

ELECTIONS AND POWER

ON THE RESULTS OF
THE SPECIAL PRESIDENTIAL ELECTIONS
IN GEORGIA

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Introduction

The 5 January, 2008 snap poll was the first ever truly competitive presidential election in Georgia. The incumbent, Mikhail Saakashvili, just managed to retain his seat, narrowly avoiding a run-off with the main opposition candidate, Levan Gachechiladze. According to the Central Electoral Commission (CEC) of Georgia, and the exit polls commissioned by government controlled television companies, Saakashvili received between 50.8 and 54 percent of votes, while Gachechiladze stayed below 30 percent. Local and international observers have noted numerous irregularities, but overall they have endorsed the elections as democratic. Opposition parties, however, have been less than convinced in fairness of the results as they have insisted that

the current outcome is, indeed, a result of the noted irregularities.

The snap presidential poll is a step forward for Georgian democracy, with credible opposition now emerging in the country. Both Saakashvili and the main opposition camps have made some gains. The main set-back for democracy was the suppression of Imedi TV, the only nongovernment controlled nationwide television channel. The January 2008 poll was the culmination of a very tense stand-off between the government and the opposition, which started in September 2007 with shocking revelations from a former defense minister Okruashvili. The stand-off reached its climax on 7 November, 2007, when the special forces of the Ministry of Interior brutally dispersed a mass

rally in the center of Tbilisi, and the government imposed the state of emergency, suspending all news broadcast by TV and radio media, and closing down all but a couple television and radio channels.

The November 2007 events demonstrated a huge erosion of popular support to once widely admired Georgian President Saakashvili. The latter, who was swept into power by similar mass rallies four years earlier, won his previous poll with more than 90 percent of the vote. The 2003 mass rallies, which was subsequently dubbed as the Rose Revolution, saw the resignation of then President Shevardnadze, followed by the snap January 2004 presidential elections, which Saakashvili won with overwhelming popular support.

Since then, U.S.-educated Saakashvili has been billed a revolutionary pro-Western reformer, whose fiery anti-Russian rhetoric has appealed to many in Georgia. To save his regime from a complete isolation and collapse, Saakashvili had no other logical choice but to call for a snap poll, either presidential or parliamentary. He opted for the former, as his National Movement, which currently holds majority of seats in the parliament is even less popular than him, and besides, it was the spring parliamentary elections the organizers of the mass rallies in Tbilisi were calling for in the first place. Saakashvili's gamble has won him a short respite and some credibility, but in the long run he will likely be a lame duck of Georgian politics.

The November 2007 Crisis

The events that led to the snap poll read like a suspense novel with all kinds of dramatic turns and twists involving many influential actors, and action taking place in Georgia, Russia, the United Kingdom, and Germany. It was once Saakashvili's closest ally and friend, a former defense minister Irakli Okruashvili who started it all. On 25 September, 2007, while President Saakashvili was attending a U.N. General Assembly in New York, Okruashvili organized a sensational news conference, followed by a special on Imedi TV, in which he leveled several serious allegations against his former ally and boss, Mikhail Saakashvili.¹

Okruashvili accused Saakashvili of anti-Georgian and criminal activities. He alleged that when he held the post of the Minister of Interior (May 2004-December 2004), he was forced to release from police custody one Mr. Temur Alasania, charged with extortion and racketeering, at the insistence of his nephew, President Saakashvili.² Okruashvili further asserted that there was a cover-up over the death of Prime Minister Zurab Zhvania, who died in suspicious circumstances on 3 February, 2005. The official version of Zhvania's death has been given as carbon monoxide poisoning caused by a faulty heater in his friend's apartment. Okruashvili insisted, however, that Zhvania died elsewhere and his body was later moved into his friend's apartment, who was also found dead with Zhvania.

In addition, Okruashvili accused President Saakashvili of being an enemy of the Church in Georgia, and wanting to instigate a schism within the Church in order to undermine the Patriarchate's high moral stance and influence in the country. He later elaborated on Saakashvili's alleged plans to break the church in an interview to the *Resonance* daily.³ Okruashvili also accused Saakashvili of cowardice and indecision at restoring Tbilisi's control over the breakaway Tskhinvali region—as then Minister of Interior, Okruashvili was behind the summer 2004 incursion into the separatist region.

