

# Still Staging Democracy

## Contestation and Conciliation in Postwar Georgia

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**Abstract:** Georgia's August War with Russia prompted a new wave of political mobilization against the government of President Mikheil Saakashvili after a previous effort faltered in 2007–2008. Despite its renewed vigor, the postwar opposition failed for at least three reasons: 1) increased levels of political discontent did not translate to broad public support for the president's resignation; 2) the opposition remained divided with regard to its methods and aims; and 3) the government successfully represented itself as an alternative engine of democratization. Georgian "street politics" ought to now be replaced by the implementation of desirable constitutional, electoral, and media reform.

**Keywords:** August War, Georgia, Rose Revolution, state-led reform, street protest

Waging war, especially a disastrous one, can have dire consequences for ailing regimes. Georgia's August 2008 war with Russia came after a year of political discontent, especially in the capital city of Tbilisi; a slowing economy; and a rising disenchantment with the government of President Mikheil Saakashvili, whose ascent to power following the 2003 Rose Revolution was a hopeful sign of democratic breakthrough in the troubled Black Sea–Caspian region. Although the political opposition to Saakashvili failed to oust the government before the war, it regrouped afterwards, pursuing the president's resignation—a step it insisted was necessary for Georgia's further democratization and security. The defection of some previously high-level officials in Saakashvili's government, coupled with growing criticism of Saakashvili in the Western capitals most supportive of Georgia, encouraged the opposition to believe that its goal was both justifiable and obtainable.

However, the Georgian government was not as vulnerable as many in the opposition believed. A post–Rose Revolution record of successful spending on social programs and infrastructure, the population's postwar solidarity in the face of the Russian threat, and foreign aid packages that included substantial budgetary support all provided the

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Saakashvili administration with a considerable cushion. More generally, the opposition simply underestimated the difficulty of translating social discontent into regime change. A disillusioned (or at least disconcerted) public still failed to view the war as the kind of unforgivable transgression the opposition made it out to be, so there was no sustained collective protest. The opposition's internal divisions also made it more difficult to compete with the state for support. Although the defections from the government may have been significant, there were only a few. By comparison, the opposition remained openly divided, with its leaders joining forces tactically but with no real consensus regarding the ends and means of protest, and often charting a course of action based on personal animosities toward Saakashvili or their personal political fortunes, rather than working to achieve political reforms.

At the same time, the government dampened a new bout of "revolutionary" fervor by successfully establishing itself as part of the solution to the problems that the opposition diagnosed, rather than (as is usually the case in such circumstances) reinforcing the opposition's message through obstinacy and brute force. Government officials, from the president down, consistently acknowledged the system's democratic deficiencies and expressed a willingness to engage in a common effort to remedy them. Rather than retreat into authoritarianism, as might have been expected after a traumatic war, the government hewed to a process of political engagement that maintained its credentials as a democratizing, if not fully democratic, regime.

That said, the government also demonstrated a facility for more customary methods of state control. Although the government initiated reform of Georgia's constitutional separation of powers, electoral code, and official and private local broadcast media, the government failed to move as quickly to reform the judiciary and the Interior Ministry—the key foundations of state power—or the ostensibly private nationwide broadcast television stations, which have the power to influence social attitudes particularly outside Tbilisi. It also refused to countenance preterm national elections of any sort, construing such a step to be less a compromise than a sign of weakness. Finally, while demonstrating considerable restraint in the face of increasingly tiresome street protests, the government also reacted firmly to protesters' efforts to test the boundaries of state order, occasionally with excessive use of force and debatable applications of justice.

Barring a game-changing Russian invasion—and in part to reduce its prospects—the most immediate question for Georgian domestic politics is whether its three basic political forces (i.e., the government, the nonparliamentary opposition, and the parliamentary opposition) will agree to negotiate necessary political changes in good faith and implement compromise agreements. Although external supporters of Georgia might continue to find faults with the second aspect of the state's approach to dissent, they have clearly indicated that they prefer the government's evolutionary path to the nonparliamentary opposition's revolutionary one. The opposition could potentially compromise by taking up the government's offer to revamp Georgia's constitutional structure of governance and electoral code, in exchange for the government promising to consider holding preterm parliamentary elections, possibly to coincide with local elections in 2010, as well as a legal review of the ownership of Georgia's two nationwide private television channels. Such a compromise would pave the way for further reform of the judiciary and interior ministry, which could help ensure the consolidation of Georgian democracy, despite the calamitous consequences of the August War.

### **The Rise and Fall of the New Revolutionaries**

Even with substantial spending on infrastructure and social protection, a stepped-up fight against corruption, and a new policy of economic liberalization, Saakashvili's post-Rose Revolution government made many enemies during its first four years. Poverty and unemployment remained high; many who prospered in the old regime could not find a place in the new one; businessmen and property owners frequently were the target of government attention in pursuit of taxes, gentrification, and privatization profits; and the government focused more on building institutions that strengthened the state (e.g., the police and the army) than on those that served to counterbalance its power (e.g., the judiciary and a free media). Believing that it represented the team most capable of implementing needed reforms and taking a dim view of the rest of Georgia's political forces, the government's commitment to a freewheeling electoral competition was less than complete, despite its own rise to power by contesting electoral fraud.<sup>1</sup> In turn, those other political forces viewed the government's manipulation of electoral rules before the 2006 local elections and the decision to push back the spring 2008 parliamentary elections to the fall as particularly severe transgressions. The former helped procure 89 percent of seats nationwide for the ruling United National Movement, including 92 percent in the Tbilisi city council; the latter promised to prevent the opposition from using parliament as a staging ground for the next presidential race.<sup>2</sup>

These various strands of disenchantment and discontent came together in late 2007 to shape Georgia's first substantial opposition movement since the Rose Revolution. The spark was the September arrest of a popular and hawkish former defense minister, Irakli Okruashvili, formerly a close ally of Saakashvili. After the police arrested officials with links to Okruashvili on corruption charges, the former defense minister declared his entry into politics with a blistering speech against "fascist trends" in the country and against Saakashvili in particular, accusing the latter of ordering the murder of political adversaries (among other crimes). Two days later, he was arrested on charges of extortion, money laundering, criminal negligence, and abuse of power.<sup>3</sup> Many Georgians perceived the arrest as a politically motivated application of the law, regardless of the merit of the charges.

The episode served as a catalyst for a protest movement primarily aimed at reforming the electoral code and holding parliamentary elections in the spring of 2008, as originally scheduled. The protests were spearheaded by an eclectic group of opposition parties that had mostly developed along familiar lines of post-Soviet party formation—as small networks of associates and loyalists clustered around one or two key individuals. Most of these parties were led by former coalition partners and allies of Saakashvili's United National Movement and were joined by a number of newer, smaller, or lesser-known political groups.<sup>4</sup>

Notably, the traditional opposition to the ruling party was not among the key organizers of the protests. Still, the longstanding Labor Party, predominantly a platform for the acerbic and vocally anti-Western Shalva Natelashvili, joined the organizing committee. The only other significant traditional opposition party was the New Rights Party, an ostensibly right-of-center pro-business party. It was the only opposition party, in alliance with the minor Industrialist Party, to be elected to the post-Rose Revolutionary parliament through a proportional vote (winning 8 percent of the vote); it then boycotted 2006 local elections.<sup>5</sup> The New Rights Party broadly shared the political goals of the protest organizers, but it

did not join the committee, wary of a movement brought together to support Okruashvili, one of the opposition's longtime adversaries.

Although the opposition successfully organized a protest of thousands the day after Okruashvili's arrest, the movement was only launched in force two months later. The opening day of protest was impressive, with at least 50,000 demonstrators in the streets.<sup>6</sup> By the end of the second day, protesters began calling for Saakashvili's resignation. Although the number of protesters rapidly dwindled, on the sixth day police unexpectedly and forcibly cleared the steps in front of parliament of dozens of sleeping hunger strikers who had announced their intention to build a tent city on Tbilisi's main avenue. This move radicalized supporters, who gathered in far greater numbers and broke police lines to retake the avenue. To clear the streets, the government dispatched riot police with water cannons, noise machines, tear gas, and rubber bullets. When protesters regrouped later that day in an out-of-the-way location, they were again forcibly dispersed.<sup>7</sup> These events enraged the opposition, as well as Badri Patarkatsishvili, a Georgian oligarch who made his fortune in Russia and was the owner of Imedi (a popular television station and the government's leading media critic) and a prominent financial backer of the movement. Patarkatsishvili swore that he would spend every "last [cent] . . . to liberate Georgia from this fascist regime" on Imedi.<sup>8</sup> Authorities, uneasy about Patarkatsishvili's involvement, aims, and potential Russian connections, ordered a state of emergency, forcibly shut down Imedi, froze Patarkatsishvili's assets, and accused him of seeking to overthrow the government.<sup>9</sup>

Saakashvili's decision to call a snap presidential election in January 2008 and allow parliamentary elections to go forward as scheduled in the spring helped alleviate an imminent political crisis but did not normalize the political situation. The protest committee nominated the independent member of parliament Levan Gachechiladze, formerly a coleader of the New Rights Party, as their consensus candidate. Gachechiladze ran on a promise of weakening presidential power in a new parliamentary system of government.<sup>10</sup> Perplexingly, Patarkatsishvili also insisted on running, although a successful government operation to entrap Patarkatsishvili into financing a postelection coup subsequently eliminated him from serious consideration.<sup>11</sup> Compromised, Patarkatsishvili lost the confidence of the Imedi staff, who temporarily ceased broadcasting even though the government allowed the station to reopen. No formal charges were brought against Patarkatsishvili before the election, but he informally withdrew from the race (although he left his name on the ballot) and was charged with conspiracy to overthrow the government soon after the election.<sup>12</sup> Finally, the leaders of the more established Labor and New Rights parties also ran. Many viewed this fragmentation as a sign of the opposition's weakness, although some observers explained the decision not to unify as strategic: the opposition had a greater chance of keeping Saakashvili from obtaining a 50 percent victory in the first round "if they all ran and galvanized their respective supporters."<sup>13</sup>

The most contested presidential election in Georgia's history, the race ended with Saakashvili officially winning only 53 percent of the vote. Gachechiladze, his main contender, won 26 percent, defeating Saakashvili in Tbilisi, 40 percent to 33 percent.<sup>14</sup> The election was largely deemed legitimate by local and international observers, although the vote was marred by a number of shortcomings, including the use of "administrative resources" (state and local finances) to promote votes for the ruling party; a controversial and confusing decision to allow on-site voter registration; and suspiciously high voter turnout in more than 25 percent of Georgia's seventy-six districts.<sup>15</sup> Observers also condemned the

Central Election Commission's (CEC) hastiness in rejecting most complaints and refusing recounts.<sup>16</sup> In the end, opposition parties insisted that Saakashvili had not genuinely achieved the 50 percent victory needed to avoid a runoff and denounced the results as fraudulent and illegitimate. All six of the thirteen members of the CEC that were appointed by the opposition rejected the final vote tally, and the opposition as a whole refused to recognize Saakashvili as president.

