

Rule of Law in Georgia - Opinion and Attitudes of the Population

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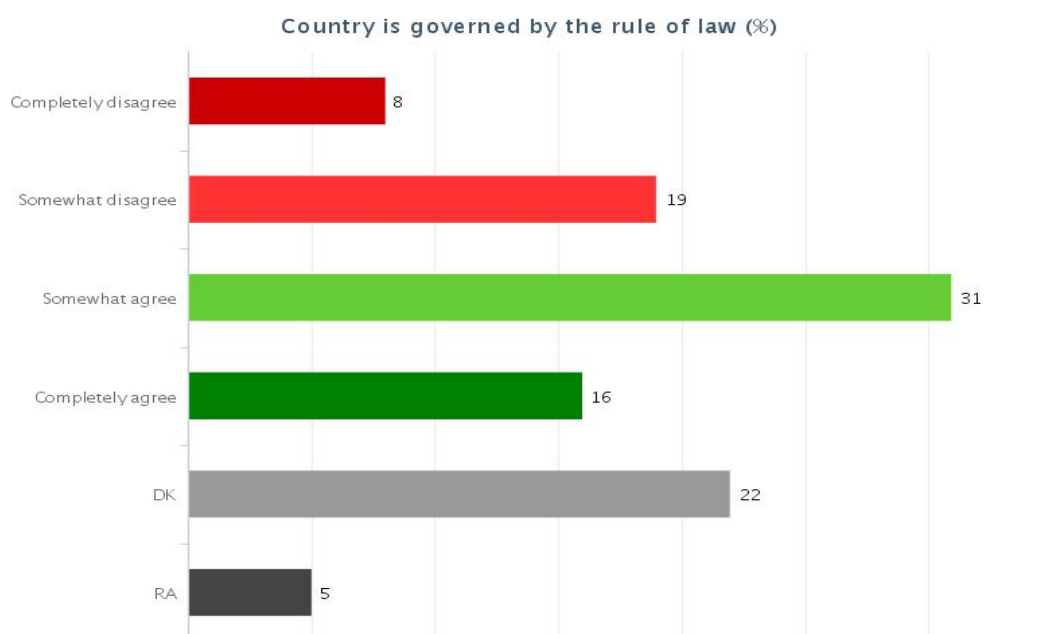
*By Salome Tsereteli-
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Establishing a sustainable, law-based system of governance is central to Georgia's aspirations of becoming a fully-fledged member of the democratic family of nations, and this goal is repeatedly held up by politicians of all stripes as essential to the country's development. However, according to recent data from the Caucasus Barometer Survey (CB), a large-scale poll conducted by CRRC in 2010, Georgians appear to be unclear about what such a law-based system entails in reality.²

