Self-governance – imitating change without purpose?

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The article examines the current state of local self-government in Georgia - an area that has received relatively little attention as the agenda of contemporary Georgian public life has been formed. The document presents the general objectives of self-government and the current state of play in Georgia, as well as the motivations of the key players involved in the process.

The (non)priority of decentralization

Several events have led to significant changes in the developmental processes as well as public attitudes in Georgia.

The severe social and economic situation, the permanently creeping Russian annexation and the generally high level of frustration, which had existed in the country in previous years, were compounded in the early 2020s, by the shock brought on firstly by the Covid pandemic, then political conflicts, and finally the start of the war in Ukraine. Today, the most acute challenge is the ongoing process of Georgia's European integration.

Under these circumstances, the establishment of true local self-governance, which has not so far taken precedence, is further relegated to the background.

Such a perspective on systemic changes is not alien to independent Georgia or other newly democratic countries. With few exceptions, the processes of establishing self-governments have taken decades in all post-Soviet countries, and this phenomenon has its reasons.

The Georgian political elite has been shifting its rhetoric over the past 30 years in stages – at times, they have been proclaiming the need to establish self-governance while implementing only partial and incomplete changes, and, at other times, adopting a centralized governance model and dropping the subject of reform from the political agenda.

The prevailing views in the society have helped authorities ignore the issue. Even the most vocal part of the civil society only expresses their objections to the idea of local self-government in relation to certain issues. A quick scan of the Georgian media over the past 30 years reveals the whole cycle of such transient and superficial discussions. Information related to municipalities was and is related to such particular concerns as:

- Corrupt dealings during municipal purchases and examples of inappropriate spending of budget funds;
- The existing state of play in self-government structures. In particular, the affiliation of the heads of municipalities with the State Security Service and to the rival factions within the ruling force; The artificial growth of the municipal services (municipal enterprises and service delivery agencies) in order to employ groups loyal to the government;
- The function of self-governments in political processes. This was and continues to be especially relevant during election periods, when administrative resources were used to mobilize government supporters, or during political crises, when municipal officials are actively engaged in coordinated actions against citizens who are critical of the central government.

In such settings, self-governments become silent executors of the central government's decisions and political will, and in the event that the government fails, they are used as scapegoats in the course of different anti-corruption or other short-term campaigns organized for show.

Examples of broad public discussions about the need to change the existing system of self-government are very few. Even in such cases, as a rule, in-depth reflection of the problems does not happen, and fragmented debates only take place regarding individual sub-issues, which demonstrates the "non-prioritization" of the issue for our society.

This non-priority, directly or indirectly, is accepted by all actors involved in public processes - not only the authorities, but also the population in general, as well as special interest groups - the political establishment and civil society (including international organizations).

Each segment of society has different reasons (and motivations) for being passive in this case. I will try to discuss these below.

Why self-government?

Since Plato (who examined nearly all features of self-governance, including its territorial limitations), philosophers, politicians and religious figures - Aristotle, Christian fathers, Renaissance and New Age thinkers, the founding fathers of the USA, representatives of modern university centers and international organizations - have all addressed the issue.

In short, self-government exists to achieve several main goals: [1]

1. Inclusive engagement of society – recognizing the impossibility of effectively managing everything from one center, maximum participation of various interest groups and, as a result, the emergence of a sense of association for a large number of people in order to increase the legitimacy of existing structures in any state and create a stable environment;
2. Provision of appropriate services to the population - taking into account local characteristics, improving the living environment and promoting public goods, the solutions which would be ineffective with a centralized, unitary approach;
3. Facilitation of the formation of political elites in localities - identification of active local leaders who understand specific demands of people living in specific areas and, at the same time, make for qualified personnel to serve the state-level authorities;
4. A mechanism against disintegration – solving local needs at the local level (regions compactly populated by ethnic minorities and not only) so that these issues do not become a matter for the central authorities to solve and, therefore, decreasing the probability of conflicts at the national level (for example, in Spain, municipalities became supporters of the unified state and opponents to the Catalonian secessionist movement).