The opposition continued its protests in advance of parliamentary elections. Their new election campaign kicked off with a stream of nonnegotiable legislative demands, parliamentary boycotts, street protests, and hunger strikes. Even after entering normal campaign mode, the opposition consistently framed the election as a "struggle" to overturn Saakashvili's "criminal" and "bloody" regime.<sup>17</sup>

At this time, the government's response to such criticism was to pursue a dual strategy of accommodation and state control that became more prevalent after the August War. In addition to holding parliamentary elections in the spring (albeit after securing the presidency), the government partially addressed two other key demands of the November 2007 protests. First, it

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released twelve detainees the opposition considered political prisoners, out of a list of forty-four (including at least eighteen the opposition said had been arrested in connection with the protests).<sup>18</sup> The government also addressed one election-related demand of protesters, partially restoring a previous rule allowing political party representation on electoral commissions that the government had eliminated after the Rose Revolution. This decision was a significant reversal of state policy and promised to help serve as a check against fraud throughout the country. However, the change still gave the one ruling party representative, together with six ostensibly nonpartisan professionals beholden to the government, a blocking majority.<sup>19</sup> Finally, in response to complaints of media bias, the government agreed to put three opposition-nominated candidates on the nine-member board of trustees of the Georgian public broadcaster and select one as its chairperson. This reform initially seemed to have the desired effect; in a preelection report, international monitors said that public television provided more balanced coverage of the campaign than private stations.<sup>20</sup> After the election, however, the reform was marred by the board chairperson's resignation in protest of what he considered limited coverage of a mass postelection opposition march (other board members said the station had not been subjected to government pressure).<sup>21</sup>

Despite these advances, the government conspicuously failed to implement the reforms that were arguably needed the most. Another objective of the November 2007 protests was to change the deputy election rules. After the Rose Revolution, the government decided to fill 50 majoritarian seats on the basis of regional party lists, whereby the party that won the greatest number of votes in a constituency would be granted all its seats (with the other 100 deputies selected on the basis of nationwide party lists). The opposition rejected this

formula, suggesting it would facilitate overwhelming victories for the ruling party in the majoritarian races, traditionally a stronghold of the incumbent ruling party and local elites who would be expected to support the government. They eventually proposed an alternative rule that regional party list seats be awarded proportionally, guaranteeing greater representation for all top vote-getting parties.<sup>22</sup>

Although this rule was the only one of seventeen pre-electoral opposition demands the government said it was prepared to accept outright, a compromise on the electoral code ultimately failed for unclear reasons.<sup>23</sup> When the opposition refused to attend parliament to discuss changes to the code, deputies voted to revert to the previous system of 75 majoritarian seats. This system, however, had been designed for a 235-seat parliament, not the new 150-seat parliament; it meant that the percentage of seats reserved for party-list representation would now decline from almost 65 percent to 50 percent. In addition, majoritarian contests were now given a threshold for victory of just 30 percent. Furious at what they deemed the government's political manipulation, the opposition responded with a flurry of new protests, hunger strikes, and their own last-minute election code proposals.<sup>24</sup>

As the change of rules continued to ensure an advantage for the ruling party, the opposition exhibited its own fractures, further heightening this advantage. The parties that spearheaded the November protests gained one major ally, the New Rights Party, but lost one of its principal organizers, the small but established centrist Republican Party, as well as the Labor Party. A new opposition party also arose out of the Patarkatsishvili scandal. Giorgi Targamadze, Imedi's lead news anchor, was the face of Imedi during the November crackdown. After the station ceased broadcasting, Targamadze declared that he, too, was entering politics with three of his fellow journalists. Targamadze was not a newcomer to politics—he had had a political career in the neo-Soviet Revival party led by regional strongman Aslan Abashidze before the Rose Revolution—casting some doubt as to the legitimacy of his role as a member of the democratic opposition (although he subsequently became a popular voice in the nongovernmental media). In addition to multiplying, however, the opposition went on to nominate competing candidates in virtually all seventy-five majoritarian districts. This virtually ensured an overwhelming victory in these races for the ruling party. As a result, although the top opposition parties jointly won a respectable 37 percent of the party-list vote, securing twenty-seven of seventy-five party-list seats, their majoritarian candidates won only four of the seventy-five seats, resulting in more than 80 percent of the parliament representing the ruling party.<sup>25</sup>

In the end, the election was an improvement from the presidential election, even if it was not a paragon of democratic practice. Just over half the number of districts that reported unusually high voter turnout in the presidential election did so now, although this still allowed for some doubts about the accuracy of the outcome of the parliamentary elections.<sup>26</sup> International observers reported a range of other problems, including credible allegations of voter intimidation, insufficient oversight of mobile voting, and a continued reluctance by the CEC and the courts to seriously investigate most complaints.<sup>27</sup>

After the election, the opposition fizzled out. Just over half its thirty-one elected deputies boycotted parliament, including twelve of the seventeen representatives from the leading nine-party opposition bloc (which finished in second place, with 18 percent of the vote), who formally surrendered their MP mandates. A postelection march through downtown Tbilisi on Georgia's independence day attracted a sizable number of protesters, but this marked the end of the protest movement. Opposition leaders made plans to try and

prevent the new parliament from convening, but the government caught them off-guard by unexpectedly (but legally) announcing the date of the session late the night before. The opposition scrambled to find supporters but was unable to muster more than several hundred. It called off its public activity for the summer shortly thereafter.

At the same time, the election saw the rise of a new force: the so-called “parliamentary” opposition. Five deputies from the nine-party opposition bloc broke ranks to enter parliament although none of them were leading representatives.<sup>28</sup> Targamadze’s newly formed Christian Democratic Party, which finished in third place with 9 percent of the vote, resolved to have their six elected deputies enter parliament. The fourth-place Labor Party announced a boycott, without formally renouncing their mandates; two of its six deputies stayed in parliament. Although the Republican Party did not clear the 5 percent threshold to enter parliament, two majoritarian candidates that ran on their ticket also took their seats.<sup>29</sup>

After the election, the government made efforts to engage the parliamentary opposition while lamenting the rest of the opposition’s decision to boycott. At parliament’s opening session, David Bakradze, the new parliamentary chairperson, promised the opposition various privileges, including the right to form parliamentary factions with as few as six members. He also invited the opposition to submit their own proposals on how to ensure their “full-scale representation” in parliament.<sup>30</sup> A few days later, the parties announced that they had reached an agreement on several points of a memorandum the Christian Democrats had produced as a basis for negotiations.<sup>31</sup> These included allotting one seat each on the Council of Justice (a fifteen-member body, which includes four MPs as members, that oversees Georgia’s judicial institutions) and the Georgian National Communications Commission (GNCC), two of five seats on the parliamentary Group of Confidence overseeing defense spending, and legal guarantees for balanced access on public television for eligible political parties. Subsequently, Bakradze announced plans to establish an inclusive working group to revise the electoral code. Negotiations also resulted in a number of other concessions, including granting opposition members three of nine vice-speaker positions in parliament and one of three deputy chairs in all parliamentary committees. Bakradze hailed the agreement as “a new standard” for majority-minority cooperation.<sup>32</sup>

### **After August: The Resurrection of the New Revolutionaries**

The August War gave the nonparliamentary opposition that had fizzled out by the start of the summer a new lease on life. Over the next eight months, this opposition gained new vigor in demanding Saakashvili’s resignation and early presidential and parliamentary elections. To a certain extent, this was thanks to the strengthening of the opposition at the elite level, as the war led to the “defection” of a number of former high-ranking government officials.

### **The Opposition’s New Surge**

The nonparliamentary opposition did not initially appear poised to successfully close ranks after the August War and demand Saakashvili’s resignation. At first, the opposition maintained a discreet silence. However, this self-declared moratorium began to break down once it became clear that Russia did not intend to permanently occupy Georgia outside Abkhazia and South Ossetia. The day after Russian president Dmitri Medvedev and

French president Nicolas Sarkozy issued a clarification of the August 8, 2009, cease-fire agreement, outlining Russian plans to fully withdraw from checkpoints outside the two regions, Gmrelidze, the New Rights Party chair, blamed Georgia's "devastating defeat" on the government's "adventurism."<sup>33</sup> The war, he said, took "the political or moral right to be president of Georgia or commander-in-chief" from Saakashvili.<sup>34</sup> Other members of the opposition were initially more circumspect, but they eventually gravitated toward the New Rights Party's position.

This consensus on early elections provided the nonparliamentary opposition with the focus they had lost after the May election. Planning for a protest demonstration on

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November 7, the anniversary of the 2007 crackdown, led to discussions on launching a “new type of opposition movement” that would “cope with threats existing inside the country, as well as those coming from outside.”<sup>35</sup> The protest brought together almost all major opposition members and enjoyed a modest but respectable turnout of some 10,000–15,000 demonstrators. Protest demands included media freedom, electoral reform, an independent investigation of the war, and the release of sixteen more alleged

political prisoners, whom the opposition said were still in custody from their November 2007 arrests. Protest organizers indicated that new demonstrations would be held after the New Year; a refusal by the government to hold early elections would prompt a “national disobedience campaign” and a “permanent protest rally” starting April 9, the twentieth anniversary of the infamous 1989 Soviet crackdown on Tbilisi demonstrators.<sup>36</sup>

The new year started with a surprise that was sure to bolster the nonparliamentary opposition's conviction. The U.S. prodemocracy nongovernmental organization (NGO) Freedom House echoed concerns that had frequently been expressed in the past year in Washington and downgraded Georgia from its previous status as an electoral democracy. The organization argued that Georgia's decline was “due in part to growing authoritarian tendencies in the governing style of President Mikheil Saakashvili” and noted that Georgia's “erratic course,” including the war, “rank[ed] among the more disturbing developments of the past two years.”<sup>37</sup> Around this time, opposition leaders indicated that their parties were interested in creating a “united front” to push for the president's resignation, reform the electoral system, and hold early elections.<sup>38</sup> At the end of January, twelve parties signed a joint declaration calling on the public to “change the authorities through constitutional means in the shortest period of time.”<sup>39</sup>

### **The Arrival of Reinforcements**

The nonparliamentary opposition's new vigor can be attributed in part to the arrival of dissenting voices of recent and current government elites. These included two previously quiet government insiders: Zurab Noghaideli, former finance minister and prime minister from February 2005 until his resignation after the November 2007 crackdown; and Erosi



Kitsmarishvili, the former owner of the Rustavi-2 television station (a prominent player in the Rose Revolution), who in 2004 had a falling-out with authorities but subsequently mended fences, eventually becoming Georgian ambassador to Russia for a short time in 2008. Noghaideli, who became chairperson of a new business group after leaving the government, criticized the “incompetent and shameful” government for falling for Russia’s “provocation.”<sup>40</sup> Kitsmarishvili also faulted the government, saying it was time to “create an alternative” to the “discredited authorities.”<sup>41</sup>

Parliament-appointed public defender (ombudsman) Sozar Subari—a standing government official—unveiled a manifesto at the end of September 2008, which proved to be of greater significance to the opposition. Although he condemned the “barbarian aggression” of Russia, which had “executed its long plotted perfidious plan of conquering our territories,” the ombudsman otherwise came off sounding like an opposition leader. “Georgia’s defeat,” he said, “has been stipulated [sic] by the authoritarian rule in the country,” a rule that could lead to “additional catastrophes.”<sup>42</sup> Subari observed that Georgia was following the “Russian model of authoritarian rule” and criticized the government for being “locked within itself, [listening] only to itself, and responding only to its own judgment,” and he called on the government to implement a new thirteen-point reform plan, telling the population they had the right to engage in “all forms of peaceful protest.”<sup>43</sup> Although parliamentarians rejected Subari’s manifesto and accused him of staking out his own political future, they kept the ombudsman at his post.

