

**Breach of the Alliance Agreement, as a Precondition for the National-Liberation  
Movement  
(On the Example of Treaty of Georgievsky, 1783)**

*The legal events that developed in Georgia at the end of the XVII century vastly determined the political, social, or economic life in the following XIX-XX centuries. It had an impact not only on Georgia but also in the Caucasus region.*

*Even today the painful historical lessons learned by the Georgian State which were caused by the violation of the 1783 Alliance Treaty, are actual. Herewith, the complex geopolitical environment around us still exists. Enemies are in the neighborhood. After gaining independence, in the XXI century, we have been convinced many times in it. At the same time, the historical choice of the Georgian nation to join the big European family again is firm.*

*In the distant past of Georgia and at the beginning of the last century, Georgia as a democratic republic tried to achieve the desired goal, but in vain. At the end of the twentieth century, after gaining independence we were given such an opportunity again and we must make every effort, including remembering the legal history of our country to avoid the mistakes of the past.*

**Keywords:** *Treaty of Alliance, Georgievsky Treaty, Internal Autonomy, Manifesto, Russian Government, National Liberation Movement, The Hague Conference, The restoration of Statehood.*

## **1. Introduction**

The eighteenth century, especially the second half, became the beginning of great changes for Georgia and the Georgian nation. The alliance agreement between Russia and Georgia, known in history as a Georgievsky Treaty, helped stir up a national liberation ideology in the country and the formation of a political movement.

Therefore, the paper will primarily focus on the nature of the agreement between the two political entities. In particular, what legal burden it had, whether it was an agreement on subordination or an agreement on union and about patronage. In the historical context, we discuss the legal and factual consequences of the treaty concluded by Erekle II to maintain statehood, fulfillment of the obligations, or not by Russia.

Together with the alliance agreement, we analyze the legitimacy of the abolition of Kartl-Kakheti Kingdom and the legal opinions of the representatives of a powerful national-liberation movement. Such as Solomon Dodashvili, the leader of the 1832 conspiracy, young Georgians who appeared public in the 1960s under the name of "Tergdaleuli", the patriots who represented this issue for discussion at the International Conference in the Hague in 1907. And, of course, the idea of the autonomous Georgian state (before the restoration of independence) under the 1783 treaty. The idea passed through generations of Georgian patriots and was finally written down in the action plan formed by the National Democrat Ilia Chavchavadze.

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## 2. Looking for an International Partner to Maintain Statehood

In order to maintain its political status and importance in the international arena, the support of a strong ally then, as now, was very important for the Georgian state. Erekle II was well aware of this. The Georgian monarch, who was surrounded by Muslim states, in order to receive financial aid (not to mention military support) – even in the form of a loan, first drew attention to the European states.

In the early 80s of the XVIII century, with the help of Catholic missionaries close to him,<sup>1</sup> he sent a letter to: Roman Emperor Joseph II,<sup>2</sup> the Senate of Venice,<sup>3</sup> Chiefs of Venice and Naples,<sup>4</sup> King Louis XVI of France (1754-1793)<sup>5</sup> and Emperor of Austria.<sup>6</sup> For example, to enhanced interest in the issue, the Georgia side even offered military assistance in the fight against the Ottomans to Emperor Joseph II (1765-1790) in exchange for a loan.<sup>7</sup> Unfortunately, Erekle II did not receive a reply letter from Europe.<sup>8</sup>

Accordingly, the accusation of King Erekle for failing to seek an ally in Europe before orienting himself towards the Russian Empire, would not be right. It would be correct to say that Europe had no time for Georgia even then. After the fall of Constantinople, the endeavor of the Georgian Kings – beginning with the last king of united Georgia, George VIII, who was the founder of the Kakhetian Bagration dynasty, continued with Teimuraz I, Vakhtang VI, and ended with Erekle II - to obtain military support from European states, did not lead to the desired result.

Alternately, a certain intersection of interests was revealed between the political goals of Erekle II and the Russian Emperor Catherine II. At that time, the latter was making every effort to strengthen her influence in the Transcaucasia.<sup>9</sup> In this sense, it is clear that the position of Erekle II was of great importance. After long deliberation, he made a choice in favor of a less reliable but at least co-believer Russian Empire. On a strong ally which in his estimation would be very useful for the Georgia people, especially in transforming state life into European order.<sup>10</sup> Foremost, we see the result of this judgment in the treaty signed by the representatives of King Erekle II of Kartli-Kakheti and the Russian Emperor Catherine II in the fortress of Georgievski on July 24, 1783.<sup>11</sup>

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<sup>1</sup> *Tamarashvili M.*, History of Catholicism among Georgians, Tbilisi, 1902, 398-403 (in Georgian).

