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THE HISTORICAL BACKGROUND TO THE DEMOCRACY OF MODERN GEORGIA

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ABSTRACT

Georgia was a part of a totalitarian state for 70 years, but if we look back through its history, we find out that the conceptual foundations of the Georgian statehood had been prepared by the legacy of the public figures of previous epochs. The views of different historical periods and the legacy of the public figures conditioned the vector of the development of today's Georgia and the respect for the democratic values.

The article is about historical experience of Georgia which has an influence on the political life of modern country.

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The historical experience has a great influence on the political life of modern countries. Georgia was a part of a totalitarian state for 70 years, but if we look back through its history, we find out that the conceptual foundations of the Georgian statehood date back to XI-XII centuries that had been prepared by the legacy of the public figures of previous epochs. It was the views of different historical periods and the legacy of the public figures that conditioned the vector of the development of today's Georgia and the respect for the democratic values.

It is noteworthy that as early as X century, Giorgi Atoneli, the head of the Iveria Monastery on Mt. Athos, introduced the "voting rule" for the first time to the monastic order, that was equivalent to today's secret ballot and in this way appointing hegumens by monarchs was replaced by democratic elections. The political and social-economic strength of the Georgian state of XII century that is perceived as "the Golden Age" by the descendants was conditioned by the correct administrative-territorial arrangement of the country by Giorgi and Ekvtime Mtatsmindeli, Arsen Ikaltoeli and Ioane Petritsi, the successful reforms of David the Builder, the economic policy based on historical traditions, morality of the society and the uniqueness of Georgian culture.¹

Georgia of the epoch of Queen Tamar was "the golden age" of Georgian political thinking. It was philosophical thinking adopted in accordance with the needs of the epoch by the Christian society imbued with a Renaissance spirit that laid the foundation for the historical and social development of Europe²

The idea of parliamentarism, a unique project of the state system developed by King Tamar's chief treasurer Kurtlu-Arslan, should be considered to be a clear manifestation of this thinking. 30 years later "Magna Carta Libertatum" was created in England considered as the foundation of the modern constitutional law. As Georgian scholar Vakhtang Abashmadze rightly points out, Kutlu-Arslan's

¹ Batiashvili Elbert, *Conversations about Ilia*, Tbilisi, 2012, pp. 46-47.

² Lortkipanidze S., "The Christian Ideal of Governance and the Kings in Archil's Works" Batumi, 2016, pp. 15-16.

political program, as a revelation of a previously unknown direction of an ideological battle started in the middle ages, was a new page in the history of the world's culture in the light of the theory of the division of state power. Thus, its importance goes beyond the history of Georgia. It is probably less realistic to talk about the parliament in the epoch of Queen Tamar but if we take the events into account, we will realize that the first steps in the direction of parliamentarism were taken in "the Golden Age".¹

In XI-XVIII centuries, Georgian kings exercised their power over the kingdom through viziers and the so-called "Hall". "The Hall" was a non-permanent advisory body convened by the order of the king to discuss various issues related to governance. "The Hall" was chaired by the monarch who set the agenda. Considering the opinions and recommendations of "the Hall" was also the king's prerogative.

According to the chronicler, Kurtlu-Arslan initiated to establish a new institution, "the Tent" near the king's Palace, on Isani Valley in which members of various social classes, along with noblemen would discuss the most important issues related to governance, "giving and receiving, mercy and punishment" and inform the King about the conclusions. As we can see, Kurtlu-Arslan demanded the establishment of a permanent body that would be independent from the royal power and be more legitimate than "the Hall", with the competence of the legislature, the judiciary and, in part, the executive authority. As Iv. Javakhishvili noted, "in brief, Kurtlu-Arslan's political demand was to deprive the king of his legislative power and hand it over to a completely new institution, leaving the king with only the executive power. Clearly, this was a demand for a constitutional monarchy that was unprecedented not only for our history but also for the world's history of that time. This means that in the 12th century, Georgian political thinking and the development of the statehood in general reached such a height where the subject of distribution of powers and of the principle of establishment of a government based on this was practically raised".²

However, Queen Tamar chose an uncompromising position on these demands and ordered to arrest Kurtlu-Arslan after the meeting with the nobles. The situation was extremely tense. If she punished them it would lead to bloodshed and if she conceded point it would be the destruction of the royal power.