The first of two major politicians to openly enter opposition after the war was former parliamentary chairperson Nino Burjanadze. Having declined at the last minute to lead the ruling party’s electoral list in May, citing differences over the list’s composition, Burjanadze left government to form her own think tank, evidently in preparation for launching a new political movement. With the war, her opportunity arrived sooner than expected, and she published an open letter to Saakashvili in October accusing him of “betraying” the Rose Revolution’s supporters. She also accused the government of “unprecedented control over the media and business” and, like Subari, concluded that the “authorities are not capable of averting another provocation.”<sup>44</sup> Having earlier called for preterm parliamentary elections, she now said that preterm presidential elections should also be held, convinced that “the President is a major problem.”<sup>45</sup>

The well-regarded Irakli Alasania, Georgia’s thirty-five-year-old ambassador to the United Nations and former presidential representative on the Abkhazia conflict, capped the wave of new entrants to the nonparliamentary opposition. After the war, Alasania initially observed that it was necessary to reform the “institutional system of decisionmaking in Georgia,” a fairly bland comment that nonetheless hinted at his support for restructuring government power.<sup>46</sup> Rumors about his impending resignation were rife, and he did step down at the beginning of December 2008. That month, the New Rights Party and the Republican Party announced an alliance and expressed an interest having Alasania join them.<sup>47</sup> In a manifesto he issued shortly thereafter, Alasania said that blame for the war was shared by the Georgian government and, in particular, its “unilateral, chaotic, non-institutional process of decisionmaking.”<sup>48</sup> Calling for a peaceful and constitutional “change [in] the philosophy of governance,” he indicated that elections “must be held as soon as possible,” albeit after the implementation of electoral and media reform.<sup>49</sup> In February, Alasania’s team joined the two parties to form the new Alliance for Georgia; Alasania was to be its chairperson and putative presidential candidate.<sup>50</sup>

### **The April 9 Movement**

With their ranks bolstered by high-profile and internationally recognized leaders like Burjanadze and Alasania, the nonparliamentary opposition confidently launched their protest movement on April 9. Ultimately spearheaded by a comprehensive thirteen-party organizing committee (the Labor Party was the only notable absence), the opening rally drew an estimated 50,000–60,000 protesters to central Tbilisi.<sup>51</sup> Smaller rallies began the next day at the same site, as well as in front of the Georgian public broadcaster's office and near the presidential residence, shutting down traffic on at least two major thoroughfares. Within a few days, mass protest gave way to the establishment of tent towns and, specifically, mock prison cellblocks inspired by a popular reality television show headlined by Giorgi Gachechiladze, the brother of opposition leader Levan Gachechiladze and a locally known singer, who swore to live in a makeshift prison cell until Saakashvili resigned. Although a few thousand demonstrators gathered each afternoon, the protest movement was mainly marked by the standing presence of the tents and cells, which for weeks on end closed the two main avenues (one intermittently) and were also set up in front of the presidential residence and government administration.

While the protest movement appeared to be on the wane by the end of April, it managed a surge that carried it through another month. With protests failing to achieve a daily turnout of more than at most a few thousand, Burjanadze insisted that more “active” measures were necessary to achieve the opposition's aims.<sup>52</sup> Such measures ultimately included opening a “corridor of shame” for protesters to heckle employees of public television on their way to work and, on three separate occasions, temporarily blocking main highways and the Tbilisi railway. The movement successfully convened a second mass rally on May 26, 2009, Georgia's independence day. Gauging by the packed sports stadium in which it was held, the opposition still retained its base of support of around 50,000–60,000 demonstrators.<sup>53</sup> Before this protest, however, opposition leaders had already removed the cells from the street in front of the public broadcaster, and from the end of Tbilisi's central Rustaveli Avenue at the start of June; a portion of the remainder were removed a week later. While protest leaders insisted the movement would endure, they dismantled cells in front of the presidential residence at the end of June and announced that the last cells on the street in front of parliament would be removed before a July 22 visit to Tbilisi by U.S. Vice President Joe Biden. That day, police met no resistance from the opposition as they relocated cells to the sidewalk.

### **The Limits of Revolution**

Three months after the launch of the April 9 movement, the nonparliamentary opposition appeared as far as ever from its goal of forcing Saakashvili's resignation and early elections. Their postwar vigor was insufficient to achieve their goals for at least three reasons:

1. Although the war may have increased the level of social discontent with the government, this did not translate to higher levels of public support for the opposition or for their nonnegotiable stance that the president resign. The protest movement remained a political—not social—phenomenon.
2. Despite an impressive show of unity in organizing and sustaining the April 9 protest movement, the nonparliamentary opposition remained internally divided, never really

sharing a commitment to permanent protest. Although certain leaders of the nonparliamentary opposition appeared to think the government was vulnerable and could be brought down by mass protest, others were more explicit about holding different, more temporary, objectives—demonstrating the level of popular discontent or pressuring the government to make compromises. Ultimately at least three opposition groupings, varying by tactics or beliefs, arose, jockeying for influence among the population and ultimately interfering with any one coherent approach, whether to persist with the protests to the end or engage authorities in a results-oriented dialogue.

3. The government demonstrated strength not by turning toward authoritarianism and cracking down on protests but by actively seeking to accommodate the opposition and to pursue a new commitment to democracy building, thereby diluting the opposition's attractiveness. The protest movement was occasionally met by police excess, often in response to aggressive behavior on the part of demonstrators, but the government chiefly opted for an alternative way to exhibit state control: engaging the opposition (the parliamentary opposition, in particular, but also the nonparliamentary) and addressing a number of other deficiencies in legislative, electoral, and media spheres. Combined, these measures resembled a process of "managed" democratization that promised to be gradual and top-down but, crucially, derived legitimacy from the acceptance of at least half the elected opposition and also received support from key constituencies: the Western diplomatic community and the Georgian Orthodox Church, both of whom were at best ambivalent about the April 9 movement and (in the case of the former) openly critical of its excesses. At the same time, the government retained more conventional levers of control, including the judiciary, the Interior Ministry, and the national broadcast media. The government's actions indicated that it was ready to reform, but in a sequence of its own choosing.

### **A Question of Support**

The August War did not positively affect public support for the opposition. The government, not the opposition, was able to organize massive demonstrations in Tbilisi against Russian aggression on the final day of the war and again on September 1, 2008. The opposition held only one major rally of its own in November, marking the one-year anniversary of the 2007 protests, quietly dropping its plans to hold another rally in January 2009. Popular support for the postwar protest movement crested in April–May 2009 at roughly the same level that it stood in November 2007, with a substantial but static base in Tbilisi and an almost complete absence of mass mobilization in smaller cities and towns and the countryside.

Polling before and after the war provided a nuanced picture of postwar public opinion pointing to circumscribed support for the nonparliamentary opposition. Around the time of the 2008 parliamentary elections, two nationwide surveys commissioned by the U.S. National Democratic Institute of International Affairs (NDI) and conducted by the Caucasus Research Resource Center NGO in April and July indicated that public opinion remained reasonably positive toward the government and even reflected increased support by the end of the political cycle.<sup>54</sup> Although approximately half of respondents of both surveys did not think Georgia was a democracy, about 50 percent of those surveyed thought the country was "definitely" or "mainly" moving in the right direction. Asked their opinion about political parties, about half of respondents also "very" or "somewhat" positively assessed the ruling party.

Crucially, these numbers do not mean that the other half of the population supported the nonparliamentary opposition. When asked whether one liked listed politicians, the public indicated higher levels of support for the institutional opposition; Subari, the ombudsman, and Targamadze, the parliamentary opposition's leader, led the pack with between 55 percent and 70 percent approval. Saakashvili was not far behind, and, in July, he had the second-highest approval ratings after Subari. Meanwhile, all three of the highest-ranked nonparliamentary opposition figures mentioned in the surveys (Gamkrelidze, Republican Party head David Usupashvili, and the sentenced in absentia Okruashvili, now living in Europe) experienced both absolute and relative declines in popularity.

In a postwar round of NDI-commissioned polling in November 2008, some progovernment trends continued. When asked what direction the country was going in, 44 percent said it was moving in the right direction (with only 19 percent saying it was going in the wrong direction). Moreover, at a time when the nonparliamentary opposition was loudly calling for new elections, nearly half (46 percent) thought the next presidential election should be conducted at its constitutional time, January 2013; only 21 percent thought it should be conducted in spring 2009 or earlier, as the opposition demanded.<sup>55</sup> Similar percentages held the same opinion about parliamentary elections. Respondents also continued to assess Saakashvili's United National Movement more positively than any other political party.

That said, absolute levels of support for the government declined pronouncedly after the war. The percentage of respondents who agreed that Georgia was "definitely" going in the right direction dropped by nearly half (from 16 to 9 percent). The United National Movement still topped the positively ranked list, but it dropped 17 points since July to 36 percent. On a related question regarding which party was "closest" to the respondent, the United National Movement experienced a decline of 18 points, to 28 percent. Saakashvili and Bakradze still made the list of the top-five favored politicians (in fourth and fifth place, respectively), but Saakashvili was now liked by just under half of respondents, a full 15 percent decline from July.<sup>56</sup> Two other politicians from the ruling party were among the top-ten favored politicians: third-ranked Alasania, just a few weeks away from his resignation and with a higher level of support than the president; and Tbilisi mayor Gigi Ugulava, in eighth place.

The opposition benefited from this decline in scattershot ways. The November polling revealed that support for the nonparliamentary opposition declined even further. Only 5 percent of the respondents ranked Burjanadze and the Labor Party, respectively, as the politician and party closest to them; the five other opposition parties and individuals on the list secured a total of 11 percent—less support than the Christian Democrats alone. None of the nonparliamentary opposition leaders were in the list of the five most-liked politicians. Instead, they dominated the intermediate range of support, with 7 of 9 of the next-ranked names and between 20 and 40 percent support. The bottom eleven were reserved for six government officials, one former government defector (Noghaideli), and, tellingly, four of the opposition bloc's defectors in the parliamentary opposition.

