

DETERMINANTS OF PUBLIC TRUST IN THE JUDICIARY: THE CASE OF GEORGIA

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Abstract

This article examines the level of trust among Georgian citizens toward the judicial system and the factors that determine it. The research aims to analyze how institutional, cultural, socio-economic, and political factors influence trust in the judiciary. The study is based on a qualitative methodology, specifically employing expert and in-depth interviews. The research findings demonstrate that trust in the judicial system is closely linked to citizens' level of political engagement, the transparency of judicial processes, and the effectiveness of legal institutions. The article also reflects on the challenges and opportunities that exist during the course of judicial reforms, which aim to increase public trust in institutional justice.

Keywords: judicial system, trust, institutional justice, judicial reform, transparency, Georgia, qualitative research, political engagement.

Introduction

In countries with democratic governance, public trust in state institutions plays a critical role, as it constitutes the foundation of a functional and stable political system. In democratic systems, the legitimacy and effectiveness of institutions significantly depend on the extent to which society trusts them.¹ When trust diminishes or is undermined, this triggers the destabilization of various political and social processes - political engagement declines, voter turnout decreases, and democratic accountability weakens. Consequently, the link between society and government is eroded, which damages the effectiveness of democratic governance.²

Smith and Johnson's³ research demonstrated that trust is not merely an abstract or symbolic concept; it represents a fundamental systemic factor that determines citizens' political behavior, the quality of their interaction with state institutions, and their willingness to engage with governance processes. According to Chen and colleagues'⁴ study, the primary determinants of trust in democratic systems are institutional transparency, public accountability, and the perception of fairness. The authors emphasize that "responsive governance" - that is, a governance model that responds to citizens' needs and criticism - constitutes an essential prerequisite for maintaining trust and ensuring democratic stability.

In countries with democratic governance, public trust in state institutions plays a critical role, as it constitutes the foundation of a functional and stable political system. In democratic systems, the legitimacy and effectiveness of institutions are significantly dependent on the extent to which society trusts them.⁵ When trust diminishes or disappears, this triggers the destabilization of numerous political and social processes: the level of citizens' political engagement declines, electoral mobilization

¹ Smith, J., & Johnson, R., *Institutional Trust and Democratic Stability*, Routledge, London, 2020.

² Chen, D., Li, X., & Wang, H., "Transparency, accountability, and trust in democratic institutions" *Governance Studies Quarterly*, 8(3), 2019.

³ Smith, Johnson, see Footnote 1.

⁴ Chen, Li, Wang, see Footnote 2.

⁵ Smith, Johnson, see Footnote 1.

weakens, and mechanisms of democratic accountability are undermined. As a result, the alienation between citizens and state institutions deepens, which complicates the effective functioning of democratic governance.⁶

The same principle is reflected in Article 6 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, according to which everyone has the right to a fair hearing within a reasonable time by an independent and impartial tribunal established by law.⁷ Consequently, trust in the judiciary represents an integral component of the mechanism for protecting fundamental human rights.

Researches indicate that low levels of trust in the judiciary negatively affect citizens' psychological state and their degree of trust in the state.⁸ When citizens cannot see the possibility of justice being administered, they develop a sense of injustice and vulnerability, which ultimately reduces loyalty to the state. As Jackson and colleagues' (2011) work demonstrates, what is decisive for the functioning of institutions is not only their formal competence but also citizens' belief that these institutions are genuinely trustworthy.⁹

The judicial branch does not possess coercive mechanisms to ensure citizens' recourse to it. This process is voluntary and is based on citizens' trust in the institution. Accordingly, the actual influence of the judicial branch is determined not by coercive mechanisms but by the extent to which society perceives it as a fair and trustworthy institution.¹⁰

Despite judicial reforms, a portion of Georgia's population remains skeptical toward the judicial system and perceives it as a politically biased structure, while another portion views it as an essential guarantee for the functioning of a democratic state. This dualism highlights the necessity to analyze trust in the judiciary not only from a legal perspective but also within socio-cultural and political contexts. The aim of the research was to identify the factors that determine the level of public trust in the judicial system in Georgia, as well as to assess the influence of political engagement, cultural experience, and institutional characteristics on the formation of this trust. The research is based on qualitative methodology and employs in-depth interviews with experts in the field of law, current and former judges, as well as former members of the High Council of Justice.