In all these cases, the main factor is the broad involvement of the public in the process of decision-making. This is highlighted by a number of international agreements, conventions and charters.[2]

To achieve the mentioned goals, the self-government system includes certain characteristics that must meet a number of criteria. In particular:

- Administrative-territorial organization of the country - how many levels of self-government (local, regional, etc.) exist in the country? What is the average size of the municipality (territory, population)? [3]
- Powers – what competencies does the self-government have and to what degree are they implemented? [4]
- The structure of self-government – how is self-government formed (elections)? What protection guarantees does a self-government official have? [5]
- Economic issues - what sources of income do self-governments have? What categories of property does the self-government own? [6]
- The supervision of self-government activities - how does the state and society control the activities of self-governments? [7]

The exercise of self-governance does not in any case imply infallible activity. It is natural that, just like in other areas of public life (government, business, social relations, etc.), mistakes can happen (for example –wrong decisions may be made). The correct organization of the system does not mean excluding errors, but creating ways to correct them. It is believed that mistakes made at the local level are much easier to correct than those made at the national level, which is another argument for the need for self-government.

The systems of self-government in the countries of the old democracies had formed over centuries, taking into account local traditions, and are functioning more or less successfully today.

The situation in the emerging democracies is different. In Central and Eastern European countries, the process of moving from post-totalitarian to democratic government happened in different ways. While some states (Georgia, Bulgaria, Armenia, Ukraine, Azerbaijan) are experiencing a delayed or nonexistent reform process, others (Poland, Czech Republic, Estonia, Latvia) have seen quick success.

Some of the challenges faced by the post-Soviet countries are:

- Bottlenecks in administrative arrangements – Soviet district arrangement. The size of the districts is too large to ensure the involvement of the population, and too small to implement large infrastructural projects. Due to this, a number of countries (Estonia, Latvia) divided the districts into smaller units. [8]
- Small and limited competencies – the Soviet system was characterized by a complete confusion of powers of all levels (central, regional, district, local). The complete separation of powers and the delegation of more and more competences to self-governments is a general international trend. Among the post-Soviet countries, Poland has achieved the most success in this regard.
- Finances and property - some visions in the new democracies call for complete liberalization/privatization of the public sector; Some - to keep regulation in the hands of the state (rather than local governments). As a result, both these views exclude or greatly diminish the role of self-government. In such conditions, Poland, the Czech Republic

and the Baltic States have chosen a middle ground, proven to work in developed countries, which assumes the existence of self-government as an independent public authority.

- High level of public nihilism in the conditions of formally existing self-governments – when self-governments do not have real rights, no mechanism of civil involvement can work. Citizens will show real initiative only if their involvement leads to tangible results. Therefore, forms of direct democracy (referendums of local importance, etc.) are used more and more often.

Lastly, when talking about successful countries, we should not assume that all reforms have been duly implemented already. The process of decentralization and its adjustment is ongoing. [9]

The Georgian reality

It can be safely said that at present, everyone who touches upon this issue in Georgia admits that after the restoration of independence, real self-government has not yet been established in the country. The only difference between these opinions is that government representatives claim that the state is working in this direction, while the society (including opposition parties) believes that the process is either not underway or is developing in the wrong direction.

If we take a look at the processes carried out in the last 30 years, we will see a certain regularity. All governments (at least at the declaratory level) considered decentralization as one of their priorities; some steps were actually taken, however, as a rule, the processes would either halt or go backwards. The process of decentralization used to be replaced by centralization until the ruling political power would change. As a rule, the new governments were focused on other priorities or completely ignored the model chosen by the previous government.

Several such waves can be distinguished in Georgia, since 1991:

1. 1991 – Zviad Gamsakhurdia's government (Round Table) attempt to change the Soviet style of local governance. The one-party (Communist Party) monopoly was abolished and the first multi-party elections were held. However, at the same time, the central government's full control over the executive branch of municipalities was maintained (through prefects appointed by the President of Georgia);
2. Since 1997 - the government of Eduard Shevardnadze (Citizens' Union) began the process of restoring the self-government system abolished after the coup d'état and filling the vacuum that appeared in some places. As a result of the municipal elections held in 1998 and 2002, multi-party self-governments were formed again. Moreover, the opposition parties gained the upper hand in many local governments. According to the legislation, the list of powers of self-governments was quite extensive. However, in reality, self-governments were completely financially dependent on the scarce resources transferred by the central government. At the same time, the central government, in a formal and informal way, maintained full control over the executive branch of municipalities (city councils, mayors);
3. Since 2004 - Mikheil Saakashvili's National Movement government, which came to lead the state as a result of the 2003 Rose Revolution, significantly limited the powers of self-governments. In 2006 and 2008, instead of multi-party governance, single-party councils were established in municipalities. The administration of self-governments was fully subordinated to the control of the central government (especially that of the law enforcement agencies). However, at the same time, the revenues of self-governments increased several times, and many programs of local importance began to be implemented;
4. From 2012 - a new political force (Bidzina Ivanishvili's Georgian Dream) begins the real decentralization process (new administrative arrangements, increase of public finances and powers) in its first stage of governance (2013-2014). Later (from 2017), the reverse process begins and, in fact, the one-party self-governments are again under the complete control of the central government (Ministry of Finance, State Security Service of Georgia, etc.).