¹ Program "Droeba," Imedi TV, available at [<http://www.youtube.com/watch?v=WkoxqIRJ7Po>].

² Temur Alasania is also rumored to be a former KGB officer, and a go-between Saakashvili and Putin. Okruashvili alleged that Alasania was detained and charged with the extortion of US\$200,000.

³ See: "What Does Okruashvili Intend?" *Resonansi*, 27 September, 2007 (in Georgian).

Georgian forces captured important strategic points, and were about to take Tskhinvali, the seat of the secessionist regime, but were pulled back by Saakashvili. Once again, in summer 2006, then Defense Minister Okruashvili devised a plan to take the separatist regime down through a lightning military strike, but according to him, was held back by Saakashvili.⁴

Most importantly, Okruashvili alleged that during his tenure as Defense Minister of Georgia (December 2004-November 2006) Saakashvili twice asked him to organize an assassination of business tycoon, Badri Patarkatsishvili. According to Okruashvili, Saakashvili first told him to assassinate Patarkatsishvili in July 2005, and even suggested to use a car bomb for this purpose. Okruashvili also alleged that Saakashvili repeated this request at least one more time, but after Okruashvili passed this information via an unnamed non-Georgian citizen “to the Americans,” Saakashvili never again spoke about this issue with him.

The reaction of the Georgian government to these allegations was swift: upon Saakashvili’s return from New York, Okruashvili was arrested on 27 September, 2007, and was charged with extortion, money laundering, and abuse of power while minister in Saakashvili’s Cabinet. On 28 September, several opposition parties organized a rally in his defense. On 8 October, the Georgian government released a videotaped confession by Okruashvili, who recanted his previous allegations against Saakashvili, and stated that he and Patarkatsishvili had devised a plan to discredit the Saakashvili administration, and grab power in the country.⁵ After this, Okruashvili was released from police custody on 9 October, but not before certain individuals posted a US\$7 million bail on his behalf.⁶

Opposition parties and Okruashvili supporters insisted that the videotaped confession was made under duress, and that the former defense minister was in a very poor shape, both physically and mentally, after his release from the police custody. The Okruashvili affair was a tipping point for the opposition parties, who had themselves previously accused the Saakashvili government of all kinds of sins, ranging from corruption and illegal property acquisition to abuses of human rights and political persecutions. The opposition parties scheduled a mass protest rally in Tbilisi for 2 November, and called their supporters from other parts of Georgia to join them.

As protesters started to gather in front of the parliament building, Okruashvili found himself on German soil. According to a government spokesperson, Okruashvili was allowed to leave as he was seeking medical help. According to the opposition, and Okruashvili himself, he was deported by authorities in order to prevent him attending the mass rally. Okruashvili managed to participate in mass protests, nevertheless. On 5 November, he made an appearance on Imedi TV via a satellite link from Munich, in which he said that, indeed, he was forced to recant in the 8 October video recording, and that his confession of anti-government conspiracy was made under duress.

Meanwhile, the government agencies were trying their best to undermine the credibility of the opposition leaders: they released a series of recordings of phone conversations between opposition members, as well between them and some Russian officials as the evidence that the protest rally was planned in Moscow, and that the opposition leaders were Russian agents. Television specials aired on government controlled Georgian TV channels accused opposition leaders of anti-Georgian activities, and branded them as Russian agents; however, the government failed to provide any hard evidence proving their allegations.

Government efforts to counter the opposition through mass propaganda did not work, as all TV channels were far behind Imedi TV in terms of popularity and trustworthiness. The opposition was

⁴ Talk show “Ghia eteri,” Imedi TV, available at [<http://www.youtube.com/watch?v=V1VD80aIRNw&feature=related>].

⁵ A video-recording of Okruashvili recanting his previous statements was broadcast by Mze TV, available at [<http://www.youtube.com/watch?v=y58B3DoSAcE>].