These results indicate that the war did not really benefit either the government or the opposition. If anything, it induced a certain political disorientation among the population. On the question of party "closeness," the percentage of respondents who rejected all parties, did not know, or refused to give an answer shot up from 22 to 39 percent after the war, a much greater percentage than for any named party. Increased numbers of respondents

also did not know or refused to answer questions of whether Georgia was a democracy or was going in the right direction. Finally, respondents had no real opinion on who should succeed Saakashvili as president of Georgia. Nearly half did not know, refused to answer, or rejected all names proposed.<sup>57</sup>

Opinion polls held during the April 9 protests more sharply suggested certain divisions but also indicated a continued lack of support for the nonparliamentary opposition. A telephone poll conducted in collaboration with Gallup queried only residents of Tbilisi, a known bastion of opposition support, on the second day of protests.<sup>58</sup> Just under 40 percent of the respondents disapproved of Saakashvili's job performance, and only 25 percent approved (with 35 percent not knowing or not answering). Whether inspired by the moment or something more fundamental, an impressive 42 percent expressed support for new presidential elections, compared to 25 percent opposed (another 33 percent did not know or refused to answer). At the same time, respondents had a dim view of the opposition's prospects—only 10 percent thought the president would actually resign. A May 2009 poll by the Caucasus Research Resource Center surveyed Georgian citizens nationwide, exploring popular attitudes toward the opposition's tactics.<sup>59</sup> This poll suggested that although Georgians broadly believed peaceful opposition marches were justified, only a small minority supported the April 9 movement's more confrontational tactics, including their building cell towns and blockading roads (over 70 percent were opposed and only 15 percent approved). Diverging greatly from the nonparliamentary opposition's rhetoric, respondents also broadly supported dialogue between the government and the opposition on questions of judicial, electoral, and media reform.

### **A Marriage of Convenience**

As the opposition failed to attract a wider set of supporters, the war failed to overcome its fragmentation. The opposition continued to have difficulty working together, particularly in deciding whether to refuse all negotiations short of discussing the terms of the president's resignation or to seek political change more gradually, through compromise. Notably, each of the elite defectors charted out their own course to opposition. Noghaideli criticized the nonparliamentary opposition as ineffective and announced the establishment of his own political party; Kitsmarishvili created his own foundation for similar reasons. Subari started his own "public movement for freedom and justice," acknowledging that he planned to enter politics when his term ended in 2009.<sup>60</sup> Burjanadze raced to set up her own party, the Democratic Movement–United Georgia in October, and Alasania unveiled his own political team in February.<sup>61</sup>

Eventually a division in the nonparliamentary opposition coalesced between those accepting of more gradual, or at least constitutional, means of political change and those who sought to achieve it solely through street protests. Although Alasania came around to supporting early presidential elections, he insisted that the "will of the . . . people" was necessary to achieve success and proposed holding a referendum.<sup>62</sup>

Confronted with Alasania as a new contender for national leadership, the formerly staunchly moderate (and twice acting president) Burjanadze now took the helm of the irreconcilable opposition camp. Before the alliance's formation, she preemptively rejected a referendum or even early parliamentary elections, as either would "lead to the legitimization of the government until 2013."<sup>63</sup> Burjanadze went on to call for top government officials to "distance" themselves "from the criminal government" by resigning and for all

state workers to refuse to obey its “dirty orders.”<sup>64</sup> Her position was shared by nearly all the nonparliamentary opposition in what was at the time an eight-party coalition in favor of large-scale protests. Even Noghaideli, who was not part of the opposition coalition, and had earlier noted the population was not in favor of early elections, began to hew to a more radical line, calling Saakashvili a “traitor and coward” and demanding that he resign.<sup>65</sup>

Protest organizers demonstrated an impressively united front during the April 9 movement, but existing fractures still proved difficult to eradicate. At her first appearance in front of protesters, Burjanadze was booed and felt compelled to apologize for her past service to the government.<sup>66</sup> Over the course of the movement, however, she eventually appeared to become more accepted as a bona fide opposition leader. Alasania navigated a more precarious path, insisting that he shared the opposition movement’s aims (i.e., Saakashvili’s resignation) while still exhibiting a willingness to engage in dialogue. His Alliance for Georgia maintained its distinct view that the April 9 demonstration was not a means of effecting Saakashvili’s immediate resignation, but rather a means of putting pressure on the government to engage in meaningful dialogue as just one element of a broader and longer process.<sup>67</sup> When Alasania announced on the second day of protests that the opposition was willing to meet Saakashvili, he was also booed, and other protest leaders were forced to insist that all they intended was a “televised” meeting in which the only subject for discussion would be the president’s resignation.<sup>68</sup> His alliance also appeared to be looking for the government to take some immediate unilateral steps so that they could make a more persuasive case for dialogue; Gamkrelidze publicly mooted certain ideas, including the resignation of the interior minister and the supreme court chairperson, as well as the transfer of Imedi to the Patarkatsishvili family, whom the opposition deemed the station’s legal owners.<sup>69</sup>

Such differences eventually led to an awkward modification of protest demands. Although insisting on the president’s resignation and new elections, the opposition issued a statement several weeks into the protests that included ten other reform proposals, including the removal of the interior minister, justice minister, supreme court chairperson, and CEC chairperson.<sup>70</sup> The statement also responded positively to some of the government’s proposals. The statement, cobbled together as a compromise to satisfy the opposition’s various factions, was unconvincing as a whole, with its simultaneous demands for the government’s resignation and its implementation of reforms.

Eventually, even within the Alliance for Georgia, differences between Alasania and the New Rights Party became apparent. The New Rights Party was prominent in blocking the highways and the Tbilisi railway, whereas Alasania said he would not participate in such actions. After May 26, Alasania effectively ended his role as a member of the protest movement’s organizing committee, declaring that he was moving toward a new approach that would focus on issue-specific protests, “meaningful” dialogue with authorities, and greater engagement with the international community. He also appeared willing to pursue a compromise based on early parliamentary elections, rather than the president’s resignation.<sup>71</sup> Although he said he would be establishing a new political party, Alasania insisted somewhat unconvincingly that the Alliance for Georgia would remain a viable concern.

Meanwhile, the Labor Party stood aside from the rest of the opposition, charting out a belligerent and uniquely anti-Western course. Party leader Shalva Natelashvili was the first to call for Saakashvili’s resignation on September 8, 2008, the day the Medvedev-Sarkozy supplemental agreement was signed. He also aimed criticism at the Western governments that he perceived had “sheltered and strengthened Saakashvili’s criminal regime.”<sup>72</sup>

Breaking a major taboo among even the opposition, Natelashvili announced in November that the Labor Party was launching a dialogue “with [Russian] political circles” on reestablishing economic and trade ties.<sup>73</sup> In February, Natelashvili stood further apart from the rest of the opposition in withdrawing support for Georgia’s membership in the North Atlantic Treaty Organization (NATO) and blasting both Burjanadze’s and Alasania’s entry into opposition, ridiculing them as arriving “nicely packaged” from the United States.<sup>74</sup> Natelashvili was largely absent from the April 9 movement, but his criticisms of the European and U.S. governments eventually came to resonate among many in the opposition, as local diplomats began criticizing the increasingly extreme tactics adopted by the opposition movement and individual protesters. Whether this new Labor-style disillusionment with the West will have an impact on Georgia’s traditionally pro-Western political environment remains to be seen.

By comparison, the government passed through the war largely intact. Only a few political elites defected to the nonparliamentary opposition. All of the new prominent opposition figures except for Alasania came from the ranks of those who had already left government before the war. Noghaideli and Kitsmarishvili had been dismissed and Burjanadze had left under other circumstances. No other major political actors, and, significantly, no one from the president’s inner circle (except for Okruashvili) defected from the government to join the opposition.

### **Saakashvili’s “Second” Rose Revolution**

A third major aspect of the opposition’s failure was the government’s ability and willingness to co-opt the opposition’s demands, offering itself as a viable moderate alternative committed to democratic reform, although only within targeted spheres and in a way that did not immediately threaten the dominance of the ruling party.

The government unveiled its new reform program just weeks after the war. In an unscheduled state of the nation speech coinciding with a meeting of NATO’s North Atlantic Council in Tbilisi, Saakashvili declared the launch of a “new wave of democratic reforms” to better balance branches of government, strengthen private property and judicial independence, and increase media freedom. Later that month, delivering a speech at the United Nations, Saakashvili pledged to “implement . . . the new democratic initiatives” of this “second” Rose Revolution.<sup>75</sup> In a New Year’s interview, he was more specific about his goals and the government’s shortcomings. His administration, he said, had spent the last five years making Georgia “a modern state,” but it was one still based more on personalities than institutions. It was now time to turn Georgia into “a modern society . . . based on rule of law and institutions.” Putting an image to this academic distinction, Saakashvili said that while he used to look to Georgia’s medieval king, David the Builder, for inspiration, recently he was thinking more about another role model—George Washington, who “could have been a king, but instead chose to give up power and become a democracy.”<sup>76</sup>

### **Engaging the Opposition and Its Limits**

After the war, the government did not focus on the putative threat to the state posed by an irreconcilable opposition. Accusations and fears of pro-Russian “fifth columnists” prevalent in the November 2007 protests were largely absent, replaced by occasional intimations of opposition support by shadowy Georgian oligarchs or ex-officials residing in Russia.<sup>77</sup>

The government mostly ignored the nonparliamentary opposition, while leaving open a door for dialogue, ramping up its engagement with the parliamentary opposition.

While fulfilling its prewar promises of opposition representation on the Council of Justice, the Group of Confidence, and the regulatory GNCC, the government's primary engagement with the parliamentary opposition was through the establishment of a multiparty "anti-crisis council," part of a Charter of Politicians outlining points of consensus among ruling and opposition parties (although only the parliamentary opposition and two other small parties signed it).<sup>78</sup> Saakashvili first proposed such a council as a mechanism to oversee the disbursement of postwar foreign aid. Responding to criticism of this narrow scope, the government expanded the council's responsibilities to the promotion of democratization, internal reform, and "the creation of a political environment oriented towards dialogue."<sup>79</sup> Its chairperson was Gia Tortladze, one of the five parliamentary deputies from the nine-party opposition bloc. In October, Tortladze announced that the council would tackle a number of issues pertaining to electoral and media reform, many of which corresponded to the nonparliamentary opposition's demands.

Engagement with the parliamentary opposition was not entirely smooth, however. In March 2009, the government controversially, if legally, included in an amnesty four officers imprisoned for the fatal beating of banker Sandro Girgvliani (in what appeared to be a personal dispute) in 2006. Afterwards, the two opposition members on the relevant parliamentary commission resigned their posts, saying that they had not been informed.<sup>80</sup> During the April 9 protest movement, the parliamentary opposition navigated a difficult path between pursuing reform in cooperation with authorities and defending itself from accusations of being a "pocket" opposition. At least two members boycotted parliament in solidarity with demonstrators, as Targamadze echoed the nonparliamentary opposition's proposals for the government to take certain unilateral measures in advance of negotiations.<sup>81</sup>

The government's engagement with the nonparliamentary opposition was much more intermittent. After parliamentary elections, the ruling party moved against the nonparliamentary opposition, amending a law on public funding to deny funding to political parties that had renounced their mandates. Saakashvili now announced that new circumstances required the government to revisit the issue to help ensure that parties did not turn to Russia for financial support.<sup>82</sup> One of the final acts of parliament in 2008 was to restore nonparliamentary party funding. The government also repeatedly invited the nonparliamentary opposition to join the various councils and commissions it was establishing to promote legislative and governance reform, including the anticrisis council and an electoral and (later) constitutional reform commission.

