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History

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Tbilisi in the 20th Century

After the annexation of Georgia by Russia in the early 19th century the term “Sakartvelo” (Georgia) disappeared. The country split into two parts: Tbilisi government (eastern Georgia) and Kutaisi government (western Georgia). Unification of the country was a challenge for the Georgians dwelling inside and outside Georgia. The term “Sakartvelo” emerged once again in times of the independent Republic of Georgia (1918-1921).

The present paper considers the history of Tbilisi which was traditionally a political, administrative and cultural center of united Georgia, of eastern Georgia, of Caucasus, of the Trans-Caucasian Soviet Federal Socialist Republic (Georgia, Azerbaijan, Armenia until 1936), of the Soviet Socialist Republic of Georgia (1936-1991) and Georgia (after proclaiming independence) and reflected all changing political contexts.

The following issues are introduced: the process of urbanization, the demographic situation and the migration processes, as well as coexistence in the multicultural and multi-religious milieu. Along with the constructing activities, industrial, cultural and educational achievements within the frames of the USSR, the violation of human rights, restriction of the Georgian language, the Georgian church, purges, reprisals, civil unrest, nepotism, corruption, the protests of opposition and the suppression of these protests, and consequently the bleeding of the nation throughout the 20th century which is still in place, are studied.

Keywords: Georgia, Russia, Trans-Caucasia, Azerbaijan, Armenia, Democracy, urbanization, migration, 20 century.

Tbilisi entered the 20th century as the center of Tbilisi province - one of the major administrative units of Russia and the residence of the Governor-General of the Caucasus. Along with its political-administrative function, Tbilisi also played a cultural and educational role, thus shaping both the political and cultural life of the region.

At that time the world seemed to be a peaceful place. However, peace is not simply the absence of war. Europe had already been divided into opposing camps and the irreconcilable differences, which later led to World War I, were already obvious. The reasons that pitted these countries against each other are well-known. The main goals, namely to establish a new world order and re-distribute power were achieved to some extent.

In 1901, Tbilisi celebrated the new century and the 100-year anniversary of becoming a part of Russia; however not everyone shared this “joy”.

The advent of the new century made the population of Tbilisi forget their countless problems, the legacy of the preceding century only temporarily. It was a time when the name “Sakartvelo” (Georgia) was almost forgotten. The country was divided into provinces - Tbilisi province, Kutaisi province, etc. Georgians, both at home and abroad, dreamed of uniting these provinces into one country. However, only a few brave souls dared to speak about the political independence of the country. Political powers still tried to revert to the *Georgievsk Treaty*, which partially conceded the independence of the country and gave up the church’s autocephaly.

While the Kutaisi province was fully populated by ethnic Georgians, they accounted for only three fifths of the population in Tbilisi province. In the second half of the 19th century, the population started to move from West Georgia to East Georgia. This significantly increased the population of Tbilisi. In 1865, according to official sources, there were 11 cities in Georgia. These were: Tbilisi, Kutaisi, Akhaltsikhe, Gori, Dusheti, Akhalkalaki, Sokhumi, Telavi, Signaghi, Poti and Ozurgeti (Jaoshvili, 1984. pp. 106-107). In 1878, after the end of the Russian–Turkish war, Batumi was also included in the list of cities. More than half of Georgia’s urban population lived in Tbilisi (Jaoshvili, 1984. p.107).

The growth of Tbilisi’s population in the 19th century, according to the calculation of I. D. Anchabadze and N. G. Volkova (Anchabadze, Volkova, 1990):

1811 – 8.2 thousand

1825 – 19.7 thousand

1864 – 60.1 thousand

1876 – 104.1 thousand

1897 – 168.8 thousand

1902 – 189.3 thousand (Anchabadze, Volkova, 1990, p. 24)

Ethnic indicators for 1899 based on the research of the same authors (absolute and percentage):

Armenians 63.0 thousand – 36.4%;

Georgians 44.9 thousand – 26.0%;

Russians 35.5 thousand – 21.1%;

Persians 6.1 thousand – 3.5 %;

Poles 4.6 thousand – 2.6%;

“Tatars” 3.0 thousand – 1.7%;

Germans 2.9 thousand -1.6%;

Ossetians 2.0 thousand – 1.6%;

Jews 2.4 thousand – 1.4%;

Assyrians 1.6 thousand – 0.9 %;

Greeks 1.0 thousand – 0.5%;

French 0.4 thousand – 0.2%;

Kurds 0.5 thousand – 0.2%;

Lezgians 0.4 thousand – 0.2%;

Turks 0.3 thousand – 0.1%;

Chechens 0.4 thousand – 0.2%;

Others 3.3 thousand -1.9% (Anchabadze, Volkova, 1990, p. 29).

The total population amounted to 172.6 thousand.

According to the data provided by V. Jaoshvili, the increase of Tbilisi population after the reform is set forth here: 1865 -71051, 1886 – 144822, 1897 – 159631, 1914 – 344629 (Jaoshvili, 1984, p. 108).

In the ethnically diverse city, different religious confessions coexisted peacefully as in old times. In 19th-century Tbilisi, there were four major religious groups – the Orthodox, the Armenian-Gregorian, the Muslim, and the Catholic. According to the 1897 census, the Orthodox population totaled 83.7 thousand (Anchabadze, Volkova, 1980, p. 42.) and based on the same census the Armenian-Gregorian population amounted to 50.5 thousand ((Anchabadze, Volkova, 1980, p. 45). Muslims were represented in a

relatively small number – 7.4 thousand (Anchabadze, Volkova, 1980, p. 46), consisting mainly of Shia Muslims. During the 19th-20th cc., this number increased at the expense of the Sunni Muslims, most of which were Tatars from Kazan. According to the same census, despite the persecution of Catholicism and the suppression of their activities in 1845, there were 7 thousand Catholics in Tbilisi (Anchabadze, Volkova, 1980, p. 47). There also were Lutheran Evangelists (Anchabadze, Volkova, 1980, pp. 49-50), Judaists; alongside Georgian Jews, Jews from Kurdistan (Anchabadze, Volkova, 1980, p. 51) also lived in Tbilisi. The city had 2.3 thousand sectarians: Molokans, Staroobryádsy, Dukhobors, Baptists and others. With the arrival of Yazidi Kurds, a new religious confession was established in 20th century Tbilisi.

Each group had its own church, where they celebrated different traditions and customs and passed them on from generation to generation.

In 1825, there were 12 Georgian, 4 Russian and 2 Greek churches in the city; in 1899 due to an increase in the Orthodox population, the number reached 48 (Anchabadze, Volkova, 1980, p. 44). Sometimes different ethnic groups went to the same church; one of them was the Sioni Church of the Virgin Mary, which was destroyed and renovated many times (*Agha Mohammad Khan Qajar* was the last one to destroy the church).

In 1825 there were 25 Armenian-Gregorian churches in Tbilisi; 30 years later there were 27 churches and one monastery (Anchabadze, Volkova, 1980, p. 45).

In 1864 the city had Sunni as well as Shia mosques. The majority of the Catholics were Armenians who went to church along with other Catholics, and had their priest. For other Catholics three Capuchin fathers performed the service.

In 1882 the viceroyalty, established in 1845, was abolished and once again governor-general was appointed.

According to the data of 1886, the Georgian language dominated in ethnically diverse Tbilisi; it was named the mother tongue not only by Georgians, but by some other ethnic groups as well. Russian was spoken only by a small number of the population, mainly the high and wealthy society. Quite a lot of people spoke several languages other than Russian, including French, German, Persian, English and Latin, to name a few.

By 1911, the area of the city increased to 2589 desyatinas (desyatina=1.09 hectare). There were 1120 streets, 23 squares, with cobblestones and partial asphalt as well as pavements made of stone. The city had 17 thousand residential stone houses, 77 de-

syatina gardens, squares and boulevards, more than 4000 street lights (electrical, gas, kerosene), 22 cemeteries and 4 main markets – “Avlabari”, “Saldatski”, “Meydani” and “Vera” markets, 23 secondary schools (9 female and 14 male), 1 night school, 9 libraries, 3 reading rooms, 280 factories and plants (where 4431 workers were employed), theatres, scientific societies, printing-houses, newspaper and magazine publishing-houses, 420 canteens, 4 stables and two prisons.

According to R. Gachechiladze’s research, in 1913 there were higher courses for women (private), 6 male and 5 female gymnasiums, all in all there were 150 different schools in the city. Most of the Caucasian newspapers were published in Tbilisi; 19 - in Russian, 10 - in Armenian, 6 - in Georgian, 2 - in Azerbaijani and 1 - in German languages; the city had 5 theatre halls, 8 movie theatres, 10 hospitals, about 20 pharmacies, 37 hotels, many branches of banks and insurance companies, 10 libraries, 46 - Orthodox, 22 Armenian - Gregorian, 1 - Catholic and 1 -Lutheran church, 2 synagogues and 2 mosques (Gachechiladze, 2008, p. 71). There were also organizations dedicated to education: “The *Society* for the *Spreading* of Literacy among Georgians,” “The Union of Russian Women,” “The Society for Spreading Suitable Literacy among Armenians in Tiflis province.” Georgian society “Ganatleba” (“Education”), “The Society for Setting up Public Readings in Tbilisi” and others.

The establishment of the university as well as technical and agricultural institutes was on the agenda. Tbilisi self-government spent on average 450 thousand roubles on education. 100 thousand roubles and 200 desyatina land were allocated for the university, but the permission to open even a Russian university encountered obstacles. In 1906, the construction of the Georgian Nobility Gymnasium was completed. Later, in January 26, 1918, at the time when Georgia was already independent from Russia as a part of Transcaucasia, although it was not a sovereign state yet, Tbilisi State University was founded; it was housed in the Nobility Gymnasium building.

In 1883 the first horse driven rail (the so-called “konka”) was constructed from the railway station to Vorontsov Square (Meskhia, Gvritishvili, Dumbadze & Surguladze, 1958, p. 501). In 1887, there were 520 carriage drivers (mephaetone) in the city. But at the end of the 19th and the beginning of the 20th century, they had competitors and traditional transportation gave way to the novelties of the new era: 7-line horse-driven rail, (“konka”) appeared in the center of the city and in 1904 an electric tram appeared, too. From 1905 a Belgian company built a cable car line – funicular, which carried passengers up to Mtatsminda (holy mountain). Soon the first cars appeared in the city. A telephone system was launched. By that time, there were 10 bridges over the river Mtkvari, 6 of them were made of steel (Didi Vera, Mikheil Bridge, Vorontsov Bridge, etc.) and 4 of wood.