⁶ According to a government version, the bail was posted by Okruashvili’s associates; however, Okruashvili himself denied the knowledge of the people who posted the bail alleging that they were, in fact, Saakashvili’s friends.

gaining a momentum, and Imedi TV served as the main vehicle for their message through a wide coverage of mass rallies. It was becoming clear to the government that they were losing control of the situation, and the Saakashvili administration decided to act immediately.

The opposition had four demands: to hold parliamentary elections in spring 2008, and not extend the current parliament's powers till the fall of 2008; to allow the opposition to appoint its supporters in the body that administers national elections; to make changes to the first-pass-the-pole electoral system; and to release political prisoners and prisoners of conscience. Despite the claims by the government that they used force against the protesters in order to prevent a coup instigated by members of the opposition and supported by Moscow, there was no evidence for this. Despite its size, the rally was entirely peaceful, the participants were not armed, no one was attacked or threatened, and no property was damaged.

In the morning of 7 November, police and the special forces of the Ministry of Interior attacked the protesters and broke up the rally. The operation was personally headed and supervised by Minister of Interior Ivane Merabishvili, one of the most feared individuals in the country. The authorities used batons, rubber bullets, water cannons, tear gas, and voice cannons—the so-called Long Range Acoustic Devices (LRAD).⁷ As a result, hundreds of people were injured and about 508 of them sought medical help.⁸ The police also attacked journalists, and many of them were chased around the town. The TV cameras and the equipment of Imedi TV, which alongside with other Georgian, and foreign television channels was covering the event live, were destroyed.⁹ Police even chased protesters to a nearby Qashueti Cathedral, and attacked people in it. Priest of the Cathedral, Father Elizbar, told journalists that police brutality was worse than what he had witnessed on 9 April, 1989, when Soviet troops dispersed a mass rally organized on the same location.¹⁰

On the same day, President Saakashvili declared the state of emergency in the country, and ordered all news coverage by electronic media to be suspended. The two main opposition TV channels, Imedi TV and Kavkasia TV, as well as radio channels including Radio Free Europe/Radio Liberty (RFE/RL) were ordered off the air. The latter switched its broadcast to a short wave frequency, the first time since the collapse of the Soviet Union. Later on 7 November, the offices of Imedi TV were raided by the special forces, the staff harassed and threatened and television equipment was destroyed.¹¹

Despite the police having emergency powers, and the cracking down on the electronic media, and despite charging some opposition leaders with high treason, opposition supporters continued to rally in various parts of Tbilisi. On 7 November, the police dispersed one rally on Rike, in another part of the city, but spontaneous gatherings continued in various places. It was clear that despite the heavy-handed treatment by the government, the opposition was not willing to go away quietly, and the Saakashvili regime would not be able to regain control without further violence, and mass arrests. This was impossible to do without Saakashvili completely losing his political capital, and on 8 November, in his television address, Saakashvili announced the presidential elections for 5 January, 2008. This announcement calmed down the tensions considerably, and allowed the govern-

⁷ Tbilisi is the first known case in the world of a police force employing LRAD against protesters. The device may well damage hearing of people if they are too close to the cannon, and if the equipment is used without care and indiscriminately.

⁸ The rally break-up in photos is available at [<http://www.youtube.com/watch?v=S7pR8rLZaqq>]. Imedi TV footage showing injured citizens is available at [<http://www.youtube.com/watch?v=yWYixsepck&feature=related>].

⁹ According to Imedi TV, the police attacked and injured more than 30 of its journalists, editors, camera people, and technical personnel—available at [<http://www.youtube.com/watch?v=ncp-De9ziO8&feature=related>].

¹⁰ Imedi TV footage showing police violence is available at [<http://www.youtube.com/watch?v=j2ANkc4Zetk>]

¹¹ There is a dramatic footage available on YouTube.com showing the final minutes of live broadcast from Imedi TV news studio, as the special forces storm the newsroom and the screen goes black (see, for instance: [<http://www.youtube.com/watch?v=v17XLl1VVPE>]).

ment to gain some breathing space and time to regroup—the state of emergency was left in place till 16 November with all its prohibitions, and this allowed the Saakashvili camp a head start for the upcoming polls.