<sup>2</sup> *Janashvili M.*, History of Georgia, Tbilisi, 1894, 455 (in Georgian).

<sup>3</sup> *Tamarashvili M.*, History of Catholicism among Georgians, Tbilisi, 1902, 397-398 (in Georgian); *See also: Tsintsadze I.*, Protection Treaty of 1783 – Materials for the History of Russian-Georgian Relations, Tbilisi, 1960, 88 (in Georgian).

<sup>4</sup> *Rachvelishvili Kr.*, Short History of Georgia – from the Beginning to 1917, Tbilisi, 1925, 180 (in Georgian).

<sup>5</sup> *Dumbadze M.*, Essays on the History of Georgia, IV, Tbilisi, 1973, 685 (in Georgian).

<sup>6</sup> *Javakhishvili I.*, Relations between Russia and Georgia in the XVIII Century, Tbilisi, 1919, 23 (in Georgian).

<sup>7</sup> *Ibid.*

<sup>8</sup> *Janashvili M.*, History of Georgia, Tbilisi, 1894, 455 (in Georgian).

<sup>9</sup> *Rachvelishvili Kr.*, Short History of Georgia – from the Beginning to 1917, Tbilisi, 1925, 181 (in Georgian).

<sup>10</sup> *Dumbadze M.*, Essays on the History of Georgia, IV, Tbilisi, 1973 688 (in Georgian).

<sup>11</sup> *Janashvili M.*, History of Georgia, Tbilisi, 1894, 456 (in Georgian).

### **3. On the Legal Nature of the Alliance Agreement**

Before examining the specific articles of the treaty, briefly discuss the content of the preamble. It focuses on centuries-old ties and good neighborly relations between co-believer states. The fact that the word homager was not found in this very important legal document must be conditioned in the same spirit (formally at least). For a diplomatic term, a synonym of which was full incorporation in the eighteenth century and which was so often used by Russian diplomats in dealing with empire-dependent international legal entities.<sup>12</sup>

Definitely, apart from the external side, there were other, more important reasons for not using it. Chiefly, it was the ratio of forces that existed in the region at that time and was also reflected in the Treaty of Alliance. “Georgia – as academician Levan Aleksidze correctly remarked – was not homager to Russia”.<sup>13</sup> The desire of Erekle II was to receive protection from the Russian side and not homager. „Protection at the expense of limiting sovereignty, but in favor of the latter”.<sup>14</sup>

The position of Erekle II is noticeable with regard to the both basic and secret (separate) articles of the treaty. We will focus on just a few of the 13 main and 4 separate articles. According to the first article, the king of Kartli-Kakheti was recognizing the sovereignty of the emperor and was refusing to negotiate with other states without the consent of Russia.<sup>15</sup> In return, according to the second article of the same treaty, Russian Emperor Catherine II, along with protecting the county’s borders, pledged herself to assist the Georgian side in returning the lost territories. Furthermore, the agreement satisfied one of the main demands of the Georgian side – the ancient rule of King coronation remained in force.<sup>16</sup> In accord with the third article, the descendants of Erekle II had to retain the legitimate right to continue governance. However, the new king on the throne had to be approved by the Russian emperor by sending a proper deed and signs of investiture. After which, he solemnly took an oath of allegiance to the imperial throne.<sup>17</sup>

The opinion of one of the founders of the Georgian National-democratic Party, lawyer, diplomat, and public figure, professor Zurab Avalishvili (1874-1944) regarding the sending signs of investiture by the emperor, is noteworthy. The Georgian scientist saw a formal character in all this, which did not even determine the power of the empire in Georgia, but represented “the right of advantage and benefit granted by the treaty to the King of Kartli and Kakheti”.<sup>18</sup>

We will also focus on the content of the article fourth of the agreement, according to which the Georgian side was banned from negotiating or establishing relations with other states without the consent of the Russian resident. The next fifth article foresaw the exchanging of represen-

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<sup>12</sup> *Aleksidze L.*, Georgian-Russian International Legal Relations in the XV-XVIII Centuries, Tbilisi, 1983, 175 (in Georgian).

<sup>13</sup> *Ibid*, 176.

<sup>14</sup> *Ibid*.

<sup>15</sup> *Paichadze G.*, Treaty of Georgievsk – Agreement of 1783 on the Entry of Eastern Georgia under the Protection of Russia, Tbilisi, 1983, 30 (in Georgian).