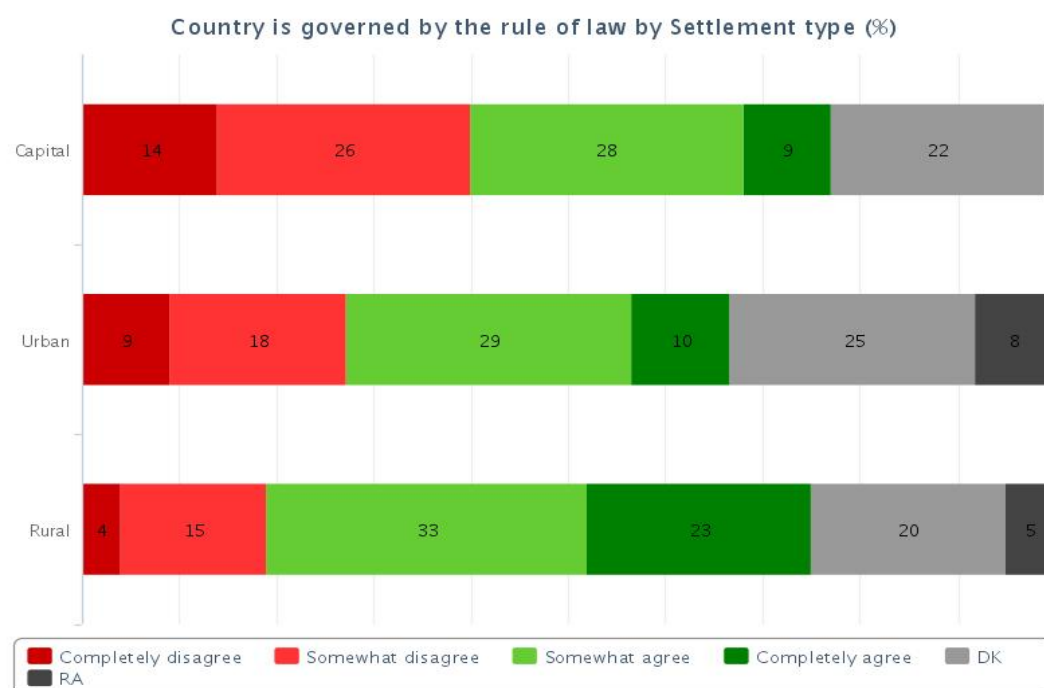
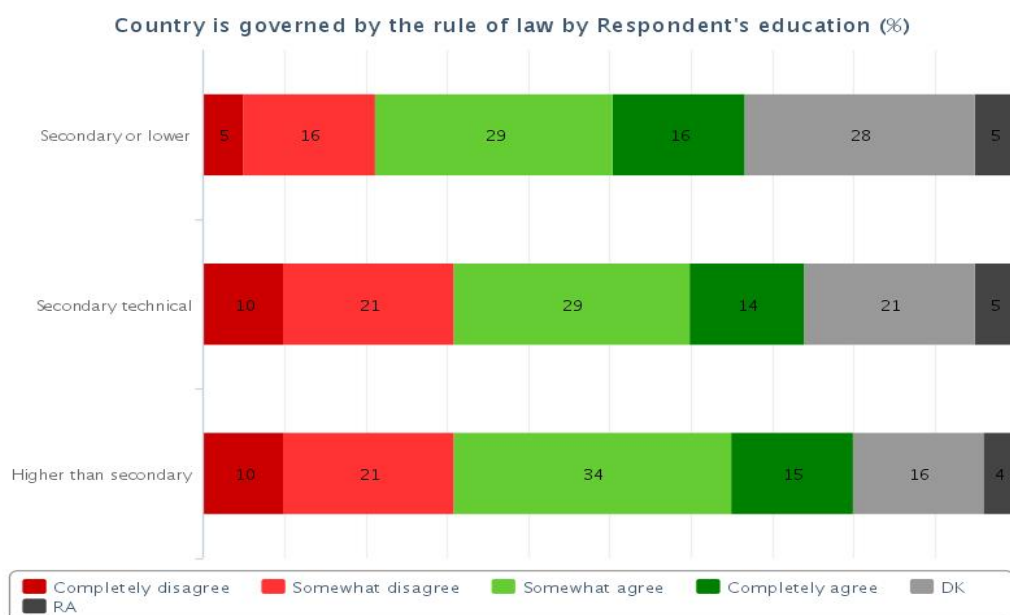
Notwithstanding the differences in specific definition of the rule of law or rule of law state, scholars across the globe agree that in a state governed by the rule of law, some common indicators are to be found. Notably: an independent, effective and efficient judiciary; the protection of human rights, freedom of speech, expression and information among others, as well as the equality of citizens before the law.

From this point of view, and considering that almost half (47 percent) of Georgians agree that the country is governed by the rule of law, it is of particular interest to take a closer look at what influences Georgian population's opinion and perception of the rule of law.



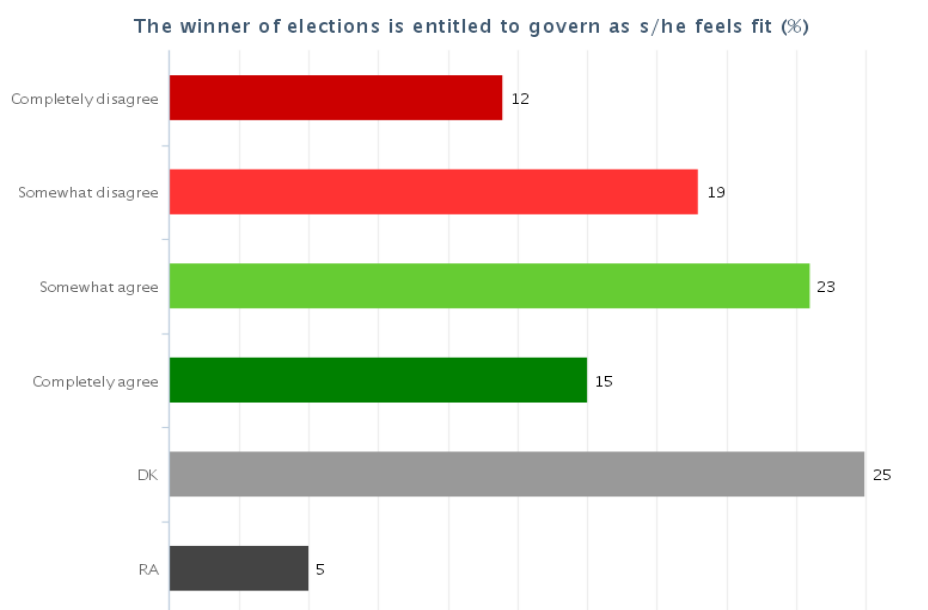
² The Caucasus Research Resource Centers. (2010) "Caucasus Barometer". Retrieved through ODA - <http://www.crrccenters.org/oda/> on April 1, 2011