It is important to note that the opposition was not demanding early presidential polls, but their major demand was to hold the parliamentary elections in the spring of 2008, as it was supposed to be held according to the Georgian Constitution, and not in the fall of 2008, as the Saakashvili administration wanted to schedule it. The rally would have dispersed had Saakashvili made this concession. However, he opted for the use of force and the state of emergency to put out Imedi TV off the air, and force its co-owner and his major competitor, business tycoon Patarkatsishvili, to flee the country.¹²

With Patarkatsishvili in the country and Imedi TV functioning, Saakashvili and his National Movement had no hope of winning the spring parliamentary poll. The top Saakashvili ally in the National Movement, MP Giga Bokeria, is one of the most loathed figures in Georgian politics. Saakashvili still enjoys support of at least 30 percent of the population, while with that kind of support the National Movement would have been a minority party in the new parliament. In other words, with about 30 percent support, Saakashvili has a good chance of keeping his seat—the head start in the election process, the use of state funds for his campaign, the damage done to the Imedi TV, support and favorable coverage by the state controlled TV and radio companies, the absence of his main competitor from the country, the control of the Central Electoral Commission by his appointee, and the opposition's inability to come up with a single presidential candidate—all these gave Saakashvili a significant advantage over his opponents in the extraordinary presidential contest.

International Observers and Murky Waters of Georgian Politics

The January 2008 presidential election in Georgia was welcomed by international organizations, observers, and foreign governments as a step forward, and endorsed as democratic. The first to release the interim report was the International Election Observation Mission (IEOM), sponsored by the OSCE (the Organization for Security and Cooperation in Europe) Office for Democratic Institutions and Human Rights (OSCE/ODIHR), the OSCE Parliamentary Assembly (OSCE PA), the Parliamentary Assembly of the Council of Europe (PACE), and the European Parliament (EP). In its Interim Report released on 6 January, the IEOM noted that “while the 5 January, 2008 extraordinary presidential election in Georgia was in essence consistent with most OSCE and Council of Europe commitments and standards for democratic elections, significant challenges were revealed which need to be addressed urgently.”¹³ The IEOM head, German diplomat Dieter Boden, once again affirmed the findings that the presidential election was democratic on 8 January after meeting with one of the opposition candidates.¹⁴

NATO also welcomed the January poll as “an important step in Georgia’s democratic development.” James Appathurai, NATO spokesperson, was quoted saying that the presidential poll “was a

¹² It is interesting to note that Patarkatsishvili was almost simultaneously charged by Georgian authorities and a Moscow court in Russia (see: “Moscow Court Orders Patarkatsishvili’s Arrest,” *Resonansi*, 10 October, 2007, in Georgian).

¹³ “Statement of Preliminary Findings and Conclusions,” International Election Observation Mission: Georgia—Extraordinary Presidential Election, 5 January, 2008, *Civil.Ge*, available at [<http://www.civil.ge/files/files/OSCEinterimfindings.pdf>].

¹⁴ See: “‘No Mass Falsification’—Chief OSCE Observer,” *Civil.Ge*, available at [http://www.civil.ge/eng_/article.php?id=16837].

viable expression of the free choice of the Georgian people.”¹⁵ NATO echoed European Union foreign policy chief Javier Solana, who on the previous day welcomed the presidential elections and congratulated “the Georgian people on peaceful conduct of truly competitive presidential elections.”¹⁶ The EU called on all Georgian political parties to respect the election results “in order to ensure that Georgia continues moving forward.”¹⁷ Both NATO and the EU cited the IEOM endorsement of the election results.

The U.S. State Department was more cautious and less enthusiastic, but they welcomed the elections as well. The State Department agreed with other observers that this was “the first genuinely competitive presidential election in Georgia,” and called on all parties to “work peacefully and responsibly for a democratic Georgia.”¹⁸ Americans also cited the IEOM interim report as the basis for their evaluation.¹⁹ On the other hand, Terry Davis, Secretary General of Council of Europe, openly sided with Saakashvili, and condemned the attempts by the opposition to protest election results. In a statement released on 6 January, Davis was quoted calling opposition members’ assessment of the poll “both premature and immature.”²⁰ A group of observers from Estonia and Lithuania followed the suit by calling the poll “democratic, free, and fair.”²¹