The contradictions of the current changes can be seen not only in the general policy, but also in the individual directions decentralization took.

- Administrative-territorial arrangement - in 2006, the lower level of self-government (town, borough, community, village - more than 1000 municipalities) was abolished and a *Rayons* (65 units) was declared the only level of local self-government. The attempt started in 2013 to create small municipalities linked by common interests (separation of 7 new self-governing cities) was rejected again in 2017. Today, we see that the existing municipalities at the level of *Rayons* (districts) formed in the 20s-30s of the 20th century in the Soviet Union, on the one hand, are too large to ensure a permanent connection with the population, and on the other hand, too small (in terms of resources) to implement large (infrastructural and other) projects and programs.
- Competences - the process of delegating powers to self-governments is delayed. Along with the delegation of some powers by the center, other previously transferred services are often re-centralized (legal services, etc.). At the same time, most of the municipal powers are not complete and exclusive. Some of them formally represent the competences delegated by the center. The degree of formal or informal intervention by the central government is also high in the process of exercising existing exclusive powers.

- Institutional structure – the manner of formation of municipal structures often changes: appointment of the executive branch (mayor, governor) by the center, indirect election by the representative branch (council). There are also frequent changes in the method of electing the councils such as alternation of the ratio of members elected by majority and proportional rule and others. In addition, the structure of institutions of self-governing units - municipal services (as well as municipal enterprises and service delivery agencies) is unstable. Changes in the number of employees in the mentioned system are frequent (usually in the direction of growth). There is a prevailing opinion in the society that these institutions are a way to reward the supporters of the ruling party for their services (especially in pre-election periods, as well as in the process of using "party activists" to create the illusion of support for the government's policy).
- Economic foundations – Georgia's self-government system is fully dependent on the financial resources provided by the central government. The share of own revenues (mainly property tax) in municipalities is very small. Municipalities do not know what funds and through what programs they will receive from the Ministry of Finance of Georgia at the end of each year. For the same reason, already approved budgets are often changed during the budget year. In such conditions, it becomes impossible for the self-governments to develop their own long-term strategies. Since 2001, despite the permanent declaration by the state, the process of transferring part of the property on the balance sheet of the central government (Ministry of Sustainable Development and Economy) to the municipalities has been delayed.
- Supervision - regardless of the norms prescribed by the legislation, there is a frequent change of the bodies supervising the activities of the self-government from the side of the state (Ministry of Justice, the administration of the Prime Minister, state trustees/governors...). In practice, the picture is further aggravated by informal pressure from central government institutions. As for public control, in the majority of municipalities (especially in rural municipalities) in the conditions of weakness or absence of civil society and local independent media, public influence on the activities of self-governments is very weak.
- Civil participation – although the legislation defines many forms of citizen participation in the decision-making process, in practice, in most municipalities, some of them do not exist or their activities have a formal character. [10] Not being able to use these tools to make real decisions in the community exacerbates the feeling of mistrust. However, it should be noted here that the degree of citizens' activity increases significantly when trying to solve real problems in individual municipalities. [11]

In 2019, the Georgian government prepared and published a new 2020-2025 Decentralization Strategy, thus the government announced the start of a new stage of self-government reform. [12]

The strategy involves work in three directions:

1. Increasing the role of the self-governing unit in solving an important part of public affairs,
2. Provision of local self-government with appropriate material and financial resources,
3. Establishment of reliable, accountable, transparent and result-oriented local self-government.

At the same time, the strategy action plan for the period 2020-2021 was published. [13]

As a result of the implementation of the 2020-2025 decentralization strategy and the 2020-2021 action plan, the Georgian government has taken a number of steps:
- The current legislation was harmonized with the Organic Law of Georgia "Local Self-Government Code",
- Self-governments were given some additional powers,
- Work has begun to analyze the financial situation of self-governments and the current situation in the direction of citizens' participation.

To date, the action plan for the period of 2022-2023 has already been prepared. [14]

The new action plan aims to incorporate all three directions of the strategy:
- Analysis of the current situation,
- Increasing the skills of self-government structures in certain areas through the creation of methodological guides and trainings,
- Creating examples of successful activities in a number of municipalities.

