

# **POWER TO LEAD, POWER TO DECIDE, POWER TO VETO**

## **A Theory and Practice of Manipulative Democracy<sup>1</sup>**

Marina Muskhelishvili<sup>2</sup>, Lia Mezvrishvili<sup>3</sup>  
Centre for Social Studies

### **Democracy and its meaning**

What is democracy? Despite the multiplicity of existing definitions, the concept of a democracy and its institutional materialisations is related to a type of collective action—that is, to political activity. In most cases in modern literature, the term relates to the political system of a country. In conventional usage, a country is "a democracy" if it has a "democratic" political system.

It was not always like this. Alexis de Tocqueville used this term in a more holistic way to speak of democratic nations as opposed to aristocratic ones, suggesting that democratic governance is inevitably linked to the nature of society and to its mores, social structure, feelings, and behaviour (Tocqueville). Today, no one would describe nations in this holistic way by distinguishing between "democratic" and "nondemocratic" ones, not only because of political correctness but also because the term has become closely associated with formal political systems.

Everything that happens on the level of society is considered a background and an arena for democracy, a feature of political culture that may be linked, in various ways, to the political system called democracy, but which is not a part of it. The political culture, social structure, and economic conditions of society may strengthen or weaken its functioning, but they should be studied and considered separately.

Separating a political system from its social and economic background is both normatively and methodologically important. Attributing the term "democracy" to a political system and its institutions alone has played an important role in the study and practice of democratisation in recent decades. It has been said that any society, regardless of its history, political culture, or economic prosperity, is able to establish democratic governance if it accepts regular competitive and inclusive elections that involve relevant rights and freedoms and that are protected by the rule of law.

In its original concept, democracy is based on popular sovereignty and popular rule. When it becomes equivalent to a political system with elections at its core, it comes close to the idea of majority rule. Conventionally, democracy is a rule "by the people", directly or through representatives, in which decisions reflect the will of (at least) the majority of the population. "Two very different ideas are usually confounded under the name democracy. The pure idea of democracy, according to its definition, is the government of the whole people by the whole people, equally represented. Democracy as commonly conceived and hitherto practiced, is the government of the whole people by a mere majority of the people, exclusively represented" (Mill 1991: 302).

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<sup>1</sup> Paper prepared with the support of ASCN and presented at 3rd ASCN annual conference, 2013, Tbilisi.

<sup>2</sup> marinmus@yahoo.com

<sup>3</sup> likacase@yahoo.com

When there is a deep class division in society, Mill argued that under majoritarian rule, the minority class may be underrepresented, and majority rule may, in effect, become tyranny. This concern with the tyranny of the majority is familiar to all new democracies that have established more or less competitive elections and majority rule but that are nevertheless far from the ideals of equal representation, participation, and good governance. Following classical concepts, the rule of law and human rights are considered the constraints that ensure that majority rule will not degenerate into the tyranny of the majority.

In essence, the principles of constitutional government, along with the principles of democracy, bring these two meanings of democracy (majority rule and sovereignty of all) together, although majoritarian and proportional arrangements of democracy do so in different ways (Powell 2000). Nevertheless, a question arises: If constitutional arrangements of power are in place and human rights are observed, can we insist that a majority government would provide for democracy? If "democracy" is understood merely as majority rule, this question is a tautology. However, if we intend to unite the above-mentioned definitions of democracy, we should examine the composition of the majority and how this composition relates to the political process.

Imagine a society divided by multiple cleavages regarding the preferences of its members. According to one cleavage, some individuals prefer "tea", whereas others prefer "coffee" (we substitute these images for the real preferences of voters to simplify the explanation). According to another cleavage, some prefer "plums", whereas others prefer "apples". Imagine that one individual, "A", would win elections if the society voted according to the first line of division, whereas another individual, "B", would win a majority if the second division were stake. Which of these individuals, A or B, should be considered to represent the will of the majority and the holding power of representative majority rule? Obviously, neither one is the most powerful if there is a third individual, "C", who decides the agenda of voting. This third player, who determines what is at stake ("tea-coffee" or "plums-apples"), will determine the outcome of the elections.