<sup>16</sup> Treaty on the Recognition by the King of Kartalinsky and Kakhetian Heraclius II of Patronage and Supreme Power of Russia (Treaty of Georgievsky), 1-2, <<http://www.amsi.ge/istoria/sab/georgievski.html>> [04.03.2022] (in Georgian).

<sup>17</sup> *Ibid*, 3.

<sup>18</sup> *Aleksidze L.*, Georgian-Russian International Legal Relations in the XV-XVIII Centuries, Tbilisi, 1983, 179 (in Georgian).

tatives in the form of ministers (residents) at each other's kingdoms. It is noteworthy, that the Russian emperor promised to receive King Erekle's representatives with equal respect to other ministers.<sup>19</sup>

The mutual use of the Treaty of Alliance becomes even more apparent in the sixth and seventh articles. In particular, according to article sixth, if the enemy of Georgia was considered as an enemy of the Russian Empire and "the king Irakli Teimurazovich and the heirs of his house" retained the royal throne, which is very essential, the Russian side would not interfere in the internal affairs of the allied state. Besides, Russian military or civilian representatives were even forbidden to issue any order in Georgia. In return, according to the article seventh, the Georgian side and firstly, Erekle II, undertook the responsibility to assist the Russian side with military forces, as needed.<sup>20</sup>

As for the next eighth-eleventh articles of the agreement, they created favorable conditions for the Georgian Orthodox Church, nobility, merchants, or representatives of different social classes. In particular, the agreement equated the Georgian nobility with the Russian nobility in "privileges and benefits", privileges were provided for Georgian and Russian traders for transporting-businesses on the territory of both Contracting Countries and so on.<sup>21</sup>

The last two articles of the treaty had clearly contractual content. In particular, article thirteen of the agreement set a six-month period for the document to enter into force. Specific significance had the article twelfth, according to which, Treaty of Georgievsky was signed for an "eternal" term and specified, that making the changes in it was possible only with the consent of both contracting parties.<sup>22</sup>

As for the separate (secret) articles, the first one<sup>23</sup> portrayed the Russian emperor as a "mediator" between the kings of Eastern and Western Georgia, Erekle II and Solomon II.<sup>24</sup> The last three articles referred to the military obligations of the parties. According to the second separate article, in order to defend Kartli-Kakheti, the Russian side took the responsibility to send two full infantry battalions with four cannons and in case of war other military forces would be added. The third article guarantees to fully inform Erekle II in case of war, for planning combat actions with the Russian side.<sup>25</sup> The fourth separate Article obliged the Russian side to defend the country with weapons during the war and moreover, to assist in the return of the lands seized by the enemy of Georgia.<sup>26</sup>

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<sup>19</sup> Treaty on the Recognition by the King of Kartalinsky and Kakhetian Heraclius II of Patronage and Supreme Power of Russia (Treaty of Georgievsky), 4-5, <<http://www.amsi.ge/istoria/sab/georgievski.html>> [04.03.2022] (in Georgian).

<sup>20</sup> Ibid, 6-7.

<sup>21</sup> Ibid, 8-11.

<sup>22</sup> Ibid, 12-13.

<sup>23</sup> Ibid, 1.

<sup>24</sup> Definitely, The Emperor's mediation primarily served the interests of the Russian side "to hold Firmly in the Transcaucasia" and not only in its eastern part. See: *Tsintsadze I.*, Protection Treaty of 1783 – Materials for the History of Russian-Georgian Relations, Tbilisi, 1960, 105-111 (in Georgian).

<sup>25</sup> *Paichadze G.*, Treaty of Georgievsk – Agreement of 1783 on the entry of eastern Georgia under the Protection of Russia, Tbilisi, 1983, 55 (in Georgian).

<sup>26</sup> Treaty on the Recognition by the King of Kartalinsky and Kakhetian Heraclius II of Patronage and Supreme Power of Russia (Treaty of Georgievsky), Separate Articles, 1-4, <<http://www.amsi.ge/istoria/sab/georgievski.html>> [04.03.2022]. See also: *Paichadze G.*, Treaty of Georgievsk – Agreement of 1783 on the entry of eastern Georgia under the Protection of Russia, Tbilisi, 1983, 55 (in Georgian).

We focused on specific articles of the Georgievski Treaty because in the XIX-XX centuries, before the overthrow of the Russian empire in 1917, many generations of Georgian patriots, including the Georgian National Democrats, based on this document during the definition of the rules of relations between the two states. Based on the only document signed by both parties which unequivocally stated (and still states today) that the abolition of the Kingdom of Kartli-Kakheti was not really conditioned by the agreement.

