the ruling UNM party and Georgia's partners in Western capitals were mainly focused on the problem of how Georgian Dream would accept defeat and whether the political battle would devolve into street protests, as normally happened after previous elections in Georgia. Most reputable international polls, published several months before the elections, emphasized that the ruling party commanded a twenty-five-point lead. An especially widely discussed August poll from the National Democratic Institute underlined this advantage. (<http://www.ndi.org/files/Georgia-Aug-2012-Survey.pdf>)

A Strong Opposition

In the 2012 elections, the government faced the most organized and—more importantly—well funded opposition it had seen. The dominance of the ruling UNM party in all spheres of political life was one of the main reasons for the weakness of Georgia's political opposition. Under these conditions, political activists mostly focused on street actions rather than engaging in the legislative process. Earlier, Georgia's opposition parties were also internally divided, frequently discredited and mostly based around the personalities of their leaders rather than on particular political programs and agendas. The situation changed when Ivanishvili entered politics about one year ago. He is a billionaire who ranked 153rd on Forbes' list of the world's wealthiest individuals and is the richest Georgian. He had been one of the main financial supporters (as an individual) of Saakash-

vili's government since the Rose Revolution in 2003 and was well known for his philanthropy. He managed to unite the major opposition parties (including the Republic Party of Georgia and Our Georgia—Free Democrats, represented by popular opposition leaders such as David Usufashvili, Irakli Alasania and others) and challenged President Saakashvili, pouring enormous sums into the campaign. This was one of the most serious challenges that the UNM had ever faced.

Many Georgians, who had not benefited from the Saakashvili government's intensive reform program, saw Ivanishvili as a real hope for victory. In response to Ivanishvili's active political steps, the government introduced a series of repressive measures, including amendments to campaign funding legislation. (These amendments were strenuously opposed by civil society with backing from the international community and the "This Affects you Too" campaign). The State Audit Office of Georgia selectively checked donations to political parties and issued excessive fines (ranging up to tens of millions of Georgian Lari) for violations in the case of the Georgian Dream coalition and its supporters. In some cases, they seized bank accounts and properties owned by Ivanishvili and other Georgian Dream donors. When Ivanishvili declared his political ambitions, the government revoked his Georgian citizenship and that of his wife (Ivanishvili had French citizenship). International society viewed these measures as an attempt by the authorities to tip the playing field in their favor before the voting. Ivanishvili proved to be a credible candidate and therefore encouraged Western governments to put extensive pressure on the ruling political elite in Georgia to ensure free and fair elections.

An important argument during the campaign that the UNM leveled against Ivanishvili questioned his background and intentions. Even though Ivanishvili has been living outside Russia since 2002, and was directly funding the Georgian government since the Rose Revolution (Ivanishvili's funding of various government, social, cultural and economic programs since the 2003 Rose Revolution exceeds 1 billion Georgian Lari—US\$604 million), the UNM persistently emphasized that he had made his fortune in Russia during the 1990s, and the fact that he was able to sell off his Russian assets at a competitive price when he decided to move into politics implies that he maintains connections with Moscow and the Kremlin. Therefore UNM and the Georgian government emphasized that Ivanishvili's political endeavor was an extension of Russian attempts to regain control over Georgian politics. With its extensive control over the media and PR skills, the government and the UNM tried to present themselves as positive, Western-oriented reformers and portrayed the opposi-

tion as a negative force that planned to return Georgia to the dark 1990s. In spite of the government's active efforts, the campaign to brand Ivanishvili as pro-Russian did not work well. Ivanishvili repeatedly asserted that he would continue Georgia's Western-oriented security and economic vector, but also carefully stated his intent to improve relations with Russia, at the same time recognizing the fundamental and unresolved problems in the relationship, first of all Russia's continued occupation of Georgian territories.

During the campaign, UNM strongly benefited from the fact that almost all the major media outlets broadcasting across the entire territory of Georgia were either owned or controlled by pro-government groups. The disbalance was obvious: in the capital city—Tbilisi—the population has the opportunity to switch channels and see and compare both perspectives. But in the regions and urban centers beyond the capital, the government-controlled TV channels were typically the only ones available. Pro-governmental media sources formally defined as private commercial entities consistently provided a tendentious and partisan picture of events favorable to the UNM while discrediting the opposition. Programs that did not support the government were not broadcast by the state-controlled or state-supporting media companies. This led to a massive "Must Carry and Must Offer" campaign seeking to improve access for the opposition, which was initiated by the media and civil society organizations. Under public and international pressure, the government had to step back—Georgia enacted a law offering the opposition greater media access prior to the elections and agreed to accept the Must Carry and Must Offer rule during the pre-election period.

