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A Plea Bargain Beneficial to All but the Defendant

By Paul Rimple

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The Georgian photographers arrested for espionage on July 7 were released under a plea arrangement on Friday. While many are relieved at the sudden turn of events, few accept the guilty verdict because this is Georgia.

It might have seemed like a good idea to hook up four photojournalists for spying for Russia to show just how omnipresent its military intelligence is, but things didn't go as planned. Authorities underestimated the tempest they would create by jailing journalists. They should have immediately reassured the public that the arrests had nothing to do about media repression (instead of waiting a day) and backed that up by providing concrete evidence. Releasing a list of employees at Georgia's United Nations mission is hardly spy material because it can easily be found online.

The televised confessions were supposed to be damning evidence, but they hark back to Soviet days when coerced confessions were standard. Nobody trusts them. Irakli Gedenidze was the

first to crack while his wife was in the holding cell next to him. Then Georgy Abdaladze suddenly confessed after vowing to fight to the end. Zurab Kurtsikidze's confession soon followed. Then came the plea bargains. The vast majority of plea bargains involve a defendant's confession.

Georgian plea bargaining is a great thing for everyone but the accused. For one, it means not having to go to appeals court so many times. It is also a great revenue maker, because defendants can buy their way out of prison before they are proven guilty, like President Eduard Shevardnadze's son-in-law, Gia Jokhtaberidze, who was charged with embezzling $350,000 from the state and paid $15 million to secure his release in 2004, according to Eurasianet.org. For the defendant, the plea bargain means not facing a court that has a conviction rate of 99.8 percent.

Some believe that releasing the photographers is proof that there wasn't enough evidence to convict them. The prosecutor says the photographers cooperated by handing over the names of Georgian operatives and communication methods, and the court gave them suspended sentences of 18 months to four years.

Either way, government officials moved quickly to try to control the damage because the scandal brought global attention to two of Georgia's largest Achilles heels: media freedom and judicial freedom.

The day Georgia's media is truly free and its judiciary truly independent is the day people will believe the president's personal photographer is a Russian spy and is not being punished for taking pictures of something he shouldn't have.

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