#### **4. Legal and Actual Outcomes of the Alliance Agreement**

Unfortunately, the agreement signed for the protection and preservation of Georgian statehood brought radically different results. The desire of the Muslim states to eliminate Russian influence in Eastern Georgia was so great that in 1793, Ottoman Sultan Selim III “invited” indomitable enemy in Georgia, Iran to bring back the old glory in the region.<sup>27</sup>

Kind Erekle was well aware of the threats from the Islamic world. He systematically reminded the articles of the treaty to Catherine II from the late 1780s, according to which the Russian side was obliged to assist the Georgia monarch with military forces.<sup>28</sup> The Georgian nobles with a joint statement also reminded the Russian emperor about the treaty obligations in 1793.<sup>29</sup> Erekle II with the help of his ambassador in Russia, Garsevan Chavchavadze asked for military assistance in early 1794 but still in vain.<sup>30</sup> On the contrary, instead of stepping up military aid, Catherine II recalled the military units that had been stationed in Georgia under the 1783 treaty.<sup>31</sup>

Meanwhile, the worse expectations of the Georgian side were met. In 1795, Iranian troops entered the Caucasus and his ruler, Agha-Mohammad-Khan Qajar demanded from Erekle II to renounce alliance with Russia and recognize Iran’s supremacy. Little Kakhi, who was waiting for help, rejected the offer from the governor of Iran. Eventually, Erekle with seven times fewer forces was left without help and he fought with numerous enemies in Krtsanisi’s field.<sup>32</sup> The results are well known – the Georgians were defeated. The enemy captured Tbilisi on September 11, 1795. The population was severely abused, King's palace, churches, and monasteries, governmental or cultural-educational institutions were burnt and sacked.<sup>33</sup>

It can be said Georgia made a huge sacrifice due to the non-fulfillment of the obligations assumed by the contracting side. And no one was responsible for this criminal inaction. As it turned out later, Catherine II, with great delay, only on September 4, 1795, signed a rescript to send two full battalions to assist Kartli-Kakheti.<sup>34</sup> Even later, on October first, Commander of the Caucasus Military line received the letter. Two weeks earlier the hordes of Agha-Mohammad-Khan had already left Georgia.<sup>35</sup>

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<sup>27</sup> *Dumbadze M.*, Essays on the History of Georgia, IV, Tbilisi, 1973, 755 (in Georgian).

<sup>28</sup> *Ibid*, 699.

<sup>29</sup> *Bedianashvili A.*, National Issue in Georgia - 1801-1921, Tbilisi, 1980, 14 (in Georgian).

<sup>30</sup> *Dumbadze M.*, Essays on the History of Georgia, IV, Tbilisi, 1973, 756 (in Georgian).

<sup>31</sup> *Aleksidze L.*, Georgian-Russian International Legal Relations in the XV-XVIII Centuries, Tbilisi, 1983, 202 (in Georgian).

<sup>32</sup> *Bedianashvili A.*, National Issue in Georgia - 1801-1921, Tbilisi, 1980, 14 (in Georgian).

<sup>33</sup> *Javakhishvili I.*, Relations between Russia and Georgia in the XVIII Century, Tbilisi, 1919, 42 (in Georgian).

<sup>34</sup> *Dumbadze M.*, Essays on the History of Georgia, IV, Tbilisi, 1973, 758 (in Georgian).

<sup>35</sup> Accordingly, the position of Academician Iv. Javakhishvili is correct that the main contribution to the tragedy of 1795 was made by our northern ally – Russia, which failed to provide effective steps to assist the protégé in a timely manner. See: *Aleksidze L.*, Georgian-Russian International Legal Relations in the XV-XVIII Centuries, Tbilisi, 1983, 214 (in Georgian).

Even after the death of Ekaterine II (November 6, 1796), the Russian side continued to operate only in accordance with their own interests. Exactly one month later, on December 6, Emperor Paul I issued an order to cease all military operations in the region<sup>36</sup> and in March 1797, the last units of the Russian army located in Georgia left the country one more time.<sup>37</sup>

The onerous political situation in Kartli-Kakheti was aggravated by the death of King Erekle on January 11, 1798, and George XII continued his negotiations with the Russian empire. The last king of Kartli-Kakheti, who – as Academician Ivane Javakhishvili mentioned- was like his father, neither in talent nor in personal generosity, „from such a difficult political situation, he should guide Georgia to peace with wise foresight and caution”.<sup>38</sup> Moreover, in Georgian historiography, some scientists have expressed a well-founded thought that it was „George XII's irrational pro-Russian foreign policy that accelerated the end of the Kingdom of Kartli-Kakheti”.<sup>39</sup>