David Gamkrelidze, presidential candidate from New Right Party, expressed bewilderment at almost universal endorsement by the international community of the Georgian presidential election. Gamkrelidze, who according to the official results only received about 4 percent of the vote, stated on 8 January that he was convinced that the Central Electoral Commission was manipulating the results. According to Gamkrelidze, there should have been a run-off, the second round of the elections between the two candidates placed first and second, Saakashvili and Gachechiladze.²² Dieter Boden, the head of the IEOM group, met with Gamkrelidze who presented him with evidence of the manipulations of the election results, but Boden has remained unconvinced, and issued the above-mentioned additional statement emphasizing that he would not even revise a word in his group’s preliminary findings.²³

Gamkrelidze’s protest is very much noteworthy, as he is the most conservative of all candidates, and is not known for staging acts of protests. His political party consistently refused to participate in mass rallies, and has often sided with the government rather than the opposition. Gamkrelidze has been supported by other presidential candidates, such as Giorgi Maisashvili,²⁴ according to whom, Gachechiladze received more votes than Saakashvili.²⁵ Labor Party leadership has also sided with Gachechiladze.

¹⁵ “NATO on Georgia’s Elections,” *Civil.Ge*, available at [http://www.civil.ge/eng_/article.php?id=16838].

¹⁶ “EU Foreign Policy Chief on Georgia’s Elections,” *Civil.Ge*, available at [http://www.civil.ge/eng_/article.php?id=16821].

¹⁷ “‘Respect Election Results’—EU Tells Political Parties,” *Civil.Ge*, available at [http://www.civil.ge/eng_/article.php?id=16823].

¹⁸ “U.S. State Department on Georgian Election,” *Civil.Ge*, available at [http://www.civil.ge/eng_/article.php?id=16824].

¹⁹ There was an American Congressperson observing the elections, who also issued a very positive assessment.

²⁰ “CoE Secretary General on Georgia’s Elections,” *Civil.Ge*, available at [http://www.civil.ge/eng_/article.php?id=16827].

²¹ “Estonian, Lithuanian Observers Hail Polls as Democratic,” *Civil.Ge*, available at [http://www.civil.ge/eng_/article.php?id=16805].

²² See: “Gamkrelidze Calls for Run-Off, ‘Surprised’ with International Response,” *Civil.Ge*, available at [http://www.civil.ge/eng_/article.php?id=16836].

²³ See: “‘No Mass Falsification’—Chief OSCE Observer.”

²⁴ Mr. Maisashvili is a former Enron Risk Analysis Department Chief, who resigned in protest from the former U.S. energy giant prior to its collapse. After returning to Georgia, Maisashvili was briefly allied with Saakashvili and worked as his economic adviser.

²⁵ See: “Maisashvili ‘Concedes Victory’ to Gachechiladze,” *Civil.Ge*, available at [http://www.civil.ge/eng_/article.php?id=16794].

Overall, the leaders of the opposition allege that the poll was marred with enough violations to allow the incumbent pass the 50 percent barrier, which made a run-off unnecessary. In other words, the opposition is convinced that overall, Saakashvili received less than 50 percent of the popular vote, and that the main opposition candidate Gachechiladze had a very good chance of defeating him if the second round were to be held. Essentially, the opposition has disputed 4-5 percent of votes, which translates in about 90 thousand disputed ballots or few zeros added to the numbers on few interim protocols.

For a small country, Georgia has a rather complicated and large electoral system. There are more than 3,500 polling stations in the country of about 4 million people. The electoral administration has three levels: the central, the local, and the interim. The opposition has alleged a number of things: some degree of ballot-staffing and rigging at some polling stations, falsification of the vote results at the interim level,²⁶ the merry-go-round practice,²⁷ intimidation of opposition observers, and the destruction of ballots from precincts where the incumbent lost. The opposition provided evidence of all of the above.²⁸ The Radio Free Europe/Radio Liberty's Georgian language service in its 6 January broadcast also talked about some blatant violations. Minority of unaffiliated observers from the U.K., Israel, and the U.S. also registered their opinion of the Georgian presidential polls being "undemocratic."²⁹

The IEOM group headed by Boden obviously rushed with their assessment of the elections, which was issued the very next morning, on 6 January. The official results were not available yet, neither were preliminary results. It is highly unlikely that the IEOM group had observers at every polling station, i.e. more than 3,500 thousand of them. Boden has provided no evidence that his group monitored the work of the interim electoral administration, which according to the opposition, was responsible for most violation. By the time the OSCE sponsored IEOM group released its interim findings, the results of less than 3 percent of the total vote was officially released.