Old Tbilisi was still the industrial center of the city. Due to the sewage system, water vendors (metulukhches) were advised to stop their activities, but they continued their work as the need for their service was still in demand for quite a long time. The water distribution system provided about 700 thousand buckets of water per day, however some districts still used water from the Mtkvari River, and a part of Tbilisi already had a sewage system.

Small manufacturing business was dominant in the city, however the number of factories and plants gradually increased. This, in turn, started to destroy medieval traditions, according to which people were employed based on their ethnicity. At the beginning of the century these old traditions were partially preserved.

Previously dominant industries such as cattle breeding and farming gradually gave way to manufacturing, but they did not disappear; and based on 1887 data, gardens and kitchen gardens occupied 400 desyatina of land in Tbilisi, of which 276 desyatina were occupied by private owners. Irrigation canals were being built in the city.

The majority of Tbilisi's workforce was under qualified. These workers mainly came from the Western part of Georgia. The city was famous for its locally made clothes; however, the share of imports was quite high. Ready-to-wear clothes as well as shoes were imported.

Tbilisi was famous for its Ashugs (Ashiks) - public singers, ring masters, clowns and jokers, kintos and Tbilisi street hawkers (karachoghelis). Different types of competitions were held in the city, for example, Ortachala hosted horse racing; they often held concerts too. Famous singers and performers frequently visited the city. Tbilisi often hosted professional ballet and opera performances.

On November 16, 1896, Tbilisi residents saw films made by Lumière Brothers as the first movie theatre opened in the city. In 1908-10, the foundation was laid for national cinematography and the first cameramen, V. Amashukeli and A. Dighmelov, started to work in the field. V. Amashukeli, already a famous cameraman, presented a documentary movie in 1912 named "The Voyage of Akaki Tsereteli to *Racha-Lechkhumi*", making a significant contribution to the development of the fledgling art form. The population of Tbilisi attended dance evenings, organized charity events, etc. It should be noted that charities were often based on ethnic affinity: Persian Charity Society, Armenian Women's Charity Society and others. In 1910 a Gorgijanov Theatre "Variété" was opened in the Mushtaidi Garden.

At the beginning of the century, Ilia Chavchavadze, Akaki Tsereteli and Vazha Pshavela walked the streets of Tbilisi. In 1907, 1911, 1915 these titans of Georgia left the historical stage and appealed to the Georgian people to love their country and devote their life to their “Homeland, Language, Faith”.

Russia met the beginning of the century with serious political and economic challenges. The great empire faced multiple failures. From 1905 to 1918 the territory of Russia was being reduced. Their defeat in the Russo-Japanese war in 1904-1905 was followed by a severe internal political crisis. The social situation was extremely tough. As a part of the Russian Empire Georgia not only reflected the events occurring in the center, but also got involved in the process, thus becoming an active participant in history.

Two parallel directions were traced from the very beginning in Georgia. One of them was the labor movement, which was international in its character and had a nihilistic attitude towards national feelings. In parallel to it, the national movement, which had quite a long track record and had never ceased in Georgia, was intensifying. In March 1903 RSDLP the Caucasian Union was established in Tbilisi and very soon a newspaper named “The Fight of the Proletariat” was published in Georgian and Armenian languages. In January 1905 peaceful labor demonstrators were fired upon in St. Petersburg. This event was followed by a mass demonstration in Tbilisi as well, but all in all the proletarian movement could not find a strong foundation in Georgia, particularly in Tbilisi. Along with people fighting for social equality, the number of the people who saw the future of Georgia in its political independence gradually increased.

In 1904, the founding convention of the Socialist-Federalist *party* was held. The main goal of the party was to obtain political autonomy for Georgia. In 1905 Governor General of the Caucasus - Count Illarion Ivanovich Vorontsov-Dashkov arrived in Tbilisi (1905-1915). The count was known for his Armenophilic attitude and did not approve of the aspiration of the Georgian church for independence, let alone the restoration of the political independence of the country, which was a long-aspired goal in Tbilisi. Vorontsov-Dashkov stayed in Tbilisi until 1915, and was replaced by the uncle of the Tsar, Grand Duke Nicholas Nikolaevich Romanov.

In 1914, the World War broke out and Russia got involved. The situation created during the period of WWI and the position of the Bolsheviks led to the overthrow of the Tsar. Even without the telegram that was received, people in Tbilisi knew quite well that “Mtavrobadze¹ had passed away.” In February a provisional government was created.

¹ *Mtavroba* means the government, but Mtavrobadze could be a last name.

During that period Tbilisi was the center of the South Caucasian political movement. Georgia tried to survive with minimum losses and Georgians took an active part in the events. During World War I, a large portion of the population left the cities; as a result, in 1914-1917 the populations of Tbilisi, Batumi, and Kutaisi significantly decreased.

At that time the question of restoring the autocephaly of the Georgian Church, which was abolished by Russia in 1811, was still on the agenda. A Georgian noblemen's letter addressed to the Russian Emperor dated October 11, 1905, reads: "During the centuries the Georgians moaned under the inexorable yoke of the rules of the Eastern countries. They endured cruelty. Nevertheless, the Iveri Church was invincible and viable, its spirit was powerful and its strength unconquerable... Now the Georgian Orthodox Church should be given a free life and the legal authorities should take their positions again and the Catholicos elected by the people should be restored in his rights and responsibilities..." (Alasania, 2010, p. 52) The long-standing struggle only got resolved on March 12, 1917 when Russia approved the announced restoration of the autocephaly of the church in the Svetitskhoveli Cathedral. However, based on the decision of the Russian provisional government, autocephaly was restored according to ethnicity, not territory (Phyletism). Non-Georgian churches remained under Russian rule (Alasania, 2010, p. 53). After the restoration of autocephaly, Tbilisi became the residence of the Catholicos-Patriarch of Georgia.

It is not accidental that those years proved to be a significant time of change in the the history of Georgian culture. In 1916, the Society of Georgian Painters was formed. It was managed by Dimitri Shevardnadze and David Guramishvili. In 1916, Alexander Tsutsunava screened the first Georgian feature film called "Christine". In the same year, the magazine "Tsisperqantselebi" ("Blue Horns") was published, finally establishing the school of Georgian symbolists whose distinguished representatives were: P. Iashvili, T. Tabidze, E. Gaprindashvili, G. Leonidze, K. Nadiradze, S. Tsirekidze, S. Kldiashvili, Sh. Apkhaidze, R. Gvetadze, N. Mitsishvili, and others.

On May 2, 1917 the meeting of the arts council of the musical school decided to establish the Conservatoire, the founding of which had been on the agenda for many years. On October 5, 1917 the founding meeting of all Georgian writers was held and May 7 was declared the Day of Poetry. In those years D. Kldiashvili, V. Barnovi, E. Gabashvili, S. Mgaloblishvili, D. Megreli, K. Maqashvili, A. Abasheli, G. Tabidze, S. Shanshiashvili were famous public figures. In the same year, the Caucasian Historical Archeological Institute, led by N. Marr and Ekvtime Takaishvili, was established. This was the first scientific research institution in the Russian Empire. The institute laid a foundation for scientific research in the field of history which was preceded by a his-

torical and ethnographical society established by Ekvtime Takaishvili in 1907.

World War I and the Turkish invasion once again presented the different interests and positions of the people of Transcaucasia. The Armenian National Bureau was created in Tbilisi. The bureau had to do its best to gain victory in the war, and the Mayor of Tbilisi, Alexander Khatsov, received 245,000 roubles from the Russian government to form armed forces aimed at confronting the Turks (Suny, 1994, pp. 178-9).

The local and provisional government - a special committee of Transcaucasia established in Tbilisi, which included Kita Abashidze and Social-Democrat Akaki Chkenkeli as the representatives of Georgia (Guruli, Vachnadze, Shvelidze, Kirtadze, Tsotskauri, & Firanishvili, 2003, p. 46) - turned out to be very short-lived, as the October Socialist Revolution established the Congress of Soviets as the sole governing body.

The 1917 October Revolution changed the situation in Tbilisi and the political forces faced a stark choice. On November 15, 1917, “The Transcaucasian Commissariat” was formed in Tbilisi. This was a temporary body. Evgeni Gegechkori was elected as its chairman. In late November of the same year, the Georgian National Convention convened in Tbilisi. The Convention elected the Georgian National Council and recognized the unity of Transcaucasia, but it demanded to have extensive power, in particular, the power to form the Georgian Autonomous Republic equipped with broad rights and authority.

On January 5, 1918, based on the Decree of the Central Executive Committee of the Councils, after rebuffing the Russian founding meeting, the National Democratic Party requested to convene the inaugural meeting for the independence of Georgia. In 1918, without summoning the Transcaucasian delegates, Bolshevik Russia entered a separatist treaty with Germany and its allies in Brest-Litovsk, according to which it conceded quite a large territory in Transcaucasia, including a part of the Georgian territory. Transcaucasia did not recognize the treaty. The war with Turkey was on-going leaving Georgia in serious peril. Along with the Dashnaks and Musavats, the Social-Democrats convened the Transcaucasian Seym (Parliament) in Tbilisi, which issued an Act of Independence of Transcaucasia on April 22, 1918 (Surguladze, A. Surguladze, 1991, pp. 193-194). However, due to the apparent conflict between the parties’ interests, the Seym could not achieve success in its negotiations with Turkey. At that time, Georgia had a chance to receive help from Germany, and it took advantage of this opportunity. After the breakdown of the Seym, on May 26, 1918, Georgian Mensheviks created their government in the same hall of the Government House and announced the birth of the Independent Republic of Georgia. Tbilisi was declared the capital of the Repub-

lic. It so happened that the governments of the Armenian and Azerbaijani Republics were established in Tbilisi. Along with Georgia, they also declared their independence. During the years of independence Tbilisi was governed by the city self-government – the municipality. Election censorship and suppression was abolished and the universal right to vote was introduced.

In 1918, the Parliament of Georgia issued a law on the citizenship of Georgia and elaborated a new rule for city elections. From then on, only Georgian citizens were granted the right to take part in the elections. The law proved to be unacceptable for the Dashnaks and SR's, and the situation in the Assembly became tense.

During the years of independence, a territorial dispute developed between the neighbors. During negotiations on the disputed issues, the Armenian army invaded the territory of Georgia in December, 1918. As a result, the territory of Lori was proclaimed neutral and was finally conceded by Georgia. The national council was dismissed and the parliament elected, which had to be replaced by the founding congregation. According to new elections held on February 2, 1919, where over 60% of the population participated, among them 51% of Tbilisi residents (35366), the majority were Social-Democrats; the number of National-Democrats, Socialist-Federalists and other minor parties and groups was less than 10.