In the implementation of the strategy and action plans, the thorough technical work carried out by a number of agencies (first of all, the Ministry of Regional Development and Infrastructure) aimed at increasing the effectiveness of the existing system should be considered important.

The shortcoming of the strategy is that it does not cover all directions of decentralization, the implementation of which requires the presence of political will in the ruling power and society, and ignoring of which, despite the creation of successful cases in certain areas, excludes the possibility of establishing real self-government in Georgia.

If we generally evaluate the current attitude towards decentralization in the country, it can be said that since the restoration of independence until today, the establishment of a modern type of self-government is prevented, first of all, by a negative attitude towards the issue. The charm of maintaining the existing Soviet system is quite high, since the latter creates a fairly comfortable environment for any governing power - under such conditions, it is easy to manage, there is no need to take local views into account. In practice, this is reinforced by the position of other active actors. For example, in the process of implementation of large international projects, providers prefer to deal with one entity (a specific ministry) rather than to talk separately with dozens of municipalities.

Process actors

The creation and functioning of a proper system of self-government is not an issue to be decided by just one particular interest group. Actually, it is one of the main foundations of not only the state organization, but also civil relations. Therefore, it is not surprising that virtually all actors are actually involved in the process of decentralization.

Each of these actors has real motives for supporting or opposing the process. At the same time, not infrequently, the real motives are not declared and they defend their views for other reasons (with some other excuses).

The Government (all the political forces existing during the period of independence). I have already mentioned the fear of losing absolute power. All political forces that come to power by declaring support for the idea of decentralization, start certain activities in this direction at the first stage of governance, then realize the convenience of centralized management and more or less return to the situation before the reform. Such a metamorphosis is justified by the motto "our people are not yet ready for this" - characteristic of the authoritarian style of government. At the same time, a certain justification of such action is made due to the fear of strengthening separatist sentiments on the part of ethnic minorities, characteristic of ethnic nationalism.

Political parties. The opposition parties also declare the need for self-government, but often there is no understanding of how they envision solving specific issues in the event of coming to power. Irrationally, they also express the hope (heard during personal conversations with representatives of a number of parties) that at a certain stage they will come to power themselves and therefore maintaining the existing system is acceptable for them as well.

Civil society. A comprehensive understanding of self-government issues does not exist in the majority of public organizations (as well as in the media), even in the case of relations with self-government structures (supporting citizen participation, lobbying for specific local problems and participating in the implementation of existing municipal programs), there is a segmentation when representatives of individual sectors (gender issues, ecology, etc.) are limited only to the activities determined by their mandate. They hope to gain support at the central level in the process of solving the problems raised in the target municipalities, thereby inadvertently strengthening the tendency of centralization.

International and donor organizations. Although the goals of these organizations differ from each other, several common features can be distinguished: a) the formation of a self-government system (naturally, in accordance with internationally recognized principles) is the sovereign right of an individual country (in contrast to topics such as the protection of human rights, respect for recognized principles in the economy, etc.). Consequently, the degree of international pressure on the authorities is relatively lower; b) Those donor organizations that work on self-government follow the policies developed by the state, and in the absence of such policies or frequent changes (as in Georgia, where international actors "can't keep up" and react to changes post-facto), they try to implement their own programs only with separate, fragmented measures (refinement of legal norms, creation of successful cases in the existing environment, measures focused on increasing the skills of people working in the self-government system and educating citizens); c) Another reason, which is not openly stated, but appears in private conversations, is the orientation of a significant part of these organizations (especially the organizations of the economic block) to the centralized system. For example, for many programs it is better to agree on everything with one person (minister) at the central level than to talk separately with many mayors in a decentralized system.

All these actors are logically united by the desire to "protect the dignity of the uniform". They do not admit that a number of strategic mistakes were made in their approach in the past decades.

Finally, a few words about the main actor, which is **society.** Society as such consists of groups with different interests. A generalized conversation is difficult, but when talking about general moods and attitudes towards the issue of self-government, it is possible to outline several theses here:

▪ Society does not consider self-government as an object of as high interest as some other issues (unemployment, low income, geopolitical situation, etc.);
▪ The level of awareness about the role of self-government is quite low. This is not surprising in such conditions, when the level of adequate knowledge is low in the political and intellectual elite;

- Those citizens who understand the functions of self-government are mostly frustrated, because they see that the formal image and reality differ from each other, and even if they wanted to, not only citizens, but even self-government bodies are less likely to make decisions;
- The legislative mechanisms, which are defined to increase the involvement of citizens in the process of self-government activities, are less effective not because these mechanisms are problematic in themselves, but because the probability of achieving a real result with these mechanisms is low. In those individual cases where real results are achieved, community involvement also increases.