There was something else known on the morning of 6 January, however, and it was the results of the exit-polls commissioned by Georgia's four TV companies. Here it is necessary to dive in murky waters of Georgian politics. The exit-poll results were released and widely distributed and widely reported in both Georgian and Western media on the voting day, 5 January, around 9 pm local time. It was this assessment that was picked up by BBC, CNN, CBC (Canada) and many other news media in English-speaking countries (cautiously) declaring Saakashvili the winner.

The CEC was supposed to release its results by midnight, but it did not. Then the CEC re-scheduled the release of the official results several times; however, on the morning of 6 January, after officially summarizing less than 3 percent of the votes, the CEC chairman, Levan Tarkhishvili basically acknowledged that the official results were consistent with the exit poll findings. After this, the OSCE sponsored group endorsed the elections as "democratic." In short, the exit-polls announced Saakashvili the winner, which was supported by Tarkhishvili citing 3 percent of officially counted votes, which was endorsed by the OSCE sponsored IEOM group, which was used by other international bodies and Western governments as the basis for their positive assessment.

The television companies, the Georgian Public Broadcasting, Mze TV, Rustavi-2, and Ajara TV, which commissioned the exit-polls are all controlled by the government. Mze TV and Rustavi-2 are

²⁶ The interim level administration collects the results from the local precincts and transmits them to the central administration.

²⁷ The merry-go-round practice, observed in almost all Georgian elections, consists of organized supporters of a candidate voting in several polling stations.

²⁸ Summaries of violations and descriptions of evidence, which are quite extensive, are available in several reports on [www.civil.ge] website; more specifically, see: "Opposition Alleges 'Fraud' in Vote Summary Process," 8 January, 2008, *Civil.Ge*, available at [http://www.civil.ge/eng/article.php?id=16825].

²⁹ "Several Foreign Observing Organizations Evaluate Elections as Undemocratic," *Prime News*, 8 January, 2008, available at [http://eng.primenewsonline.com/news/121/ARTICLE/18032/2008-01-08.html].

privately owned, but the identities of their owners are anonymous. The majority shareholder of Mze TV, for instance, is registered in the Marshall Islands. Popular opinion in Georgia regards both Mze and Rustavi-2 as being controlled by members of Saakashvili's close circle of friends.

Tamar Kintsurashvili, Director General of the Georgian Public Broadcasting, was appointed in this position in 2005 with Saakashvili's blessing. The board of trustees, which supervised the appointment of Director General at that time, and subsequently supervised performance of its administration, was headed by Levan Tarkhnishvili, the current head of Georgia's Central Electoral Commission. Ms. Kintsurashvili, one of the least qualified of all candidates for the position of Director General, was apparently selected because of her close association and friendship with parliamentarian Giga Bokeria, reportedly the second most powerful man in the country after President Saakashvili. Mr. Tarkhnishvili is also a close friend and associate of Mr. Bokeria.³⁰

The exit-polls commissioned by the four government controlled TV companies were administered by two "think-tanks," the Georgian Foundation for Strategic and International Studies (GFSIS), and the Caucasus Institute for Peace, Democracy, and Development (CIPDD), and two institutions of higher education, the Chavchavadze State University, and the Georgian Institute of Public Affairs (GIPA). These four institutions were billed as non-partisan bodies managing the exit-polls.

Mr. Ghia Nodia, head of CIPDD, and another pro-Saakashvili pundit, is also a friend and ally of Tarkhnishvili. In 2005, Nodia was a member of the same board of trustees headed by Tarkhnishvili, which was charged with selecting head of the public TV. Leadership of the Chavchavadze State University has been appointed by Saakashvili as well, who in 2005, almost completely purged this university of non-sympathetic academics. The board of directors of GIPA includes Saakashvili ally Giorgi Baramidze, a Minister of State in the Georgian Government, and Levan Ramishvili, head of Liberty Institute and close friend and associate of Giga Bokeria.

