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The Historical and Legal Role of Georgia in 1917-1918 for the Unity of the Caucasus

The article is devoted to the issue of the unity of the Caucasus region in 1917-1918. The article discusses and analyzes the historical and legal foundations of formation and dissolution of the Transcaucasian Democratic Federal Republic.

It presents problems and challenges that existed in the period under discussion both in Georgia and in Transcaucasia as a whole. The article portrays the unity of the Caucasus region and its relationship with Europe, as well as the possibilities of its constitutional regulation.

In the end, the article outlines the importance of the state of Georgia and the historical and legal role of Georgian people in management and leadership of issues of the Caucasus region.

Keywords: Transcaucasia, Unity, Independence, Commissariat, Seim.

1. Introduction

Caucasus region is an established term. According to the general geographical definition, the Caucasus is a mountainous region between the shores of the Black and Caspian seas. However, this simple geographical definition requires clarification.¹

For example, if we try to define the region taking into account the history and demographic factors of the last centuries, the northern border will naturally pass on the northern slopes of the Caucasus range or on its bordering plains, which separate the living area of the small indigenous peoples of the North Caucasus from the northern lands inhabited by Russians.

According to the political terminology of the end of the XX century, the border coincides with the boundary of the autonomies of the North Caucasus with the Krasnodar and Stavropol districts, where Russia itself begins.

To the west, the bordering area is the region where the territories populated on one hand by Turkish and on the other hand by Georgian and Armenian populations meet.

The southern border is more difficult to define because, demographically, both banks of the Araks River (which is the political border) are inhabited by Azerbaijani Turks.

According to modern political map, the Caucasus region includes three states – Armenia, Azerbaijan and Georgia – and part of a fourth state, as far as north Caucasus (Adyghe, Karachay-Cherkessia, Kabardino-Balkaria, North Ossetia, Ingushetia, Chechnya and Dagestan) is part of the Russian Federation. However, the subject to be discussed directly concerns the conjunction of the

interests of Georgia, Azerbaijan and Armenia, their independence from Russia and the importance of strengthening the region from this point of view.

It should be noted that for centuries, the territories of the present Tskhinvali region/former South Ossetia Autonomous District were constantly included in the United Kingdom of Georgia, the Kingdom of Kartli or Kartl-Kakheti, and later, under the Tsarist Russia, it represented the “Ossetian Okrug” (Ossetian district) created in Shida Kartli.

Tskhinvali region, with its historical name – Samachablo, has always been part of the Georgian state and united military-administrative unit. Ever since the formation of the Kartli kingdom (the end of the 4th century BC), Shida Kartli has been the central fief of the country. Georgians have lived here since ancient times, and the territory of Samachablo was an integral part of the Georgian cultural space, as evidenced by Georgian and foreign historical sources and many art pieces found in the region.

Besides, the territory of Abkhazia was part of the Kingdom of Kolkheti from time immemorial. It is confirmed by historical sources that in this area as early as in the 1st millennium BC., Kartvelian tribes lived together with tribes of unknown ethnicity. During the tsarism period, the Sukhumi district was created, which was part of the Kutaisi province.

It must be noted that among the Georgian principalities, Abkhazia fought for the longest time against the settlement of Russia in Georgia and in Abkhazia itself. An example of this is the numerous uprisings of Georgian and Abkhazian people against the Russian Empire. This is what led to the fact that Russia succeeded in abolishing Abkhazia principality among the Georgian kingdoms – principalities.

Accordingly, the issues discussed in the article in relation to Georgia obviously refer to both of its undivided territories, Abkhazia and Tskhinvali region/former South Ossetian Autonomous District, which are currently occupied by the Russian Federation.

The Caucasus region was often discoursed in the context of geopolitical interests, and achieving unified spirit of the Caucasus was often a challenge.

Historically, united Georgia has always tried to contribute to the unity and strengthening of the Caucasus.

The role of Georgia in maintaining the unity of the Caucasus after the withdrawal from Russia in 1917-1918 should be highlighted. Accordingly, the methodology of the discussed issue is based on the historical analysis of this period.

