THE BUREAUCRATIC-PATRIMONIAL STATE IN GEORGIA: HAS THE "ROSES REVOLUTION" GIVEN IT A NEW LEASE OF LIFE?

David APRASIDZE

Ph.D. (Political Science), Hamburg University;
lecturer at the Department
of International Law and International Relations,
Tbilisi State University
(Tbilisi, Georgia)

I n t r o d u c t i o n

The post-socialist transformation phase that began late in the 1980s was a very special period in the context of the third wave of democratization that started in the 1970s. This was when the eastern military-political bloc headed by the Soviet Union fell apart.[1] The post-socialist and especially the post-Soviet phases were marked by systemic transformations when the political system was undergoing the transition from authoritarianism to democracy and when the economic system was experiencing radical changes.[2] The

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[1] Many authors prefer to regard the post-socialist phase as a separate fourth wave. See: M. McFaul, "The Fourth Wave of Democracy and Dictatorship," *World Politics,* Vol. 54, January 2002, pp. 212-244. About the third wave see: Samuel P. Huntington, *The Third Wave of Democratization in the Late Twentieth Century,* Oklahoma, 1991.

[2] See: C. Offe, *Der Tunell am Ende des Lichts. Erkundigungen der politischen Transformation im Neuen Osten,* Frankfurt a. M., New York, 1994.

totalitarian institutions were not merely removed or reformed during the post-Soviet phase: new institutions were created. More important still, the social structures were involved in the process of complex transformation. As distinct from the post-socialist phase, the post-Soviet stage saw state development everywhere except the Balkans. Since 1990, the former Eastern bloc has acquired 22 new states. While Czechoslovakia fell apart peacefully, Yugoslavia and the Soviet Union disintegrated amid bloody conflicts, the aftermaths of which can still be felt. These countries are developing under increasing pressure on the phenomenon of state as such from both the internal and external processes of globalization and fragmentation.[3] It is generally recognized today that the state as an institution designed to regulate social processes is either "too small" and does "not have enough resources" to resolve contemporary problems, or is "too big" and "too clumsy"[4] to deal with such global or universal challenges as international security, ecology, demography, etc. No state can handle these problems single-handedly. At the same time, the state institutions functioning in the radically changing social milieu cannot offer efficient mechanisms to deal with these issues. In these cases state (formal) institutions recede into the background to make way for informal institutions in the form of civil society or other informal public associations.

The Soviet Union was a totalitarian state in which the political system controlled social life. In turn the state institutions functioned under strict party control. This explains why many believed that the post-Soviet state should have "contracted its sphere of influence" and "retreated" from certain social spheres in order to move closer to the classical liberal state. The academic community eagerly discussed these ideas about state development across the post-Soviet expanse.[5]

One cannot ignore the fact that similar comments were made about postcolonial developments. In the 1960s, experts favored "the strong state" as a moving force of social modernization and economic development. This model collapsed ignominiously in Africa and elsewhere—today international financial structures and other donors are favoring the "flexible state" model.[6] With civil society not developed enough in these countries, the space vacated by the state is taken by informal institutions and actors. In many cases they actually promote disintegration rather than development.

I have set myself the task of analyzing the role of the state development factor in post-Soviet transformations. Until recently this process was discussed with the help of Western development models. I shall prove below that they do not provide adequate political instruments to objectively describe the phenomenon of the post-Soviet state whose model (where its processes and structures are concerned) is much closer to postcolonial state developments. With this consideration in view one can create an analytical model to describe and study the post-Soviet state based on the postcolonial model. Georgia can serve as a testing ground.

I shall start with a concise theoretical discussion of the phenomenon of state and state development in the West and shall try to demonstrate why the corresponding conceptions cannot be applied to the post-Soviet state. This approach presents the state as a dynamic organism functioning together with other social institutions, not separate from them. The "neo-patrimonial" conception that the academic community willingly applies to the postcolonial states can serve as a model of such a state. This conception can be adequately applied to the post-Soviet state and its analysis. We have to identify the indicators to be applied to the Georgian state to empirically verify our theoretical constructs. The role of the informal, patrimonial structures in state development in Georgia can be discussed using the National Guard, its creation and the first stage of its functioning, as an example. It was one of the elements of security, the state's key function. The latest events call for more forecasts of the republic's future development and have made it possible to verify my model.