Additionally, the UNM benefitted from its control of all branches of government, strong administrative resources (especially in the regions of Georgia), dominance in all spheres of political life, and state control over the business sector.

The Prison Scandal

Since the Rose Revolution in 2003 and the election of Saakashvili as president in 2004, Georgia has certainly come a long way as a state and made significant progress in particular fields. Reforms were initiated in most government sectors. Many state functions have been radically improved, governance became much stronger and consolidated, corruption on most of levels was significantly reduced, and police and market reforms have advanced. Economic growth was improving and the state budget has increased from 1 billion Lari to 8 billion Lari since 2003. During its eight years in power, the Georgian government has invested heavily in infra-

structure and renovation projects. But, at the same time, Georgia was at risk of becoming a one-party state with UNM controlling the executive, parliament, and judiciary. The opposition complained that all the processes of this modernization were directed and controlled by a small, increasingly isolated group of leaders, who were losing their once great popularity. The business sector was subject to state control and oppressed. Politically-connected businesses were flourishing. It became clear that democratic processes were secondary; frequently even the last priority for the ruling elite. Human rights and transparency were vanishing; the decision-making process was completely non-transparent. There were major concerns regarding the enormous administrative spending and information about it was well hidden. The population, especially in Tbilisi, was critical of the government. One of the main complaints from the society was about the violation of human right in the penitentiary system, which was completely closed to outside scrutiny.

Two weeks before the elections, on September 18, the Georgian opposition television stations Maestro and Channel 9 (owned by Ivanishvili's wife) released graphic video footage of prisoners being brutally beaten and sexually assaulted in one of Tbilisi's prisons. The facts of such abuses were known and had been the subject of protests by human rights organizations and the Public Defender's Office of Georgia; even the U.S. State Department's annual country report mentioned it. But the wide airing of the videos led to a spontaneous public reaction expressed in protests in the streets of Tbilisi and other cities of Georgia. The government, however, denied opposition allegations, pointing to its successful efforts to slash organized crime in the country and within Georgia's penitentiary system.

The release of the prison videos significantly damaged the UNM just two weeks before the elections. The videos illustrated the systemic violation of human rights by the ruling party that the opposition had been describing. Regardless of whether the abuses were directed by top government officials, it was obvious that such transgressions took place under the rule of a government that once was declared to be the beacon of democracy in the post-Soviet space and an example for many other countries.

In its initial response to the release of the videos, the government tried to connect the videos to the opposition. And really it was no coincidence that the videos appeared at the most sensitive moment for the ruling party—just before the elections at a time when most pre-election polls showed the dominance of the ruling party. But it did not matter to the population because the information about the terrible abuses in the prisons was known within society and the videos simply proved the truth of the earlier reports. It was obvious that time

was working against the government and that it had to act quickly to limit the damage. So the ruling party made significant changes in the government—the Minister of Corrections and Legal Aid and the Minister of Internal Affairs stepped down and most of those public employees, including high-level officials who were identified with or somehow connected to the abuses in the videos were arrested; the Prosecutor's Office started an investigation; and the Public Defender of Georgia was appointed as the Minister of Corrections and Legal Aid.

Also as a counter-attack, a week before the elections the government released taped phone conversations among the leaders of the opposition Georgian Dream coalition—somehow provided by Ivanishvili's bodyguard. Of course, the leaked phone conversations lacked the punch of the prison videos, but they were used to increase negative attitudes among the population toward the opposition and to cause internal friction within its ranks.

Prior to the release of the prison videos, most of the pre-election polls suggested that the ruling party would win the upcoming elections, but that Georgian Dream would present a real challenge and be able to form a significant parliamentary opposition. As most of the same polls showed, up to 35 percent of the voters remained undecided. After the release of the prison torture videos, most people in this category shifted toward the opposition.

Why UNM Lost

The reasons for the UNM's defeat are worth reviewing because they illuminate the challenges that the new government will have to face after taking office. The most important is the socio-economic situation. Despite all the reforms of recent years, Georgia is still a poor country, with hundreds of thousands of internally displaced persons and 150,000 Georgian citizens living below the poverty line. People also tired of the dominance of the same political elite, which was becoming increasingly marginalized. Discontent with the government control over business was quite high. A significant decrease in the democratic indices compiled by international watchdog groups and the violation of human rights and property protection also contributed. Ultimately, many Georgians voted for Ivanishvili because he successfully presented himself as the country's next leader and attracted popular support by his many years of philanthropy. Many voters probably sought to replace one charismatic leader with another.