According to data from the CB, 47 percent of Georgians believe that the country is governed by the rule of law, with 27 percent disagreeing.³ Opinions on the rule of law change markedly according to whether respondents live in Tbilisi, other cities, or rural areas, with residents of the capital significantly less likely to agree that the country is governed by the rule of law: 37 percent of Tbilisi residents agreed that Georgia is governed by the rule of law compared to 56 percent in rural areas. This might suggest an increased level of awareness and political engagement in the capital.

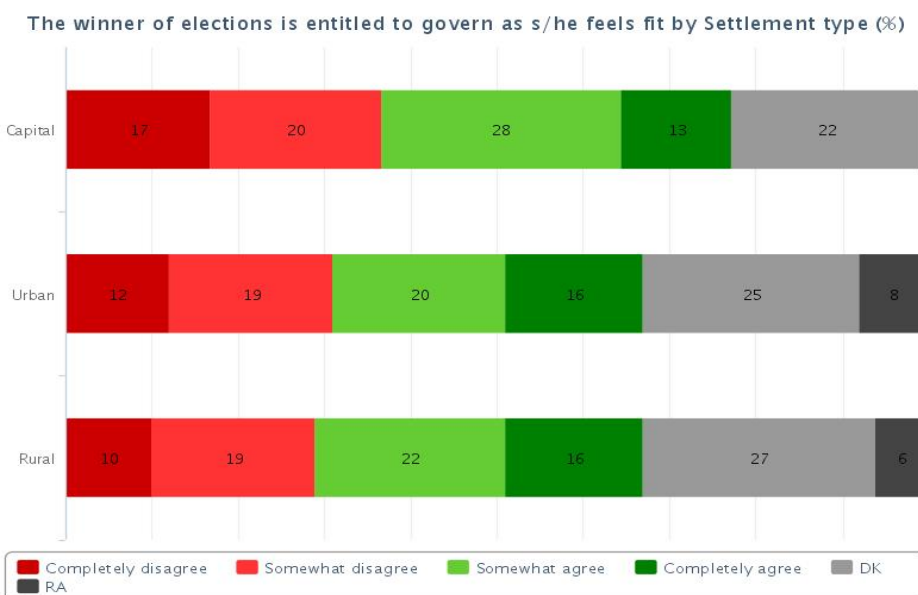


³ 15% completely agree and 23% somewhat agree

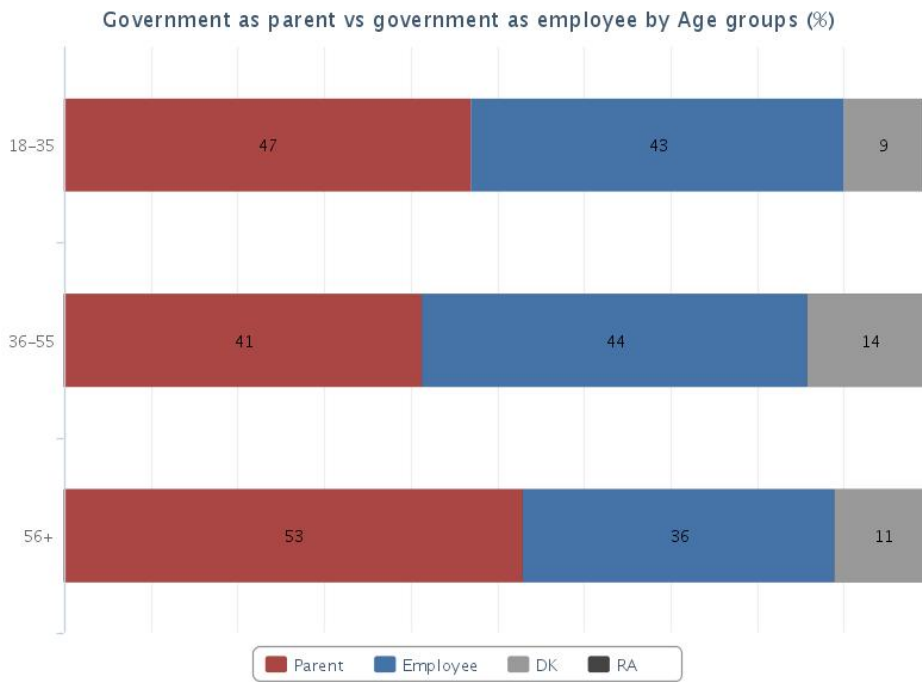
While Georgians’ opinions are divided on whether the country is governed by the rule of law, there also seems to be confusion about what the rule of law actually entails. Thirty-eight percent of Georgians agreed that the winner of elections is entitled to govern the country as he or she sees fit, with only 31 percent disagreeing, a further 25 percent said they did not know. This indicates a strong lack of awareness regarding the rule of law as a concept.