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[3] See: U. Menzel, *Globalisierung versus Fragmentierung,* Frankfurt a. M., 1998.
[4] M. Zürn, *Regieren jenseits des Nationalstaates,* Frankfurt a. M., 1998.
[5] See: A. Grzymala-Busse, P.J. Loung, *The Ignored Transition. Post-Communist State Development,* Harvard University, March 2002, pp. 1-3.

[6] K. Schlichte, B. Wilke, "Der Staat und eigene seiner Zeitgenossen," *Zeitschrift für Internationale Beziehungen,* 7. Jg, 2/2000, pp. 359-384.

What is the State?

The theory of the state abounds in definitions. I shall not quote all of them here; I shall limit myself to offering the concept of the state as a sum-total of political institutions which has a monopoly on coercion *(Gewaltmonopol)* within a certain territory and is functioning as legitimate rule by the people. This description is based on Max Weber's concept.[7] I have to say here that the idea of a "modern nation-state ruled by law" is a Western product. At the first stage, feudal political units formed territorial ones and, later, nation-states. In the 20th century, they gradually developed into democratic states, while in the post World War II period they came to symbolize the social state model. The following factors played the key role in this evolution: security and prosperity (the political and economic systems). Later the state legitimacy and self-identification of nations as belonging to a particular state (the legal and ethnic-cultural factors) came to the fore in the same context.[8] The states developed into the most effective institutions used to deal with the issues enumerated above in mobilizing corresponding resources and their efficient use. All other political institutions (free cities and feudal units) proved unable to develop the domination structure that gave the Western-type states qualitative advantages. Here I have in mind efficient bureaucracy.[9] Beginning in the late 17th century, the states emerged in the West as supreme rulers on their territories and the de jure equal entities of international relations.

This short description illustrates that the modern state as a political and social institution is the outcome of a historical process. In other words, the contemporary Western state is not the only institution ruling over any given territory. This poses the question: can and should we consider such states a historical regularity elsewhere, outside the Western world?

It has been empirically confirmed that when imported into postcolonial countries the rational-bureaucratic model of the state failed to produce the desired effect. All sorts of social institutions continue functioning in these states together with the formal ones. The state is not an autonomous unit; it has to compete day-by-day with other forms of political administration.[10] Informal institutions (for example, personal links of the horizontal and vertical type) also carry out the state's main functions described above (security being the key one).[11] This not only results in the parallel existence of formal and informal institutions: these institutions and forms of political domination blend together to remove the barriers between the personal and public, the formal and informal, and between politics and economics.[12]

The Post-Soviet State
as Patrimonial Bureaucracy

The state in the West emerged as a result of social modernization—something that the developing countries have not yet experienced. Time will show how they will progress. External factors (political, economic and cultural globalization) promote Western ideals and political rule models in the form of the Western rational-bureaucratic state. The new states borrow formal institutions such as constitutions, division of power (in the center and regions as well), symbols, etc. This creates the façade of contemporary

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[7] See: K. Schubert, *Das Politiklexikon,* Bonn, 1997, p. 274.

[8] M. Zürn, op. cit.

[9] See: N. Elias, *Über den Prozeß der Zivilisation. Soziogenetische und psychogenetische Untersuchungen. Zweiter Band: Wandlungen der Gesellschaft. Entwurf zu einer Theorie der Zivilisation,* Frankfurt a. M., 1997; *The Formation of National States in Western Europe,* ed. by Ch. Tilly, Princeton, 1975.

[10] See: J.S. Migdal, *Strong Societies and Weak States. State-society Relations and State Capabilities in the Third World,* Princeton, 1988, pp. 207-226.

[11] See C.H. Landé, "Introduction: The Dyadic Basis of Clientelism," *Friends, Followers, and Factions. A Reader in Political Clientelism,* ed. by S.W. Schmidt *et. al.,* pp. XIII-XXXIX.

[12] See: K. Schlichte, B. Wilke, op. cit.; G. Erdmann, "Neopatrimonialer Herrschaft—oder, Warum es in Afrika so viele Hybridregime gibt," *Demokratie und Staatlichkeit.* Petra Bendel u. a. (Hrsg/). Opladen, 2003, pp. 323-342.

statehood, yet a careful analysis of what is going on behind it reveals that society is ruled along the traditional, informal channels. This is a new type of state—the hybrid state.