The government also approached the April 9 demonstrations with considerable restraint. Interior Ministry officials asserted the right of protesters to "come and go as long as they wish" and expressed a readiness to establish liaisons with protest leaders to reduce prospects for miscommunication and provocation.<sup>83</sup> For over two months, the police avoided overt conflict with participants, shying away from even maintaining a visible presence at protest sites.

The government also continued to pursue a dialogue with the nonparliamentary opposition. A few weeks into the protests, Saakashvili proposed to meet with opposition representatives, and a few (Alasania, Gachechiladze, Zourabichvili, and Shartava) agreed. Although no concrete results emerged, Alasania termed the meeting a "new beginning" (others less optimistically said the president was living in a different reality).<sup>84</sup> For his part, Saakashvili



indicated that he made several new proposals, including giving the opposition the right to chair a new constitutional commission, restructuring the public television's board of trustees, and appointing nonparliamentary opposition figures to "different responsible offices" in the government.<sup>85</sup> After a second meeting in June with Gachechiladze (and endorsed by Alasania), Saakashvili clarified that these might include the position of deputy minister of internal affairs (although only in the context of a broader settlement, as became clear when ex-foreign minister Salome Zourabichvili offered to immediately take up the post).<sup>86</sup>

At the same time, the government occasionally veered into open confrontation with the nonparliamentary opposition. The pretexts for such confrontations often appeared to be legitimate, as protesters were themselves eager to overstep civil (and legal) boundaries. Still, the choice—and extent—of police action appeared occasionally excessive at best and politically motivated at worst. The first hint of tension came in the weeks before the start of the April 9 movement. After several thousand opposition supporters gathered for a "protest concert" by reality television "inmate" Giorgi Gachechiladze, someone in the crowd threw a live grenade at a parked police car.<sup>87</sup> A few days later, police arrested seven low-level activists or associates of Burjanadze's new political party (and three others) for attempting to illegally buy various kinds of arms. After Burjanadze demanded their release, the interior ministry released video footage of the sting operation, including some of the arrested discussing firing guns into the air during the April 9 protest to stir the crowd. Although Burjanadze and other opposition leaders alternated between condemning the arrests and accusing the government of sending infiltrators into her party, they quietly let the matter drop.<sup>88</sup>

The government generally tolerated the thinly populated "cell" towns that sprouted on key avenues during the protest, but occasional clashes marred any goodwill this accommodation might have produced. On the third day of protest, a scuffle of murky origins between protesters and a municipal cleaning crew—opposition leaders alleged the crew included interior ministry employees and ruling party activists—ended up with the destruction of computer and sound equipment in the protesters' makeshift pressroom. The opposition, together with Subari, also insisted that isolated protesters were frequently the target of assault by unknown individuals (with even the pro-opposition cable station Maestro experiencing a grenade attack) and that the police were failing to properly investigate all such cases.<sup>89</sup> Tensions heightened as protest leaders prepared to organize for "self-defense," including with bats and other sticks; occasionally protesters were arrested for scuffling with police or violently quarreling with Tbilisi residents who opposed the demonstrations.<sup>90</sup> A major confrontation was narrowly avoided after the arrest of young protesters who had assaulted a public television journalist who expressed irritation at the "corridor of shame." Rumors about their poor treatment in a police station led to a march on the station and, ultimately, Gachechiladze leaping over the fence in a theatrical effort to release the protesters. After his forcible detention, demonstrators surged toward the fence and were beaten back by riot police armed, despite the close range, with nonlethal projectile weapons.<sup>91</sup> In an effort to reduce tensions, the government released the three protesters the next day.

By June 2009, the government's patience appeared to have been stretched to its limits. The opposition alleged more than one hundred unsolved cases of assaults on protesters, and more frequent instances of clear police intervention were also seen. Dozens of activists from various opposition parties began to be arrested throughout the country for illegal possession of arms.<sup>92</sup> When the parliament finally reconvened after a more than two months hiatus in an effort to avoid heightening tensions, protesters organized a new

“corridor of shame,” throwing eggs and water at members of parliament.<sup>93</sup> A scuffle with parliamentary security guards ensued, with several activists arrested. When a new protest convened in an effort to release the newly arrested, the police showed far less restraint; demonstrators were forcibly dispersed, with journalists, a uniformed representative of the ombudsman’s office, and a member of Alasania’s political team also beaten; almost forty protesters were arrested (five were imprisoned and the rest fined). Interior Ministry officials expressed “regret” and apologized for the attacks on journalists, explaining that the incident occurred when protesters tried to resist the arrest of those wanted for the earlier scuffle at parliament.<sup>94</sup> Still, as party activists continued to be arrested across the country, concerns grew that the government was (at best) selectively applying the rule of law to rein in an opposition that had outstayed its welcome.

### **Institutional Reform and Its Limits**

After the war, the Georgian government also moved forward with a number of constitutional and electoral reforms. On the constitution, the government proposed a number of amendments to partially rebalance Georgia’s strong presidency, which Saakashvili had in some ways made stronger after the Rose Revolution, particularly through a new wide-ranging right of parliamentary dissolution that hung as a threat over parliament in the event that it refused to support appointed governments, legislation, or budgets.<sup>95</sup> The president insisted that the amendments would make it easier for parliament to dismiss the government while making it “effectively . . . impossible” for the president to dissolve parliament.<sup>96</sup> In October, parliament initiated passage of an amendment proposed before the war, which had fallen casualty to the broader failure of compromise on the electoral code. The amendment provided for a fresh vote of confidence on the ruling cabinet after a parliamentary election, presumably without the threat of dissolution. A fuller set of amendments was unveiled at the end of December.<sup>97</sup> As proposed, the new constitutional amendments introduced relative changes in the balance of power but were still not the kind of comprehensive changes many perceived were necessary.

The promise of a major revision to Georgia’s structure of governance emerged in the course of the April 9 movement. Prior to the launch of the movement, there was greater discussion among observers regarding the desirability of some kind of constitutional “forum” to redesign Georgia’s legislative foundations. An idea publicly articulated by minority leader Targamadze, this eventually took shape as a constitutional commission developed by an interagency working group the government had established at the start of the year to coordinate the “new wave” of political reform. The group’s chairman was the newly appointed minister for penitentiary and probation, Dmitry Shashkin, a Georgian native and longtime head of the Tbilisi office of the U.S. International Republican Institute.<sup>98</sup> As the April 9 movement stretched into June, planning for the constitutional commission moved forward. Together with representatives of various state organs, twenty political parties, including both the parliamentary and nonparliamentary opposition, were invited to participate (the nonparliamentary opposition refused), as were some nine NGOs and twenty legal experts and other scholars. A former constitutional court chairperson was selected to head the commission, which was to be granted the right to make amendments to the constitution on the basis of a two-thirds majority vote.<sup>99</sup>

The establishment of another group intended to address a second pressing complaint about the country’s state of democracy, specifically a set of doubts regarding the

transparency, fairness, and freedom of the electoral process, preceded the creation of the constitutional commission. Building on the prewar idea of an electoral code commission, Bakradze noted in November that the government was committed to working in cooperation with the anti-crisis council to reform the country's electoral code in a way that would "reflect and address all those problems that were detected by international observers" during the May elections.<sup>100</sup> The next month, Bakradze confirmed that he would organize a working group tasked with developing a new electoral code—from scratch if need be. He invited the nonparliamentary opposition, as well as local and international NGOs, to participate.<sup>101</sup> At the end of February, the parliamentary opposition and the Labor Party (as well as one other minor party) agreed to a code of conduct for participating in the electoral working group, facilitated by the NDI. Among other provisions, the code implicitly rejected early elections, specifying the need for a "period of stability" following the passage of electoral reforms.<sup>102</sup> The nonparliamentary opposition refused to join the working group, denouncing it as a delay tactic and insisting that the president had to resign before any discussion of electoral reform could occur.<sup>103</sup> A related government proposal on the eve of the April 9 protest was a substantial policy reversal: although steadfastly rejecting the prospect of even early parliamentary elections, the government offered to move the schedule for local elections forward from the autumn of 2010 to the spring and to allow for the direct election of Tbilisi's mayor, a longstanding demand of the opposition but one which they now deemed, in isolation, to be unsatisfactory.<sup>104</sup>

The lack of media freedom was one of the opposition's most potent complaints, starting soon after the Rose Revolution, and an area in which the government quickly moved to partially accommodate the opposition's demands following the August War. First, public television experienced several reforms, including the passage of legislation developed by the anti-crisis council, mandating the airing of political talk shows with the participation of all parties eligible for state funding, irrespective of whether or not they revoked their mandates. Plans were later announced to transform public television's second channel, restricted to Tbilisi and used to broadcast parliamentary sessions, into a full-time nationwide political channel with a mandate that included airing live all press conferences and public statements of political parties.<sup>105</sup> Although the question of public television bias remained a key concern for the April 9 movement, eventually leading to the resignation of four of the nine members of the public television's board of trustees, the government continued to maintain a commitment to its ongoing reform.<sup>106</sup> Two small independent television stations that gained a reputation for broadcasting opposition views, the Tbilisi-based *Kavkasia* and the cable-only *Maestro*, acquired certain institutional protections and, in the case of the latter, a license to air political programming, which the GNCC and the Tbilisi city court had denied it earlier in the year, as well as to be broadcast by satellite.<sup>107</sup>

At the same time, the government did little to address outstanding issues of media transparency and property rights pertaining to the two formerly most popular and, significantly, nationwide private television channels, *Imedi* and *Rustavi-2*. After Patarkatsishvili's death in February 2008, an alleged step-cousin, Joseph Kakalashvili (a.k.a. Joseph Kay), a wealthy Georgian émigré businessman in the United States, produced a power of attorney he claimed Patarkatsishvili had given him to execute his will. With the document, he secured the sale of *Imedi* to himself from its formal owners, Patarkatsishvili's colleagues. Patarkatsishvili's family, led by his widow, called Kay an "imposter" who was keeping the station away from the family in collaboration with the government.<sup>108</sup> Although a Tbilisi

city court ruled that Kay had the right to manage Patarkatsishvili's Georgia-based assets and properties, some months after the war, he sold 90 percent ownership to the Georgian branch of the investment authority of Ras Al-Khaimah, one of the United Arab Emirates and an increasingly important investor in Georgia.<sup>109</sup> Patarkatsishvili's family insisted the sale of Imedi to the United Arab Emirates' Georgian holding was illegal and indicative of state involvement. The July 2009 appointment of former presidential chief of staff and minister of economic development Giorgi Arveladze as general director of the Imedi TV and radio holdings bolstered such convictions.