This simple example demonstrates that the power to represent the majority is not a simple concept if it is separated from the power to set agendas or determine cleavages. Society may receive "tea" and "plums" in one case and "coffee" and "apples" in the other. As the theorem of chaos implies, monopoly control over political agendas may have even greater consequences. A deliberate sequencing of agenda issues may lead society to a situation in which a person is elected who has no representative capacity according to any effective cleavage—that is, someone who is less desirable for society than any other candidate. Society may be led to elect person "D", who would provide neither "tea" nor "plums" (Schofield 1998).

The same situation may apply not only to elections but also to any decision-making by majority rule. The "majority" may, in effect, appear to be the outcome of the political process rather than a pre-condition. Those who have control over the political agenda may manipulate society, creating majorities, rather than one majority, according to their goals and intentions.

Control of the agenda should therefore be considered a type of political power that may override the representation of majority preferences. This power may be located outside of the political system, which means that there may be no constitutional

restrictions on its influence on the political process. For example, in a country with free and fair elections, if TV broadcasting is monopolised by an actor with political interests, the outcome of elections can be effectively manipulated in favour of the desirable candidate because society may be divided in many ways in the real world as well.

When democracy is equated with the political system, this system should provide regulations for all types of political power. If powers outside of the political system can negatively influence its outcomes, formal democracy may effectively become autocracy.

Therefore, if we want to understand democracy as a majority government, we should either consider the power of agenda control part of the political system that is regulated by constitutional arrangements and the rule of law or we should give up attempting to equate democracy with the political system and consider the external conditions (such as the political culture or economic development) that may be necessary to bring the will of the majority closer to the will of people.

Following the postmodern, postmaterialist shift in recent decades, new patterns of representation have emerged that may undermine the democratic nature of established democracies. These patterns place increasing emphasis on agenda setting by political leaders. Instead of representing the pre-existing cleavages and divisions within society, these leaders may manipulate society by establishing new cleavages that are favourable for their goals (Manin 1997). Traditional constitutions do not provide sufficient regulations on this possibility given that agenda setting occurs both within and outside of formal arrangements. This development is especially challenging for new democracies, in which civil society is relatively weak but political encroachment into social and economic relations is strong.

In this paper, we will consider agenda setting as a type of political power along with the power of decision-making. We will also introduce the third type of political power, veto playing. We distinguish between three ideal types of political power: the power to set the political agenda, the power to determine content and preference, and the power to veto or remove some possible options from the political agenda or the spectrum of legitimate decisions. The first type is related to sequencing and prioritising political decisions, the second type is related to the ability to influence an issue to obtain a desirable outcome, and the third type is related to the ability to create social contracts and to identify the general will in relation to them.

We will use Georgia as an example to demonstrate how majority rule combined with a monopoly over agenda control may be damaging to democracy. Such a government may exercise agenda-setting and veto-playing power in an arbitrary way, excluding most of the population from decision making, polarising society, and producing outcomes that go against the will of the people. We call such political arrangements a manipulative democracy. This paper will first provide a theoretical background and briefly present empirical evidence.

### **Three Varieties of "The Political"**

In this chapter, we will discuss democracies and assume the autonomy of individuals and the sovereignty of society as a given. Thus, each citizen has individual policy preferences that are pre-conditioned to the political process.

We will distinguish among three varieties of political agency exercised by political leaders who struggle to possess all three varieties of power described above: the power of agenda setting, the power of veto playing, and the power of decision making, assuming that all three are inevitable parts of a political process. However, not all of these varieties need to coincide with the majority choice to be valid. The agenda, veto, and decision simply need to be fair outcomes of cooperative political games with the corresponding minimal winning coalitions. For the first, the minimal winning coalition is one; for the second, it is all; and for the third, it is the majority. This interpretation of these powers has a hidden normative character, and each type of power is matched with a corresponding validity claim: the winning agenda is matched with the truth claim; the winning veto is matched with the normative claim; and the winning decision is matched with the sincerity claim (Habermas 1998: 5).