The formal institutions are strictly limited, regimented and frequently codified forms of social interaction. They are the constitution, laws, state structures and the rules according to which they function. As distinct from them the informal institutions are based on spontaneous relations and are rooted in traditions.[13] It is their task to monitor how the basic and other laws are observed in any specific society, as well as whether the public trusts the formal state structures and whether people rely on them to resolve their problems. Here is a specific example: if the owner of a stolen car goes to the police he obviously trusts the state institutions. If he prefers to deal with a criminal boss because this is absolutely acceptable in his society as the most efficient way to deal with problems this means that this person and the society he lives in prefer informal structures. The second alternative is a rational one because people know that frequently there is no dividing line between the police and the criminal world and that the police themselves cooperate with lawbreakers. This shows that the formal and informal institutions blend to form a hybrid.

Such states differ considerably from the countries of the Western type, but this should not be taken to mean that they lack political institutions. The idea about the "disintegration of the state" that is very common in some of the postcolonial and post-Soviet countries is wrong. In fact, they manifest a failure of the Western-type state. A new type of state is being born in such countries: it does not distinguish between the formal and informal institutions and blend them. Max Weber's sociology called such states bureaucratic-patrimonial.[14] Political power in them is informal while political rule is based on personal contacts and loyalty. The feudal state was a classical example of patrimonial rule. As distinct from such states rational bureaucracy *(Anstaltsstaat)* grew out of social modernization. Political rule there is based on strictly regimented formal procedures. Informal channels are still in place, yet they do not undermine the performance of the formal structures. In rational-bureaucratic countries the formal and informal, as well as the political and economic spheres are strictly delineated. This fully corresponds to the Western model of statehood.[15]

The subject of patrimonial rule came to the fore along with political studies of nation-building in Africa. The problem of compatibility between traditional tribalism and Western bureaucratic structures proved very acute there. The African "hybrid" of the traditional and modern structures of political rule in postcolonial states was called "neo-patrimonial."[16] I prefer to use the term "bureaucratic-patrimonial" state to describe the post-Soviet state. During the years of Soviet power the post-Soviet states (the South Caucasian republics among them) covered part of the journey to social modernization and acquired state bureaucracy. As distinct from the postcolonial states these countries accumulated vast experience; they have more material and human resources in the bureaucratic sphere. This explains why the word "bureaucratic" comes first in my definition, while "patrimonial" is used as a necessary specification. In post-Soviet writings, "patrimonial" is described as a product of the Soviet totalitarian state.[17] This form, often clumsy and always highly ineffective, forced people to rationalize the traditional methods based on personal contacts within the bureaucracy. The term "bureaucratic-patrimonial" state points to a very developed form of bureaucracy in the post-Soviet countries and to the presence of traditional forms of state administration. Patrimonial relations were developing inside the bureaucratic structure.

I shall use the processes unfolding in the security sphere in post-Soviet Georgia to discuss the functioning of this type of state. I shall look at the first development stage of the Republican National Guard that began during the civil war and ended when Eduard Shevardnadze finally consolidated his power. This period is very typical of the post-Soviet bureaucratic-patrimonial state.

[13] See: W. Merkel, A. Croissant, "Formale und Informale Institutionen in defekten Demokratien," *Politische Vierteljahresschrift,* Vol. 41, No. 1, 2000, pp. 3-31.
[14] I have to thank Stephan Hensell from the Hamburg Institution of Peace and Security for this term.
[15] See: G. Erdmann, op. cit., pp. 329-334.
[16] K. Schlichte, *Krieg und Vergesellschaftung in Afrika. Ein Beitrag zur Theorie des Krieges,* Münster, 1996; K. Schlichte, B. Wilke, op. cit.; G. Erdmann, op. cit.
[17] See: Ch.H. Fairbanks Jr., "Clientelism and the Roots of Post-Soviet Disorder," *Transcaucasia, Nationalism, and Social Change,* ed. by R.G. Suny, Michigan, 1983, pp. 341-374.

The National Guard Development and Consolidation of Shevardnadze's Power (1991-1995)

Perestroika in the Soviet Union revived the national-liberation movement in Georgia. The elections to the republican Supreme Soviet brought to power Zviad Gamsakhurdia and his group. After becoming Georgia's first president, he steered the country toward independence. While formally remaining within the U.S.S.R., the republic started building up armed forces of its own. On 20 December, 1990 the Supreme Soviet voted for setting up the National Guard, internal troops of a sort, with the aim of maintaining law and order inside the republic. The Guard was designed as a quasi-police force. Intensified ethnic conflicts made it necessary for the newly created guard to protect Georgia's territorial integrity.[18] The National Guard was seen as the first step toward a regular republican army.[19]

At first, there were no legal commanding structures: on the one hand, the Guard was part of the Ministry of the Interior that acquired a special structure under one of the deputy ministers. On the other, it was partly commanded by the Defense Commission of the republic's Council of Ministers. In the beginning, it was the Supreme Soviet's responsibility to appoint its commander; later when the post of president was instituted that right was transferred to the head of state.

