



The New Old Majoritarian System

By: Transparency International Georgia

On January 28, 2008, opposition presidential candidates and opposition political parties released a joint memorandum addressed to Chairperson of the Parliament of Georgia Nino Burjanadze and world governments and international organizations. The memorandum included seventeen points, which the opposition considered essential for overcoming the political turmoil in the country. One of the seventeen points included in that memorandum called for the conversion of the existing majoritarian electoral system (winner takes all) into a regional multi-mandate system that would distribute seats proportionally.

The ruling party, a.k.a. the United National Movement, released a list of draft proposals on February 14, addressing all seventeen of the opposition's demands. The document started with the phrase: "The proposed draft represents a compromise made by the authorities regarding all the key issues raised by the opposition political parties." Regarding the reform of the electoral system, the United National Movement's proposal read: "In case of reaching a consensus between the political forces, the majoritarian election system will be replaced by the regional proportional system, as recommended by the OSCE experts. With this purpose, the draft constitutional amendments have already been initiated and in case of a consensus, the relevant amendments will be implemented by the end of March."

Despite the ruling party's concession on this point, the opposition continued to protest and call for the government to address the other points in the memorandum. Meanwhile, on March 4, parliament adopted on its first hearing a constitutional amendment to distribute parliament's 150 seats as 75 majoritarian and 75 party list. The opposition did not participate in the vote. On March 21, parliament finalized the amendment to the Unified Election Code that redefined the majoritarian system. It called for one majoritarian candidate to be elected from each of the 75 single mandate constituencies (the system which had existed in Georgia since independence). The majoritarian candidate to receive the greatest number of votes in the constituency and over 30% would win.

The ruling party explained the deviation from its memorandum by saying that it did not have enough votes to change the constitution and needed either the participation of opposition MPs or majoritarian MPs. Because the opposition was boycotting the process, the ruling party had to appease the majoritarian MPs, who preferred the single mandate system, through which they have been elected. These same majoritarians, however, had supported a change from the single mandate system in 2005 to a multi-mandate winner takes all system.

The Importance of Process

The Georgian constitution requires one month of public debate on proposed amendments to the constitution. This means that legislation should be publicized and that public discussion in multiple forms should take place. The ruling party asserted that there had been one month of discussion since the amendment to the constitution regarding the distribution of the 150 seats in parliament was initiated on November 13. However, that amendment said only that there would be 100 proportional and 50 majoritarian seats. Additionally, an explanatory note attached to the amendment said that the regional proportional system would be a more fair way of distribution those majoritarian seats.

In addition to the lack of public discussion, the elaboration of the draft law was not done with the participation of governmental, non-governmental, and independent experts. The 75-75 system was voted on the same day that it was initiated.

Justification for the Old/New System



In 2005, the ruling party had championed the changes to the election code that abolished the 85 (including 10 seats from breakaway regions of Georgia) single mandate seats in favor of 50 majoritarian seats, claiming that the system was ineffective in the Georgian reality. Now justifying reverting to the 75 single mandate system, the ruling party is emphasizing the need to have MPs who represent their individual districts' interests. It is important to note, however, that the Georgian constitution does not differentiate between majoritarians and MPs elected through party lists. Regardless of election method, all MPs are elected as national representatives and legislators, not representatives of their districts.

Role of Local Government

In fact, the primary responsibility for addressing local issues lies on local governments, not majoritarian MPs. Now, the government is saying that it would be unpopular to eliminate district level representation in parliament because it would distance certain populations from their MPs. Unfortunately, this concern about distance was not raised during the reform of local governments in 2006, when village and town level local councils were eliminated.

Budget

Majoritarians receive funding for their district bureaus not from the central budget but from local self-governing bodies. Because there is no defined methodology defining how to allocated funds, this issue is regulated subjectively, depending on concrete MP's relationship with local government or party affiliation. For example, the districts of Bolnisi and Gurjaani have approximately the same population. The majoritarian MP from Bolnisi (a member of the ruling party) received 30,000 GEL in 2004, while the majoritarian MP from Gurjaani (a member of the opposition party) received a list over 25% that amount (8,000 GEL) the same year. In another example for majoritarian MPs, this time both pro-government, the Akhmeta (pop. 41,600) district bureau received 9,943 GEL in 2006, while the majoritarian from Signaghi (pop. 43,600) received about one ninth that (1,100 GEL) for his district bureau in the same year.

Capacity to Address Local Issues

Opposition majoritarian MPs have complained that they have limited capacity to advocate for local issues due to their confrontational relationship with the ruling party. They assert that local governments are more likely to address issues raised by ruling party majoritarian MPs than opposition majoritarian MPs.

The Value of One Vote

In Georgia, districts are not set based upon population. This leads to wide variation in the size of constituencies, which contradicts international standards. For example, the district of Lentekhi has 6,115 voters and the district of Zugdidi has 126,106 voters (over twenty times more). With this current system, both districts will have one majoritarian MP each.

Better than Winner Takes All

In spite of all the problems identified above, this current system is an improvement over the winner takes all system, which was heavily criticized by the opposition and domestic and international organizations alike when adopted in 2005. However, with this recent amendment, Georgia lost an opportunity to improve the system and bring its electoral system closer to international standards.



Now that it is no longer to change the system, it is important to change the perception of majoritarians (currently, they are perceived to be wealthy and locally influential individuals who in effect have bought their seats in parliament and have no particular interest in their constituents' concerns). It is also necessary to improve legislation to establish equal working conditions for majoritarians throughout the country.