An action by political leaders becomes truly "political" only if and when leaders succeed in providing justification (openly or latently) for their leadership, play validation games. As an example, the Executive must prove that his agenda of development is appropriate and beneficial for the majority; the head of state must prove that he cares about all citizens equally and represents a majority; and the popular party leader must prove that he is similar to his supporters in their aspirations for the future and their political preferences.

Because political leaders are in constant competition with one another, they find it difficult to play many different validation games simultaneously. Any political action is a combination of all three varieties of power, but these varieties of power participate in different ways. The political system creates one constellation of power relations for the office a politician holds or aims to hold; the game in which he participates defines the criteria by which he may win or lose; and the rules of validation are provided by the nature of underlying claims. In sum, political actors within a democratic system must not only receive support from the majority but also must be validated from each and by all.

Liberal and republican traditions of political thought as well as different models of institutional arrangements of democracy provide different ways in which these three varieties of power relate to one another (Habermas 2002, Powell 2000). However, there is also a more recent, Schmittean version of the political that promotes the third variety, which we call manipulative rule. Each of these three constellations of power promotes a corresponding agency exercised by the leader, which we call leadership, representation, and cleavage formation, respectively.

### 1. Leadership

We understand leadership as leading the country in some specific direction. To obtain the power to set the direction (the agenda for development), the leader must make this direction visible and attractive.

Let us imagine citizens as points on a two-dimensional policy space on which each axis corresponds to one specific political issue, whereas the coordinates of the point correspond to the policy preferences of the voters regarding these two issues. If citizens' preferences were distributed normally, the central point would correspond to the position that has maximum support from society. A conventional approach would suggest every leader should aim to represent this voter-maximising position, at least during elections. However, the empirical reality is different (Schofield 2009). Politicians represent policy

points that dissent from the centre, and the direction in which they dissent represents the direction in which they lead the situation. In doing so, they represent not the preferences but the beliefs of citizens about the consequences of moving in this direction and the correspondence between their preferences and future developments. In other words, leadership requires taking a position that is neither the best in terms of majority preferences nor the best in terms of all preferences (Figure 1).

To become a winner in this game of opposing directions, the politician must persuade a majority that they would benefit from this direction more than from the opposite one. In other words, the politician must link the present to the future. Although he requires support only from a majority, he has a good argument to link this majority to the whole of society: the direction winning the majority is also the right one, and this means it is beneficial for all of society, not only for the majority.

Leadership of this kind is very close to John Stuart Mill's liberal positivism. The system based on this type of leadership gives leaders two types of power: the power to direct the country and the power to make decisions. Members of society who are out of the system exercise veto power, fulfilling a watchdog function and controlling the government.

## 2. Representation

By representation, we mean activity directed towards representing the values of as many of the voters as possible. Applying the same two-dimensional spatial distribution of preferences as in the previous case, such activity may be interpreted as an attempt to take a central position and to broaden the basis of support as much as possible (broadening the boundaries within which represented citizens are located). Political activity is directed towards combining the majority (the central circle on the space) with those voters who are left outside of the strata represented by the political leader. In essence, the leader aims to create general will. Combining the preferences of the majority with the normative values of the social contract shared by all broadens the basis of voters who are represented by the politician (Figure 2).

This kind of political activity is more in line with the republican tradition than with the liberal leadership described above; it is close to the Rousseauian social contract and is institutionally more in line with the parliamentary sovereignty typical of the European continental tradition.

Winning the competition against other political players in this general will formation game requires a search for the "sameness" of citizens and a compromise between decisions that are preferable for the majority and the agenda of citizens who are situated relatively remotely from the central position. The ability to transform the will of the majority into the will of (all of) the people is thus the main source of success of the representation game.