Meanwhile, the government made no effort to clarify the ownership structure of Rustavi-2, the murky history of which left a lengthy trail of government involvement. Months after the Rose Revolution, Rustavi-2 declared bankruptcy and was sold to a Georgian businessman and close associate of Okruashvili, then the interior minister. The new owner purchased majority shares of another television station, Mze, from a business group owned in part by parliamentarian (and brother to the then-foreign minister) Davit Bezhuashvili, and the new conglomerate was divided between the two in a roughly 80–20 split. After Okruashvili left the government, Rustavi-2's shares were quickly sold to a company that Imedi reported was owned by a friend of the then-GNCC chair, another Okruashvili associate.<sup>110</sup> It later emerged that another entirely unknown company, GeoMedia, registered in the Marshall Islands, owned 55 percent of Rustavi-2 with 45 percent remaining to Bezhuashvili's Georgian Industrial Group. Former Rustavi-2 owner Kitsmarishvili, among others, accused Saakashvili of personally controlling the mysterious GeoMedia. In November 2008, GeoMedia and the Georgian Industrial Group reduced their shares to 40 and 30 percent, respectively, while the remaining 30 percent was granted to the station's general director, Irakly Chikovani.<sup>111</sup> Another change in ownership came just six months later, when Chikovani (who had recently resigned as director) was selected as a member of the GNCC. His shares, together with those of GeoMedia, became the property of a new and equally mysterious offshore company Degson Limited, now the 70 percent majority owner of Rustavi-2.<sup>112</sup>

Thus, although the government enlarged certain media freedoms, it remained dogged by fundamental questions of property rights and ownership transparency with regard to what was previously the most prominent—and only private nationwide—television broadcasting stations. In addition to the legal issues involved, the practical effect was to maintain a divide between the “free media” city of Tbilisi, already captured to a large degree by opposition, and the rest of the country, which received television broadcasts mainly by public television and two “legacy” stations with unclear legal ownership status and government links.

After the August War, the government also paid less substantive attention to the judiciary, long recognized to be in desperate need of reform. Saakashvili did promise steps to reform the judiciary, however. In a televised discussion with the chair of the supreme court, Saakashvili admitted that although the judiciary had been cleansed of corruption, “there is a sense in the society that a judge knows his verdict in advance; or verdicts are ordered to judges—this should end soon.”<sup>113</sup> The president subsequently acknowledged that the public's low confidence in the courts was warranted: “Is the system today arranged in a way that would rule out misuse . . . in case of interference by some of our team members? Unfortunately, I cannot yet give a negative answer to this question.”<sup>114</sup> One major institutional reform was the merger of the prosecutor-general's office with the Ministry of Justice, although the implications of this unification on transparency and oversight

remained to be seen.<sup>115</sup> Saakashvili also announced plans to appoint judges for life and establish a jury system.<sup>116</sup>

Finally, the government did little to attend to concerns about the Interior Ministry's abuses of power and its overall aura of being outside the law. Before and during the April 9 protest movement, opposition leaders (and the ombudsman) had proposed certain reforms of the ministry, including the establishment of a civilian oversight board and the separation or reorganization of its state security functions from its policing ones (Georgia's ministry of state security, its KGB successor, merged with the interior ministry after the Rose Revolution). In advance of the May 2008 elections, the government indicated a willingness to explore "reforms" of the interior ministry by an inclusive commission, but the opposition rejected this response as prevarication.<sup>117</sup> Since then, the government evinced little interest in further pursuing the matter.

### **External Attitudes**

As the April 9 movement wore on, the government's more constructive, if circumscribed, approach was bolstered by the local European and U.S. diplomatic community's vocal criticism of the protest movement and by the patriarch of the Georgian Orthodox Church's failure to overtly support the protesters—both actors' opinions carried considerable weight among the population. Since at least the November 2007 crackdown, the Georgian government had encountered increased external criticism of its shaky democratic course; its decision to go to war in response to South Ossetian and Russian provocations exacerbated this dissatisfaction in many quarters. At the same time, supporters of Georgia in Europe and the United States continued to favor a negotiated settlement between the government and opposition rather than a new political upheaval. As a result, they were far more responsive to the government's offers of inclusive dialogue than to the refusal of much of the nonparliamentary opposition to compromise.<sup>118</sup>

As perceptions of the April 9 movement soured, the diplomatic evenhandedness with which the protests were initially met gave way to public criticism of the opposition. A week into the protests, the European Union's (EU) notably balanced special representative to the Caucasus, Peter Semneby, who ended up as an informal mediator during the protests, told an interviewer that diplomats were recommending the nonparliamentary opposition "put aside" their demand for Saakashvili's resignation.<sup>119</sup> As the protest movement dragged on, other European diplomats in Tbilisi allowed themselves to express more explicit criticism. French ambassador Eric Fournier "regret[ed]" the fact that some protesters had "decided to act contrary to the law" in blocking parliament (a charge the opposition vehemently denied) and later opined that "democracy [was] insulted" after the June harassment of parliamentarians by protesters.<sup>120</sup> Some diplomats termed the protester assault on a public television journalist as "simply unacceptable," while the ambassador of the Czech Republic (then-holder of the EU presidency) termed the subsequent fracas at the police station a "criminal act [that] does not fit into the frameworks of any democratic country."<sup>121</sup> Finally, after the June incident, the U.S. Embassy in Georgia released an extraordinary condemnation of the "attacks by protesters on members of Parliament . . . regret[ting] the decision of some protest leaders to endorse these assaults on both people and property." According to the statement, the actions "undermine[d] the protest leaders' prior statements calling for non-violent action [and] crossed a line from free expression of opinion to criminal activity."<sup>122</sup> Protest leaders were surprised and disappointed at what they perceived to be

this unbalanced diplomatic response and called on European and U.S. diplomats to offer equivalent criticism of police violence and harassment.

Although the diplomatic reaction to the April 9 movement did not help the opposition's cause, the tacit criticism of the respected patriarch of the Georgian Orthodox Church was a greater blow. When, on May 26, protest leaders called on demonstrators to march from the rally to Tbilisi's Holy Trinity Cathedral to hear from Patriarch Ilia II, they appeared surprised to hear the latter clearly reject calls for the president's resignation. Disappointed with the patriarch's comments and going so far as to claim that government intimidation had prevented him from speaking his mind, opposition leaders subsequently met with him privately. His ensuing clarification that it was the government's responsibility to take "active steps to defuse the tensions, be this through snap elections, negotiations, or something else" did not do much to alter the perception that the patriarch (at least openly) supported the government's stance more than that of the nonparliamentary opposition.<sup>123</sup>

### Conclusion

Despite the considerable political discord in Georgia that continued for at least a year after the August War, the war did not interfere all that much with ongoing processes of political development in Georgia. If anything, it spurred those processes forward. The nonparliamentary opposition continued to retain its uncompromising stance that Saakashvili should resign, whereas the government continued its top-down management of reform in collaboration with a small parliamentary opposition.

After navigating through the April 9 protest movement, the government is close to addressing some fundamental reforms, including revamping Georgia's constitutional separation of power and its electoral code, in advance of the next round of national elections. Whether the nonparliamentary opposition will participate in these reforms remains to be seen. If it does not, the reforms might still develop in sufficiently inclusive and transparent ways to be legitimate. Still, the nonparliamentary opposition represents a substantial social base, at least in Tbilisi, and its involvement in the process would be vastly preferable. The problem is that to obtain this involvement will require the government to agree to at least preterm parliamentary elections, and even then, there is no guarantee that this would be sufficient to engage the nonparliamentary opposition. One possible compromise, to date dismissed out of hand by the government, would be to hold parliamentary elections (now scheduled for 2012) simultaneously with local elections in late 2010.

More problematic is the matter of Georgia's nationwide private television stations. The matter requires full transparency of current ownership structures and, ideally, a legal review of past ownership transfers. Should it prove too difficult to mandate the reversal of past transactions of questionable legality, then the courts should at least determine whether any claimant is entitled to compensation. The government should also make every effort to ensure that the owners of the national stations are committed to the development of news programming free from state interference or complications arising from close owner-state relations.

Finally, reform of the judicial branch and interior ministry remain challenging but fundamental goals. Having established themselves as pillars of a functioning state, these organs need to now become the foundation for a flourishing Georgian society.

Taken together, these reforms will go a long way toward consolidating Georgian democracy. Unfortunately, the problem of Georgia's democratization continues to lie less in identifying

solutions than in persuading all relevant actors that agreeing to the same framework for reform is in their interests and doing so in a state of continued confrontation with Russia. How to turn contestation and limited conciliation into full-blown compromise is the fundamental question that must be resolved if Georgia is to stay on its path to European democracy.

## NOTES

1. For more on the Rose Revolution and the Saakashvili government, see Irakly Areshidze, *Democracy and Autocracy in Eurasia: Georgia in Transition* (East Lansing: Michigan State University Press, 2007); Laurence Broers, "After the 'Revolution': Civil Society and the Challenges of Consolidating Democracy in Georgia," *Central Asian Survey* 24, no. 3 (2005): 333–350; Miriam Lansky and Giorgi Areshidze, "Georgia's Year of Turmoil," *Journal of Democracy* 19, no. 4 (2008): 154–168; Lincoln A. Mitchell, *Uncertain Democracy: U.S. Foreign Policy and Georgia's Rose Revolution* (Philadelphia: University of Pennsylvania Press, 2009); Cory Welt, "Georgia's Rose Revolution: From Regime Weakness to Regime Collapse," in Valerie Bunce, Michael A. McFaul, and Kathryn Stoner-Weiss, eds., *Democracy and Authoritarianism in the Post-Communist World* (Cambridge: Cambridge University Press, forthcoming 2009); and James V. Wertsch, "Georgia as a Laboratory for Democracy," *Demokratizatsiya* 13, no. 4 (2005): 519–535.

2. Organization for Security and Co-Operation in Europe (OSCE)/Office for Democratic Institutions and Human Rights (ODIHR), *Georgia Municipal Elections: Limited Election Observation Mission Final Report* (Warsaw: OSCE, 2006), 24.

3. Okruashvili later pled guilty to extortion and criminal negligence, was released on bail, quit politics, and left the country the day before the November rallies, allegedly under duress. Imedi TV (Tbilisi), "Former Georgian Defence Minister Attacks President," September 25, 2007, <http://www.monitor.bbc.co.uk/>; Rustavi-2 TV (Tbilisi), "Georgian Ex-Defence Minister Partly Admits His Guilt," October 8, 2007, <http://www.monitor.bbc.co.uk/>; and Imedi TV, "Georgian Ex-Defence Minister Forced to Leave Country—Lawyer," November 1, 2007, <http://www.monitor.bbc.co.uk/>.