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2 Leonti Mrveli (XI century), Juansher (XI century), “Deed of Protection” (654), Vakhushti Batonishvili (XVIII century) and others.
3 Armenian anonymous author (VII century), Flavius Arrian (86-160), Procopius of Caesarea (507-562), Lev Isauriel (716-741), Nicholas the Mystic (925) and others.
4 The so-called Tskhinvali treasure from 7th century BC, which is identical to the treasure found in Western Georgia), Georgian toponymy and epigraphic inscriptions on temples (Nikozi (V-XVIII centuries), Armazi (864), Kanchaeti Kaben (IX century), Tircholi (IX century), Byeti (IX s.), Eredvi (906), Dodoti’s Nine Kara (10th century), Kvausi Cross Church (10th century), Kasagina (10th century), Sokhta (10th-11th centuries), Ikorta (1172) and others.
6 Law of Georgia “On Occupied Territories”.
Although this process did not last long, the fundamentals of its creation and existence are important. It is possible to analyze them in a new manner from today's perspective.

First of all, historical and factual circumstances should be reviewed from this point of view.

2. Historical Situation

The First World War, which started in 1914, was unsuccessful for the Russian Empire. It is true that it defeated the Ottomans on the Caucasus front, but it suffered heavy defeat on the main front – against Germany. This was followed by the February Revolution of 1917 and the overthrowing of the king. Since the fall of 1917, after the Bolsheviks seized power, Russia has been in the midst of a civil war.\(^7\)

The process of actual separation of Transcaucasia from Russia has begun. On November 7 of 1917, the Bolsheviks overthrew the Provisional Government in Russia and proclaimed the Russian Soviet Socialist Republic.

On November 14 of 1917, the Transcaucasian Commissariat was established, which did not obey the Bolshevik government, but was waiting for the convocation of the Founding Assembly of Russia.

On January 5 of 1918, the Founding Assembly of Russia gathered, where the Bolsheviks were in the minority and the Founding Assembly was dissolved the very next day.\(^8\)

In response, on February 10 of 1918, the Transcaucasian Seim bearing legislative functions was established in the South Caucasus. It comprised delegates from the South Caucasus elected to the founding assembly of Russia.\(^9\)

In January-February of 1918, the Russian army abandoned the Caucasian front. The Transcaucasian government tried to stop the Ottoman military units through negotiations.

It should be noted that, considering the mentioned context, Georgia is trying to get closer to European countries. The presence of Georgian representation in powerful European countries, which also covered Scandinavian countries, was of crucial importance for Georgia's interests. Ivane Javakhishvili's visits to Stockholm also testify to this. Also conducting negotiations with the German Embassy.\(^10\)

On March 14 of 1918, a peace conference was held in Trabzon between the Transcaucasian delegation and the Ottoman Empire.

The Transcaucasian Seim delegation, under the leadership of Akaki Chkhenkeli, tried to preserve the pre-World War I borders, while Ottomans saved the terms of the Brest Treaty\(^11\) signed by

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8 Newspaper “Ertoba”, February 7, 1918, № 30 (in Georgian).
10 National Archives of Georgia, Historical Central Archives, Fund 17, Census 1, File № 8036 (in Georgian).
11 Truce Treaty of Brest, March 3, 1918, Brest-Litovsk, Article IV.
the Russian Bolshevik government on March 3 of 1918, and demanded the transfer of Kars, Ardagan and Batumi districts. In addition, it may have tried to conquer the entire Caucasus.

Turkish sources of the time also confirm that the head of the Transcaucasian Seim delegation considered the terms of the Brest Treaty in relation to the above-mentioned districts to be harmful to the interests of both Georgia and Transcaucasia as a whole, did not recognize them and he officially stated this.

In March and April of 1918, the Ottoman army occupied Kars District, a large part of Yerevan Governorate, Batumi District, Ozurgeti and Akhaltsikhe-Akhalkalaki districts.

On April 22 of 1918, the Transcaucasian Seim declared the independence of the Transcaucasian Democratic Federal Republic.

On May 11 of 1918, peace negotiations were resumed in Batumi. Ottomans were no longer satisfied with the terms of the Brest Treaty and demanded submission of all territories occupied by them.

Azerbaijanis refused to fight against the Ottomans. Germany, the main ally of Ottomans, did not like the prospect of Ottoman domination in the Caucasus and was ready to support Georgia.

On May 25 of 1918, the chairman of the Transcaucasian delegation, Akaki Chkhenkeli, informed the National Council of Georgia that it would be possible to stop the Ottoman expansion by declaring Georgia's independence.

The political parties of Georgia, Azerbaijan and Armenia involved in the Transcaucasian Seim had a long discussion and finally on May 26 of 1918, they jointly decided to declare the self-liquidation of the Seim.