The research seeks to answer the following key questions:

1. What is the level of public trust toward the judicial system in Georgia?
2. What socio-cultural, political, and institutional factors does this trust depend on?
3. How do citizens' political engagement and awareness affect the formation of trust in the judiciary?
4. How do citizens perceive the independence of the judiciary and the degree of fairness?
5. What measures could strengthen public trust in the judicial system?

Through this inquiry, the study aims to contribute to a deeper understanding of the relationship between institutional performance, public perception, and democratic consolidation in Georgia's legal system.

1. Literature Review

Trust in public institutions represents a social construction that is shaped by citizens' experience, the characteristics of political culture, and the quality of institutional governance. As Rothstein¹¹ explains,

⁶ Chen, Li, Wang, see Footnote 2.

⁷ European Court of Human Rights. Judgment CASE: *Pretty v. the United Kingdom*, 29.04.2002. [https://hudoc.echr.coe.int/fre#{%22itemid%22:\[%22001-60448%22\]}](https://hudoc.echr.coe.int/fre#{%22itemid%22:[%22001-60448%22]}) [L. s. 09.07.2020].

⁸ Menocal, A., R., Fritz, V., & Rakner, L., *Democratic Governance and State-Building in Fragile States*, Overseas Development Institute, London, 2015.

⁹ Dimant, E., & Tosato, G., Causes and effects of corruption: What has past decade's empirical research taught us? A survey. *Journal of Economic Surveys*, 32(2), 2017. 1–20.

¹⁰ Cornett, J., & Knowlton, R., "Judicial legitimacy and citizen compliance" *Journal of Law and Society*, 47(2), 2020.

¹¹ Rothstein, B., *The Quality of Government: Corruption, Social Trust, and Inequality in International Perspective*, University of Chicago Press, Chicago, 2011.

institutional trust implies citizens' belief that public institutions act fairly, predictably, and in an orientation toward the common good. Such perception of fairness and trustworthiness determines whether trust becomes a social resource that creates the foundation for well-being and political stability. According to Newton¹², trust functions as "social glue" that binds citizens and the state within the framework of common norms and values. Specifically, when citizens perceive public institutions as fair and as defenders of public interests, they voluntarily recognize their authority. It is precisely on the basis of such voluntary consent that institutional legitimacy is formed, which means that the power of state institutions is perceived as lawful, fair, and trustworthy - and compliance with their decisions occurs not through coercion but on the basis of trust.

Trust can be defined as an individual expectation regarding the ethical and fair behavior of an institution,¹³ which is based on both the individual's personal experience and their perception of the systemic rules and practices that determine the behavior of authorities. A high level of trust creates the foundation for political stability, while a deficit of trust triggers a crisis of institutional legitimacy.

1.1. Determinants of Institutional Trust

Institutional trust is a multidimensional construct encompassing three core components: Transparency, Perceived fairness, and Accountability.¹⁴

Transparency enables citizens to evaluate institutional behavior and determine whether it aligns with declared principles and outcomes. The perception of fairness, on the other hand, shapes the emotional and moral connection that individuals develop toward the political and legal system.¹⁵

Rothstein and Stolle¹⁶ argue that strengthening institutional trust requires attention to the procedural dimension of justice - citizens must feel that decision-making processes are grounded in equality, impartiality, and transparency. In this regard, the judiciary represents the ultimate test of institutional legitimacy: when trust in courts is weak, overall confidence in public governance tends to decline.

Tyler¹⁷ further emphasizes that institutional trust arises not solely from outcomes but also from the perception of procedural justice. Citizens trust institutions not merely because they are efficient, but because decisions are made fairly, respectfully, and in an open manner. This perception of fairness fosters voluntary compliance and reinforces the legitimacy of state authority, making trust a central pillar of democratic governance.