4. These included the Republican Party (David Usupashvili, Tina Khidasheli, David Berdzenishvili, Levan Berdzenishvili, and Ivliane Khaindrava), the Conservative Party (Kakha Kukava and Zviad Dzidziguri), the Party of People (Koba Davitashvili), Movement for United Georgia (Okruashvili's supporters, including Gia Tortladze, Giorgi Tsagareishvili, and Eka Beselia), Georgia's Way (ex-foreign minister Salome Zourabichvili), independent MP Levan Gachechiladze (cofounder of the opposition New Rights Party who left that party after the Rose Revolution), and Giorgi Khaindrava, ex-minister for conflict resolution, turned nongovernmental organization activist. Less prominent organizers included the Freedom Party (Konstantine Gamsakhurdia, the son of Georgia's first president, Zviad Gamsakhurdia), On Our Own (Paata Davitaia, a former member of the Abkhazian government-in-exile), the National Forum (Kakha Shartava, former diplomat and son of the assassinated wartime chair of Abkhazia's Council of Ministers Zhiuli Shartava), and the Georgian Troupe (Jondi Bagaturia, a disaffected member of the Labor Party).

5. OSCE/ODIHR, *Election Observation Mission Report, Part 2: Georgia, Partial Repeat Parliamentary Elections* (Warsaw: 2004), 24.

6. "No Signs of Compromise as Opposition Vows to Keep Protesting," *Civil Georgia*, November 2, 2007, <http://www.civil.ge/eng/article.php?id=16172> (accessed June 26, 2009); and "Mass Protest in Georgian Capital," BBC News, November 3, 2007, <http://news.bbc.co.uk/2/hi/europe/7074585.stm> (accessed June 26, 2009).

7. For a full analysis of events, see Human Rights Watch, "Crossing the Line: Georgia's Violent Dispersal of Protesters and Raid on Imedi Television," December 19, 2007, <http://www.hrw.org/reports/2007/georgia1207/index.htm> (accessed June 26, 2009).

8. "Tycoon Says Georgian 'Fascist Regime Doomed'," *Kavkas-Press*, November 7, 2007, <http://monitor.bbc.co.uk>.

9. They also threatened to arrest other opposition leaders for espionage, releasing tapes of what were at least friendly conversations with Russian diplomatic personnel. Human Rights Watch, "Crossing the Line," 66–76, 81–83; "Labor Party Leader Wanted for 'Coup Plotting' and 'Espionage,'" *Civil Georgia*, November 8, 2007, <http://www.civil.ge/eng/article.php?id=16263> (accessed

June 26, 2009); and Georgian Public Television Channel One (Tbilisi), “Georgian Opposition Leader Not To Face Arrest, Prosecutor’s Office Says,” November 10, 2007, <http://monitoring.bbc.co.uk/>.

10. Gachechiladze ran on an informal joint ticket with Salome Zourabichvili, Saakashvili’s first foreign minister and former French ambassador to Georgia, who was slated to be prime minister. “Opposition Coalition Names Presidential Candidate,” *Civil Georgia*, November 12, 2007, <http://www.civil.ge/eng/article.php?id=16309> (accessed June 26, 2009).

11. Such a plan was alleged to include mass protests, the use of fake evidence to “prove” electoral fraud, and, for U.S.\$100 million, the support of Georgian special forces. Georgian Public Television Channel One, “Georgian General Prosecutor’s Office Publishes Secret Recordings,” December 24, 2007, <http://monitor.bbc.co.uk/>; and “Transcript of Conversation Between Patarkatsishvili and Kodua,” *Civil Georgia*, December 29, 2007, <http://www.civil.ge/eng/article.php?id=16713> (accessed June 26, 2009). For Patarkatsishvili’s version of what transpired, see Rustavi-2 TV, “Georgian Tycoon Addresses Private TV Journalists after Publication of Secret Recordings,” December 25, 2007, <http://monitor.bbc.co.uk/>.

12. Patarkatsishvili died of a heart attack in London in February 2008, with no evidence of foul play. “Patarkatsishvili Charged with Plotting Coup, Terrorism,” *Civil Georgia*, January 10, 2008, <http://www.civil.ge/eng/article.php?id=16853> (accessed June 26, 2009); and “Georgian Billionaire Badri Patarkatsishvili Had Severe Heart Disease, Inquest Hears,” *Sunday Mirror*, February 15, 2008, <http://www.mirror.co.uk/news/top-stories/2008/02/15/georgian-billionaire-badri-patarkatsishvili-had-severe-heart-disease-inquest-hears-115875-20320519/> (accessed June 26, 2009).

13. Lansky and Areshidze, “Georgia’s Year of Turmoil,” (see n1).

14. OSCE/ODIHR, Georgia: Extraordinary Presidential Election 5 January 2008, (Warsaw: OSCE, 2008), 29. For a region-by-region breakdown, see “Final CEC Official Results,” *Civil Georgia*, <http://www.civil.ge/eng/category.php?id=90> (accessed June 26, 2009).

15. *Ibid.*, 7, 9–10, 19; and calculations by Pavle Milekic and author. In 22 of 76 districts, at least 10 percent of eligible votes came from precincts reporting 90 percent or greater turnout, considerably higher than the official nationwide turnout of 56 percent. The Armenian-populated districts of Akhalkalaki and Ninotsminda and the Azerbaijani-populated district of Marneuli topped the list with, respectively, 63, 54, and 49 percent of eligible votes from precincts reporting at least 90 percent turnout.

16. The CEC and courts annulled the results in only 12 of the more than 3,500 precincts. OSCE/ODIHR, Georgia: Extraordinary Presidential Election 5 January 2008, 23–24.

17. “Opposition Coalition Steps Up Anti-Saakashvili Rhetoric,” *Civil Georgia*, April 8, 2008, <http://www.civil.ge/eng/article.php?id=17546> (accessed June 26, 2009).

18. The government said others had already been released and that the rest had nothing to do with the protests. “Georgian Acting President Pardons Another Political Figure,” *Kavkas-Press*, January 7, 2008, <http://monitor.bbc.co.uk/>; and “New Board of Public TV Approved,” *Civil Georgia*, February 26, 2008, <http://www.civil.ge/eng/article.php?id=17198> (accessed June 26, 2009).

19. The government also initiated other electoral reforms. These included reducing the threshold for parties to enter parliament from 7 percent to 5 percent and eliminating election-day voter registration. The ruling party also announced a revitalization of its party list, replacing some 75 percent of its candidates, including most candidates in majoritarian districts. OSCE/ODIHR, Georgia: Parliamentary Elections 21 May 2008 (Warsaw: OSCE, 2008), 6–9; and “President Mikheil Saakashvili’s Speech Delivered at the National Movement Party congress,” President of Georgia, May 3, 2008, <http://www.president.gov.ge/?l=E&m=0&sm=3&st=40&id=2599> (accessed June 26, 2009). Based on my calculations, only 15 of 60 government-affiliated majoritarian deputies from the previous parliament were elected to the new one, and only one-third of all the ruling party’s newly elected 119 deputies had been in the previous parliament.

20. Mze TV (Tbilisi), “Georgian President-Elect Pledges to Address Human Rights Concerns,” January 15, 2008, <http://monitor.bbc.co.uk/>; and OSCE/ODIHR, Georgia: Parliamentary Elections 21 May 2008, 16–17. (see n19).

21. “Chairman of Public TV Board Resigns,” *Civil Georgia*, May 30, 2008, <http://www.civilgeorgia.ge/eng/article.php?id=18433> (accessed June 26, 2009); and “Public TV Board Members Deny Pressure,” *Civil.ge*, June 12, 2008, <http://www.civil.ge/eng/article.php?id=18539> (accessed June 26, 2009).



22. "Controversy over Majoritarian MP Election Rule," *Civil Georgia*, February 29, 2008, <http://www.civil.ge/eng/article.php?id=17230> (accessed June 26, 2009).

23. *Ibid.*; and "Georgian Authorities Respond to Opposition's Demands," *24 Saati*, February 15, 2008. For a point-by-point comparison of the opposition's demands to the government's response, see "Chart: Opposition Demands/Ruling Party's Response," *Civil Georgia*, February 16, 2008, <http://www.civil.ge/eng/article.php?id=17129> (accessed June 26, 2009).

24. "Opposition Hunger Strike Begins," *Civil Georgia*, March 9, 2008, <http://www.civil.ge/eng/article.php?id=17310> (accessed June 26, 2009); "Opposition Lays Out 'Compromise Proposal,'" *Civil Georgia*, March 20, 2008, <http://www.civil.ge/eng/article.php?id=17406> (accessed June 26, 2009); and "Three Options for New Parliament Structure," *Civil Georgia*, March 20, 2008, <http://www.civil.ge/eng/article.php?id=17398> (accessed June 26, 2009).

25. OSCE/ODIHR, Georgia: Parliamentary Elections 21 May 2008, 34.

26. Calculations by Pavle Milekic and author. In parliamentary elections, only 12 of 76 districts had at least 10 percent of eligible votes coming from precincts with reported turnout of 90 percent or greater (compared to an official nationwide turnout of 53 percent). Akhalkalaki again topped the list, now with 44 percent of its votes coming from precincts with 90 percent or greater turnout (a decline of 19 percent), while the share of suspicious votes in Ninotsminda and Marneuli dropped dramatically (by 39 and 38 percent, respectively).

27. That said, authorities showed greater willingness to investigate violations, and the results of at least thirty-eight precincts (more than 1 percent of the total) were annulled. A majoritarian candidate who sought to frighten voters into supporting the ruling party by telling them that their jobs in state structures would be lost if the government did not win 80 percent of the vote was caught on tape by opposition parties. The ruling party withdrew his nomination, and an opposition candidate won the seat. OSCE/ODIHR, Georgia: Parliamentary Elections 21 May 2008, 13, 26. (see n19).

28. These were Dmitry Lortkipanidze of Georgia's Way; Jondi Bagaturia of the Georgian Troupe; Paata Davitaia of On Our Own; and the nonaffiliated Gia Tortladze and Giorgi Tsagareishvili, previously top officers of Okruashvili's Movement for United Georgia who had been demoted for unclear reasons two months before the election. "Okruashvili Sacks Key Party Leaders," *Civil Georgia*, March 5, 2008, <http://www.civil.ge/eng/article.php?id=17262> (accessed June 26, 2009).

29. Subsequent repeat elections to fill two majoritarian seats vacated by the opposition bloc were not contested by the ruling party and were filled by other opposition candidates (a Christian Democrat and a representative from one minor party)

30. "New Parliament and 'Alternative Center,'" *Civil Georgia*, June 7, 2008, <http://www.civil.ge/eng/article.php?id=18501> (accessed June 26, 2009).

31. Mze TV, "Georgian Parliamentary Majority, Opposition Start Consultations," June 11, 2008, <http://monitor.bbc.co.uk/>.

32. "Ruling Party, Christian-Democrats Reach Agreement," *Civil Georgia*, June 12, 2008, <http://www.civil.ge/eng/article.php?id=18540> (accessed June 26, 2009).

33. "New Rights Party: Saakashvili Must Resign," *Civil Georgia*, September 9, 2008, <http://www.civil.ge/eng/article.php?id=19445> (accessed June 26, 2009).

34. *Ibid.*

35. "'New Type of Opposition Movement' Planned," *Civil Georgia*, October 21, 2008, <http://www.civil.ge/eng/article.php?id=19801> (accessed June 26, 2009).