It should be noted that the legacy of the king of Kartli-Kakheti George XII was certainly the hardest. It is correct that the homicide of Agha-Mohammad-Khan on June 1797 defuse tension somewhat,<sup>40</sup> but his nephew and successor, Baba-khan, an active opponent of Russian rule in the Caucasus, continued his uncle's strategy and posed no less of a threat to the country.<sup>41</sup>

On August 30, 1798, Paul I sent a letter to the new ruler of Kartli-Kakheti expressing his desire to restore international relations, congratulated the status of King, and reminded that a formal request for approval of the throne was expected from him under the Treaty of 1783.<sup>42</sup> After receiving a letter of this content from the Georgian monarch, granted his request and sent him a deed of approval as king and royal insignia. The investiture was accompanied by the Emperor's permanent resident in Kartli-Kakheti, Petre Ivan Kovalensky, as a minister, with one battalion of Russian troops, which was established as "a permanent residence" in Georgia.<sup>43</sup>

After receiving the deed of approval and investiture, George XII was crowned by Catholicos Anton II at the Church of Anchiskhati in Tbilisi on December first, 1799, and the King swore allegiance to the Russian Empire.<sup>44</sup> Supposably, after that, the kingdom should have calmed down

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<sup>36</sup> *Javakhishvili I.*, Relations between Russia and Georgia in the XVIII Century, Tbilisi, 1919, 48 (in Georgian).

<sup>37</sup> *Aleksidze L.*, Georgian-Russian International Legal Relations in the XV-XVIII Centuries, Tbilisi, 1983, 222 (in Georgian).

<sup>38</sup> *Javakhishvili I.*, Relations between Russia and Georgia in the XVIII Century, Tbilisi, 1919, 57 (in Georgian). See also: *Aleksidze L.*, Georgian-Russian International Legal Relations in the XV-XVIII Centuries, Tbilisi, 1983, 225 (in Georgian). As academician Levan Aleksidze mentioned, the main concern of George XII was to preserve the royal throne for his heirs.

<sup>39</sup> *Vachnadze M., Guruli V.*, Georgian-Russian Relations (1801-1921), Tbilisi, 2009, 5 (in Georgian).

<sup>40</sup> Frightened by the cruelty of Shakh, the servants killed Agha-Mohammed-khan during his sleeping. According to Platon Ioseliani, one of the Servants named Sadigha was from Georgia. See: *Javakhishvili I.*, Relations between Russia and Georgia in the XVIII Century, Tbilisi, 1919, 49 (in Georgian).

<sup>41</sup> *Bedianashvili A.*, National Issue in Georgia - 1801-1921, Tbilisi, 1980,16 (in Georgian).

<sup>42</sup> *Ibid*, 17.

<sup>43</sup> *Dubovin N. F.*, History of the War and Domination of Russians in the Caucasus, Vol. III, St. Peterburg, 1886, 244 (in Russian).

<sup>44</sup> The Royal Crown which was worn by all successors of the Georgian throne was stolen during the invasion of Tbilisi (Georgia) by Agha-Mohammad-Khan. Therefore, the emperor Paul, by the hand of the resident Kovalensky, along with other signs of King George's investment (flag, sword, scepter, throne, mantle) also sent a new crown. See: *Dubovin N. F.*, History of the War and Domination of Russians in the Caucasus, Vol. III, St. Peterburg, 1886, 245 (in Russian).

but the opposite happened. As George ascended the throne the confrontation between him and other members of the royal family united around Queen Mother Darejani intensified. The conflict showed itself in Erekle's lifetime and the main reason for confrontation was the amendment of the rule of succession. As Plato Ioseliani wrote: "One unseemly will written by Osef Yorghanashvili caused disturbance between brothers".<sup>45</sup>

According to the will, the first who own the royal throne after the King's death was George, the eldest son of Erekle, then his next brother Yulon, and so on until Parnaoz Batonishvili, the youngest son of Erekle. Afterward, the right to the royal throne will pass to King Georges's sons: David, John, Bagrat and etc.<sup>46</sup> As soon as George XII became king, he began to take care of the recognition of his son David Batonishvili as the heir to the throne, which led his brothers to be offended. Yulon Batonishvili and his supporters accused King George of violating his father's will and pursuing his own interests.<sup>47</sup>