1.2. Theoretical Foundations of Trust in the Judiciary

The judiciary is perceived as legitimate only when citizens believe that its decisions are made impartially, fairly, and on the basis of law. In such cases, judicial decisions are accepted through voluntary consent and not merely because the law mandates their enforcement.¹⁸

According to Montesquieu,¹⁹ the judicial branch is the guarantor of liberty, because its independence from other branches protects citizens from the concentration of power. This idea has been transformed in contemporary legal theory into the "principle of independent judiciary," which underlies both the

¹² Newton, K., "Social and political trust" in Dalton, Russell J. & Klingemann, Hans D. (Eds.), *The Oxford Handbook of Political Behavior*, Oxford University Press, Oxford, 2007.

¹³ Mishler, W., & Rose, R., What are the origins of political trust? Testing institutional and cultural theories in post-Communist societies. *Comparative Political Studies*, 34(1), 2001. 30–62. <https://doi.org/10.1177/0010414001034001002>.

¹⁴ Chen, D., Li, X., & Wang, H., "Transparency, accountability, and trust in democratic institutions" *Governance Studies Quarterly*, 8(3), 2019.

¹⁵ Tyler, T., R., *Why People Obey the Law*, Princeton University Press, Princeton, 2006.

¹⁶ Rothstein, see Footnote 11.

¹⁷ Tyler, T., R., *Trust and Legitimacy: Policing in the 21st Century*, U.S. Department of Justice, Washington, 2011.

¹⁸ Roberts, M., & Anderson, D., "Judicial independence and public trust: The global perspective" *International Journal of Law and Society*, 6(4), 2019.

¹⁹ Montesquieu, C., d. S., *The Spirit of the Laws* (A. M. Cohler, B. C. Miller, & H. S. Stone, Trans.), Cambridge University Press, Cambridge, 1989. (Original work published 1748).

concept of democratic governance and the European Convention for the Protection of Human Rights and Fundamental Freedoms.²⁰

Public trust in the judicial institution is determined not only by the substantive evaluation of judicial decisions but, first and foremost, by how fairly and transparently the process of their adoption is perceived. Procedural justice theory asserts that citizens' belief in the objectivity and impartiality of the judicial system depends not on the final outcome but on the perception of how far the decision-making process itself is.²¹ A high degree of procedural justice contributes to strengthening judicial legitimacy even in cases where the decision does not correspond to individual interests or expectations. Thus, the fairness of the process represents the normative foundation of judicial authority, which ensures the voluntary enforcement of decisions and contributes to maintaining institutional sustainability.

Trust in the judicial system is closely linked to society's perception of social well-being and political stability.²² According to the authors, a high level of trust in the judiciary promotes a sense of security, expectations of fairness, and the consolidation of institutional legitimacy. Conversely, a decline in trust toward the judiciary generates a sense of vulnerability and injustice, which reduces citizens' motivation to use legal mechanisms and leads to their distancing from state institutions, including the judiciary.²³

1.3. Sociocultural and Political Dimensions

Cultural norms, political experience, and historical memory exert significant influence on the formation of trust. Almond and Verba²⁴ note that political culture - citizens' shared values, attitudes, and norms of political behavior - determines the overall level of trust in institutions. In post-Soviet societies, including Georgia, the deficit of trust is often linked to past experience - authoritarian governance, political interference, and institutional weakness of the judiciary.

Newton²⁵ indicates that low trust in state institutions leads to citizen apathy, declining political participation, and the slowing of democratic processes. Thus, trust in the judiciary can be considered not only a legal but also a form of social capital that determines the quality of the relationship between the state and society.

To summarize, trust in the judiciary represents a complex, multidimensional phenomenon that encompasses institutional, cultural, and social aspects. Its consolidation depends on judicial independence, transparency, the perception of procedural justice, and the implementation of effective public communication strategies.

A high level of trust contributes to the consolidation of the rule of law and the maintenance of democratic order's stability, whereas a deficit of trust generates a self-reinforcing spiral of distrust, which systemically weakens the state's institutional legitimacy, disrupts the balance of interaction between institutions and citizens, and impedes the effective implementation of governance.

Research on trust in the judiciary is particularly significant in transitional democracies such as Georgia, where institutional development is still ongoing and trust represents both an outcome and an essential prerequisite for democratic consolidation.

²⁰ Council of Europe. European Convention on Human Rights, 1950. https://www.echr.coe.int/documents/convention_eng.pdf [L. s. 01.11.2025].