On October 21st the winning party formed a new parliamentary majority in the new parliament building in Kutaisi—Georgia's second largest city. It has to grapple with major concerns. There will be a dual-power situation: President Saakashvili will still serve one more

year as president, with the same powers he currently possesses, while a new party will form a new government with the prime minister as the head of state. The recently rewritten constitution gives the prime minister stronger executive powers, but it only takes effect when Saakashvili's term ends, which will happen not earlier than October 2013 (if constitutional changes do not take place before then). Even though the victorious opposition party will be able to unilaterally form a government, it did not win a constitutional majority, so the former ruling party—UNM—will form a strong opposition in the parliament. Also, part of the executive branch will be controlled by the president (including governors and municipal governments), while the cabinet will control the state budget and the financing for these administrative bodies.

The new government also has the major challenge of addressing complicated problems in domestic and foreign policy while fulfilling the election promises and the program that its members made in order to win office.

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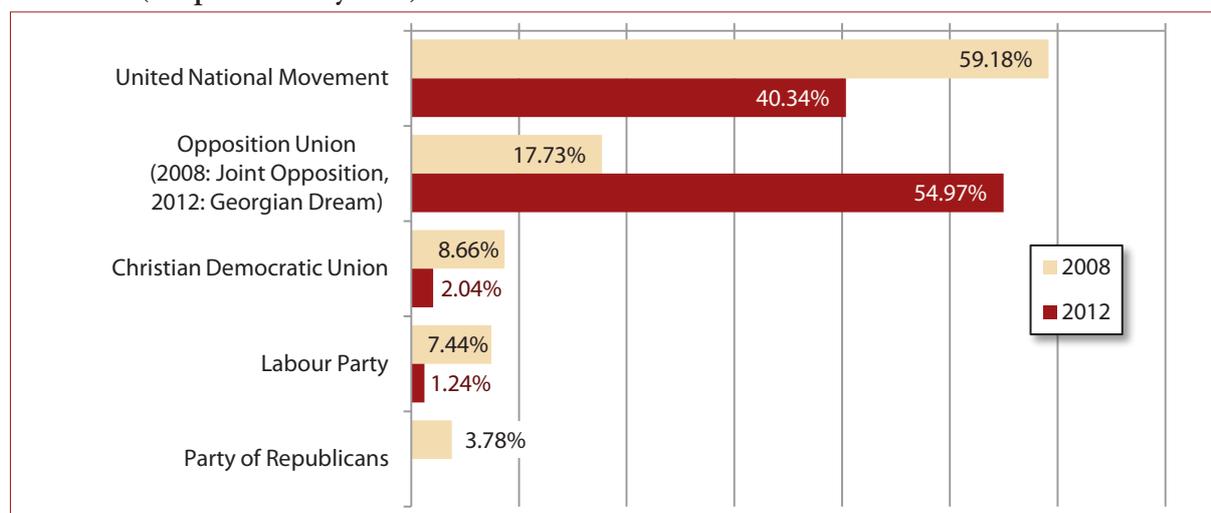
Mikheil Saakashvili and Bidzina Ivanishvili (former allies and now political opponents) appear to represent the official governing institutions of Georgia with all the challenges and problems these responsibilities bring. International society is expecting that they will work out a modus vivendi with one another during the upcoming one year period. Officially this is what the president said that he would do.

Despite all the problems described above, the 2012 October parliamentary elections institutionalized a democratic trend. Since independence in 1991, the former Soviet republics (excluding the Baltic countries) have faced up to 120 presidential and parliamentary elections and almost all of them just legitimated the continuation of the existing authorities. But the case of Georgia was completely different. For the first time in the history of Georgia, as a result of the elections, the existing ruling political party accepted a peaceful transition of power to a victorious opposition.

DOCUMENTATION

The Results of the Georgian Parliamentary Elections

Figure 1: Georgian Parliamentary Elections of 2008 and 2012: Results of the Party Vote (Proportional System)



Note: All parties with more than 1% of the vote. For 2012 results as of 19 October 2012.

Source: Georgian Central Election Commission, http://www.cec.gov.ge/index.php?lang_id=ENG&sec_id=19&info_id=5166, http://www.cec.gov.ge/index.php?lang_id=ENG&sec_id=147&info_id=11085