During the short period of independence, great success was achieved in different fields, but these years were especially significant in terms of creating a precedent for the independence of the Georgian state, gaining the experience of managing a republic, and adopting the First Georgian Constitution. If, in 1919, Tbilisi had 137 factories employing 5202 workers, in 1920 the number increased to 475 enterprises with 10,800 employees. Georgian opera traditions that had existed in Tbilisi from the mid-19th century were restored when in 1919 Dimitri Arakishvili's opera "The Legend of Shota Rustaveli" and Zacharia Paliashvili's opera "Abesalom and Eteri" were staged. Tbilisi State University, established earlier (on January 26, 1918), never stopped functioning, even in times of war, different tense political and social situations. It was the first university in the Caucasus. The language of instruction at the newborn university was Georgian. The university survived the loss of independence and continued its existence under the Bolshevik regime, in the Georgian Soviet Republic and reflected all the political changes which took place along the time. It was the center of educational and cultural life. It not only reacted and responded to social and political events, but it also generated ideas, being a real leader in higher education, science, culture, political life and the national movement. The university gave birth to all the other higher schools that later emerged in Georgia.

In 1918 the self-taught painter Niko Pirosmani died in Tbilisi. His unique art became the trademark of Georgia and was closely connected with Tbilisi. The old generation of Georgian painters – G. Gabashvili, A. Mrevlishvili, M. Toidze, D. Guramishvili, I. Nikoladze worked together with L. Gudiashvili, D. Kakabadze and others. The latter two went to Paris to continue their studies in the city where E. Akhvlediani, K. Maghlashvili and Sh. Kikodze mastered their art as well.

In 1920, the Ministry of Public Education selected 75 youngsters to be sent to Europe for education.

In the same year, the National Art Gallery was created in Tbilisi. Based on the gallery, the Georgian State Museum was established a little later. In 1920-21 Rustaveli State Theatre was founded and located in the best building on Rustaveli Avenue.

The greatest achievement of these years was the adoption of the Constitution (February 21, 1921) which never came into effect.

The Socialist-Democratic government of Georgia started to implement the imperative of the age that aimed at speeding up secularization. On July 17, 1920, the church council convened in Tbilisi and discussed several issues. Among them were the division of Church and State, the transfer of the church schools to the Ministry of Education, the church budget, as well as the unification of Mtskheta-Tbilisi eparchies and the living conditions of the clergy.

The new world order established after World War I could not ensure the preservation of Georgian independence. On December 16, 1920, Georgia was not admitted to the League of Nations by the majority of votes. A decision was made to consider the issue at a later date, but this never happened; although the League of Nations adopted a resolution on the restoration of the independence of Georgia twice (on 22 October 1922, and on 25 September, 1925). It was obvious that the independence of Georgia could not survive, taking into consideration the fact that Bolsheviks had already conquered two neighboring countries – Armenia and Azerbaijan.

Russian aggression was not avoided by the agreement concluded between Georgia and Russia on May 7, 1920. On February 25, 1921, despite the fierce resistance of Tbilisi residents, the city was seized by the 11th army of the Bolsheviks (Bakhtadze, 2009). S. Orjonikidze communicated the fact to Lenin from Baku via telegram saying “The Red Flag of Soviet Power Flies over Tiflis. Long Live Soviet Georgia”! Georgia was declared a Soviet Socialist Republic. A “Revolutionary Committee” (Revcom) was set

up in Tbilisi. The democratically elected government of Georgia left the country believing that they would return soon. However, their expectation was not met and their life in exile was burdened with nostalgia. For some, the exile turned out quite long, for others – even fatal.

Destruction in its literal and figurative sense began anew. Years of aggressive atheism commenced in Georgia. The Russian Cathedral of Alexander Nevsky, which was located in the place of the current Parliament building, was demolished and the construction of a new building began in its place. A mosque dating back to the 7th c. – known as Ali Mosque - was also demolished. The Patriarch of Georgia, Ambrosi Khelaia (Besarion Khelaia - Ambrosius of Georgia, the same Saint Ambrosius the Confessor, Ambrosi Aghmsarebeli) responded to the annexation of Georgia with a memorandum sent to the “Genoese Conference” (April-May, 1922). The leader of the Georgian Church informed the world that “the Georgian nation was being deprived of its mother tongue, and its ancestral national culture and religious belief were profaned” and demanded that “the Russian military occupation be withdrawn from Georgia immediately”. However his calls, as well as his numerous pleas addressed to the authorities, went unheard and unanswered (Alasania, 2006). On February 25, 1922, on the anniversary of the Bolshevik occupation, the first convention of Georgian Soviets was held; it approved “the Constitution of the Georgian Soviet Socialist Republic”. However, after a while they decided to create the Soviet Federal Socialist Republic of Transcaucasia, which included Georgia (Sakartvelo) along with Armenia and Azerbaijan.

In 1922, the federative setup of Transcaucasia was completed. The name Georgia was once again secondary, and from 1922 to 1936 Tbilisi became the capital of the Transcaucasian Socialist Federative Soviet Republic as well as the capital of Georgia. Tbilisi housed the highest authorities of the federal government, and the management of Transcaucasian economic, cultural, and socialist programs was based here. In a few months all political parties, except for the Communist party, were banned, and the purges and prosecution of non-communists started. In August 1923, a convention for the persecuted Socialist–Democratic Party was held in Tbilisi, which reaffirmed the negative attitude of people to the Communists; however, the government went against the general trend existing in society and adopted a resolution on the final abolition of the Socialist-Democratic Party.

Georgian people adapted to the new regime with great reluctance and difficulty. A group of exiled politicians decided to stage a revolt against the red government in 1924 (Kirtadze, 1996).

Despite the fact that on August 6, 1924, the Cheka (Extraordinary Commission - the secret police) arrested Valiko Jugheli, who had been sent from abroad and who warned his friends from prison to abandon any thoughts of a revolt, a poorly-organized rebellion went ahead as planned, and as a consequence of betrayal resulted in a great number of casualties (Kirtadze, 1996, pp. 161-193.). It took a long time for the wounds inflicted during the failed revolt to heal. One of the leaders of the revolt, Kakutsa Cholokashvili, managed to leave the country along with a small unit of “the sworn people” who had been organizing revolts all over Georgia since 1922, when the Committee of Independence was established. In 2005, his remains were repatriated from France, and he was buried in the Mtatsminda cemetery. This step represented a partial restoration of justice for the Georgian people.

The new government of Soviet Georgia took both positive and negative steps in the process of establishing its authority. In 1923, 72% percent of the total number of unemployed Georgians lived in Tbilisi. By the end of the 1930s unemployment was eliminated. Despite intensive efforts in the field of education, in 1922 26.8% of Tbilisi population were illiterate. Active measures were taken to improve the situation and eliminate illiteracy. In 1925 regular radio programs were launched.

Gradually, the country entered a period of economic stabilization. In 1925 there were 10 bath-houses in the city. In the same year the first buses appeared. In 1927 the first line of Avchala hydro power station became operational. In addition, the Chelyuskin Bridge (Queen Tamar Bridge), the IMEL building, and the upper station of the Funicular were built. From 1928/9, the implementation of five-year plans began, with a temporary suspension from 1942 to 1946 due to the beginning of the war. The very first five-year-plans turned out to be really impressive. During 1928, 1929, and 1930, the Georgian Polytechnical University, the Agricultural University, and the Medical University were founded in succession based on the model of Tbilisi State University. The process of nationalization was in progress. In 1932 the Natakhtari water pipe was built. In addition, the expansion of the sewage system commenced. In 1934 trams started to use a wide-rail system. In 1935, the construction of the River Mtkvari bank segment, in particular, the section between the Elbakidze and Vorontsov Bridge completed. The construction of residential houses was expanded. In 1937 trolley buses started to run in the city. In 1932 the Soviet Academy of Sciences was established. The Academy represented a Georgian branch of the Transcaucasian Academy of Sciences which turned into the Georgian Academy of Sciences in 1941. In 1936 the Institute of Languages, History and Material Culture (ENIMKI) was established, which later laid a foundation for all the humanitarian institutes in Tbilisi. At that time, different scientific schools appeared and masterpieces of literature were created. Tbilisi residents led a very active and creative life.

The abovementioned success was achieved against the backdrop of severe repressions. Despite the high professional level of the majority of the Tbilisi State University professors, who had the opportunity to get education abroad in the best universities, their life at the university was not easy since they competed with poorly-educated scholars. The staff of the university was divided into those who collaborated with the Soviet system and were obedient, and the others - for whom the Soviet system was not acceptable. The new government tried to impose a new ideology and that process was very painful. In 1926 the founder and rector of the university I. Javakhishvili was not only dismissed from his position in times of the so-called “kondratievshchina”, but later he was also forced to leave the university.

On May 28, 1931, 10 professors were dismissed from Tbilisi State University – among them: Grigol Tsereteli, Mikheil Polievktov, Giorgi Gamqrelidze and, a year later, education in Georgia was placed under the supervision of the all-Soviet Union Georgian public commissariat. In a report about the meeting held at the University (April 5, 1928) written by the head of the Main Political Division, Lavrentiy Beria, the mood in the city was clear:

“Despite the purges exercised at the University and the limitations set during admissions, more than half of the students are our opponents... The professors who have chauvinist and anti-Soviet attitudes are still very popular among the students. Professor Javakhishvili is idolized. He is a real icon for the students. It is not accidental that at the ten-year-anniversary of the State University Filipp Makharadze, Tedo Ghlonti and other representatives of the government were met coldly. Instead, when someone nominated Prof. Javakhishvili for the position of the president of the commission, the idea was applauded by the attendees... We will have to accept the relationship with the type of students for quite a long time”.

In 1931 Konstantine Gamsakhurdia, Pavle Ingorokva, Ioseb Imedashvili and others were expelled from the Writers’ Union of Georgia. In 1932, an internal passport system was introduced in Tbilisi for its residents as well as for those not living in the city.

From November 12, 1931 until August 8, 1938, the Communist Party in Georgia was presided over by Lavrentiy Beria. From 17.10.1932 until 01.04.1937 Beria also led the party committee of Transcaucasia. The same position was later taken by Kandid Charkviani (1938-1952). After the abolishment of Transcaucasia, he became a People’s Commissar of Internal Affairs (NKVD) in Moscow (on December 8, 1938). His tenure was marked with extreme repressions in Tbilisi as well as throughout Georgia. In 1933 the first general plan for the development of the city was issued. Beginning in the same year “the purges” took a severe form in Georgia. People became ruthless

and lost trust. Denunciations and confrontation, sometimes because of envy, were very common. University professors, distinguished representatives of creative intelligentsia, politicians and public officials were persecuted. Many people fell victim to repressions. In January 1934, at the party congress of Georgia, L. Beria announced that a Georgian “National Centre” was discovered and after a few days, at the Transcaucasia Communist party meeting, Mikha Kakhiani, Levan Ghogheridze and Samson Mamulia were tracked down and later shot.