²¹ Jackson, J., Bradford, B., Hough, M., Kuha, J., Stares, S., Widdop, S., Fitzgerald, R., Yordanova, M., & Galev, T., "Developing European indicators of trust in justice" *European Journal of Criminology*, 8(4), 2011. <https://doi.org/10.1177/1477370811411458>.

²² Menocal, A., R., Fritz, V., & Rakner, L., *Democratic Governance and State-Building in Fragile States*, Overseas Development Institute, London, 2015.

²³ Dimant, E., & Tosato, G., Causes and effects of corruption: What has past decade's empirical research taught us? A survey. *Journal of Economic Surveys*, 32(2), 2017. 1–20.

²⁴ Almond, G., A., & Verba, S., *The Civic Culture: Political Attitudes and Democracy in Five Nations*, Princeton University Press, Princeton, 1963.

²⁵ Newton, K., "Social and political trust" in Dalton, Russell J. & Klingemann, Hans D. (Eds.), *The Oxford Handbook of Political Behavior*, Oxford University Press, Oxford, 2007.

2. Methodology

2.1 Research Design

The research is based on a qualitative research approach, which aims to achieve a deep understanding of the social mechanisms of trust in the judicial system. Qualitative methodology enables interpretive analysis of experience and perception, which is particularly significant when the research subject is related to subjective attitudes and the process of trust formation.²⁶

The primary instrument for data collection was the semi-structured in-depth interview, which allows for the simultaneous preservation of both thematic consistency and flexibility for the discovery of new meanings.²⁷

2.2 Participant Selection

Participant selection was carried out using non-probability sampling methods—specifically, purposive and snowball sampling were employed. This approach was chosen to ensure the participation of individuals who had direct experience with the judicial system. Based on recommendations from initial respondents, additional participants were sought, which allowed for the inclusion of groups that would have been difficult to reach through conventional sampling methods.²⁸

In the selection process, two main categories of participants were defined:

- Experts-individuals who had professional experience in the fields of the judicial system, political engagement, the psychology of trust, and media;
- Court users-citizens who had personal experience with judicial processes (won, lost, or ongoing cases).

Nine experts participated in the research: three representatives from the non-governmental sector, two judges (one current and one former), one former member of the High Council of Justice, one social psychologist, one political scientist, and one media researcher.

Additionally, eight interviews were conducted with court users (Tbilisi - six, Marneuli - one, Sagarejo - one) and twelve interviews with representatives of ethnic minorities (Akhalkalaki - six, Marneuli - four, Karajala - two).

Informed consent regarding participation in the research was obtained in advance from participants, and the principles of confidentiality and anonymity were maintained at all stages.²⁹

2.3 Data Collection

Prior to conducting the interviews, three independent interview guides were prepared for the respective respondent groups: experts, court users, and representatives of ethnic minorities.

The interview questionnaires covered the following main themes:

1. General trends in trust toward the judicial system;
2. Factors generating or hindering citizens' trust;

²⁶ Creswell, J., W., & Poth, C., N., *Qualitative Inquiry and Research Design: Choosing Among Five Approaches* (4th ed.), SAGE Publications, Thousand Oaks, 2018.

²⁷ Kvale, S., & Brinkmann, S., *InterViews: Learning the Craft of Qualitative Research Interviewing* (2nd ed.), SAGE Publications, Thousand Oaks, 2009.

²⁸ Patton, M., Q., *Qualitative Research & Evaluation Methods* (4th ed.), SAGE Publications, Thousand Oaks, 2015; Pop-Eleches, G., & Tucker, J., A., *Communism's Shadow: Historical Legacies and Contemporary Political Attitudes*, Princeton University Press, Princeton, 2017.

²⁹ American Psychological Association. *Publication Manual of the American Psychological Association* (7th ed.), APA Publishing, Washington, 2020.

3. The influence of media and public opinion on perceptions of the judiciary;
4. Connections between political engagement and trust formation.

The average duration of interviews was 30-45 minutes. They were conducted both in person and online (using the Zoom platform). Only the researcher and the respondent were present at each interview. All interviews were recorded and subsequently fully transcribed with the participants' consent.