Once again, awareness about the rule of law seems to be higher in the capital. While 17 percent of respondents in Tbilisi completely disagreed that the winner of elections are entitled to govern as they see fit, the figure was just ten percent in rural areas.



Another key indicator of Georgians attitudes towards the rule of law is their overall conception of how the government should behave, and again, their opinions appear sharply divided. When asked whether the government should act as more like a parent towards the population or more like an employee of the citizenry, 47 percent responded that the government should act like a parent, while 41 percent said it should act like an employee.

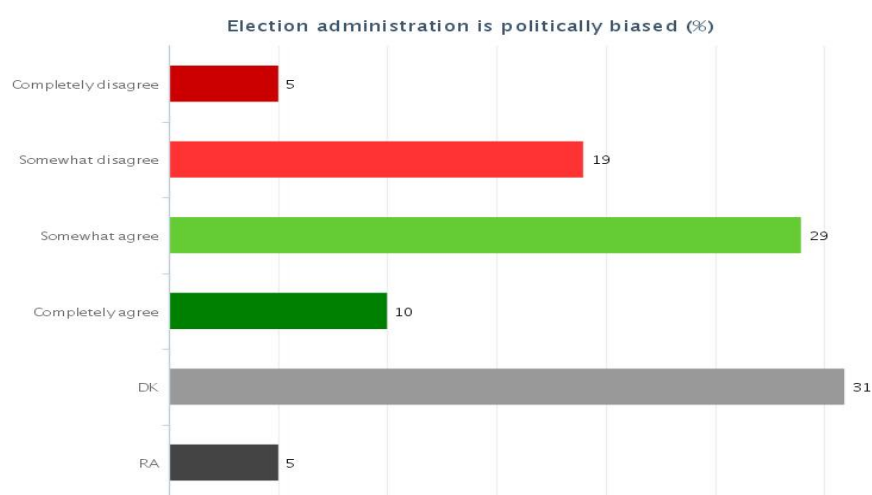


Older Georgians are significantly more likely to view the government as parent, rather than an employee of the people, with 53 percent choosing parent compared to 36 percent employee. Younger age groups are more evenly divided, perhaps suggesting a lingering set of ideas about government remaining from Soviet times has an ongoing influence on the older generation. Residents of the capital are much less likely to view the government as a parent (39 percent) with 54 percent saying the government should be more like an employee. Once again, this might reflect increased political engagement in the capital.

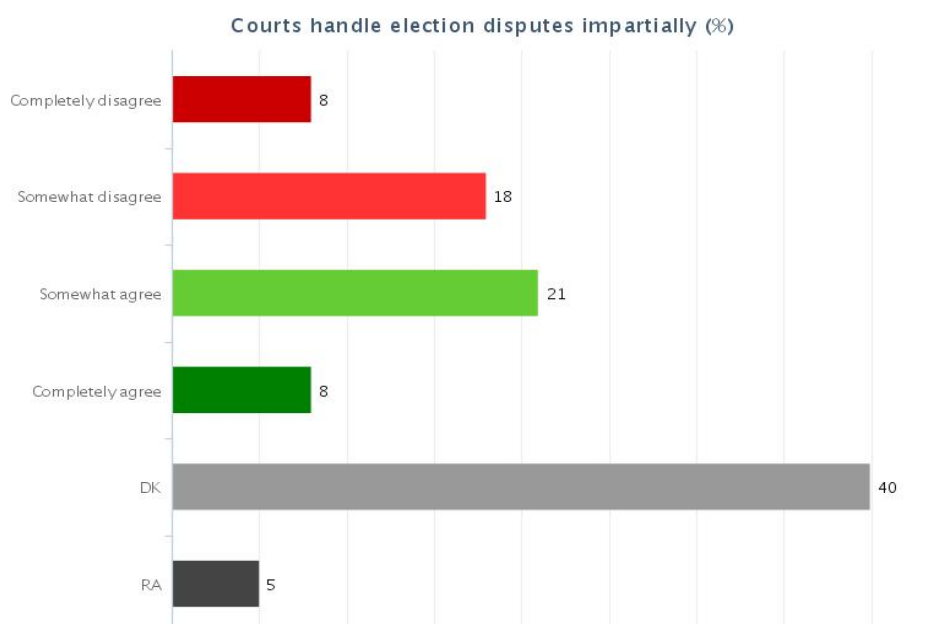
Cross Tabulation (%)	Parent	Employee	DK	RA
Capital	39	54	8	0
Urban	50	34	16	1
Rural	50	39	11	1