During the Soviet regime, equality before the law was only proclaimed on paper – the urban population had better access to education than residents of rural areas. There was no freedom of speech and everything was under censorship. In Tbilisi, and throughout the whole country, repressions, imprisonment, and sending people into exile continued from the very first day of the Soviet system until the death of Stalin. Besides officials and politicians, these processes victimized Budu Mdivani, Lavrentiy Kartvelishvili, Mikheil Okujava, as well as representatives of art and literature such as Mikheil Javakhishvili, Evgeni Mikeladze, Alexander (Sandro) Akhmeteli, Titsian Tabidze and Vakhtang Kotetishvili. Paolo Iashvili committed suicide. At times the repressions became very intensive. The previous generation of people sentenced to death was replaced with a new one; the methods remained the same.

Based on the Constitution adopted in 1936, the Federative Republic of Transcaucasia was abolished and the Republic of Georgia was restored as a part of the USSR, similar to neighboring Azerbaijan and Armenia. From then on Tbilisi was only the capital of Georgia. In 1939 the first elections of the representatives of Tbilisi Municipality Council and regional councils were held. From then on they exercised the management of the city, which was controlled by the city and regional committees of the Communist party.

In the 1930s migration became especially active. Russians, Ukrainians, and Ossetians moved from the North Caucasus to Georgia, and the number of Armenians increased at the expense of those resettled from the Republic of Armenia. In 1939, the number of ethnic Georgians significantly decreased due to the migration and for the first time in history, the main ethnic group of the country made up less than 2/3 of its population (Jaoshvili, 1984, pp. 140-141).

During the war between Germany and the Soviet Union (1941-45), Tbilisi not only sent more than 80 thousand fighters to the front,² many of whom perished, but also hosted evacuated industrial enterprises, hospitals and many refugees.

² Out of the 3,5 million population of Georgia 700 000 participated in the war; over 200,000 people (8.5%) were killed or lost (R. Gachechiladze, *My XX Century*, pp. 412-413). V. Jaoshvili indicates 700

The clergy took an active part in World War II. Of course this was not left unnoticed and, together with the hard work and the diplomatic talent of the Patriarch of Georgia Kalistrate Tsintsadze, in 1943 the Russian church finally and officially recognized the territorial autocephaly of the Georgian Orthodox Church, which had already been announced on March 12, 1917. On December 23, 1977, Ilia II, who served as the Metropolitan of Tskhum-Apkhazeti (Ghudushauri-Shiolashvili), was elected as Catholicos-Patriarch. His greatest achievement is that the long-term efforts towards the recognition of the autocephaly of the Georgian Church finally paid off. In 1990, the Ecumenical Patriarch of Constantinople recognized the Georgian Orthodox Church's autocephaly and on the 3rd of March published a document recognizing the title of the leader of the Georgian Church - Catholicos-Patriarch (Alasania, 2006, pp. 53-54.).

Some Georgians had different attitudes towards World War II. A part of the Georgians living in Georgia as well as abroad saw the war as a chance to escape from Communist rule and restore independence. On September 20, 1942 a trial of young Georgian poets and writers (among them Giorgi Dzigvashvili, Kote Joglidze, Shalva Shavianidze, Giorgi and Mikheil Imerlishvili, etc.), students of the State University who were accused of attempting to organize an armed revolt against the Communist régime was held in Tbilisi. As a result, 17 out of 33 members of the group were shot, including the famous writer, Kote Khimshiashvili; others were sent into exile, where some of them died.³

In 1945 the war ended and the surviving fighters returned home. National treasures that were exported abroad by the Democratic Government in 1921 also returned to Georgia, accompanied by Ekvtime Takaishvili. All those years the latter had been a loyal “Treasurer”, living abroad and oftentimes starving. He lost his wife, but guarded the treasure regardless of the temptation to give up and concede at least a part of it. He saved the cultural heritage that these treasures represented for the nation. Unfortunately, his fellow countrymen failed to appreciate the merits of this tortured and distinguished person at that time in history. In fact, he spent the rest of his life under house confinement and not many people dared to communicate with him without a special “assignment” (Megrelidze, Takaishvili, 1989, pp. 93-97).

On March 5, 1953, the death of Stalin proved to be a new page in the history of Tbilisi life. Sometime after the political crisis caused by his death, Nikita Khrushchev was appointed as the Chief of the Central Committee of the Soviet Communist Party. In

000 (p. 144). According to Surguladze, A. Surguladze, P. (1991). History of Georgia. over 300000 of the whole number perished, p. 286.

³ Anti-Soviet plot . (n.d.). Retrieved from [Wikipedia.org/wiki/1941-Anti-Soviet_plot](https://en.wikipedia.org/wiki/1941-Anti-Soviet_plot).

Georgia, the position was occupied by Vasil Mzhavanadze. At this point, the rehabilitation of the repressed began. Many people who had been exiled but managed to survive returned to their homes. Most of them were educated professionals and creative people. They filled the city with new energy, and reluctantly spoke about the years spent in exile.

In 1956, Tbilisi survived a new blow. Following the condemnation of Stalin's cult at the 20th convention of the Communist Party, some representatives of the younger generation, lacking correct information about Stalin and considering him to be the greatest Georgian to have ever lived, deemed this act an insult to national dignity and started protesting across the country, mainly in Tbilisi. All of this had a tint of a national movement. The government responded promptly; it opened fire on the demonstrators. The number of casualties and deaths was high. Many people lost family members.

In 1958 the Ministry of Education removed from the school curricula the History of Georgia, which was replaced with History of USSR, actually with History of Russia. The only reaction was a protest by the school teacher, Nikoloz Samkharadze, who came to the Ministry of Education, interrupted the meeting and made an extensive speech in which he boldly talked about the significance of the Georgian history for the formation of national self-consciousness. As a result, "the invader" was detained. They even placed him in a mental asylum to prevent spreading information on the case, which was standard practice established to silence dissidents throughout the Soviet years. However, his insanity was not proved and he had to spend several years in exile, after which he became a very famous surgeon and chose to never go back to his past, even in his memories, and to reconcile with reality (Potskhveria, 2014).

Parallel to this, life went on and the process of liberalization had commenced. Heavy industry was developing in the country. A factory building electric passenger trains started to work, among other factories coming on line. After building the main gas pipelines in the '50-'60s, Tbilisi started to consume natural gas. In 1957 TV programs were launched and in 1965 programs from Tbilisi studio were transmitted to Union TV via the radio-relay line. In 1958 a cable car line was built, and by 1966 Tbilisi already had metro stations.

In 1958, people celebrated the 1500th anniversary of the foundation of Tbilisi. Many guests visited the city to mark the day. In 1966, the 800th year anniversary of Shota Rustaveli was an important step in the development of Rustaveli studies.

In October 1964, Nikita Khrushchev was dismissed and Leonid Brezhnev was elected as the first secretary of the Central Committee (CC) of the Communist Party of the

Soviet Union (CPSU). The new management made a decision to return to the management style of Stalin. A decisive struggle over the fight against “evil traditions” began, leaving society on the road to degradation. The Soviet system, based on dictatorship and a centralized economy, was not efficient and resulted in corruption, which was tolerated to some extent. Corruption, low salaries, and the deficit of basic everyday items was an everyday occurrence. However, the liberalization that took place during the Khrushchev years had partial benefits, and life recovered in Tbilisi, which was discernible in the fields of art and literature as well as everyday life.

In addition to the Rustaveli Theatre, Tbilisi boasted the K. Marjanishvili theatre, the A. Griboyedov theatre, and the Armenian Drama theatre named after S. Shaumian. Later, the Film Actors Theatre, the Professional State Youth Georgian and Russian theatres, the Puppet Theater, and later, the Rezo Gabriadze Marionette Theater were created. At the beginning of the 20th century there were 3 circuses in Tbilisi. During the 20th century, the Georgian Circus remained an important gathering place for Tbilisi residents, especially for the children. The city had a philharmonic hall and a zoo.

Tbilisi Ballet School was led by a well-known choreographer, Vakhtang Chabukiani. He staged “Gorda,” by composer David Toradze, and “Othello,” by Aleksi Machavariani. The masters of dance – Vera Tsignadze and Zurab Kikaleishvili became popular under his guidance. The following persons staged performances, danced or sang at the Tbilisi Opera: Giorgi Aleksidze, Dimitri (Dodo) Aleksidze, Vano Sarajishvili, David Gamrekeli, Zurab Anjaparidze, Petre Amiranashvili, Nadezhda Kharadze, Medea Amiranashvili, Tsisana Tatishvili, Nodar Andghuladze, Zurab Sotkilava, Batu Kraveishvili, Olga Kuznetsova, Leila Gotsiridze, Paata Burchuladze, Maia Tomadze, Revaz Maghalashvili, Beka Monavardisashvili, etc. The Georgian national dance company founded and led by Nino Ramishvili and Iliko Sukhishvili in Tbilisi made Georgian dance popular worldwide. In addition to dance, Georgian folk songs were promoted by “Erisioni,” led by Jemal Chkuaseli, and the ensemble “Rustavi,” led by Anzor Erkomaishvili. The world was acquainted with the art of Fridon Sulaberidze, Tengiz Sukhishvili and Ruben Chokhnelidze. The Polytechnic Institute was led by the well-known musician Konstantin Pevzner and became popular for jazz. The variety orchestra “Rero”, the vocal-instrumental ensembles “Orera” and “Iveria,” and Alexander Basilaia entertained not only the city of Tbilisi, but various cities of the world as well. Nani Bregvadze, Vakhtang (Buba) Kikabidze, Robert Bardzimashvili, Gia Chirakadze, Medea Dzidziguri, Gogi Dolidze and many others appeared on the stage. Tbilisi had the pleasure of enjoying the performances of the Ishkhneli sisters.