2.4 Data Analysis

The collected data were analyzed using the thematic analysis method.³⁰ This approach involves the systematic examination of textual material: coding, theme identification, categorization, and interpretation.

In the analysis process, three main thematic groups were identified:

1. Institutional trust factors - transparency of the judicial system, accountability, and perception of fairness;
2. Subjective perception factors - citizens' empirical experience and sense of procedural justice;
3. Socio-cultural factors - historical memory, political context, and narratives established in the media.

Each stage of the analysis was conducted based on an inductive approach, which ensured that theoretical categories emerged directly from the data rather than from predetermined hypotheses.

2.5 Research Limitations

The generalizability of the research findings is limited by the sample size and the nature of participants' subjective perceptions. Qualitative research does not aim to achieve statistical generalization; its primary purpose is the deep and contextual understanding of the phenomenon.³¹

Responses based on participants' self-assessment may be influenced by the social desirability factor; however, the informal format of the interview procedures and anonymity reduced the probability of such bias.

Despite these limitations, the research creates a rich empirical base for understanding the mechanisms of trust in the judiciary and represents a significant starting point for subsequent comparative or mixed-methods research.

3. Findings and Discussion

3.1. General Trends in Public Trust toward the Judiciary

The analysis of in-depth interviews revealed that trust in the judicial system in Georgia varies significantly depending on social group, personal experience, and level of political awareness. Most participants perceived the judiciary as a necessary but insufficiently independent institution. Interviewees frequently described the courts as an “essential mechanism,” yet one that “is not free from political influence.”

This perception aligns with previous research indicating that, in post-Soviet societies, public trust in the judiciary tends to be grounded more in institutional legitimacy than in a genuine sense of procedural justice.³²

³⁰ Braun, V., & Clarke, V., "Using thematic analysis in psychology" *Qualitative Research in Psychology*, 3(2), 2006; Cappella, J., N., & Jamieson, K., H., *Spiral of Cynicism: The Press and the Public Good*, Oxford University Press, Oxford, 1997.

³¹ Maxwell, J., A., *Qualitative Research Design: An Interactive Approach* (3rd ed.), SAGE Publications, Thousand Oaks, 2013.

³² Transparency International Georgia. *Public Trust and Judicial Independence in Georgia*, Transparency International Georgia, Tbilisi, 2022; Menocal, A., R., Fritz, V., & Rakner, L., *Democratic Governance and State-Building in Fragile States*, Overseas Development Institute, London, 2015.

A particularly critical attitude was observed among younger participants. As one respondent noted:

“The expectation of fairness is higher now, but the processes still move as slowly as before.”

This type of criticism appears to stem from higher levels of awareness and civic engagement³³ and may therefore be interpreted not as distrust, but as an expression of civic responsibility and a demand for accountability.

3.2. Determinants of Trust in the Judiciary

3.2.1. Institutional Transparency and Accountability

Interview participants emphasized the importance of well-reasoned judicial decisions and the openness of court proceedings. The lack of clear justification for judicial outcomes was perceived as one of the primary causes of public skepticism.

As one former judge observed: “People don’t see why a certain decision was made; when the reasoning isn’t clear, suspicion of political pressure inevitably arises.”

This observation supports Rothstein’s³⁴ argument that institutional trust depends not only on outcomes but also on the perception of procedural fairness. Similarly, Tyler³⁵ contends that citizens are more likely to trust institutions when they perceive the decision-making process as transparent and fair.

3.2.2. Political Engagement and Awareness

The data analysis showed a strong relationship between political awareness, civic engagement, and attitudes toward the judiciary. Participants who were more involved in civil initiatives or public discussions tended to express greater criticism toward the courts - a criticism grounded in knowledge rather than in cynicism.

As one expert commented: “The more people understand how the judicial system works, the more critically they evaluate it - not because they don’t trust it, but because they want it to be better.”

This finding corresponds with Dalton’s³⁶ and Newton’s³⁷ arguments that critical engagement is a sign of democratic maturity rather than institutional rejection.

3.2.3. Cultural and Historical Factors

Many participants highlighted the lingering influence of the Soviet legacy on public perceptions of the judiciary. Historical experience, during which courts functioned as instruments of political control, continues to shape collective attitudes.