Given these results, it is unsurprising that there is a similar divergence of opinion regarding institutions seen as central to the rule of law: fair elections, an independent judiciary and a free media.

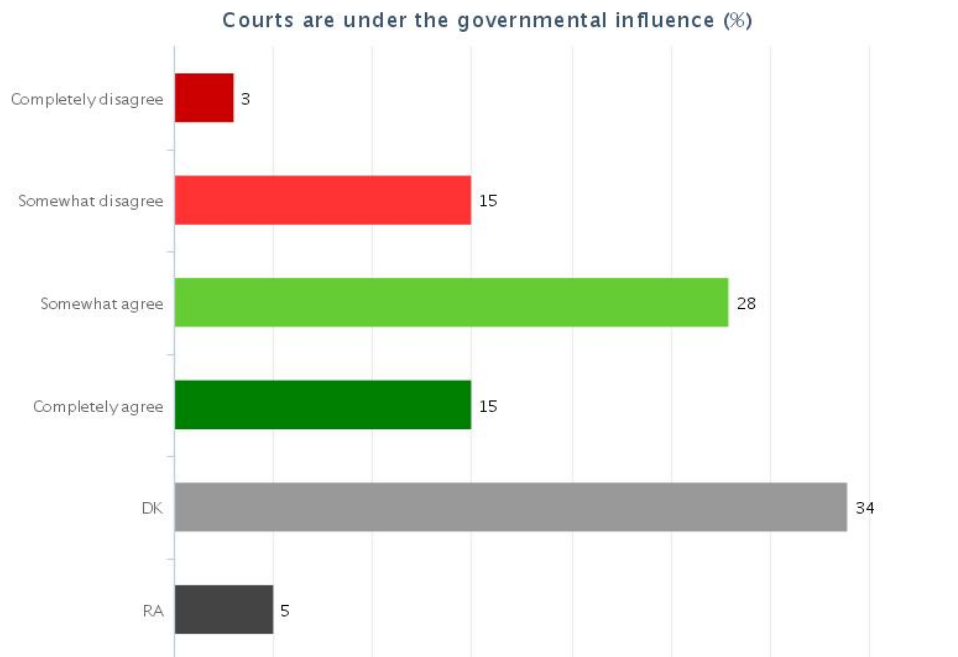
Thirty-nine percent of Georgians somewhat or completely agree that the election administration is politically biased compared to 25 percent who somewhat or completely disagree, almost a third (31 percent) don't know.