The city was remarkable for its composers and musician-performers. These included:

Andria Balanchivadze, Sul Khan Tsintsadze, David Toradze, Aleksii Machavariani, Otar Taktakishvili, Shota Milorava, Rezo Laghidze, Giya Kancheli, Nodar Gabunia, Felix Glonti, Sul Khan Nasidze, Bidzina Kvernadze, Rusudan (Matsatso) Sepiskveradze, Revaz Gabichvadze, Grigol Kiladze, Alexander Shaverzashvili, Victor Dolidze, Iona Tuskiya, Shalva Shvelidze, Eliso Virsaladze, Manana Doijashvili, Marine, Irine and Nana Iashvili, Liana Isakadze, Lekso Toradze, Alexander Korsantia, Temur Matureli, Tengiz Amirejibi, Alexander Nizharadze, Gulnara Kavtaradze, Eteri Anjaparidze, Marine Mdivani, Tamar Gabarashvili, Alexander Chijavadze, Otar Chubinashvili, Eldar Isakadze, Tamaz Batiashvili, Nodar Zhvania, Konstantine Vardeli, Tamar Licheli, Alexander Korsantia, Valerian Shiukashvili, Eliso Bolkvadze, performers and pedagogues Anna Tulashvili, Anastasia Virsaladze, Vanda Shiukashvili, Levan Shiukashvili, Roza Rozhok, Emil Gurevich, Shota Shanidze, Luarsab Iashvili, conductors - Odysseas Dimitriadis, Didim Mirtskhulava, Vakhtang Paliashvili, Ivane Paliashvili, Givi Azmaiparashvili, Zakaria Khurodze, Jemal Gokieli, Jansugh Kakhidze, Vakhtang Kakhidze, Revaz Takidze, Lile Kiladze, Shalva Azmaiparashvili, Irakli Chiaureli and many more. There was a state symphonic orchestra (1933), Tbilisi V. Abashidze Musical Theater (1934), State String Quartet (1944), Georgian Radio and TV String Quartet (1980), and a Philharmonic Cappella of Georgia in the city.

Owing to Georgian film-makers, Georgian cinema won more than 100 prizes at international film festivals throughout its existence. Nikoloz Shengelaia, Mikheil Chiaureli, Siko Dolidze, Vakhtang Tabliashvili, Leo Esakia, David Rondeli, and Shota Managadze practiced their art in the film studio in Tbilisi. They were later joined by artists who came to prominence in the 1960s: Mikheil Kobakhidze, Otar Ioseliani, Tengiz Abuladze, Rezo Chkheidze, Sergo Parajanov, Eldar Shengelaia, Giorgi Shengelaia, Merab Kokochashvili, Lana Gogoberidze, Nana Mchedlidze, Kartlos Khotivari, Rezo Tabukashvili, Gia Chubabria, Irakli Kvirikadze, Soso Chkhaidze, Rezo Esadze, Guram Patariaia; the next generation – Nana Jorjadze, Temur Babloani, Alexander Rekhviashvili, Nodar Managadze, Ramaz Khotivari, Zurab Kandelaki, etc. Tbilisi theaters and the Georgian cinematograph were represented by artists and directors such as Nato Vachnadze, Sesilia Takaishvili, Sesilia Tsutsunava, Vaso Godziashvili, Elene Kipshidze, Giorgi Shavgulidze, Veriko Anjaparidze, Akaki Khorava, Medea Japaridze, Alexander Zhorzholiani, Sergo Zakariadze, Tamar Tsitsishvili, Ushangi Chkheidze, Spartak Baghashvili, Akaki Kvantaliani, Erosi Manjgaladze, Alexander Zhorzholiani, Marine Tbileli, Otar Megvinitukhutsesi, Tengiz Archvadze, Vaso Kushitashvili, Shalva Gambashidze, Dimitri Aleksidze, Akaki Vasadze, Lili Ioseliani, Georgy Tovstogov, Elena Burmistrova, Mavr Piasetsky, Archil Gomiashvili, Giga Lortkipanidze, Mikheil Tumanishvili, Sophiko Chiaureli, Kote Makharadze, Leila Abashidze, Lia Eliava, Medea Chakhava, Pier Kobakhidze, Ipolite Khvichia, Akaki Kvantaliani,

David (Dodo) Abashidze, Temur Chkheidze, Medea Kuchukhidze, Rezo Gabriadze, Akaki Khintibidze, etc. The plays of Robert Sturua marked an important epoch in the history of the Georgian theater.

Georgian prose and poetry were popularized by Galaktion Tabidze, Giorgi Leonidze, Lado Asatiani, Grigol Abashidze, Konstantine Gamsakhurdia, Simon Chikovani, Irakli Abashidze, Nodar Dumbadze, Revaz Inanishvili, Chabua Amirejibi, Ana Kalandadze, Ioseb Noneshvili, Murman Lebanidze, Shota Nishnianidze, Mukhran Machavariani, Otar Chiladze, Tamaz Chiladze, Guram Dochanashvili, Polikarpe Kakabadze, etc. But nobody could compete with Ioseb Grishashvili in praising Tbilisi in his unique poetry.

In addition to the above-mentioned artists, there were others working in the fields of fine arts, sculpture, architecture and related arts, namely: Iakob Nikoladze, Mose Toidze, Sergo Kobuladze, Tamar Abakelia, Ucha Japaridze, Simon Virsaladze, Natella Iankoshvili, Parnaoz Lapiashvili, Robert Sturua, Avtandil Varazi, Lev Baiakhchev, Alexander Bandzeladze, Edmund Kalandadze, Dinara Nodia, Nikoloz Ignatov, Tengiz Mirzashvili, Giorgi Shkhvatsbaia, Juna Mikatadze, Loreta Shengelia-Abashidze, Mikheil Khvitia, Rusudan Petviashvili, Giorgi Bughadze, Givi Kandareli, Zurab Nizharadze, Elguja Amashukeli, Merab Berdzenishvili, Merab Merabishvili, Bidzina Avalishvili, Nikoloz Kandelaki, Zurab Tsereteli, Giorgi Totibadze, Apollon Kutateladze, Koba Guruli, Irakli Ochiauri, Giorgi Ochiauri, Aleksandre Aleks-Meskhishvili, Revaz Bairamashvili, Archil Kurdiani, Zakaria Kurdiani, Ivane Chkhenkeli, Shota Kavlashvili, Giorgi Batiashvili, Konstantine Chkheidze, Amiran Bakhtadze, Valeri Bakhtadze, Vladimir Beridze, Levan Beridze, Levan Bokeria, etc.

Well-known sportsmen lived in Tbilisi. World championships and competitions in various sports were held here. There were female chess players, multiple champions of the world and of the Soviet Union – Nona Gaprindashvili, Nana Aleksandria, Maia Chiburdanidze, Nana Ioseliani, Nino Gurieli; Olympic champions – Viktor Saneyev, Givi Kartoza, Mirian Tsalkalamanidze, Rafael Chimishkyan, David Tsimakuridze, Robert Rurua, Zurab Sakandelidze, Robert Shavlakadze, Mikheil Korkia, Shota Chochishvili, Levan Tediashvili, Alexander Anpilogov, David Gobejishvili, Giorgi Zviadauri, Giorgi Asanidze, etc. popularized Georgian sport all over the world. Tbilisi was proud of the winners of multiple world championships and championships of the Soviet Union - Givi Balavadze, Omar Pkhakadze, David Kvachadze, Nino Dumbadze, Alexander Metreveli - basketball players, handball players, water-polo players and the football team “Dinamo”. The “Dinamo” football club’s victory in the Cup Winners’ Cup competition in 1981 was a national celebration. The streets of Tbilisi were full of happy and proud fans during the whole night.

Tbilisi was proud of its sciences. Georgia has established representatives in all fields of science. The Soviet encyclopedia, an explanatory dictionary in the Georgian language in eight volumes was published; original sources of the history of Georgia were translated, published and studied. Simon Kaukhchishvili and his students greatly contributed to this effort, as well as the Source Commission under the Academy of Sciences led by Shota Dzidziguri and Revaz Kiknadze. Particular success was achieved in fields of science such as history, ethnology, and archeology, which was facilitated by the founder of Tbilisi State University – Ivane Javakhishvili, and his students – Simon Janashia and Niko Berdzenishvili. Caucasian studies, philosophy, Byzantine studies developed.

A well-known psychologist, Dimitri Uznadze created the “Theory of Attitude and Set” which brought recognition to the Georgian psychological school. The linguistic school led by Akaki Shanidze, Giorgi Akhvlediani, and Arnold Chikobava won recognition. Their scientific achievements were developed by Givi Machavariani and Tamaz Gamkrelidze. Tamaz Gamkrelidze and, a bit later, archaeologist David Lortkipanidze were elected as members of the National Academy of America, which was unprecedented at that time for Georgia and any former Soviet republics, with the exception of Russia.

The Georgian school of Oriental Studies is well-known all over the world. In this respect, a particular contribution was made by Giorgi Tsereteli, Sergi Jikia, Konstantine Tsereteli, Valerian Gabashvili, etc.

Fundamental research in Georgian art criticism was conducted by Giorgi Chubinashvili, Shalva Amiranashvili, Vakhtang Beridze, etc.

Georgian scientists such as Elephter Andronikashvili, Giorgi Chikovani, Giorgi Khutishvili, and Irakli Gverdsiteli made solid contributions to the development of various fields of modern physics. Evgeniy Kharadze formed a basis for the development of astronomy and astrophysics.

Sciences like geology, geography, geophysics were developed. Significant contributions to these fields were made by Alexander Janelidze, Alexander Javakhishvili and Theopane Davitaia.

Of particular mention are the achievements of the physiological school founded by the globally recognized scientist Ivane Beritashvili. His long-lasting scientific career left a rich legacy. Another special mention goes to Peter Kometiani, the founder of biochemistry in Georgia and the international founder of neurochemistry.

The school of Georgian mathematician-mechanics is also well-known in Georgia. This school conducted research mainly in two directions: mathematical analysis and applied theory of elasticity. Niko Muskhelishvili, Ilia Vekua, Victor Kuprava, etc. became famous in the first direction; Kiriak Zavriev, Alexander Kakushadze, Shalva Mikeladze, Giorgi Mukhadze, and others won recognition in the second direction.

Georgian technical sciences had good traditions.

Despite the fact that there were plenty of loyal adherents of the system in Georgia, it was absolutely clear that the level of freedom was higher in Tbilisi compared to other cities of the Soviet Union, as evidenced by the rather daring humor of Georgian films of the 1960s, the magazines disseminated at universities, and Olympiads, organized at the universities. The Georgian people never reconciled with the loss of independence and were waiting for a suitable time to regain it – something that was on the horizon unbeknownst to them.