Tamar made a wise decision. He sent two respectable ladies, Kravai Jakeli, the mother of noble feudal lord Samdzivri, and Khuashad Tsokali, the mother of noble Rati I Surameli Eristavteristavi to talk to the rebels and promise them inviolability. The respectable ladies successfully completed the mission. The revolt subsided and Kurtlu-Arslan was set free. His career ended and his fate is unknown. However, his efforts were not gone unnoticed. It is true that the idea of "the Tent" was rejected but Queen Tamar recognized the power of "the Hall", i.e. its special right to participate in discussing and resolving state affairs. Since then the most important decisions and orders contained the inscription telling that the decision was made together with the nobles and with their consent.³

The history of parliamentarism in the early twentieth century, namely in 1917-1921, continued in the First Republic of Georgia, when after the First World War the Russian Empire disintegrated and Georgia regained its independence.

The republic existed only for 1028 days, and despite its short existence, it managed to create one of the most progressive electoral laws and the constitutions of that period, which became the foundation of the modern Georgian state. All the above-mentioned has its preconditions, which we should look for in the depths of Georgian political thinking and culture, in particular, in the works and deeds of the fathers of the nation in the nineteenth century.

In XIX century, Georgia was not an independent country because it underwent a gradual annexation by the Russian Empire from 1801 to the 1970s. Tsarist Russia tried to break the rebellious Georgian spirit with various methods, but the resistance did not stop, only the forms and methods of protest changed and improved.

XIX century was an epoch of paradigmatic changes in human history and a turning point when a new type of thinking was introduced to the world, new needs emerged, and the ideas of enlightenment and rationalism were in the process of establishment in the West. The revolutionary spirit also penetrated in the Russian Empire, which made the progressive part of the society think about the need for reforms. In the empire the resistance movement strengthened, the manifestation of which was severely

¹ Samushia J., Kurtlu-Arslan - Initiator of Great Changes (Georgian Parliamentarism), Istoriani, June 6, 2016, p. 35.

² Javakhishvili I., History of Georgia, Vol. 2, Tbilisi, 1983, pp. 408-410.

³ Javakhishvili Iv., Berdzenilvili N., Janashia S., The History of Georgia, Part I, the USSR State Publishing House of Georgia, Tbilisi, 1948, p. 235.

suppressed by the government including the Warsaw Uprising of 1830 and 1848 and the Georgian Conspiracy of 1832.

In the second half of XIX century, Tsarism was forced to abolish serfdom throughout the empire which led to a number of reforms, including the creation of new electoral bodies “Erobas” in the governorates and uyezds that governed agricultural and cultural affairs while in the cities elected councils took care of the welfare, healthcare and education issues.

In the Empire, the right to participate in elections was quite limited and discriminated. It is true that at the end of XIX century, in some Georgian cities, the right to vote was allowed at the level of self-government but it was mainly a privilege of the nobility and the high class members. After the 1905 revolution, Nikolai II was forced to make some concessions and convene a representative body – the state council, although this did not imply granting the voting rights to the citizens of the empire. The imperial regime used various means to control the electoral process, however, in the peripheries of the empire that were mainly non-Russian regions, the revolutionary ideas were accompanied by the national spirit which contributed to the accumulation of revolutionary deputies in the state council. The South Caucasus was one of the most distinguished regions in this respect. In the Georgian society the positive attitude and constant readiness for elections were the results of the propaganda by the Social Democrats who demanded convening the Constituent Assembly since 1905. Their demand was acceded only after the February Revolution of 1917, under the auspices of the provisional government, but this institution ceased to exist before the first convocation of the Assembly due to the Bolshevik Revolution in Russia.