As one legal professional remarked: “For many people, the court is still associated with state authority rather than justice.”

This insight reflects Almond and Verba’s³⁸ notion of a parochial political culture, in which institutional trust is shaped less by legal norms and more by historical and cultural experience.

³³ Dalton, R., J., *Democratic Challenges, Democratic Choices: The Erosion of Political Support in Advanced Industrial Democracies*, Oxford University Press, Oxford, 2004.

³⁴ Rothstein, B., *The Quality of Government: Corruption, Social Trust, and Inequality in International Perspective*, University of Chicago Press, Chicago, 2011.

³⁵ Tyler, T., R., *Trust and Legitimacy: Policing in the 21st Century*, U.S. Department of Justice, Washington, 2011.

³⁶ Dalton, R., J., *Democratic Challenges, Democratic Choices: The Erosion of Political Support in Advanced Industrial Democracies*, Oxford University Press, Oxford, 2004.

³⁷ Newton, K., "Social and political trust" in Dalton, Russell J. & Klingemann, Hans D. (Eds.), *The Oxford Handbook of Political Behavior*, Oxford University Press, Oxford, 2007.

³⁸ Almond, G., A., & Verba, S., *The Civic Culture: Political Attitudes and Democracy in Five Nations*, Princeton University Press, Princeton, 1963.

3.3. Personal Experience and Perceptions of Procedural Justice

According to the interviews, personal experience with the judiciary emerged as one of the most decisive factors in shaping public trust. Participants who had been directly involved in court proceedings often described feelings of disappointment, particularly due to the length and bureaucratic complexity of the process.

As one respondent stated: “Going to court means endless waiting and uncertainty — during that time, trust slowly fades away.”

This finding resonates with Tyler’s³⁹ concept of *procedural justice*, which posits that citizens’ trust depends not only on the outcome of a decision but also on their perception of fairness throughout the process. When procedures are experienced as transparent, respectful, and predictable, institutional legitimacy is strengthened; when they are seen as arbitrary or excessively prolonged, trust erodes even if the outcome itself seems fair.

3.4. Media Influence and Narrative Framing

The interviews also highlighted the significant influence of the media in shaping public perceptions of the judiciary. Participants noted that biased or politicized media coverage often amplifies distrust and reinforces polarized narratives about the courts.

As one media expert remarked: “Court-related issues are rarely covered in a balanced way — the media either portrays judges as heroes or villains, which makes objective evaluation almost impossible.”

This observation aligns with Cappella and Jamieson’s⁴⁰ theory of *narrative framing*, which explains how politically charged media discourse distorts public understanding, undermines institutional credibility, and reduces citizens’ ability to form impartial judgments.

In the Georgian context, where the media landscape is highly politicized, such framing effects contribute to the erosion of institutional trust, fostering skepticism toward both judicial independence and broader governance structures.

4. Discussion – Synthesis and Analytical Interpretation

The findings of this qualitative study demonstrate that public trust in the judiciary in Georgia is a multifaceted and context-dependent phenomenon, shaped simultaneously by institutional practices, cultural memory, and patterns of public communication. While several quantitative surveys have explored citizens’ trust in the Georgian judicial system, the present study provides a deeper interpretive understanding of the social and cultural mechanisms underlying these perceptions.

Although this research is based primarily on qualitative data, it is important to consider existing quantitative trends, which provide the broader empirical context for interpreting the findings. According to the EU-funded study “Knowledge and Attitudes of the Georgian Population Toward the Judiciary”,⁴¹ public awareness of the court system in Georgia remains low, and levels of trust are generally below average. Twenty-seven percent of respondents reported having “no trust at all” in judges, 14% indicated that they “do not trust them,” and only 7% expressed full confidence. Compared with the 2014 data, the proportion of distrust had risen from 20% to 41%, indicating a significant decline in judicial confidence over time.

³⁹ Tyler, T., R., *Why People Obey the Law*, Princeton University Press, Princeton, 2006.

⁴⁰ Cappella, J., N., & Jamieson, K., H., *Spiral of Cynicism: The Press and the Public Good*, Oxford University Press, Oxford, 1997.