On September 29, 1972 Eduard Shevardnadze replaced Vasil Mzhavanadze, who was removed from the office of the First Secretary of the Central Committee of the Communist Party of Georgia, and started a robust fight against corruption and “evil traditions”, according to the imperative at that time. By that period corruption had seeped into higher education as well, and nepotism and bribery dominated at institutions of higher learning. The Medical University was particularly notorious in this regard. But due to the fact that corruption was an inseparable part of the system, neither removal from office nor detainment of the culprits brought any discernible positive results. The struggle against corruption that had been initiated was often just a pretense to claim action was being taken, and had only temporary and moderate success, usually ending up with the executives drowning in the swamp of corruption themselves.

The Conference on Security and Co-operation in Europe was held in Helsinki in 1975. In response to this conference, the Helsinki Group on Human Rights Protection was created in Tbilisi in 1976. Zviad Gamsakhurdia, Merab Kostava, Viktor Rtskhiladze, Bego Bezhuashvili along with others were members of this group. The first issue of the magazine *Georgian Messenger*, edited by Zviad Gamsakhurdia, was published in the same year. It was followed by *The Golden Fleece* and *The Theological Collection*. Their priorities included the Georgian language, the protection of monuments of culture, the violation of rights of political prisoners, corruption at the Patriarchate and the robbery of the treasury, etc. Merab Kostava and Zviad Gamsakhurdia were arrested for their dissident activities, which were unacceptable for the system in 1978.

Despite the fact that in all the constitutions of Georgia, Georgian was declared the state language, the area of its application in Georgia and particularly in Tbilisi was rather limited. Record management was carried out in Russian in a large number of state institutions. Dissertations were also written in Russian or in Georgian and Russian at best, because this was the requirement of the Higher Attestation Commission. A huge amount of material and physical resources were spent on this double work. In 1975, according to the new requirement of the Ministry of Education of the USSR, a doctoral dissertation had to be submitted only in Russian. Georgian professors and writers sent a letter to E. Shevardnadze and L. Brezhnev. After a while, to downplay the impact of the letter, E. Shevardnadze solemnly declared to the delegates of the 26th Congress of the Party that “for Georgians, the sun rises not in the east, but in the north”. Knowledge of the Russian language was a mandatory precondition for a career and therefore non-Georgians, as well as, Georgian citizens of the republic, with some minor exceptions, were educated in Russian, regardless of their command of Georgian. Nonetheless, this appeared not to be sufficient for the center. In 1978 there was an attempt to remove from the new Constitution of Georgia the article according to which Georgian was declared to be the state language of Georgia, and equated it to any other language. The professors had to deliver the lectures in Russian. This actually meant giving up the history of Georgia and the traditions (language, homeland, religion) which existed in the country from the 3rd century BC. The new constitutional changes were discussed in almost all institutions in Tbilisi. All of society raised its voice. The student community was particularly active. The protest march from Tbilisi State University to the Palace of Government expressed the will of the whole population. The situation escalated rapidly; the government gave up and restored the respective clause about the Georgian language in the Constitution in accordance with the demands of the students and of the whole republic.

In 1979 the Soviet army invaded Afghanistan to wage a war of conquest. Despite the fact that the catastrophic outcome of this criminal step was clear to the international community from the very beginning, finding themselves locked in an escalating crisis, the leaders of the Soviet Union continued to wage a war which claimed the lives of thousands of people and significantly accelerated the inevitable collapse of the system.

Tbilisi was a large industrial and cultural center by that time. There were 197 secondary, 33 music, 50 sport, 1 choreographic, and 3 art schools, 134 republican or union research and academic institutions, 24 hospitals, 36 polyclinics, and other institutions in Tbilisi. National and international tournaments in various sports, theater festivals, and competitions of musicians were held in the city. The best performers and actors in the world used to tour the city which was famous for its filmmaking, theater, performing

arts, variety shows, opera and ballet. They were all very impressed with the cultural sophistication of Tbilisi audience.

National and international conferences and symposiums were frequently held in the city. In 1975 the city population exceeded one million. In October 1978 the first folk festival was held in the city and the annual festival of “Tbilisoba” was established. The territory of Tbilisi had increased almost 9-fold from the 1920s. There were ten administrative districts in the city from 1985: Nadzaladevi, Didube, Chughureti, Isani, Mtatsminda, Vake, Krtsanisi, Samgori, Gldani and Saburtalo. They had different names during that time: Lenin, First of May, October, 26 Commissars, Kalinin, Orjonikidze, Kirov, Factory, Gldani and Saburtalo. A railway line, a highway and aviation routes passed through the city, and from the 1980s Tbilisi established direct flight routes to various international destinations. New roads and streets were built in the years after the war: Varaziskhevi, connecting the Hero Square to Vake, and Tamarashvili Street, connecting Vake to Saburtalo, among others.

However, it seemed that many people were still unhappy and the system was expiring. In the 1950s of the past century Goderdzi Urgebadze (monk Gabriel) constructed a four-domed church in his yard in Tbilisi. Later he served in different churches. Much later, in 2012 the monk was canonized by the Georgian Orthodox Church for his activities. At the first May demonstration in 1965, he burnt Lenin’s portrait and was condemned to death penalty. However, he was not shot; he was placed in a psychiatric hospital and brutally tortured (Mama Gabrieli).

In the 1960s-1970s there were several explosions in different Georgian cities - Sukhumi, Kutaisi, Tbilisi. On April 19, 1976, there appeared an address on behalf of “The Georgian Liberation Front”, which included several requirements: the removal of the Soviet Army, proclaiming the independence of Georgia, recognition of the neutrality of Georgia, the Democratic Party, holding presidential and parliamentary elections. Finally, the man behind all those activities was found. It was Vladimir Zhvania, who had a too complicated past. His father, a member of the Bolshevik party, who participated in the occupation of independent Georgia in 1921. However, he later became a victim of purges, and was shot in 1938. Later, his son Vladimir, completely disappointed in the Soviet regime, attempted to cross the border several times; during the last attempt he was detained and condemned to three years of imprisonment. In 1977 he was condemned to the death penalty and killed (Archive). There were several authors, who paid attention to his activities and motivation and drew the attention of the community (Tavberidze, Suladze, Potskhveria, 2014; Chkheidze, 2016).

In November, 1983 there was a failed attempt to hijack a plane by several young members of elite families in Tbilisi. It resulted in the death of seven people, and a trial against 6. Four of them were condemned to the death penalty and shot. Among them there was one priest who was not on that plane and was not connected with that tragic case. Two females were condemned to imprisonment for different terms (Gega Kobakhidze). The whole community was divided into two parts: one – those who considered the event to be a protest against the regime and made a request to cancel the death penalty and the other – those who considered it to be a terrorist attack and believed that the sentence was adequate.

In 1985, Mikhail Gorbachev became the leader of the Soviet Union and appointed E. Shevardnadze to the post of the Minister of Foreign Affairs of the USSR. Their names are directly associated with the “Transformation” (Perestroika) reforms which resulted in the final collapse of the state. The destruction of the socialist camp was methodically carried out in 1989-92. In 1989 The Berlin Wall was officially opened and later, in 1990-92, it was demolished. Communist dictatorships were overthrown in Poland, Hungary, Czechoslovakia, Romania, Bulgaria, the Democratic Republic of Germany, and Albania. 1990 marked the reunification of East and West Germany. It was clear that the collapse of the Soviet Empire was just days away.

In Tbilisi E. Shevardnadze was replaced by J. Patiashvili. Great upheavals and transformations were imminent. Publicity and transparency brought many theretofore hidden things to light. Frequent discussions were held in Tbilisi on all important issues confronting the country in those days with the participation of all the layers of society. The topics included whether an additional railway line connecting Georgia to Russia or an atomic power plant were required, and whether it would pose a threat to the local ecology, the condition of cultural monuments, and their restoration. Another debated topic was relocating the artillery polygon of the Soviet Army deployed at the David Gareji Monastery Complex. The opening of the state archives paved the way for a discussion of prohibited topics and a revival of the forgotten records of history. Years of independence from 1918 to 1921 attracted particular interest, and the attention of historian-researchers became mostly focused on modern history. The discovery of previously unknown materials related to the assassination of Ilia Chavchavadze shed light on the subject and made a new approach to its study possible. The topics open to debate were multiple and diverse, but of equal importance was the fact that people learned to express their opinions publicly and openly.

In order to mitigate the crisis and shore up their crumbling empire, the Soviet government decided to make changes to the Constitution in 1988, which actually made it

impossible for the republics to exit the Soviet Union. Once again, Tbilisi resisted the attempt of turning back time and achieved its goal by conducting protest marches, and other forms of civil disobedience.

A basis for a multi-party system was being formed in the new Georgia. Ilia Chavchavadze Society was created in 1987. The National Independence Party, National Justice Union, the Popular Front, St. Ilia Society, Shota Rustaveli Society, Georgian Greens Party, Republican Party, National-Democratic Party, etc., emerged in 1988-90. Through its repressive actions, the Soviet government had inadvertently influenced outcomes that were opposite to what was expected. The huge empire was collapsing and the system reacted by activating the only remaining leverage it had against the breakaway republics. It forced or manipulated the autonomous units of the republics, arranged according to the “Matryoshka” principle, to oppose these independent-minded republics using a similar scenario: Nagorno-Karabakh in Azerbaijan, Abkhazia and South Ossetia in Georgia, Transnistria in Moldova, etc.

During this period Tbilisi became a witness to one more bloody action. It began when a demand of several Abkhazes to grant independence to Abkhazia in June 1988 gave rise to mass protests in Tbilisi. There followed a counter-protest of Abkhazes with the same demand on March 18, 1989. This, in turn, prompted an escalation of the situation in Tbilisi, and the Soviet army raided a peaceful action in front of the House of Government, violently putting the protest down with army shovels, spades, and gas on April 9, 1989. 19 people (mostly women) died, and hundreds of people were sickened by the chemicals used. A state of emergency was declared in Tbilisi. There was a large influx of people visiting Tbilisi in those days - journalists, members of an ad hoc commission, and common people trying to express sympathy and participate in the events.