In the aftermaths of the collapse of the Russian monarchy and the Bolshevik coup, the Georgian political elite began to work on future measures for developing the country. The National Council, convened on May 26, 1918, renamed the Parliament, adopted the Georgian Independence Act declaring the Democratic Republic of Georgia an independent state. So, in the summer of 1918, the preparatory work for the Constituent Assembly began, in which all political entities participated. After several months of work, on November 22, 1918, the National Council approved the Law on the Elections of the Constituent Assembly that regulated the election procedures of the first representative body in Georgia. It was a legislature elected on the bases of a general, secret, direct proportional principle. It stated: “Citizens of both genders of the Republic have the right to participate in the elections if they have reached the age of twenty on the election day”.¹

Therefore, the first Georgian electoral law was a highly progressive document considering its political significance. Georgian political thinking managed to create a high-quality progressive legitimate base that allowed all citizens of Georgia to vote with minimized electoral censorship, regardless of territorial affiliation, ethnicity or gender. At that time progressive humanity was still fighting uncompromisingly for the principles of electoral law.

According to the statute, the parliamentary election commission of the Constituent Assembly was instructed to ensure the management of the election process that set an example of internal organizational democracy. The election commission had three important positions: a chairman, a secretary and a treasurer (financial manager) of the commission. The treasurer was a member of the opposition party (the National Democratic Party) and the secretary was Anna (Olgha) Sogholashvili who was a member of both the Social Democratic Party and the National Council. The Election Administration developed and established rules for drafting municipal, provincial and district protocols through an active cooperation with local governments and the Ministry of Internal Affairs, updated the electoral register and the lists of political parties running for the elections and approved 15 electoral subjects. The ballot papers were printed in Georgian as well as in the native languages of ethnic minorities living in specific areas that was undoubtedly a progressive service at that time.

The main means of conducting the election campaign by the election subjects were the party press, public rallies and political lectures. In the periodicals of political entities election programs, lists of candidates, appeals, ballot papers, statements of party organizations, feuilletons, poems were published.

Calls and appeals of the government to the citizens on the political importance of participation in the Constituent Assembly elections were immediately published in the official newspaper of the Government of the Democratic Republic of Georgia – “the Republic of Georgia”.

¹ Collection of Legal Acts of the Democratic Republic of Georgia 1918-21, Special Editor V. Sharashenidze, Tbilisi, 1990, pp. 84-109.

Due to some logistical problems, as it appeared, it was impossible to conduct the February 1919 Elections throughout the country in one day, in which more than 600,000 citizens were supposed to voted. Therefore, with the consensus of the political entities, a decision was made to hold the elections for three days, in order to allow the voters to come to the ballot box at a time convenient for them.¹

On February 14-16 1919, the elections of the Constituent Assembly were held by general secret direct ballot based on the proportional electoral system in most cities and uyezds of the Democratic Republic of Georgia. The Georgian Social-Democratic Labor Party got a landslide victory winning 109 out of 130 mandates of the Constituent Assembly and formed the first government of the First Republic of Georgia.

It should be noted that among the candidates for the Constituent Assembly were Georgian intellectuals who greatly influenced the development of Georgian thinking – Niko Nikoladze, Korneli Kekelidze, Iona Meunargia, Geronti Kikodze, Ekvtime Takaishvili, Commanding General Kote Apkhazi, poets Kote Makashvili, Paolo Iashvili, Titian Tabidze, famous lawyer Zurab Avalishvili, founder of Tbilisi State University Ivane Javakhishvili, sculptor Iakob Nikoladze, literary critic and publicist Pavle Ingorokva, artist Lado Gudishvili and others.