⁴¹ Caucasus Research Resource Centers (CRRC), *Knowledge and attitudes of the Georgian population toward the judiciary*, European Union–funded study, 2018. <https://crrc.ge/>.

Further surveys, including the NDI-commissioned Public Opinion Research⁴², confirmed this tendency: 45% of respondents evaluated the performance of the judiciary negatively. These findings point to a systemic problem of trust that manifests both institutionally and in citizens' everyday experiences. Against this quantitative backdrop, the aim of this qualitative inquiry was to explore in greater depth the social and cultural mechanisms that define how trust in the judiciary is constructed and maintained in Georgia.

This interpretation is consistent with previous research emphasizing that trust in the judiciary in post-Soviet societies often relies on institutional legitimacy rather than on lived experiences of procedural fairness.⁴³ A comparative perspective reveals that low levels of judicial trust are not unique to Georgia, but rather characteristic of many post-Soviet states where institutional legacies, political influence, and bureaucratic culture continue to impede the consolidation of institutional trust.

For instance, in Ukraine and Moldova, citizens' distrust of the judiciary is closely tied to elite interference in decision-making and to the perception of courts as political instruments.⁴⁴ Similarly, in Armenia and Azerbaijan, the judiciary remains symbolically and practically dependent on the executive branch, undermining its perceived independence.⁴⁵

In this context, Georgia's case reflects similar structural challenges - citizens often view the judiciary as formally independent yet de facto politically influenced. However, a distinctive feature of Georgia's case lies in the coexistence of criticism with civic engagement: skepticism toward judicial institutions is increasingly accompanied by demands for transparency, accountability, and reform.

This suggests that the Georgian public's attitude toward the judiciary is gradually evolving from historical distrust toward a form of "critical trust"⁴⁶ - a mode of engagement characterized not by rejection, but by a desire for improvement and democratic consolidation.

Thus, Georgia can be understood as being in a transitional stage, where legacy-based mistrust is giving way to more reflective, informed, and participatory forms of civic oversight. This critical trust, rooted in public demand for fairness and institutional accountability, holds the potential to strengthen both judicial legitimacy and the broader democratic culture of governance.

4.1. Structural and Motivational Dimensions of Trust

Institutional transparency provides the *structural foundation* of public trust, while political participation and cultural factors determine its motivational content. This dynamic closely mirrors Rothstein's⁴⁷ model, which conceptualizes institutional trust as a composite of perceived fairness and equality within governance structures.

The findings indicate that, in the Georgian context, trust in the judiciary fluctuates between formal legitimacy and subjective perception. In other words, citizens acknowledge the judiciary as a necessary institution but remain unconvinced of its fairness and independence.

Therefore, enhancing public trust requires a comprehensive, three-dimensional strategy that addresses institutional, procedural, and societal dimensions simultaneously:

⁴² Caucasus Research Resource Centers (CRRC). 2020. NDI: Public attitudes in Georgia, August 2020. CRRC-Georgia. <https://www.ndi.org>.

⁴³ Transparency International. Corruption Perceptions Index 2022. Transparency International. 2022; Menocal, A., R., Fritz, V., & Rakner, L., Democratic Governance and State-Building in Fragile States, Overseas Development Institute, London, 2015.

⁴⁴ Pop-Eleches, G., & Tucker, J., A., Communism's Shadow: Historical Legacies and Contemporary Political Attitudes, Princeton University Press, Princeton, 2017.

⁴⁵ Way, L., A., Pluralism by Default: Weak Autocrats and the Rise of Competitive Politics, Johns Hopkins University Press, Baltimore, 2015.

⁴⁶ Dalton, R., J., Democratic Challenges, Democratic Choices: The Erosion of Political Support in Advanced Industrial Democracies, Oxford University Press, Oxford, 2004; Newton, K., "Social and political trust" in Dalton, Russell J. & Klingemann, Hans D. (Eds.), The Oxford Handbook of Political Behavior, Oxford University Press, Oxford, 2007.

⁴⁷ Rothstein, B., The Quality of Government: Corruption, Social Trust, and Inequality in International Perspective, University of Chicago Press, Chicago, 2011.