Jumber Patiashvili, who resigned from the post of the First Secretary of the Central Committee of the Georgian Communist Party, was replaced by Givi Gumbaridze, but it was already impossible to stop the surge of the National Movement. Political forces were grouped and regrouped, and much confrontation and controversy occurred between them. In 1989 Tbilisi said its final goodbye to one of the remarkable leaders of the National Movement - Merab Kostava, who died in a car accident. Radical attitudes took hold of the participants in the National Movement. A Conference of the National Movement – Popular Forum was held in the Philharmonic Concert Hall in Tbilisi on March 13-15, 1990, and after boycotting and disrupting the elections of March 25, 1990, the Helsinki Union and its supporting forces created a new political bloc named “The Round Table” which united seven organizations. The latter won a resounding victory and garnered a parliamentary majority (62%) in the elections of the Supreme

Council of Georgia on October 28, 1990, which made it possible to declare Georgia a republic, elect Zviad Gamsakhurdia as the chairman of the Supreme Council of Georgia, hold a referendum on the state independence of Georgia on March 31, 1991 - which was supported by 97% out of the 90% of the entire population participating in the referendum - restore Georgian independence on April 9, 1991 and elect Zviad Gamsakhurdia as the first president of Georgia as a result of the presidential elections held on May 26, 1991. The Law of the Supreme Council of the Republic of Georgia “On Governance of the Georgian Capital - Tbilisi” became effective on August 10, 1991. Under this law, the Sakrebulo became the local government authority, while the City Hall and the Prefecture became the administrative governing authorities. The latter was abolished soon after. On December 19, 1992 the Georgian Parliament approved the Regulations “On the Powers of Governance Entities of the Georgian Capital - Tbilisi” which was again amended later. In 1998 the Georgian Parliament adopted a new law “On the Georgian Capital – Tbilisi,” according to which self-governance in Tbilisi is exercised by a representative entity – Tbilisi Sakrebulo, and local governance (administrative functions) are carried out by Tbilisi City Hall.

The independence that was declared on paper in 1991 was yet to be gained in actuality and there would be a high price to pay for the Georgian people and the city of Tbilisi.

By that time the center had fully activated the mechanisms of the separation of the autonomous units and started to stir up religious and ethnic conflicts. Against the background of the surge of the National Movement in Georgia, Abkhazia and South Ossetia were requesting separation from Georgia almost simultaneously and in a similar sequence. In May 1989 one part of the Ossetian population applied to the General Secretary of the Central Committee of the Communist Party of the Soviet Union with a request to unite South and North Ossetia and include them in the Russian Federation, which was followed by the respective decision of the session of the People’s Deputy Council of the Autonomous District of South Ossetia on November 10, 1989, which was gradually implemented later. The “Declaration on the Sovereignty of South Ossetia” was adopted in September 1990; in November South Ossetia was declared a republic and in December Ossetia was declared an independent republic. In a letter sent to the Presidium of the Central Committee of the Communist Party and the Supreme Council of the Soviet Union in June 1989, a meeting of representatives of the Abkhaz community requested to subordinate the Abkhaz Communist Organization directly to the Communist Party of the Soviet Union thereby bypassing Georgia, which was followed by the “Declaration on the State Sovereignty of the Abkhaz ASSR” adopted at the session of the Supreme Council of Abkhazia on December 4, 1990. All of the above-mentioned was carried out against the backdrop of confrontations, clashes and

excesses. The Autonomous District of South Ossetia was abolished by the resolution of the Supreme Council of the Republic of Georgia on December 11, 1990.

On December 8, 1991 in Belozhevskaya Pushcha (Belarus), political leaders of Russia, Ukraine and Belarus declared the termination of the existence of the Union of Soviet Socialist Republics, which was followed by the formation of the Commonwealth of Independent States. Leaders of 11 states signed the creation of the Commonwealth of Independent States and the termination of the existence of the USSR in Alma-Ata on December 21, 1991. Georgia did not participate in these events. Life in Tbilisi was not peaceful during that period. An overthrow of the government was underway. A certain part of the population was disappointed by the uncompromising nationalistic policy of the government and the serious mistakes made in conducting foreign policy led to tacit support for the change of government from abroad. Destructive internal and external forces were activated. An attack on the parliament building began on December 22, 1991, and on January 6 Zviad Gamsakhurdia left Tbilisi with a small group of supporters, resulting in the seizure of power by a military council led by Jaba Ioseliani, Tengiz Kitovani and Tengiz Sigua. During the period of their short-lived and incompetent rule, Georgia was involved in a civil war. There was a difficult economic and criminal situation in the country. Transportation was almost completely suspended in Tbilisi and the frightened population avoided going outside. Under these circumstances, a certain part of the population viewed the arrival of Eduard Shevardnadze from Moscow, who had earlier resigned from the post of the Minister of Foreign Affairs, as a positive step. He returned to Tbilisi on March 7, 1992 and first became the head of the State Council created in place of the military council, and later – the head of state after the parliamentary elections of October 11, 1992.

The situation improved only partially. The abduction of people and attacks on cargo trains for the purposes of robbing them continued. Despite this, the moving of a major part of Georgian police and troops to Abkhazia for the protection of the traffic artery on August 14, 1992 proved to be fatal and became a reason for pushing the country towards war. The Georgian side lost the war, which caused the most severe damage to Tbilisi because the majority of the fighters were Tbilisi residents. Russian citizens, together with Abkhaz separatists, armed by the State and under the cover of the Russian land and air support, fought against Georgia. As a result, Tbilisi received an influx 300,000 IDPs from Abkhazia. In addition, there were refugees from former South Ossetia as well, and this worsened the already difficult economic situation further.

On August 24, 1995 a new Constitution was adopted, based on which presidential and parliamentary elections were scheduled later in the year. As a result of elections held

on November 5, 1995, Eduard Shevardnadze became the president of Georgia and the Union of Citizens won a parliamentary majority. The Constitution also served as a basis for new legislation to fight the illegal armed formations roaming the country, and economic revival began as a result of reforms. But all of the above appeared to be temporary. Even though the Union of Citizens won a parliamentary majority on October 31, 1999, and on April 9, 2000 Eduard Shevardnadze once again became the president of Georgia, however with faked votes, it was clear that a crisis was imminent. Corruption permeated the country and corrupt government officials thought only about their own welfare rather than being motivated by the salvation of the country. However, a highly motivated young generation was already coming to the fore and was pushing for drastic change. These young people were not going to tolerate a medieval, authoritarian model based on strict subordination and injustice. A multi-party system already existed in the country. Under the conditions of open borders, Western democratic principles gradually took hold of a new generation of Georgian politicians and paved the way for subsequent reforms. Tbilisi entered the 21st century with many problems and at the same time hope, which proved justified, since only a short time was left until the Rose Revolution.

Thus, a quick glance at Tbilisi in the 20th century reveals a process of systemic changes, increasing urbanization, as well as the coexistence of multicultural and multi-religious communities. This paper traces the dichotomy between nation building and industrial, cultural and educational achievements within the framework of the USSR, on the one hand, and the violation of human rights, restrictions on the Georgian language and church, purges, reprisals, civil unrest, nepotism, corruption, bribery, and the violent suppression of any form of dissent, on the other.

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The First Evidence of Burials from Samshvilde A Preliminary Archaeological and Bioarchaeological Study

Samshvilde is one of the most remarkable archaeological complexes in southern Georgia and in Caucasia in general. Its convenient geographical position has attracted populations since the Stone Age, but the city gained its major political and economic power in the medieval period, when it became the center of the whole region. Its location in the historic Kvemo Kartli province, near the southern branch of the Silk Road, contributed to its rapid development, and the promontory on which it was built allowed for its easy defense. From 2014 to 2019 two archaeological sections were studied on the site: the citadel, or main fortification system, and the area near the Sioni cathedral that is dated to the 8th century. Excavations inside the citadel walls aimed to clarify the stratigraphy of this area, and in the Sioni section the focus was on finding the city cemetery.

During the summers of 2016 and 2017 human remains were exhumed from the Sioni section at Samshvilde. A bioarchaeological and brief mortuary analysis of graves no. 2 and 4 is presented here. Fieldwork is still under way in the cemetery, therefore it is too soon to have a global image of its features, such as typical burial practices, or a demographic profile of the population, but we hope to pursue this analysis in upcoming years.

Keywords: Samshvilde, Samshvilde Archaeology, Samshvilde Burials, Samshvilde Anthropological studies

Samshvilde is one of the most remarkable archaeological complexes in southern Georgia and in Caucasia in general. Its convenient geographical position has attracted populations since the Stone Age, but the city gained its major political and economic power in the medieval period, when it became the center of the whole region. Its location in the historic Kvemo Kartli province, near the southern branch of the Silk Road, contributed to its rapid development, and the promontory on which it was built allowed for its easy defense.

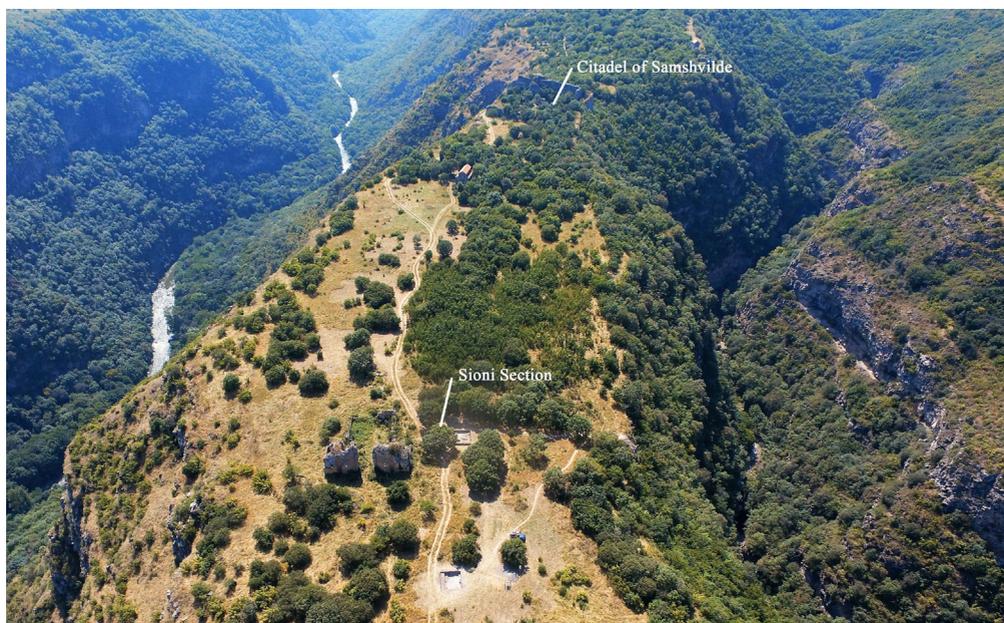


Pic. 1. Location of Samshvilde

Despite its long history and rich archaeological stratigraphy, Samshvilde has not been excavated extensively. Only small scale excavations were conducted during the Soviet period but they were not systematic and the excavations methods were rudimentary (Chilashvili, 1970]). Therefore, to gain further knowledge, the Samshvilde scientific expedition and research project was initiated at the University of Georgia in 2012. The general goal was to develop our understanding of the multiple prehistoric and historic occupation periods by adopting a holistic and interdisciplinary approach to the archaeological study of the site.