That's why King George was afflicted with "brothers or foreign enemies" and suffered from severe pain,<sup>48</sup> on June 24, 1800, signed a petition. A critical (can be said "decisive") document in Georgian-Russian relations. The petition consisted of 16 Articles and provided for a substantial amendment to the 1783 treaty, which had been a detriment for Georgian sovereignty. In particular, George XII, on behalf of nobility, the clergy, and the people, offered the Russian Emperor to declare the Kingdom of Kartli-Kakheti as a „belonging” to the Russian Empire.<sup>49</sup> It is the truth that under the new provisions the monarchy was not abolished (the royal throne should be retained by its inheritors too). However, this only applied to the executive branch of government. Legislative power transited to the Emperor. The King of Kartli-Kakheti and his heirs had to obey “the rules and order of the Russian Emperor”.<sup>50</sup>

George XII had some conditions towards Emperor. Particularly, he demanded salary and villages in Russia<sup>51</sup>. Moreover, an immediate increase of Russian troops in Georgia<sup>52</sup> and tax relief for several years for the population exhausted by the invasions<sup>53</sup> and etc.

However, the most important issue was renouncing independence and declaring Kartli-Kakheti as a ‘belonging” to the Russian Empire. Russian Emperor welcomed this initiative with great joy. The effect was tremendous that Paul I, who knew about the King's illness and the confrontation with royals in Tbilisi, he tried hard to ratify the new treaty during the lifetime of

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<sup>45</sup> *Ioseliani P.*, Life of King XII and the Unification of Georgia with Russia, Second edition, Tfilisi, Printing House of Ekvtime Iv. Kheladze, 1893, 143 (in Georgian).

<sup>46</sup> *Ibid*, 72.

<sup>47</sup> *Bedianashvili A.*, National Issue in Georgia - 1801-1921, Tbilisi, 1980, 19 (in Georgian).

<sup>48</sup> King George was so weakened by the illness that, as we can see from his letter to General Knorring in August 1800, state affairs were completely cut off at the time. Minister Kovalensky and his son, Prince Ioane were in charge of making decisions. See: Dubovin N. F., History of the War and Domination of Russians in the Caucasus, Vol. III, St. Peterburg, 1886, 236 (in Russian).

<sup>49</sup> *Vachnadze M., Guruli V.*, Georgian-Russian Relations (1801-1921), Tbilisi, 2009, 4, <<https://sangu.ge/images/vguruli/17geo.pdf>> [07.03.2022] (in Georgian).

<sup>50</sup> *Ibid*, 5.

<sup>51</sup> *Ibid*.

<sup>52</sup> It was implied the permanent deployment of a Russian corps of three thousand in the region and in case of an enemy attack, the obligation to bring an additional seven thousand troops. See: *Aleksidze L.*, Georgian-Russian International Legal Relations in the XV-XVIII Centuries, Tbilisi, 1983, 226 (in Georgian).

<sup>53</sup> *Bedianashvili A.*, National Issue in Georgia - 1801-1921, Tbilisi, 1980, 18 (in Georgian).

King George. The signature of the Georgian monarch was legally essential. According to Article 12 of the 1783 treaty explicitly required it. Consequently, amendments to the treaty could only be made by mutual consent.<sup>54</sup>

Georgian ambassadors Giorgi Avalishvili and Revaz Palavandishvili were immediately sent back for signing the treaty. But the Emperor did not wait for the signature of the Georgian Monarch and had prepared the manifesto on the unification of Kartli-Kakheti with Russia by December 18, 1800. Moreover, a month earlier, on November 15, 1800, he had sent an order to the head of Caucasus Military Line, General Carl Knorring, in the event of the death of King George “should not have permitted the heir to be ascended the throne until he received the order from St. Petersburg”.<sup>55</sup>

The death of King George (21.12.1800) could not hinder the fulfillment of the emperor’s intention. In just 20 days after his death, on January 18, 1801, a manifesto was officially published by the order of Paul I in St. Petersburg, prepared on December 18, on the abolition of the Kartli-Kakheti Kingdom and its unification with the Russian Empire.<sup>56</sup> However, the work started by his mother Ekaterine II, could not finish Paul I either. On March 11, 1801, he was murdered by conspirators in his house.<sup>57</sup>

His successor, Alexander I, the so-called "sly Byzantine" by Napoleon Bonaparte, initially seemed to intent reconsidering his father's decision regarding Georgia. But, like his predecessors, he declared his long-standing decision to the public. On September 12, 1801, he signed the manifesto emphasizing that Georgia had already been annexed by the Russian Empire by the Manifesto of January 18, 1801. The ground of his decision was: not selfishness, not a desire to increase his power, not aspiration for expanding the borders of the largest empire, but begging and imploring of coreligionist Georgian people not to leave them against danger, to introduce a form of Government in Georgia that would be able to establish justice, provide them with personal and property security, and the rule of law in the country.<sup>58</sup>

That was nominal. Actually, Kartli-Kakheti was declared a Russian province. And the legal consequences of the September 12 manifesto were far from the conditions that Erekle II had signed. It was even further from the conditions set out in the “petition letter”. Moreover, the agreed version as we have mentioned before was not signed by George XII.