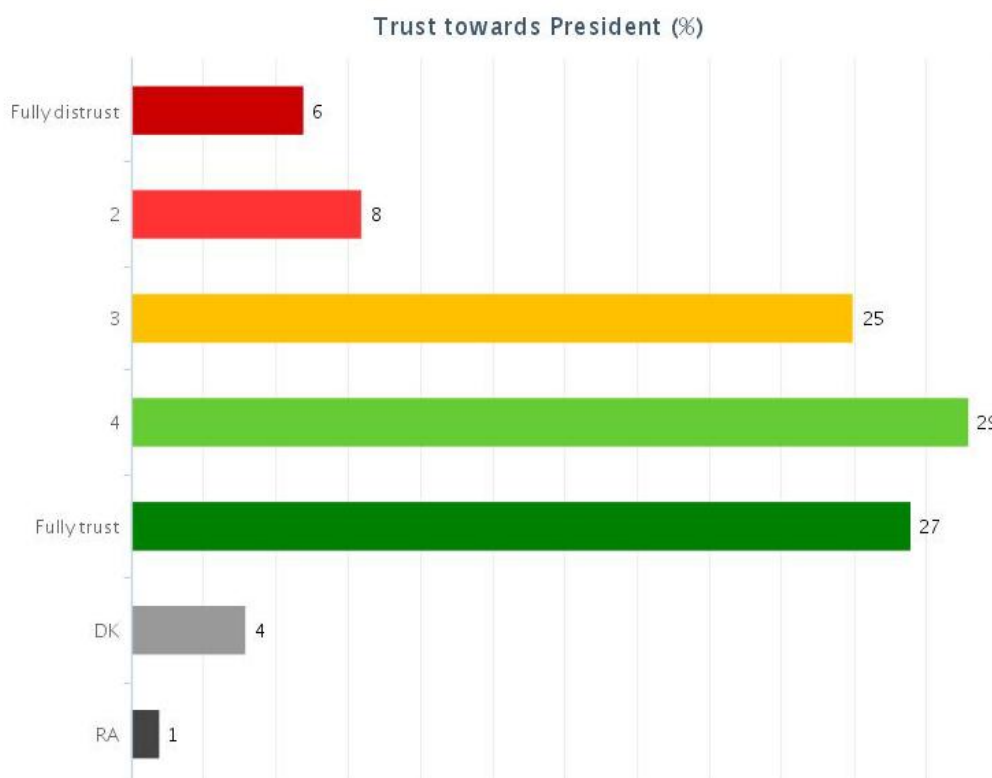
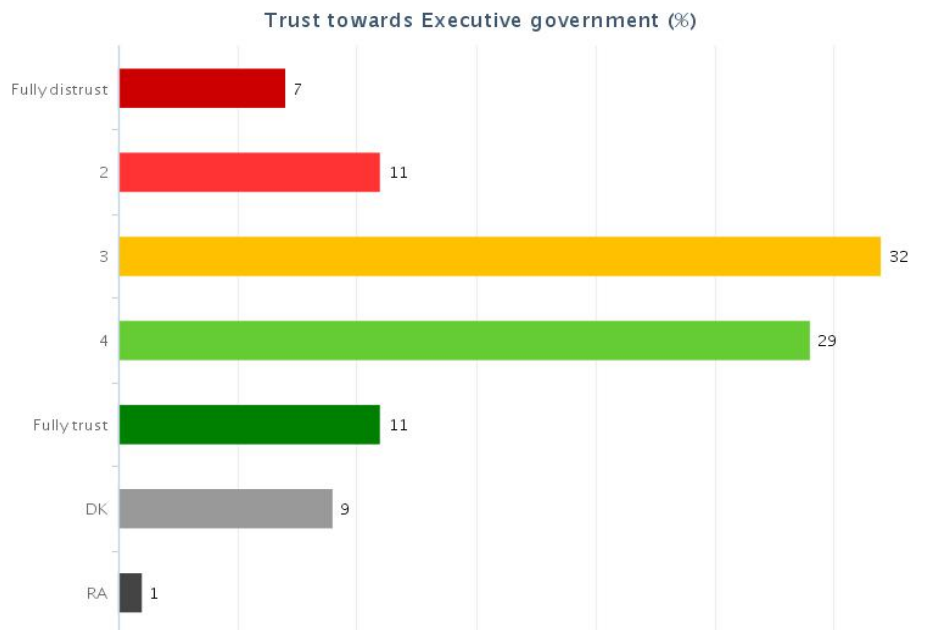
Assessing the election environment, less than half of Georgians (46 percent) agree that voters are free from pressure, while 26 percent disagree and 23 percent do not know. Thirty one percent of Georgians say that opposition parties have limited opportunities to campaign, while 40 percent said they did not know whether the courts handle election related complaints impartially.