The given situation turned out to be difficult, since part of the territory of Georgia was occupied by the Ottomans, and in Tbilisi they did not rule out that the Turks wanted to conquer the whole Georgia. Also, by this time, the Turks occupied a large part of Armenia, and Azerbaijan refused to fight against the Ottomans.

By declaring independence, Georgia was given the opportunity to act at its own discretion and even try to use help from Germany.

On the evening of May 26 of 1918, in the same hall of the former palace of the vicegerent of the Caucasus, where the dissolution of the Transcaucasian Federal Republic was announced, an extended session of the National Council of Georgia was held, which declared Georgia's independence.

Noe Zhordania opened the session. In his speech, he noted that “the new state of Georgia, which will be established today, will not be directed against any people, any state. Its goal is to protect itself from today's historical crises”.

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14 Khundadze M., Seim of Transcaucasia, New Trace, Tb., 1918, 2-3 (in Georgian).
After the introductory speech, participants of the session looked through the Act of Independence of Georgia and approved it. Georgia's independence was declared on May 26 of 1918. More people were in favor of the principle of “centralization” within the country.17

The Act of Independence of Georgia – Declaration of Independence is obviously not an ordinary event in the history of the country. The Act of Independence of Georgia consists of two parts: it begins with an introduction, in which the historical situation of the announcement of independence is briefly presented; It is followed by the main part, in which the basic principles and values are formulated, on which the newly created state is based.

The Act of Independence of May 26 of 1918 begins with a description of how Georgia became part of the Russian Empire and why independence was restored.18

"For many centuries, Georgia existed as an independent and free state. At the end of the 18th century, Georgia, being pressured by the enemy on all sides, voluntarily joined Russia on the condition that Russia was obliged to protect Georgia from the enemy. The course of the Great Russian Revolution created such an internal arrangement in Russia that the entire war front completely crumbled and the Russian army left Transcaucasia. As a result of remaining dependent on own force, Georgia and Transcaucasia mobilized to manage their own affairs and created appropriate bodies, but due to the influence of external influence, one connecting link of Transcaucasia was wrecked and the political integrity of Transcaucasia also collapsed. The current state of the Georgian nation definitely requires Georgia to create its own state organization, save itself from being conquered by an external force and build a solid foundation for independent development.”

It seems that the Act of Independence of May 26 of 1918 does not accuse Russia of violating Georgia's independence, and it is noted that Georgia joined Russia “in its own free will” under the condition of “protection from external enemies”. This is what the official historiography of Tsarist Russia claimed, but it does not correspond to historical truth.19 Why was nothing said before about Russia's conquest of Georgia and Russia's aggressive policy towards Georgia? This can be explained by two main reasons. Russia had left the South Caucasus, and at that moment Georgia was no longer threatened by Russia; Also, Georgia was forced to “create its own state organization” to protect itself.

It should be emphasized here that the entry in the Act of Independence of Georgia of May 26 of 1918 directly states – “Georgia and Transcaucasia with it set themselves the management and ownership of their own affairs and created appropriate bodies.” This entry points to the possibility of jointly managing Georgia and Transcaucasia at the same time, which gives grounds for assuming that the Georgian government at that time considered it possible to declare Georgia's independence and, at the same time, continue to promote the unity of the Caucasus. However, we directly read that the problem of achieving this was created by external forces. In particular, “under the influence of an external force, one connecting link of the Transcaucasia was broken and the political integrity of the Transcaucasia was also disintegrated.”

17 Avalishvili Z., Georgia's Independence in the International Politics of 1918-21, 1990, 17 (in Georgian).
18 The Act of Independence of Georgia of May 26, 1918.
It should be noted that later on, the Act of Independence was also attached to the 1921 Constitution of Georgia with relevant notes, by which a unitary democratic republic was actually formed in Georgia, at the same time, the principle of unitarism was compatible with the principle of wide local self-government and allowing autonomous governance for some distant areas (Abkhazia, Batumi area, Saingilo). Special importance was attached to the local self-government in establishing a true democratic system.

At the same time, it should also be said that the considered legal acts, in the desire to “save Georgia from conquest”, “to establish good-neighborly attitude with all members of international relations”, if we leave aside the historical situation and context at that time, from an international point of view, they meant European orientation.