Leaders of a system based on representation need two types of power: the power to make decisions in favour of the majority and the power to legitimate these decisions in the eyes of society. Obviously, the philosophy is based not on the "rightness" of these decisions but on their "goodness" for all. The members of society would engage in participatory activities in an attempt to impose their (multiple) preferable agendas on the government, which, in turn, would aggregate them into the system

### 3. Cleavage formation

Traditionally, leadership and representation were considered the main typologies of political agency in a democratic political system. Although we paralleled leadership in the liberal tradition and representation in the republican traditions (and we will subsequently parallel them with the majoritarian and proportional democracies, respectively), both are exercised as ideal types, in any democracy. In other words, the majority, which defines the winner of political competition, is formed by an equilibrium among them, or, in another interpretation, an equilibrium between agenda setting and veto playing. According to this traditional vision, political leaders do not shape majorities; they lead a country and unite it, and citizens approve or disapprove of these actions.

Each of these "political" may be imagined as defining characteristics of preference points on a two-dimensional space: the distance from the central position and the angle between the corresponding vector and the axes (Figure 3). Therefore, we have two varieties of political agency corresponding citizens' preferences. The preference position does not have specific agency; rather, it is an outcome of the balance of powers between the two. Thus, the majority that determines the outcome of elections may be formed in the absence of a cleavage-making agent, as an outcome of leadership and representation exercised by ordinary, traditional parties. This is the traditional political reality that is associated with liberal democracies but that is outdated with the postmodern shift.

The less attractive and more Machiavellian interpretation of political agency describes it as primarily directed towards ensuring support from the majority. This is very close to the Schmittian interpretation of "the political" and is best described by the following paragraph:

"Even if Carl Schmitt went a bit too far in his vivisection of the original act and the defining feature of politics when he reduced it to the appointment of 'a common enemy', he was right when tracing the essence of politics to the naming of, and dealing with, 'the other'. Politics, he may say, is about creation and manipulation of oppositions and drawing boundaries between 'inside' and 'outside', and consequently differentiating between the way in which each of the two members of the opposition, and so also each of the two sides of the border, are dealt with." (Bauman 2012: 17).

When the "attracting majority and de-legitimizing opponents" game prevails over leadership and representation, the direction of the development and the model of social contract do not describe the political leader in the eyes of society. They are subject to change in accordance with the needs of the moment. The leader's concern is to ensure that a majority of citizens feel "closeness" with him and "distance" from his opponents. Applying the model of two-dimensional spatial distribution, we can say that in this case, only the difference in the distance between a citizen and a leader and his opponent counts. When the differences become positive for the majority of the population, the leader is a winner.

To win this game, the leader must have the power to change his position within the spatial distribution of preferences so that he is always in the majority. This means that he has neither a stable direction for development nor a version of the social contract, while cleavage line between him and his opponent may rotate (Figure 4).

In contrast to leadership, the formation of cleavages is not intended to strengthen a particular direction of development; rather, it aims for a "popular" direction. Instead of representing as many people as possible, it claims to represent a majority and delegitimizes others as enemies.

In essence, such political power is directed towards the formation of the majority and the exclusion of the remaining minority from political influence. This results in a kind of a populist rule that is blind to the (possibly) pre-existing cleavages within society and that concentrates on divisions created by different "directions of development" for the entire country.

The manipulation of agenda setting and veto playing in a holistic way is the power exercised by this type of political agency (best described as an Orwellian anti-utopia). This is why the main democratic power of society, in this case, is the power of protest. Citizens can neither control the government nor participate in its activities; their strategy is to unite in numbers, often in a street protest rallies, to demonstrate that the government has lost majority support.

## **Linking theory to the empirical reality of political systems**

In the previous paragraph, we assumed that each politeia may be characterised by a specific constellation of three ideal types of political power, and each has a prevailing type that historically defines the features of its political system. The most significant evidence is linked to the liberal and republican traditions, which we will describe through examples from the US and continental Europe.

If leadership is the prevalent agency in a system, the system will tend to be majoritarian, and the majority will be the agenda setters for decision-making. The classical example is the US. Such a system may become a tyranny of the majority if both powers (agenda setting and majority support) are concentrated in one centre. Constitutional arrangements help to prevent such an outcome. In reality, the US is a system of multiple majorities that are not formed in sequence (elections by elections) but that function simultaneously (Reynolds 2002). The multiplicity and mobility of the majorities make minorities influential in agenda setting because leaders need to incorporate their agenda into the overall agenda. As a result, the system becomes a polyarchy (Dahl 1989), in which activist groups participate in agenda setting, making it plural and simultaneous. Not one majority, but many—this is what makes democratic leadership possible. The division of agenda-setting power from executive decision making also plays a role: "US presidentialism is virtually unique among presidential democracies in that it requires that all legislation be initiated from within the legislature" (Chebib, 2009: 1388). The interplay among agenda setters occurs in congress (and elsewhere) and the executive make decisions accordingly.