Possible development scenarios

The above shows why it is difficult to reach compromises in the activities of self-government - the active parties not only have conflicting views regarding specific or general issues, but also generally consider different areas as priorities.

In such conditions, if the existing approaches are not completely (or at least partially) changed, the prospect of establishing real self-government in the country is rather vague.

At the same time, there is no alternative to the establishment of self-government in Georgia and it will happen sooner or later. In this case, we can only talk about "the when" question:

1. Reforms in due time – depends on the creation of the public need and the corresponding public demand, when the political class voluntarily or involuntarily begins to work in this direction. A good example can be Poland and the Baltic states, when the presence of political will and the right tactics (and therefore the right use of European funds and aid) allowed them to transform the Soviet system in a short time.

2. Prolonged process – in the case of immaturity of the political class and relatively little interest on the part of the public, the reformation will take place gradually, in accordance with the resolution of the situation in other areas. The implementation of complete changes will take decades, and work will commence from more difficult starting positions (depopulation of regions, especially rural areas; further weakening of the country's competitiveness; increasing inequality between regions). In such conditions, it will be necessary to start from ground zero to return to the already lost positions, while it is still possible to make proper use of the remaining resources today.

References:

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[2] Additional Protocol to the European Charter of Local Self-Government on the right to participate in the affairs of a local authority (Utrecht, 16.XI.2009), https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=090000168008482a
[3] Jānis Aprans, EU Region Policy, University of Latvia Press, 2014, https://www.lu.lv/fileadmin/user_upload/lu_portal/projekti/cets/Publications/Teach_Mat_EU_Regional_Policy.pdf
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[8] Local and regional government in Europe, Structures and competences, 2016, https://www.ccre.org/docs/Local_and_Regional_Government_in_Europe.EN.pdf
[9] The decentralization reform in Poland was carried out in two waves: in the first half of the 1990s, after the dismantling of the Soviet system, there was a rapid reform of local self-government, and in the first years of the 21st century – the strong regional level government was formed. In Latvia and Estonia, the final abolition of the district level and the

formation of smaller, homogeneous municipalities in its place took place in the middle of the last decade, i.e. when these countries were already members of the European Union.

[10] Forms of citizens' participation in the implementation of local self-government are: general meeting of the settlement; petition; Civilian Advisory Council; participation in the sessions of the municipality council and the commission of the municipality council; hearing the reports on the work conducted by the mayor of the municipality and the member of the municipal council. In addition, the municipality is authorized to determine other forms of citizen participation in the implementation of local self-government, which do not contradict with the legislation of Georgia. Organic Law of Georgia "Local Self-Government Code", Chapter XI, https://www.matsne.gov.ge/document/view/2244429?publication=62

[11] Such successful examples are the municipal programs of public budgeting in Marneuli (2014-2017), Ozurgeti (2017-2021), Keda (from 2019). Examples of projects implemented jointly by civil society and self-government bodies to increase civil activity are: activities conducted by the Local Democracy Network in Shuakhevi and Keda; The long-term program carried out by the Caucasian Institute for Peace, Democracy and Development in Adjara, Samtskhe-Javakheti, Shida Kartli and Kvemo Kartli etc.

[12] Decentralization Strategy, 2020-2025,https://mrdi.gov.ge/ka/%E1%83%90%E1%83%93%E1%83%92%E1%83%98%E1%83%9A%E1%83%9D%E1%83%91%E1%83%A0%E1%83%98%E1%83%95%E1%83%98%20%E1%83%97%E1%83%95%E1%83%98%E1%83%97%E1%83%9B%E1%83%9B%E1%83%90%E1%83%A0%E1%83%97%E1%83%95%E1%83%94%E1%83%9A%E1%83%9D%E1%83%91%E1%83%90%20pdf%20%20ka

[13]Decentralization Strategy Action Plan 2020-2021,https://mrdi.gov.ge/ka/%E1%83%90%E1%83%93%E1%83%92%E1%83%98%E1%83%9A%E1%83%9D%E1%83%91%E1%83%A0%E1%83%98%E1%83%95%E1%83%98%20%E1%83%97%E1%83%95%E1%83%98%E1%83%97%E1%83%9B%E1%83%9B%E1%83%90%E1%83%A0%E1%83%97%E1%83%95%E1%83%94%E1%83%9A%E1%83%9D%E1%83%91%E1%83%90%20pdf%20%20ka

[14] Decentralization Strategy Action Plan 2020-2021.