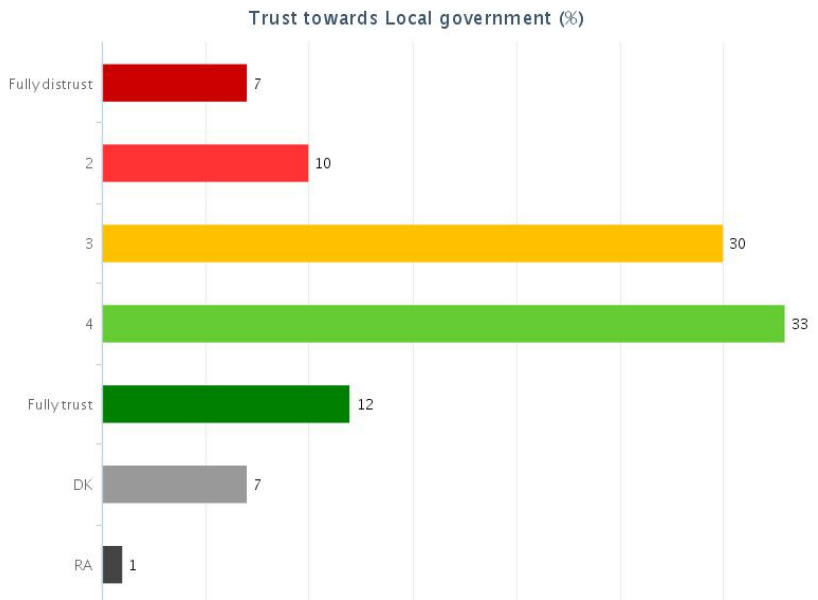
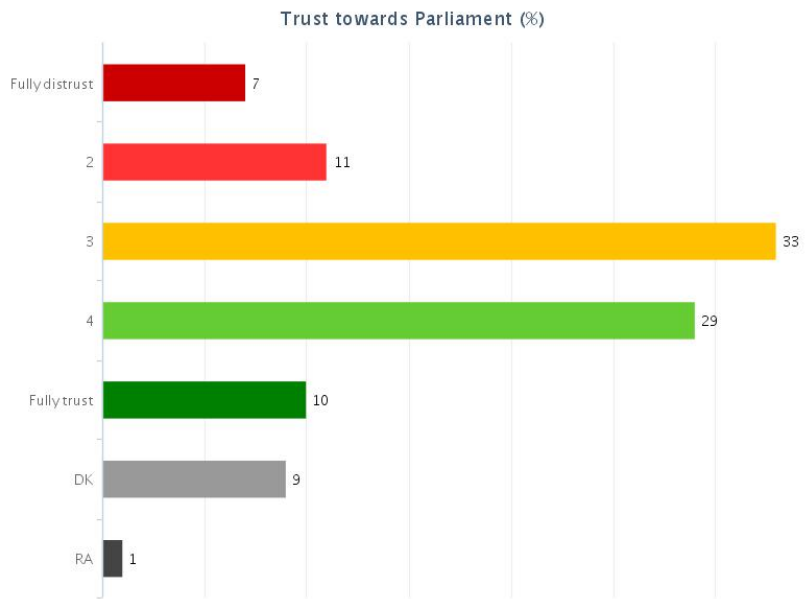


There is also a marked lack of trust in the independence of the courts from government pressure. Forty-three percent of Georgians agree that the courts are under the influence of the government, with just 18 percent disagreeing, a further 34 percent don't know. This very high degree of scepticism around an institution so crucial to the rule of law is striking.



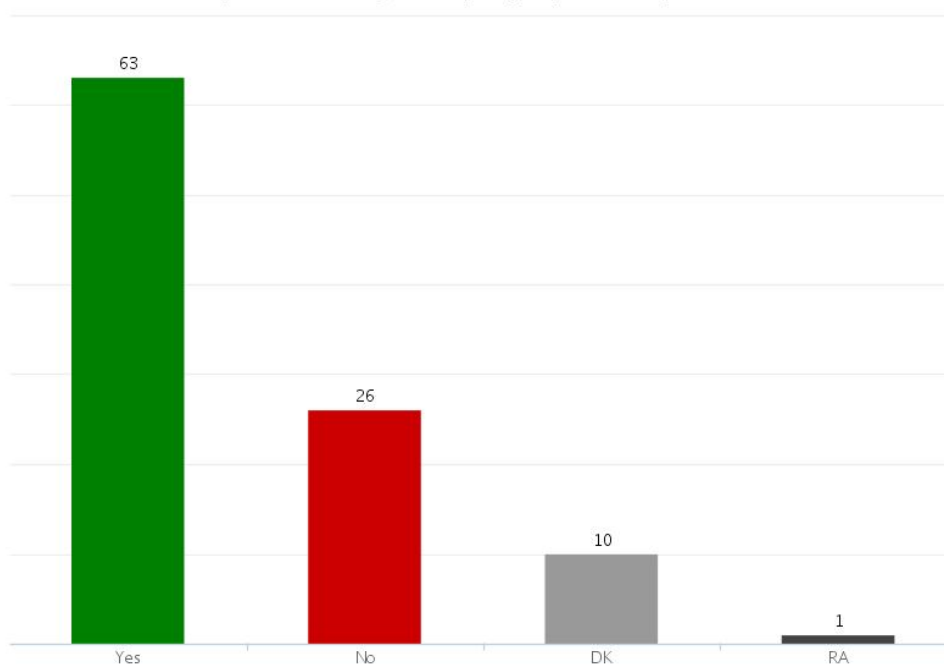
These results suggest there is a long way to go before Georgians have an electoral system or a judiciary they trust, but the high levels of distrust observed in the election process do not translate into distrust of the institutions that are elected, or which oversee the electoral process. Only 18 percent of Georgians express distrust towards the executive government, while 40 percent trust it. Seventeen percent distrust local government, while 39 percent trust it. Only 14 percent of people distrust the president, and 18 percent distrust the parliament—this in spite of the fact that large numbers believe the process both were elected was deeply flawed. This seeming contradiction is perhaps another expression of the confusion Georgians exhibit surrounding the very concept of the rule of law.