When representation prevails, the system tends to be plural and inclusive. The majority, formed by elections, aims for a consensus with the remaining minorities. These minorities may even be given veto power towards the majority. In short, this is a type of multiparty European democracy in which veto power, combined with majority power, is concerned with the boundaries of the social contract. The system may become a collectivist totality without the plural mechanisms of agenda setting by minorities.

Various minorities address each other through parliament and through corporatist arrangements and social dialogue. In the extreme, this leads to consociational arrangements of the system. The direction of development for the country thus becomes an equilibrium outcome of compromise between the majority and minorities.

In both cases, the government rules in the interests of the entire society, albeit in different ways. In contrast, when cleavage formation power prevails, the system tends to be extremely polarised between the majority in power and the minority in opposition. The prevailing logic of the government is to delegitimise the enemy, the opposite pole of political division. Such a system may become autocratic if elections are not sufficiently competitive. In the case of competitive elections, however, stability is at stake because changes in the government may mean radical changes in the direction of development and the underlying social contract.

The only clear example of an established democracy with strong cleavage-making attitudes in politics may be Italy, with its polarised party context.<sup>4</sup> The existence of strong anti-system political feelings (fascism, communism) and corresponding political parties has led Italian politics to be based on polarisation for decades.

All new democracies that have semi-democratic semi-authoritarian political systems (hybrid arrangement) may have a strong cleavage-making attitude in their leadership. Among them, Georgia is a good case study because its previous government successfully applied this attitude to remain in power for years.

Due to various factors, cleavage-formation politics has been increasing in established democracies during the last decades, creating a so-called legitimisation crisis and increasing the gap between the population and democratically elected leaders. The fact that the political systems of established democracies were formed to regulate the powers of leadership and representation rather than the power of cleavage formation does not prevent this process and even raises question of whether these constitutions provide enough regulations for such politics. How far will the process go until these societies realise that they do not have sufficient leverage to ensure their sovereignty?

Without going further into this analysis, we will briefly sketch the development that indicates and promotes the rise of cleavage-formation politics in established democracies.

When there are pre-existing socio-economic cleavages within society, political leaders are restricted in their ability to manipulate them. Instead, they must represent them to be elected. This is a case in which society is deeply divided along religious, class, or ethnic lines. Such divisions have been formative for western societies but have been weakening during the last decades (Dalton 1996). Weak pre-existing divisions transform civil societies into mass societies, allowing political leaders to manipulate them.

The post-materialist shift of values and the formation of the middle class have detached individuals' political preferences from their class affiliation. The emergence of numerous floating voters weakens their party identity and creates the basis for manipulation. The traditional right-left ideological divisions weaken, allowing politicians to profess populist approaches and prioritising issues rather than the policies addressing these issues.

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<sup>4</sup> Sartori defines system polarization in terms of the distance between the most distant relevant parties (Sartori, 1997: 41). By social polarization, we mean the clustering of voters around different positions.

Television has become a strong tool of political communication, competing with political parties and exercising functions of agenda setting and gate keeping. In contrast to political parties, television has no responsibilities or tools for leadership or representation. Through its interest in scandals and spectacular shows, television is a strong supporter of Schmittean discourse, polarising society. Political leaders communicating with voters through television are no longer controlled by their parties and may become hubristic in their cleavage formation (Manin 1997).

Neoliberal globalisation and the postmodern relativism of values and content have introduced global divisions into local politics, further detaching "the political" from the local context. This "otherness" has become a constant presence in politics, although its nature and representation remain vague.