In the end, Georgia and Transcaucasia in general could escape from Russian domination only in case of a favorable situation, that is, in the conditions of a significant military defeat of the Russian Empire or in the conditions of major internal political disturbances in the Russian Empire itself, when Russia could no longer, or would no longer be able to, maintain its domination in this region.

3. Georgia's Efforts for the Unity of the Caucasus

Together with the pursuit for independence, efforts of Georgia in terms of the unity of the Caucasus in that period become obvious, and that needs to be discussed and analyzed in more details.

After the victory of the October Revolution of 1917, the powers of the regional body appointed by the Provisional Government of Russia – Ozakom – were terminated in the Caucasus.

At this time, Georgia starts working for the independence of Transcaucasia. It should be noted that Noe Zhordania had the support of all social classes at the given moment, but he had to act in such a way that the construction of the state would not be similar to the construction of the workers' state, which would threaten other classes, such as the peasantry or the bourgeoisie.

In November of 1917, a national congress was convened in the Opera House, where representatives of Georgian political parties and public organizations gathered. Noe Zhordania read the report – “Present moment and the political situation of the Georgian nation”. In the report, Zhordania supported the independence of Georgia and the Transcaucasian Federation. The congress elected the National Council of Georgia, with Zhordania as its chairman. The council had to prepare the basis for the state organization of the Georgian nation. It should be noted that Zhordania later became a member of the Seim as well.

In this situation, with the efforts of the Georgians, before the Soviet government spread its power in Transcaucasia, the political forces of Transcaucasia created a regional government body – Transcaucasia Commissariat, which started functioning on November 15 of 1917.20 Transcausian Commissariat performed the function of executive power.21

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The Transcaucasian Commissariat, as a Transcaucasian regional governmental body, was established in Tbilisi by Georgian Social Democrats (Mensheviks) and Socialist-Revolutionaries (SRs), Armenian Dashnaks and Azerbijani Musavats. The commissariat was chaired by Yevgeni Gegechkori, and the minister of justice was Shalva Aleksi-Meskhishvili (commissioner).22

On February 10 (23) of 1918, the Transcaucasian Commissariat summoned a representative government body of the Transcaucasian countries, namely the Transcaucasian Seim. It was the body with the highest legislative powers in Transcaucasia.

The word “Seim” comes from the Polish word and means parliament.23 The body of legislative power (lower house), which controls the activities of the Council of Ministers, still operates in the Republic of Poland under the name of the Seim.24 It should be noted that Noe Zhornadia, whose name is associated with the declaration of the independence of the Transcaucasian Republic and subsequently the independence of Georgia, studied at the University of Warsaw in 1891-1892.25 Some researchers believe that the naming of the highest legislative body of Transcaucasia – “Seim” was related to Noe Zhordania’s work in Warsaw and his initiatives.26

The Seim was invited to legalize the independence of Transcaucasia. It consisted of members of the founding assembly of whole Russia, elected from Transcaucasia. Nikoloz (Karlo) Chkheidze was elected as the chairman of the Seim.27 The Seim was announced as a tool for coordinating the agreement of the nations of the region.28

By the invitation of the Seim, the Transcaucasian Commissariat emphasized the separation of this region from Russia, although independence was not officially declared yet.

Three factions were formed in the Seim: the Muslim faction (Musavates and non-partisans) – 50; Social Democrats (Mensheviks) – 32 members and Dashnak faction – 27;29

At the session of the Transcaucasian Seim on April 22 of 1918, the independence of the Transcaucasian Democratic Federal Republic was already announced, and at the same session, the government cabinet headed by Akaki Chkhenkeli was formed. With this, it declared the complete independence of this “country”, and the Seim informed about that foreign countries.30 Chkhenkeli was both the Chairman of the government and, at the same time, the Minister of foreign affairs. Noe Ramishvili was appointed as the Minister of Internal Affairs. It should be noted that one of the

22 Newspaper “Ertoba”, № 105, 1919 (in Georgian).
26 International Conference of Historians of the Polish-Georgian Commission and Exhibition in the National Archives, 100th Anniversary of the Transcaucasian Republic and the Seym, February, 2018.
27 Department of Civil Education of the National Library of the Parliament of Georgia.
ministers in the government chaired by Chkhenkeli was Azerbaijani F.H. Khoiski, who subsequently became the chairman of the executive body of the independent Republic of Azerbaijan, and also Armenian H. Kajaznuni held the position of minister, who after the declaration of independence of the Republic of Armenia, was also nominated to the post of Prime Minister.