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<sup>54</sup> Treaty on the Recognition by the King of Kartalinsky and Kakhetian Heraclius II of Patronage and Supreme Power of Russia (Treaty of Georgievsky), <<http://www.amsi.ge/istoria/sab/georgievski.html>> [04.03.2022] (in Russian).

<sup>55</sup> *Bedianashvili A.*, National Issue in Georgia - 1801-1921, Tbilisi, 1980, 20 (in Georgian).

<sup>56</sup> Manifesto of January 18, 1801, On the Accession of the Georgian Kingdom to Russia. With the Application of the Form of the Imperial Title. <<https://base.garant.ru/55003856/>> [04.03.2022] (in Russian).

<sup>57</sup> It should be noted that this murder did not take place without the participation of Georgians. One of the organizers and executors was a Georgian officer, Vladimir Iashvili. See: *Kutateladze Z.*, Georgian Genes in the Service of Foreigners: 100 Selected Biographies, Tbilisi, 2011, 79-81 (in Georgian).

<sup>58</sup> Акты, собранные Кавказской археографической комиссией, т. 1, Типогр. гл. упр. Наместника Кавказского, Тифлис, 1866, 433 (in Russian).



## **5. The Demand for the Restoration of the Statehood on the basis of the Treaty of 1783 – from the Idea of Autonomy to Full Independence**

As Elise Rek Liu, a secretary of the British Peace Society wrote “The Russians have forgotten that the Georgians are allied of the Russian Empire”, who agreed to the protection of Russia only on the terms of the treaty. They forgot that they promised the country the rights to maintain their language, customs, religion, national police, printing their own money.<sup>59</sup> In fact, according to the famous scientist and politician: “The whole policy of Russian government toward Georgia was that it had been destroying the old Georgian culture and artificially created obstacles to prevent Western influence in Georgia”.<sup>60</sup>

Alexander Asatiani, one of the founders of the Georgian National Democratic Party, a member of the Georgian National Council and the Constituent Assembly, should have borne in mind this ambiguity and harsh reality when he noted that the treaty had lost its legal force after 1783 due to unilateral decisions by the Russian party.<sup>61</sup> Moreover, according to his opinion, the Manifesto of 1801 finally relieved Georgia of the obligations mentioned in the treaty, which limited its sovereign rights.<sup>62</sup>

Now we do not consciously draw attention to the armed demonstrations that followed the proclamation of the Manifesto Sioni Cathedral and the introduction of the Russian government by Alexander I in Georgia. We mean revolts: In 1802 with the participation of Vakhtang (Almas-khani) and Teimuraz Batonishvili, who demanded the restoration of the royal throne and the proclamation of Julon Batonishvili as a King. Revolt of 1804 in Mtianeti of Eastern Georgia. Revolt of Kakheti in 1814, and in 1819-1820 revolts in the west of Georgia and etc.

Exactly, the rights under the Treaty were the basis of the project of Georgian autonomy, whose author was the ideological leader of the 1832 conspiracy, Solomon Dodashvili. He was aware that gaining full autonomy was unrealistic.<sup>63</sup> Based on the above-mentioned, he was one of the first among the conspirators, who wanted to restore Georgian statehood by “gaining political autonomy” for the country.<sup>64</sup> In the chart of rights of Solomon Dodashvili established for the autonomous unit, it is not difficult to perceive the conditions guaranteed for Georgia by the 1783 treaty: independent governance, non-interference in internal affairs, the independent justice system, getting an education in the Georgian language, and etc.

In the second half of the 19<sup>th</sup> century, the strengthening of the policy of Russification, banning of the term “Georgia” and calling it Tbilisi or Kutaisi province, was another challenge for the new generation of the National Liberation Movement, including the leader of “Tergdaleuli” Ilia Chavchavadze, Akaki Tsereteli, Niko Nikoladze, Iakob Gogebashvili, Alexander Kazbegi, and others. Based on their example, we see the authentic demonstration of the legacy of Georgian political and legal thought. Their demand and the rights recognized by the 1783 International treaty between Georgia and Russia are still relevant.