In fact, the question of control over this organization was never completely clarified—this allowed informal structures to increase their pressure on the Guard. The new political forces (mainly informal) extended their patronage to quasi-military structures that recognized no other authority except their direct commanders. President Gamsakhurdia set up the National Guard to establish his control over all quasi-military structures, which either had to disarm or join the Guard. Many did precisely this: the Imedi (Hope) detachment of the Popular Front of Georgia joined the National Guard. Members of this and other similar detachments still took orders from their direct commanders, who enjoyed great authority among the fighters. There were structures that flatly refused to obey. Jaba Ioseliani, the Mkhedrioni commander, had personal scores to settle with the president, who preferred personally loyal people. Artist Tenghiz Kitovani, the president's schoolmate and close ally, was appointed National Guard commander.[20] He was also appointed Chairman of the Defense Commission under the Council of Ministers. It was said that his main merit was good contacts with Russian military and the criminal community, which made it possible for him to procure everything he needed for the Guard with "no sweat."

Former Soviet officers, who were ethnic Georgians, formed the officer corps together with the commanders of groups that later joined the Guard. Its commanders, however, were unable to blend the groups into a single whole. Kitovani himself described regionalism as one of the gravest problems his Guard faced.[21] Its battalions were scattered across the country and were usually staffed with local people serving under local criminal bosses. In Zugdidi, for example, the battalion commanded by Vakhtang Kobalia was virtually independent of the central structures.

Kitovani himself also preferred informal methods; he selected loyal officers, but the events of August 1991 split the Guard. The majority refused to obey the president and confirmed their loyalty to Kitovani; nearly all the battalions sided with him. He had earlier established friendly relations with their commanders. For example, commander of the Kareli battalion was Kitovani's close friend.[22] Gamsakhurdia had part of the Guard, in particular, the Zugdidi battalion, on his side.

In the course of the so-called Christmas putsch, Kitovani's National Guard together with Ioseliani's Mkhedrioni deposed the president; the split in the National Guard developed into a civil war. It went on with ebbs and flows until 1995. The story confirms that security, a key issue for any state, was dominated

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[18] *Sakartvelos Respublika,* 21 December, 1990, p. 1.
[19] For more detail, see: D. Darchiashvili, *Politikosebi, djarikatsebi, mokalakeni,* Tbilisi, 2000 (in Georgian).
[20] See: S.F. Jones, "Adventures or Commanders: Civil-Military Relations in Georgia," *Civil-Military Relations in the Soviet and Yugoslav Successor States*, ed. by C. Danapoulos, D. Ziker, Westview Press, 1996, pp. 35-42.
[21] Interview with Tenghiz Kitovani, *Droni,* 14 June, 1990, p. 5.
[22] D. Darchiashvili, op. cit., p. 227.

by patrimonial methods. The president and the guard commander, together with the battalion commanders, deliberately ignored formal norms. Even the most important of their decisions were made on the basis of personal contacts and loyalty. In his book D. Darchiashvili pointed out: "Clans played an important role not only in the battalions, but also higher up, among the military-political leaders, therefore no professional morals and corporate sentiments could be promoted among the officers."[23] Both parts of the split National Guard described themselves as the "legitimate representatives" of Georgia's armed forces. This meant that both wanted to remain within the state's formal institutions.

In March 1992, Eduard Shevardnadze returned to his native land; he managed to establish control over some of the paramilitary formations; others were dissolved. Kitovani and Ioseliani lost power. It was not through strengthening the formal institutions of power that Shevardnadze consolidated Georgia's statehood. While gradually setting up one state institution after another he relied on the patrimonial structures inherited from Soviet times. His efforts created another hybrid. The formal state institutions—the constitution and structures of state power and self-government—created a façade for his state. Georgia needed them to be internationally accepted. The real stability factor was functioning behind the façade. This was Shevardnadze's personal ties with the old nomenklatura and the system of corruption and patronage associated with it.[24] S.F. Jones deemed it necessary to point out that personification of power under Shevardnadze meant that the state institutions did not work.[25] Under these conditions the main principles of stability in the security sphere remained the same: "The security system is personified to the extent that no one can predict how it will work and which side it will take under new leaders."[26] This system could not remain stable for any more or less prolonged period.