36. "Opposition Lays Out Five-Month Action Plan," *Civil Georgia*, November 7, 2008, <http://www.civil.ge/eng/article.php?id=19902> (accessed June 26, 2009).

37. Arch Puddington, "Freedom in the World 2009: Setbacks and Resilience," Freedom House, [http://www.freedomhouse.org/uploads/fiw09/FIW09\\_OverviewEssay\\_Final.pdf](http://www.freedomhouse.org/uploads/fiw09/FIW09_OverviewEssay_Final.pdf) (accessed June 26, 2009).

38. "Opposition Figure Briefs on Inter-Party Consultations," *Civil Georgia*, January 16, 2009, <http://www.civil.ge/eng/article.php?id=20271> (accessed June 26, 2009); and "Opposition Set to Focus on Saakashvili's Resignation Demand," *Civil Georgia*, January 16, 2009, <http://www.civil.ge/eng/article.php?id=20278> (accessed June 26, 2009).

39. "12 Parties Call for Saakashvili's Resignation," *Civil Georgia*, January 29, 2009, <http://www.civil.ge/eng/article.php?id=20347> (accessed June 26, 2009).

40. “Zurab Nogaideli: ‘All this is wrong and a lie!’” *Kviris Palitra* (Tbilisi), September 15, 2008, quoted in “Ex-PM Attacks Government,” *Civil Georgia*, September 16, 2008, <http://www.civil.ge/eng/article.php?id=19519> (accessed June 26, 2009).

41. “Erosi Kitsmarishvili: I have many regrets...” *Kviris Palitra*, September 29, 2008, quoted in “Former Insider Lashes Out at Authorities,” *Civil Georgia*, September 29, 2008, <http://www.civil.ge/eng/article.php?id=19625> (accessed June 26, 2009).

42. Sozar Subari, “Unity in the Name of Freedom and Justice,” Public Defender of Georgia, [http://www.ombudsman.ge/uploads/open\\_letters/26.09.08unity\\_in\\_the\\_name\\_of\\_freedom\\_and\\_justice.pdf](http://www.ombudsman.ge/uploads/open_letters/26.09.08unity_in_the_name_of_freedom_and_justice.pdf) (accessed June 26, 2009).

43. *Ibid.* Later, Subari claimed that during the November 7 crackdown, government officials made the strategic decision to use excessive physical force against dozens of sit-in protesters, as, being beaten up, they would lose respect and influence among followers. Georgian Public Television Channel One, “Georgian Ombudsman Levels New Allegation against Government,” December 30, 2008, <http://monitor.bbc.co.uk/>.

44. Rezonansi (Tbilisi), “Open Letter of Nino Burjanadze to Mikheil Saakashvili, President of Georgia,” October 24, 2008, Democratic Movement: United Georgia, [http://www.democrats.ge/index.php?option=com\\_content&view=article&id=13%3Anino-burjanadzis-gia-werilisaqartvelos-prezidents-mixeil-saakashvils&catid=7%3Agantskhadebebi&Itemid=17&lang=en](http://www.democrats.ge/index.php?option=com_content&view=article&id=13%3Anino-burjanadzis-gia-werilisaqartvelos-prezidents-mixeil-saakashvils&catid=7%3Agantskhadebebi&Itemid=17&lang=en) (accessed June 26, 2009).

45. “Nino Burjanadze: ‘This government destroyed the country,’” *Rezonansi*, December 29, 2008, quoted in “Burjanadze Focuses on Demand for Early Presidential Polls,” *Civil Georgia*, December 29, 2008, <http://www.civil.ge/eng/article.php?id=20212> (accessed June 26, 2009).

46. See, for instance, Alasania’s interview, “Three Directions of Georgian Diplomacy,” *24 Saati*, November 13, 2008, <http://monitor.bbc.co.uk/>.

47. “New Opposition Alliance Set Up,” *Civil Georgia*, December 8, 2008, <http://www.civil.ge/eng/article.php?id=20094> (accessed June 26, 2009).

48. “Irakli Alasania’s Statement,” *Civil Georgia*, December 24, 2008, <http://www.civil.ge/eng/article.php?id=20191> (accessed June 26, 2009); and Georgian Public Television Channel One (Tbilisi), “Georgia’s Ex-UN Envoy Calls for Snap Elections,” December 24, 2008, <http://monitor.bbc.co.uk/>.

49. *Ibid.*

50. “Alasania Leads New Alliance with New Rights, Republicans,” *Civil Georgia*, February 23, 2009, <http://www.civil.ge/eng/article.php?id=20465> (accessed June 26, 2009).

51. This eventually became a fourteen-party affair, with the late addition of Kakha Shartava’s National Forum. “13 Parties Agree to Jointly Organize Protest Rallies,” *Civil Georgia*, March 27, 2009, <http://www.civil.ge/eng/article.php?id=20625> (accessed June 29, 2009); “Manifesto of Unity,” *Civil Georgia*, March 27, 2009, <http://www.civil.ge/eng/article.php?id=20626> (accessed June 26, 2009); “Opposition Vows to Keep Pressure through Rallies,” *Civil Georgia*, April 9, 2009, <http://www.civil.ge/eng/article.php?id=20691> (accessed June 26, 2009); and “Georgia Braced for New Protests,” BBC News, April 10, 2009, <http://news.bbc.co.uk/2/hi/europe/7993167.stm> (accessed June 26, 2009).

52. “Nino Burjanadze: ‘Speaking With the Authorities is Possible Only over a Single Issue—the Swiftest and the Most Painless Resignation of the President,’” April 30, 2009, Democratic Movement: United Georgia, [http://www.democrats.ge/index.php?option=com\\_content&view=article&id=299%3A2009-05-02-08-00-40&catid=1%3Aakhali-ambebi&Itemid=20&lang=en](http://www.democrats.ge/index.php?option=com_content&view=article&id=299%3A2009-05-02-08-00-40&catid=1%3Aakhali-ambebi&Itemid=20&lang=en) (accessed June 26, 2009).

53. “Tens of Thousands Rally,” *Civil Georgia*, May 26, 2009, <http://www.civil.ge/eng/article.php?id=20992> (accessed June 26, 2009); and “Thousands Attend Georgia Protest,” BBC News, May 26, 2009, <http://news.bbc.co.uk/2/hi/europe/8068498.stm> (accessed June 26, 2009). Opposition plans to implement a longer term blockade of Georgia’s main highway, which coincided with the holding of NATO-sponsored military exercises in Georgia, were cancelled after the government had to tend to a curious and halfhearted coup attempt in a military base, led by former defense officials whom the government accused of seeking to take advantage of the political disorder to seize power. “MIA Releases Extracts from Officers’ Testimonies,” *Civil Georgia*, May 6, 2009, <http://www.civil.ge/eng/article.php?id=20862> (accessed June 26, 2009); and “Georgian Opposition not to Close off Roads Due to Mutiny,” *Kavkas-Press*, May 5, 2009.

54. Data from April, July, and November polling is from Mary O'Hagen, "2008: A Landmark Year in Georgian Politics" (presentation, NDI Georgia, National Democratic Institute of International Affairs, Washington, DC, January 7, 2009).

55. Another poll of the more pro-opposition Tbilisi residents conducted in November similarly reported that a "significant majority" of respondents were against early elections, with only 5 percent supporting the nonparliamentary opposition's November 7 rally. "November 7 Marked with 'New Drive' for Early Polls," *Civil Georgia*, November 7, 2008, <http://www.civil.ge/eng/article.php?id=19907> (accessed June 26, 2009).

56. According to the Tbilisi survey, only 26 percent of the city supported Saakashvili, but all other politicians had even lower numbers. *Ibid.*

57. Whatever the significance, Alasania (still in the government) ranked the highest at 15 percent, followed by Targamadze at 10 percent. In this case, likeability did not equate with support. Sozar Subari, consistently the most well-liked politician, tied for last place at 1 percent. Conversely, Burjanadze, who had suffered a 24 percent drop in likeability between July to November (to 30 percent) ranked in third place with 7 percent.

58. Neli Esipova and Gocha Tskitishvili, "Amid Rallies, Tbilisi Residents Express Desire for Change," Gallup/IPM, <http://www.gallup.com/poll/117517/amid-rallies-tbilisi-residents-express-desire-change.aspx> (accessed June 26, 2009).

59. Hans Gutbrod, "What Georgians Really Think about Russia" (presentation, Caucasus Research Resource Centers), Radio Free Europe/Radio Liberty, June 11, 2009). Accompanying slides are available at [http://docs.rferl.org/en-US/2009/06/12/090611\\_ccrc\\_rferl.pdf](http://docs.rferl.org/en-US/2009/06/12/090611_ccrc_rferl.pdf) (accessed June 26, 2009).

60. "Ex-PM Nogaideli Sets Up Party," *Civil Georgia*, December 3, 2008, <http://www.civil.ge/eng/article.php?id=20068> (accessed June 26, 2009); "Former Envoy in Russia Sets Up Foundation," *Civil Georgia*, November 6, 2008, <http://www.civil.ge/eng/article.php?id=19901> (accessed June 26, 2009); "Public Defender Sets Up New Movement," *Civil Georgia*, September 30, 2008, <http://www.civil.ge/eng/article.php?id=19632> (accessed June 26, 2009); and "Public Defender Levels New Accusation Over November 7," *Civil Georgia*, December 30, 2008, <http://www.civil.ge/eng/article.php?id=20218> (accessed June 26, 2009).

61. "Mrs. Nino Burjanadze Announces the Launch of a New Political Party," Democratic Movement—United Georgia, October 27, 2008, [http://www.democrats.ge/index.php?option=com\\_content&view=article&id=12%3Anino-burjanadze-axali-partiis-sheqmnastan-dakavshirebit-ganxadebas-aketebes&catid=14%3Agantskhadebebi&Itemid=46&lang=en](http://www.democrats.ge/index.php?option=com_content&view=article&id=12%3Anino-burjanadze-axali-partiis-sheqmnastan-dakavshirebit-ganxadebas-aketebes&catid=14%3Agantskhadebebi&Itemid=46&lang=en) (accessed June 26, 2009); and "Alasania Lays Out Priorities," *Civil Georgia*, February 16, 2009, <http://www.civil.ge/eng/article.php?id=20433> (accessed June 26, 2009).

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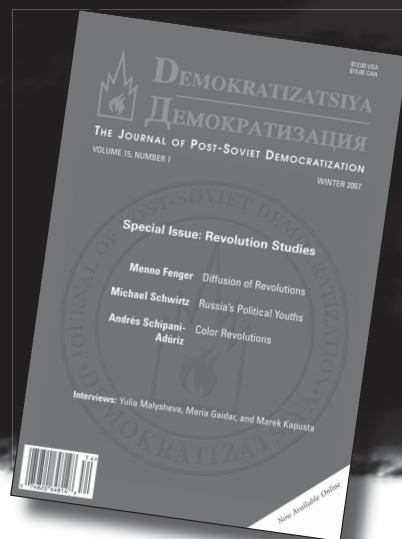
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