From the legal point of view, it should be noted that the Seim was able to adopt a number of legislative acts, one of which is still valid today. In particular, this is a law that provided for a significant change in the calendar. In particular, after April 17, instead of April 18, the calendar moved to May 1, which was connected with the transition from the Julian calendar to the Gregorian calendar.

On March 3 of 1918, Russia signed the Treaty of Brest with Germany and its allies, which provided for the transfer of Batumi, Kars and Artaan districts to Turkey. In fact, the Ottoman government forced Moscow to cede territories in the Caucasus, although the Transcaucasian Commissariat refused to do so. Turkey demanded the districts transferred by peace. Transcaucasia rejected these non-agreed demands and tried to resolve the situation diplomatically.

In March 1918, active negotiations between Transcaucasia and Turkey began in the city of Trabzon, but these negotiations were not successful, since the Turkish army started hostilities anyway, and by April they had already occupied Batumi, Ozurgeti, and Meskheti. It was possible to stop the Turkish troops only on the river Cholok.

On April 22 of 1918, the Transcaucasian Seim assembled to resolve the situation. At the meeting, it was decided that in case of the official declaration of independence of Transcaucasia, it would be possible to avoid Turkish aggression. They envisioned a broad and politically united region as (geo)politically, developmentally and ideologically more viable.

Therefore, on April 22 of 1918, the creation of an independent state – Transcaucasian Democratic Federal Republic was announced. The Seim decided to continue peace negotiations with Turkey under the leadership of Akaki Chkhenkeli.

### 4. Conclusion

It is difficult to say whether it would be possible to maintain the unity of Transcaucasia along with the independence of Georgia and what would be its legal or constitutional regulation. For example, even in such a way that Georgia, as an independent republic, would continue to conduct foreign relations on behalf of the united Caucasus and establish peace in the region, without interfering in the internal affairs of other independent states included in it.

However, it becomes clear that due to the situation created in Russia since 1917, Georgia has faced a historical situation, when along with the independence of Georgia, it is also trying to achieve...
independence and unity of the Caucasus from Russia. For this purpose, relevant bodies are created and a number of legal acts are elaborated.

We can assume that the leadership of this process by Georgia would not be easy and also not accidental. What could have been the contributing factors?

It can be concluded that one was the slowing down of Russia's interests in the Caucasus and the reduction of future threats from this country, the second was Georgia's initiative for its independence from Russia, for stopping common aggression and for European development, and third – the presence of political figures and personalities in Georgia who would be acceptable to lead this for the process in the name of the united Caucasus, and it would be acceptable for the Caucasian countries to protect their united interests. It is possible to highlight the individual circumstances more clearly, namely:

When it comes to the weakness or strength of big countries, it is probably possible to discuss the frequency and intensity of geopolitical interests, which are always relative to the similar interests of any other country or group of countries. As one becomes stronger, it becomes possible to slow down the other. It is possible to assume that when there are high mutual interests, for example, between Georgia and Europe, it indicates the strength of these interests, which generally makes difficult goals achievable. For example, it is known how a few years ago Georgia achieved great success with Europe in the field of visa liberalization and visa-free travel.

Georgia is a multi-ethnic country and is characterized by a high degree of tolerance, which is its advantage, and this created an opportunity for the presence of such public and political figures in the country, who had the ability, for example, in the Caucasus region, to try to unite certain interests, even for a short time, and become the head of the aforementioned. For example, even as Nikoloz Chkheidze, Akaki Chkhenkeli and others were in the period in question.

Initiative and thinking about a better future are key elements for success. In the discussed historical conditions, it can be seen that Georgia's aspiration to stop aggression on its own, to build the country and to get even closer to Europe, was a role model for other Transcaucasian countries at a certain initial stage. The creation and formation of the Transcaucasian Commissariat and the Seim in Tbilisi, and most importantly the declaration of independence of the Transcaucasian Democratic Federal Republic, can be considered as an example of this.

If these issues are evaluated from today's perspective, it can be seen that although the existence of any form of the above-described unified republic of the Caucasus is irrelevant both from a political and a legal point of view, it is clear that in the Caucasus region, Georgia has the most aspirations and achievements in terms of integration with Europe, and at the same time, it can be assumed, that in case of the necessary readiness, Georgia may manage to contribute to the reconciliation of other countries of Transcaucasia and to bring them closer to Europe under its own leadership.

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