## **The Case of Georgia**

All post-Soviet states have a strong legacy of cleavage-formation politics, although not all of them manipulate through cleavages. States that have established strong authoritarian rule simply do not need to use this type of manipulation. Leading development and providing stability against external enemies is sufficient for legitimation in the absence of internal competition.

Georgia differs from other states. It is by no means a classical democracy; its political system has many elements of authoritarian rule, but it also has some features of a democracy. Its 20-year history of independence has proven that its leaders may not rely on state power alone. Even if they are fraudulent and unfair, elections matter as a source of power.

During the ten years of governance by Saakashvili, the political climate during 2003-2008 was relatively competitive with the less liberal continuation in 2008-2012. During the first period, Saakashvili manipulated agenda setting and cleavage formation. As a result, by the end of 2007, political society polarised into two clusters, National Movement supporters and their opponents (Schofield et al. 2011). The August war of 2008 repaired this cleavage, restricting further opportunities that could benefit from this policy. The remaining period was based on a balance of powers between the sides of this cleavage, in which Saakashvili had a significant advantage. When Ivanishvili entered politics, he shifted this balance of powers to the other side, eventually winning the 2012 elections.

Several strategies helped Saakashvili apply cleavage formation to remain in power.

- Opportunistic agenda setting. There are many different ways in which the major problems faced by Georgia may be sequenced and many opinions about the sequencing. Saakashvili has moved from one major problem to another as a main direction of development. Democracy, corruption, territorial integrity, EU integration, NATO membership, and poverty reduction have each served as a priority agenda at some time between 2003 and 2008.
- Populist rule. When defining the goal of development, Saakashvili never was clear about possible methods or alternative solutions and did not debate with opponents

about this issue. The goal always prevailed over answers to questions such as who would get what, when, and how.

- Hate speech, personalisation of "enemies". The goal for the direction of development was always against "enemies" who were seen as backward, criminal, reactionaries, Russian spies, or enemies of Georgia. Hate speech by the government became a norm, equating opponents with the opposite pole. Unpopular political leaders such as Abashidze, Kokoit, and Putin were used to stigmatise opponents as their supporters.
- Concentration and centralisation of power. Soon after the Rose Revolution, Saakashvili managed to concentrate all power in his hands. In doing so, he broadly applied PR technologies and the informal personalisation of positive messages through his personality. Every positive development that occurred in the country, from financial support from the international community to economic innovations, was articulated by him as his decision or his government's initiatives.
- Media control. For the manipulation of agenda setting and cleavage formation to be effective, it required monopoly control over television. This monopoly was briefly restricted by the TV Imedi, which managed to establish its own agenda (human rights, rule of law, democracy) and consolidated the opposition. After the channel was forcefully destroyed in 2007, the monopoly became almost absolute. The main threat to this monopoly was Ivanishvili, who had the power to change the media landscape.

The clever use of cleavage-formation power allowed Saakashvili to exercise majority rule for several years, with an outcome that went against the will of the people (the August war). By manipulating the sequence of major goals of development, he achieved results predicted by the theorem of chaos. During this period, he managed to minimise violations of the rule of law and human rights to present his rule as a democracy to his Western partners. His regime ultimately failed, but the next stage of development is not yet clear. The current regime does not seem to follow the same logic, but opportunities for the same style of governance still exist. The lessons of the past must be learned to avoid the same problems in the future.

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Figure 1.