1. Ensuring transparency in judicial proceedings and improving public communication regarding court decisions, in order to make legal reasoning accessible and understandable to citizens;
2. Reforming the mechanisms of judicial selection and accountability, thereby strengthening both the perception and reality of independence;
3. Promoting civic education and legal literacy, which can foster an informed, yet critical, form of trust that encourages active engagement rather than passive skepticism.

Through the integration of these approaches, Georgia could move beyond the legacy of institutional distrust toward a more reflexive and participatory model of civic confidence, where legitimacy is not merely granted but continuously sustained through openness, fairness, and accountability.

Conclusion

The conducted qualitative research demonstrated that public trust in the judicial system in Georgia is a multidimensional and context-dependent phenomenon that is simultaneously shaped by institutional practices, political processes, culture, and the communication environment. The analysis of interviews revealed four central dimensions:

1. Institutional transparency and procedural justice - trust is strengthened when citizens understand the reasoning behind decisions and processes are perceived as fair;⁴⁸
2. Perception of political interference - fear of political influence weakens the perception of judicial independence and trust;⁴⁹
3. Socio-cultural heritage - the experience of the Soviet period continues to affect attitudes toward institutions to this day;⁵⁰
4. Media narrative frameworks - polarized and sensationalism-oriented coverage contributes to the reinforcement of distrust.⁵¹

Overall, strengthening trust in the judiciary requires not only legal-administrative changes but also the transformation of cultural memory and the information space. Sustainable formation of trust is possible under conditions where the process of justice is open, reasoned, and predictable for citizens.

Policy Recommendations

1. Enhancing Transparency and Communication - Judicial decisions should be presented with clear reasoning, based on unified standards and accessible explanations for the public. Transparent communication strengthens procedural legitimacy and fosters institutional trust.
2. Standardizing Judicial Selection and Promotion - Establishing clear, merit-based criteria and ensuring the publication of related data would enhance public confidence in the fairness and integrity of the selection process.⁵²
3. Strengthening Ethics and Internal Oversight - Introducing robust ethical frameworks and monitoring mechanisms can mitigate the risks of political interference and reinforce judicial accountability.⁵³

⁴⁸ Tyler, T., R., *Why People Obey the Law*, Princeton University Press, Princeton, 2006; Tyler, T., R., *Trust and Legitimacy: Policing in the 21st Century*, U.S. Department of Justice, Washington, 2011.

⁴⁹ Rothstein, B., *The Quality of Government: Corruption, Social Trust, and Inequality in International Perspective*, University of Chicago Press, Chicago, 2011.

⁵⁰ Almond, G., A., & Verba, S., *The Civic Culture: Political Attitudes and Democracy in Five Nations*, Princeton University Press, Princeton, 1963.

⁵¹ Cappella, J., N., & Jamieson, K., H., *Spiral of Cynicism: The Press and the Public Good*, Oxford University Press, Oxford, 1997.

⁵² Roberts, M., & Anderson, D., "Judicial independence and public trust: The global perspective" *International Journal of Law and Society*, 6(4), 2019.

⁵³ Rothstein, B., *The Quality of Government: Corruption, Social Trust, and Inequality in International Perspective*, University of Chicago Press, Chicago, 2011.

4. Promoting Civic Education and Legal Awareness - Educational programs, especially among young people, are crucial for cultivating a form of “reasonable trust” rooted in critical thinking and democratic engagement.⁵⁴
5. Institutionalizing Relations with the Media - Regular briefings, public explanations, and cooperation with media professionals can reduce distortive narratives and encourage balanced journalistic standards in judicial reporting.⁵⁵

Reinforcing public trust in the judiciary is an essential condition for democratic consolidation. This process cannot be achieved through normative reforms alone - it requires political will, cultural transformation, and ongoing social dialogue.

As Rothstein⁵⁶ aptly notes, “Fair institutions create a fair society.”

Building such institutions should remain the cornerstone of Georgia’s path toward restoring trust, legitimacy, and justice within its democratic framework.

⁵⁴ Newton, K., "Social and political trust" in Dalton, Russell J. & Klingemann, Hans D. (Eds.), *The Oxford Handbook of Political Behavior*, Oxford University Press, Oxford, 2007.

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