One of the most important metamorphoses of the 19th century was the conception of emancipation. The actualization of women's rights organizations in Europe and the United States has given rise to the feminist movement that has gradually become thematically diverse. At the first stage, women's suffrage became the unifying goal of the fights for women's rights. Suffragettes believed that it was impossible to fight for legal, educational or economic changes without gaining political rights. In this regard, the first success was achieved by the Australian Federation. In 1893, Australian women participated in the parliamentary elections. In 1905, this was followed by the victory of Finnish women in Europe. Then Norwegian and Danish women also won the right to vote. A major step was taken forward in 1918-1920 when women were given the right to vote in Belgium, Germany, Poland, Canada, Sweden and Great Britain. In the United States women won in 1920. As for Switzerland, women were given the right to vote in 1971.²

The issue of women's emancipation turned out to be much more organic for Georgia. “A large part of the intelligentsia of the 19th century, including Ilia Chavchavadze, Akaki Tsereteli, Mikheil Javakhishvili and others, supported active involvement of “the gender of mothers” in the social arena which gave impetus to women's participation in the public life. Georgia was one of the first countries in Europe to give women not only the right to go to the polls and be active in the elections, but also it gave them passive suffrage.

Women could be candidates for the elections of legislative and self-governing bodies that was a rare occurrence in the world of that time. In the February 1919 election, 26 out of 600 candidates approved by the election administration were women. Five of them gained the status of a member of the Constituent Assembly and one of them was even elected as members of the presidium. It is noteworthy that the first women parliamentarians of Georgia signed the Act of Independence of Georgia. All five women parliamentarians were the members of the Social Democratic Party, and their fate was determined by their political beliefs:

➤ Eleonora Ter-Parsegova-Makhviladze was actively involved in the anti-Soviet movement. That is why she was expelled from the country in 1926.

➤ Ana Sologhashvili replaced her fellow party member who died during the election campaign. She was arrested in 1937 and sentenced to death for anti-collective propaganda as well as “chauvinistic sentiments”.

➤ Elisabeth Nakashidze-Bolkvadze was a chairwoman of the Guria Women's Society since 1918 and involved in the anti-Soviet movement in 1921. She was shot on charges of leading a counter-revolutionary organization in 1937.

➤ Kristine (Chito) Sharashidze was a member of the Presidium of the Constituent Assembly, a secretary of the same Presidium and a member of three commissions. In 1905-1906 she actively participated in revolutionary demonstrations in Tbilisi and prepared newspaper materials. Kristine organized a pedagogical school strike in connection with the anniversary of the occupation of Georgia and was arrested. She was serving her sentence in the Metekhi prison. Later, she graduated from the School of Georgian Language and Literature at TSU and began her scholarly career.

¹ The First Universal Democratic Elections in Independent Georgia, Iv. Javakhishvili Tbilisi State University, the CEC, Tbilisi, 2017, pp. 18-66.

² Javakhishvili M., Based on the History of the Women's Movement, Iveria, 1906, #9, pp.14-15.

➤ Minadora Orjonikidze-Toroshelidze studied at the Medical School of the University of Geneva. Then she joined the revolutionary movement. After returning to Tbilisi, she worked for the Red Cross and the American Relief Administration. At the same time she led the women's illegal movements. In 1924 he was exiled to Moscow, and then to Kazakhstan 1936. She was allowed to return to the country only 12 years later. In 1937-38, her husband and two children were shot.

The first session of the Constituent Assembly of the Democratic Republic of Georgia was held on March 12 1919. The Assembly adopted the first constitution of the country on February 21 1921 that lasted only four days. On February 25 1921, Soviet Russia occupied Georgia.

It is true that studying the first electoral system of Georgia with the dynamics of its development is impossible due to the short time of functioning. However, this important event in the history of Georgia has not lost its topicality and is still relevant. It has left quite a va Collection of Legal Acts of the Democratic Republic of Georgia 1918-21, Special Editor V. Sharashenidze, Tbilisi, 1990, pp. 84-109riety of material for the descendants. The analysis of this experience is invaluable for the development of the modern Georgian state.

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