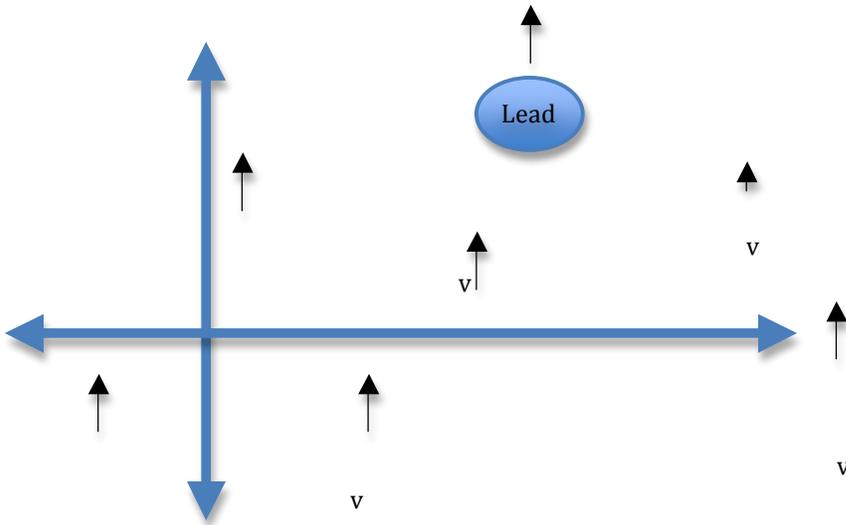


Figure 2.

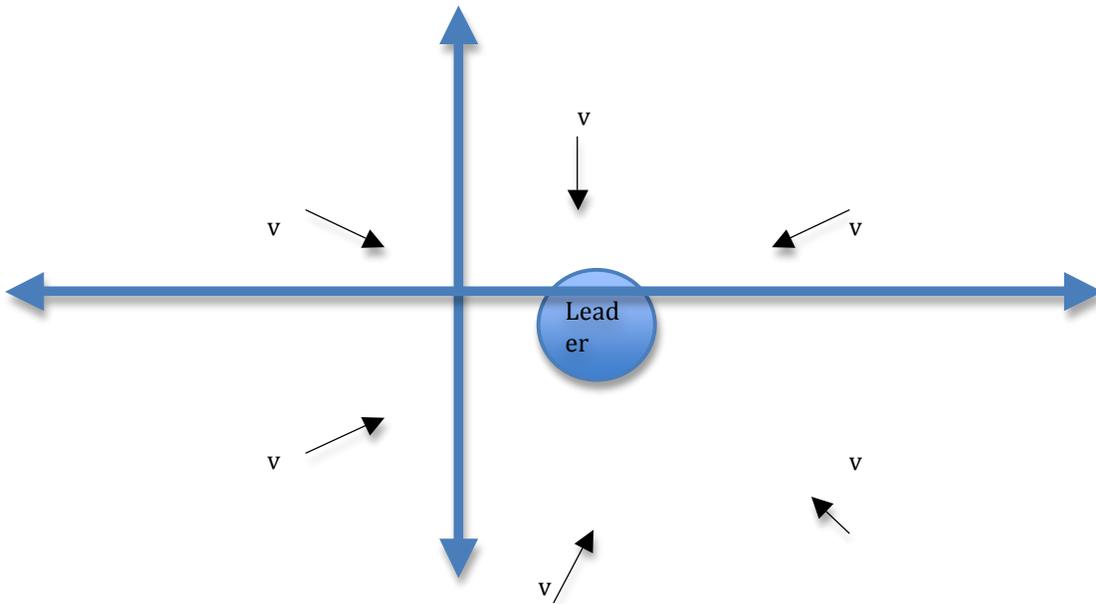


Figure 3

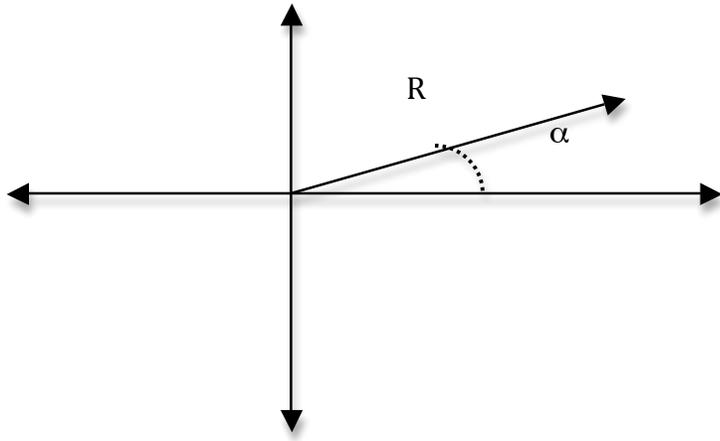


Figure 4