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<sup>59</sup> *Веванели Г.*, Единство грузии и русский протекторат, тип. Я. Сазанова, М., 1917, 34 (in Russian).

<sup>60</sup> *Ibid.*

<sup>61</sup> *Asatiani Al.*, Sovereign Rights of the Georgian Nation or Treaty, Newspaper “Georgia”. 1917, 59, 4 (in Georgian).

<sup>62</sup> *Ibid.*

<sup>63</sup> *Putkaraia J.*, Political and Legal Views of Solomon Dodashvili, Tbilisi., 1997, 81 (in Georgian).

<sup>64</sup> *Ibid.*, 89.

In addition, at The Peace Conference in The Hague in 1907, Georgian patriots presented the “National Memorandum”. And the Memorandum begins with their rights<sup>65</sup> and concrete facts of violation of them by the Russian Imperial Government.<sup>66</sup> Noteworthy that the conference was held by the initiative of the President of the USA.<sup>67</sup> Thousands of Georgians signed this magnificent document and like the great Kings of Georgia, they had their eyes fixed on Europe. They hoped that their case would be decided fairly and that Europe would force Russia to abide by the rules of International law. And, according to the treaty make them return our territory and restore our deprived national autonomy.<sup>68</sup>

Noteworthy that at the initial stage, the Georgian National Democrats were demanding autonomy within the Russian Empire based on their action plan. Ilia Chavchavadze started working on it in 1905-1906 and his ideological legacy in 1917, after the overthrow of Tsarism, formed the basis for the formation of the Georgian National Democratic Party. The party, whose contribution to the development of the National Liberation Movement in the right direction and the creation of an independent Georgian state in the early twentieth century, is enormous.

## 6. Conclusion

The violation of the 1783 treaty of the alliance by the Russian Empire resulted in the abolition of Georgian Statehood. And this fact turned into the decisive factor for the founding and development of the Georgian Liberation Movement in the XIX-XX century.

Based on the legal analysis of Georgievski Treat and envisaging the views of diligent Georgian Scientists, we conclude that the Kartli-Kakheti Kingdom should not have been subordinated to Russian Empire. By limiting its sovereignty, it must have been protected in the international arena and had independence in internal affairs.

It should be noted that the Georgievsky Treat is the only document defining the rights and obligations between Russia and Georgia. Besides, it is a piece of authentic evidence that the Russian Empire had no right to abolish the Kingdom of Kartli-Kakheti.

It explains the special interest of the leaders of the national liberation movement in the 1783 Treaty of Alliance. One of them was Solomon Dodashvili, the ideological leader of the conspiracy of 1832. His major demands were about the rights guaranteed by the Georgievsky Treat, such as independent government, non-interference in internal affairs, an independent justice system, and the opportunity of getting an education in the Georgian language.

Also, the treaty of alliance had great importance for the National-Liberation Movement in the 60s of the 19<sup>th</sup> century. Particularly for the generation of “Tergdaleuli” such as Ilia Chavchavadze, Akaki Tsereteli, Niko Nikoladze, Iakob Gogebashvili, and other prominent members. They all relied on the 1783 International Treaty to discuss the political rights of Georgia.

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<sup>65</sup> University of Oxford, Bodleian Library, ms. Wardz. c.16.

<sup>66</sup> Ibid.

<sup>67</sup> *Scott B. J.*, The Work of the Second Hague Peace Conference, *The American Journal of International Law*, Jan., 1908, Vol. 2, No. 1, 13-14.

<sup>68</sup> Memorandum of the People of Georgia Submitted in 1907 to the International Congress of Hague, University of Oxford, Bodleian Library MS. Wardrop c. 16.

At the beginning of the XX century, the agreement of alliance became a principal argument for Georgian patriots in the international diplomatic arena at the Hague international Conference - which was dedicated to the issues of peace between nations and the observance of the fundamental principles of international law<sup>69</sup> - Within the “National Memorandum” which was based on the 1783 treaty, they were calling more activity by the European States to make Russia under the rules of International law. In the end, the same rights were a guide for the National Democratic Party in the long and severe legal battle. A guideline that led the country to the restoration of independence in 1918.

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<sup>69</sup> *Scott B. J.*, The Work of the Second Hague Peace Conference, The American Journal of International Law, Jan., 1908, Vol. 2, No. 1, 4.

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