In short, the results of the exit-polls should be at least a tad suspect, since the bodies and individuals that played crucial role in its administration are pro-Saakashvili activists. Further, none of the organizations mentioned above provided any evidence that had any experience of conducting exit polls at a national level. The exit-poll results did not provide the vote breakdown among different areas and/or cities of Georgia, but provided one set of numbers, which placed Saakashvili 2 to 4 per points higher above the 50 percent barrier. It did not come as a surprise that the opposition outright rejected the findings of the partisan exit-polls, and threatened with protest rallies even before the official results were released.

Television coverage of the election campaign, especially by Rustavi-2 and Mze TV, was highly biased and one-sided favoring Saakashvili. Although he had resigned from his post, as it is mandated by the Georgian Constitution, Saakashvili campaigned as a serving president. He was the only candidate to broadcast a congratulatory message on the New Year's eve on television, alongside the acting president, and the Patriarch of the Church in Georgia. The official website of the President of Georgia never removed Saakashvili's name, biography, and other data, as he continued to be listed as President of Georgia, and his wife as the first lady. Saakashvili appeared on pre-election rallies accompanied by Cabinet ministers, and Tbilisi mayor.

One of the main challengers, Patarkatsishvili, was not allowed in the country, as he feared arrest on the charges of high treason, although, according to the Georgian Constitution, presidential candidates cannot be prosecuted. Patarkatsishvili, who placed third in the contest and received almost 10 percent of votes in absentia, is a co-owner of Imedi TV (the majority of shares is owned by News Corp. headed by Rupert Murdoch), which was persuaded to shut down by authorities.

³⁰ Interviews in Tbilisi, July 2005.

C o n c l u s i o n : Winners and Losers

Despite all the major shortcomings and apparent biases in the process, the main parties participating in the presidential elections have emerged with overall political gains. Georgian democracy also made a step forward—only a few weeks prior there was no credible alternative seen in Georgian politics to the person of Saakashvili. It is a highly dubious assessment to call the January 2008 presidential poll as “democratic,” and it definitely was not fair, but the election did demonstrate that Georgia is becoming a competitive democracy with people having more than one credible choice among the candidates.

Saakashvili survived, but his friends had to do a lot of tricks, and his Western allies had to issue rather rushed endorsements to make his victory look legitimate. The opposition, especially the Gachechiladze camp, has made a major headway forward. If they keep this momentum going they will do well in this year’s parliamentary polls. The Georgian people have won through peaceful and more or less orderly elections, and learned yet another lesson in democracy.

The major loss of this election campaign was shutting down of Imedi TV, the only nationwide alternative to the state controlled television channels. Imedi TV has become the main casualty of the bitter struggle that goes on between Saakashvili and Patarkatsishvili, the business tycoon. Freedom of speech will suffer in Georgia, no doubt, if Imedi TV does not resume its broadcast in more or less the same spirit they used to have prior to 7 November.

The election observation mission sponsored by the OSCE and headed by Dieter Boden should be regarded as another major loser of this affair, as they clearly issued half-backed conclusions that were based on rather dubious exit-poll results. The OSCE does not need to push things as far as this, as it will surely lose trust of the people it is actually trying to help. Maybe there was some incomprehensible wisdom in IEOM’s rush endorsement of the election results, which subsequently became the basis for other international endorsements.

Maybe the OSCE sponsored mission really believe the claims made by Saakashvili and his allies that all his opponents are Russian agents trying to divert Georgia from a Western path of development. It is also likely that with the events in Pakistan and Kenya unfolding in the background, the OSCE people tried to make things look as legitimate as possible at the earliest opportunity. However, such one-sided endorsement of a political party that tries to cheat at every turn, and relies on authoritarian methods may well backfire in the end. If people lose confidence in democratic process and civil norms, and international bodies act as partisan actors, then Kenyan, Pakistani or Afghan scenarios are more likely than not.