The Roses Revolution:
Radical Changes or Shifts at the Top?

I had planned to end my article here, but the latest events in Georgia forced me to ponder the future of its statehood, which would put my model to test.

The developments that have been unfolding since the parliamentary elections of 2 November, 2003 confirmed that the bureaucratic-patrimonial state was not a stable structure. Personal ties that were stronger than the formal institutions of power acted as a slow-fuse bomb. As the state gradually exhausted its resources, the units of power within the system became increasingly dissatisfied; personal contacts no longer counted, while autonomous groups formed. At one time, in an attempt to prevent the system from disintegrating, African leaders deliberately refused to strengthen the state institutions: they set up new structures to oppose the old ones, reshuffled key politicians, etc.[27] The same can be said about Georgia: reforms were abandoned in mid-stream; the armed forces were underpaid; new structures were added to the security sphere; and corruption was encouraged, while various institutions performed the one and the same functions. The latest events have shown that the state system was following the logic of the early 1990s. In the context of the new foreign and domestic factors (the U.S.'s growing impact on democratization and the first steps toward building a civil society), Shevardnadze's patrimonial bureaucracy was nothing more than an anachronism doomed to collapse under the pressure of the new conditions.

So we ask ourselves whether the Roses Revolution (the events of November-December 2003) will usher in a new stage in development? Those who gathered in front of the parliament were supported by policemen from the local precinct, because one of their former bosses (who had parted ways with the authorities and sided with the opposition) was among the protestors. Postcolonial experience has demon-

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[23] Ibidem.
[24] See: G. Tevzadze, *Sakartvelo: dzalauplebis simulatsia,* Tbilisi, 1999; *Sakartvelo: dzalauplebis dabruneba,* Tbilisi, 2003; R. Gotsiridze, O. Kandelaki, *Gavleniani djgupebi da koruptsia sakartveloshi,* Tbilisi, 2001 (all in Georgian).
[25] S.F. Jones, op. cit., p. 46.
[26] D. Darchiashvili, op. cit., p. 326.
[27] See: J.S. Migdal, op. cit., pp. 214-236.

strated that democracy (or stronger statehood in the case of Georgia) does not arrive just because the worst tyrants were deposed. Old structures and traditions are not wiped out instantaneously: more likely than not new actors have to socialize in the old conditions and according to the old rules of the game. Changes invariably create a "reform" or "power" dilemma.[28] In the developing countries continuity of power presupposes that the old social structures should remain in place to receive a new layer of paint.

The first steps of the new rulers breed hope and are disappointing at one and the same time. The appointment of a close relative of one of the revolutionary leaders as public prosecutor of Tbilisi and the promotion of a friend of another leader give reason for disappointment.[29] These and other appointments and promotions (in the security sphere, among other structures) bring to mind the sweeping purges in the developing countries' state structures that took place every time power changed hands there. In the final analysis these changes did nothing but switch the people at the helm.[30]

On the other hand, the public's negative response to the appointments and the fact that for the first time in Georgian history the people at the top heeded public opinion (the newly appointed prosecutor declined the offer) are encouraging. What is more, a civilian was appointed minister of the interior for the first time. He said that the ministry was ruled according to the patrimonial style and vowed to wipe it away.[31] The new faces in the executive structures and the first signs of a real civil society give rise to the hope that this social capital will strengthen the state institutions and the people's confidence in them. This will undermine the patrimonial traditions in Georgia.

Time will show whether the Roses Revolution ushers in a new stage of state development. Under the conditions of incomplete social modernization it is hard to create a rational-bureaucratic state system. The Shevardnadze regime was rooted in the patrimonial nature of its bureaucracy. What will the new regime select as its social basis? It would be nice to think that Georgia will produce a pattern for its neighbors and the post-Soviet world to follow.

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[28] See: G. Erdmann, op. cit., pp. 334-337.

[29] Rustavi-2 TV channel, 26 November, 2003.

[30] In Albania the socialists who came to power in 1997 changed the entire staff of the security service and nearly three-quarters of the police (see: S. Hensell, "Aspekte der staatlichen Gewaltordnung in Albanien," DVPW ad hoc-Gruppe "Ordnung der Gewalt," 25 September, 2003).

[31] Rustavi-2 TV channel, 27 November, 2003.