This tension can also be observed regarding attitudes towards freedom of expression. A large majority (63 percent) of Georgians agree that people have the right to openly say what they think, with just over a quarter (26 percent) disagreeing. Fifty-three percent of Georgians, meanwhile, agree that citizens have the right to form and join political parties, with only 12 percent disagreeing. These results indicate a strong belief in freedom of speech and association in Georgian society, but once again, this belief is not carried over into attitudes towards the institutions and practices that build and protect these freedoms.

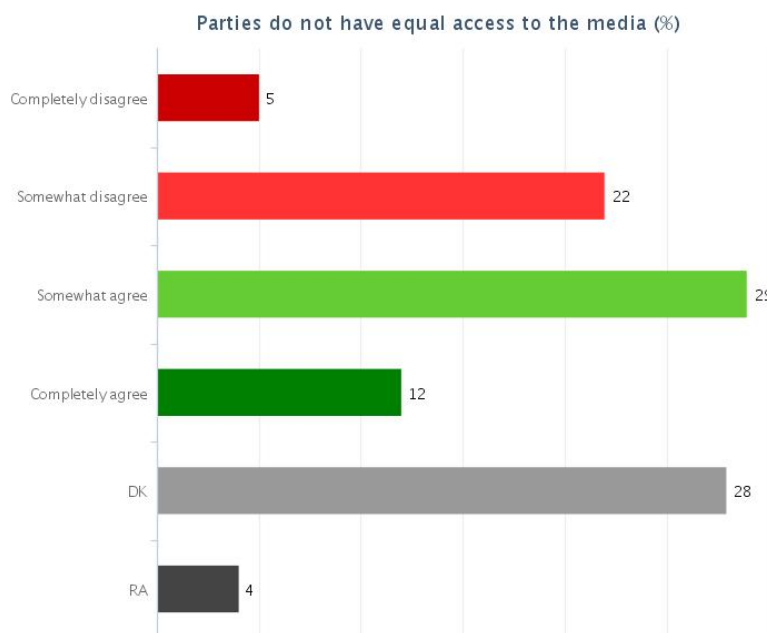
People have the right to openly say what they think? (%)



Citizens can form or join political parties (%)



In spite of the clear belief in the right to freedom of speech and association, 31 percent of Georgians agree that political parties do not have equal access to the media, 27 percent say they do and a further 28 percent don't know; results that suggest a pronounced ambivalence on the state of media freedom.



This is also reflected in terms of trust in the media, with 36 percent of Georgians expressing trust. Compared to 41 percent who neither trust nor distrust the media. Furthermore, only 31 percent of Georgians say journalists do a good job.

Television is by far the most significant news source in Georgia, and once again, Georgians express deep divisions regarding how unbiased that news is. Thirty-three percent of Georgians consider the country’s major TV channels independent from the government, while 38 percent believes the contrary and 24 percent do not know.

Independence of TV across country (%)	Completely disagree	Somewhat disagree	Somewhat agree	Completely agree	Don't Know	Refuse to Answer
Capital	20	24	33	6	16	1
Urban	12	25	24	6	27	7
Rural	7	27	25	7	28	5

Although the results of the survey shows that Georgians have a positive attitude towards the rule of law, the sheer uncertainty or ambivalence towards subjects so crucial to the concept shows that the Georgian population’s understanding of the rule of law is ambiguous at best. Opinions regarding the independence and impartiality of the courts and media, attitudes towards the elections, governance and government show that much remains to be done to both build the rule of law in Georgia, and to solidify the idea of what it means in the minds of the Georgian people.