

CEPS COMMENTARY



Thinking ahead for Europe

The Fading Rose of Georgia's Revolution: Will elections bring fresh hope?

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Georgia's Rose Revolution of 2003 signalled the beginning of a new era for the former Soviet Union Republic. The triumphant new political elite, headed by President Mikheil Saakashvili, vowed to establish a democratic state characterised by respect for human rights, corruption-free government and a functioning market economy seeking integration with Europe and eventual EU membership. For the most part the West has been supportive of the new government. Although the EU made it clear that the membership perspective was not on the table, it has provided assistance for the ongoing reforms.

Almost a decade after the revolution, however, we find a state in which overreliance on political personalities, as opposed to democratic state institutions, has remained the norm. And the personality credited with leading Georgia to the path of democracy may end up undermining the very process he once started.

In autumn 2012 and spring 2013, Georgians go to the polls again to vote in parliamentary and presidential elections that will be crucial for the country's declared reform and democratisation agenda. Meanwhile, the Georgian government is yet to convince both its allies and its critics that the reforms championed since 2003 have been all-inclusive, and not solely for the benefit of the political elite. President Saakashvili's second and final presidential term ends in 2013; after this Georgia will move to a parliamentary system in which the prime minister will have increased powers. The question in the minds of many is whether the young Saakashvili will try to stay at the helm of Georgian politics after his presidential term, and if he does what this might mean for Georgian democracy.

The road to modernisation

Young Georgian revolutionaries inherited a semi-failed state with criminality, endemic corruption and a broken tax collection system. The World Bank report nevertheless details certain important political and economic reforms that were undertaken by Saakashvili's government, such as combating petty corruption, criminality, eradicating the so-called 'thieves-in-law' elements in society and improving public sector services. Many efforts were also made to attract foreign investments through easing taxation, modernising infrastructure and building cities and motorways.

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On the other hand, corruption at the highest political levels has not been tackled adequately. There is a lack of transparency in spending, and little accountability in the presidential administration and ruling party. Critics also point out that in order to set up a successful big business in Georgia, close links to the political elite are a necessity. Moreover, a 'zero tolerance' policy towards criminality and low-level corruption has resulted in one of the largest prison populations in the world. Such problems can only be addressed when all governmental branches function well, and this is far from the case in Georgia.

Trias politica: a strong executive versus a weak legislature and judiciary

While succeeding in a number of reforms towards modernisation, Georgia has lagged behind in its democratisation process. The executive branch of the government principally dominates the weak legislature and judiciary, thus undermining the *trias politica* principle of a separation of powers and the independence of the different branches of state.

Party politics are all but non-existent in Georgia, and the authorities have not encouraged political pluralism. The parliament has been dominated by the ruling United National Movement party since most of the opposition parties refused to enter parliament and renounced their mandates after the 2008 elections. As things stand now, the parliament does not effectively scrutinise the executive and it remains unchecked and unaccountable.

The dominance of one party since 2003 is partly because Georgian opposition parties have been unable to pull together and present any real alternative. Georgian billionaire Bidzina Ivanishvili declared his ambition to enter Georgian politics in October 2011 and has managed to unite a number of opposition parties around his 'Georgian Dream' movement. Many in Georgia and abroad are sceptical of this union, however, which is yet to come forward with a credible political agenda.

Moreover, the third branch of government, the Georgian judiciary, is not only weak but discredited. It has a number of structural problems, such as the appointment and reassignment of judges, whose professionalism is in any case questionable. However, the most troubling flaw in the judicial system is its dependence on the government. This raises serious questions about the Georgian regime's commitment to human rights and the rule of law. According to the UN human rights experts report (2011), the acquittal rate in all legal trials is 0.1% in Georgia. This, in conjunction with harsh sentencing and the role of the prosecutor, would suggest arbitrary detention.

Who will sound the fire alarm?

Besides the lack of 'traditional' checks and balances, Georgian democracy also suffers from the absence of any viable 'fire alarm' oversight. Although the virtual space, such as online TV, blogs and social networks are relatively free, the major TV companies are controlled by the ruling party and are clearly manipulated for political ends. Freedom House's latest report rates the Georgian media as "partially free." The three pro-government TV channels with national coverage – Public Broadcaster, Rustavi 2 and Imedi TV, broadcast soviet-style propaganda that herald the achievements of the government. Maestro and Kavkasia TV channels, which have been rather critical of the government, only cover the capital city area.

Moreover, trade unions are weak in Georgia because employees fear that joining a union will cost them their job. Employees' rights were traded for the 'liberalisation' of the economy and the desire to attract foreign investors, which has made hiring and firing easy for companies. As a result, labour law, social protection and employment rights are non-existent in Georgia.

Nevertheless, Georgian civil society seems to have overcome the crisis and brain drain it suffered after 2003, when many activists became absorbed by the new regime. Independent

civil society organisations are now gaining momentum again and are set to play a crucial role in the run-up to the parliamentary and presidential elections. The “It Affects You Too” campaign, uniting a number of NGOs and monitoring electoral process has already achieved some results. This is particularly important in the absence of credible state institutions, free media and any substantive debate between government and opposition, which have both focused on smear campaigns rather than viable political agendas.

What European future for Georgia?

The Rose Revolution government is sparing no effort to convince the EU that ‘too much’ democracy could be dangerous for reform in the country. The government argues that in order to make the already enacted reforms sustainable, a strong executive power has to be maintained. This paradox does not sit well with the norms and values that are adhered to and promoted by the EU and its member states.

Moreover, among the host of reasons cited as the basis for the success of reforms, Georgian authorities often trumpet their ‘liberal’ regulatory framework. However, the problem with this ‘libertarian’ approach is that it too is incompatible with that of the EU and calls into question the rhetoric about prioritising EU integration. The start of the Deep and Comprehensive Free Trade Area (DCFTA) negotiations with the EU has raised Georgia’s profile and attracted foreign investment in the short term. However, it also puts pressure on the Georgian government to move towards regulatory convergence with the EU in a mid- to long-term perspective, which somewhat inconveniently will require a more conservative regulatory framework.

The new era heralded by the Rose Revolution in Georgia has seen important reforms and substantial progress. However, with elections around the corner, the Georgian government is yet to embark on the process of democratisation and Europeanisation that will create effective checks and balances across its governmental branches, and facilitate greater civic activism. President Saakashvili’s leaving high politics after his final term will not guarantee democracy in itself. It will demonstrate, however, that a change in command is possible and that state institutions are more important than the personalities occupying them; a realisation of the norms that the EU views as being an integral part of the democratic process.