From 2014 to 2017 two archaeological sections were studied on the site: the citadel, or main fortification system, and the area near the Sioni cathedral that dates back to the 8th century. Excavations inside the citadel walls aimed to clarify the stratigraphy

of this area, and in the Sioni section the focus was on finding the city cemetery. This latter investigation was taken on by a geophysical survey in 2015-16, which successfully located the first burials on the north of Sioni cathedral (Odilavadze et al., 2015).



Pic. 2. Location of the Citadel and Sioni section

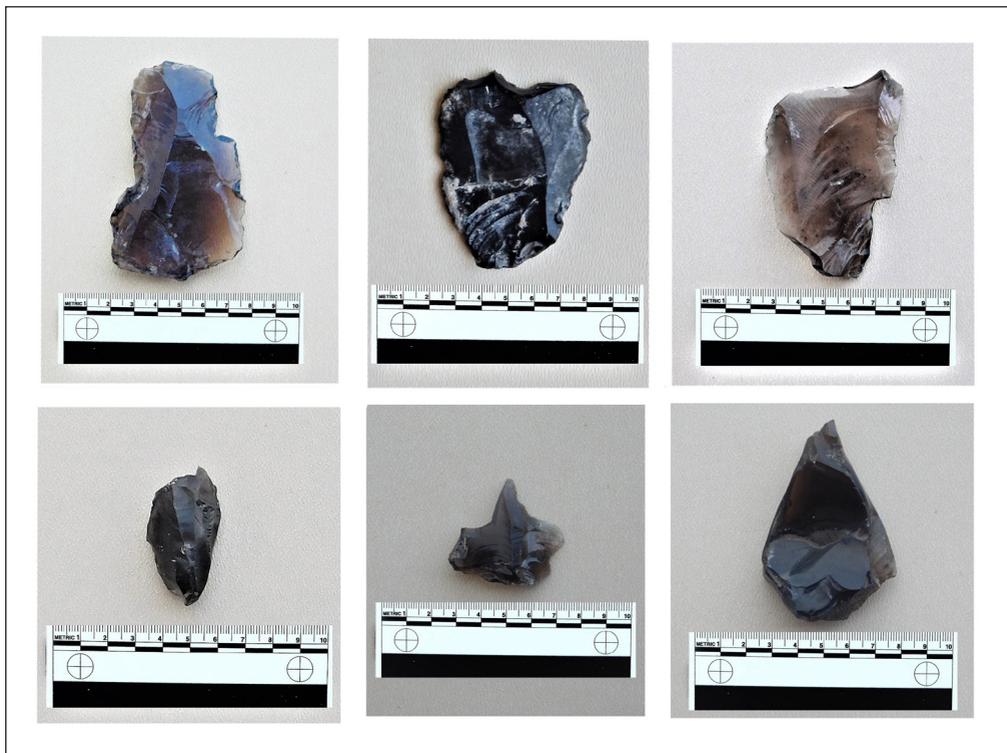
Excavations in the same area in 2017 confirmed this initial discovery and revealed several more burials. The archaeological context and results of a preliminary bioarchaeological analysis of two of these burials are presented in this article. In the absence of a full population analysis we will rather elaborate on some aspects of the cemetery that have drawn our focus. These subjects of study show the most promise for allowing us to gain knowledge on the daily lives of the inhabitants of ancient Samshvilde.

Archaeological Context

The archaeological study of Samshvilde shows evidence of materials from three different periods: Neolithic, Bronze Age and Medieval period. Even though the artefacts from the Neolithic and Bronze Age periods come from the demolished archaeological strata and are largely disturbed by medieval contexts, the existence of these materials on Samshvilde promontory are of great scientific value.

Neolithic

The oldest artefacts come from the lowest stratigraphic layers and are composed of opaque and semi-transparent black obsidian, flint and argillite tools. The major part of this assemblage is composed of short, wide flakes and fragments of different shapes. On a large number of flakes one massive side is processed to form an abrupt edge, as is common for scraping tools. Different forms of scrapers are well-represented in this complex, end scrapers, side scrapers and thumbnail scrapers being the most common. Micronuclei, drills, cutting tools, arrowheads and various lamellas are also represented here (Grigolia & Berikashvili, 2018).



Pic.3. Neolithic tools from Samshvilde

The most noteworthy among Samshvilde’s Neolithic materials are flint and argillite sickle blades, found in the so called “midden pits” cut in the basalt bedrock. The most well-preserved sample is a two-sided flint lamella with four denticles, formed by an abrupt retouch to one of its longitudinal sides. At first the tool is processed from the dorsal surface, then the denticles are formed by retouching the lower plane. In addition, one of the lateral sides of the lamella is knapped by fine retouch from the prox-

imal end, suggesting that the tools must have been fitted with a wooden or bone haft. Denticulated sickle blades appear with the advent of the food transformation industry and are typical for a Neolithic flint tool assemblage. It is assumed that such tools must have been used in agricultural activities such as harvesting.

Even though the Neolithic tools from Samshvilde did not come from intact archaeological strata, but rather derive from disturbed ones, we are confident that their context of origin, or the location of the former Neolithic settlement, is located nearby.



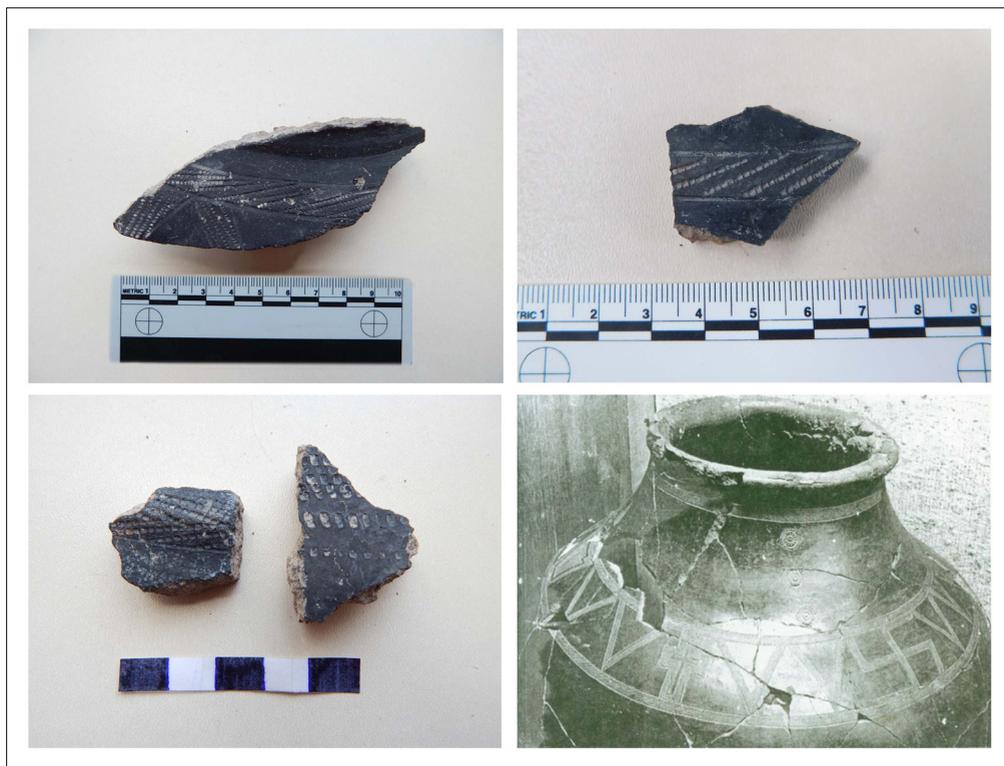
Pic 4. Flint and Argillite sickle blades. Samshvilde, Neolithic.

Bronze Age

The next archaeological stage in Samshvilde is the Bronze Age. It should be noted that archaeologist Guram Mirtskhulava conducted excavations of these strata in 1968-70 (Mirtskhulava, 1975). At that time a Kura-Araksian settlement and cemetery were uncovered in an area slightly north-east of the settlement, but the promontory itself was left untouched. Mirtskhulava and his team only hypothesized about the medieval city's location.

The excavations of the University of Georgia in the years 2016-17 revealed a large amount of pottery fragments characteristic for the Middle and Late Bronze periods in Georgia. Indeed, this material is mainly composed of fragments, but their black polished surface, shapes, zoomorphic handles and decorations suggest their preliminary date and affiliation to Bronze Period cultures (Berikashvili, 2016).

In the first half of the second millennium the Middle Bronze Age Trialeti culture was flourishing in the South Caucasus (Djaparidze 2006; Kuftin, 1941). This culture is widely known for its complex funeral rites and rich burials mounds with golden items and black polished pottery of various forms, but settlements are very rare and this leaves many questions about settlement pattern and subsistence unanswered (Gogadze, 1972). In such a situation archaeological materials characteristic for the Trialeti culture discovered at Samshvilde suggest that in the Middle Bronze Age some kind of settlement or cemetery was present.



Pic.5 Pottery fragments from Samshvilde excavations and Middle Bronze Age vessel from Trialeti burial mound (Photo by O. Djaparidze)

Another group of black polished pottery with zoomorphic handles and geometric decorations bear a close resemblance with the materials of Ior-Alazani Late Bronze archaeological culture from East Georgia. The sites of this culture are well known from the Kartli and Kakheti regions (East Georgia) and are characterized by multilayer settlements and cemeteries (Pitskhelauri, 2005). The settlements from Kartli and Kakheti regions, as well as the cemeteries have yielded large amounts of the pottery that is very similar with those from Samshvilde. This evidence is a clear sign that Samshvilde was in the sphere of this archaeological culture in the second half of the second millennium B.C.

Middle Ages

The Medieval period archaeological contexts are best preserved at the site. The complex fortification system, religious and civil buildings, the hydrological net and organized urban parts are the witnesses of the city's active life. Excavations inside the

citadel walls revealed artefacts from the 10-14th centuries, representing various types of locally made and imported pottery, coins, stone tools and glass items. The Sioni section yielded a rich collection of metal artefacts, including arrowheads, knives and needles.

Additionally, as previously mentioned, the first graves were found to the north and northeast of Sioni cathedral. Surveys will continue in this area to identify the borders of the cemetery and the archaeological contexts of earlier periods located beneath them.



Pic. 6 Medieval glazed bowls and fragments of glass vessel

Bioarchaeological analysis

During the summers of 2016 and 2017 human remains were exhumed from the Sioni section of Samshvilde. A bioarchaeological and brief mortuary analysis of graves no. 2 and 4 is presented here. Fieldwork is still under way in the cemetery, therefore it is too soon to have a global image of its features, such as typical burial practices, or a demographic profile of the population, but we hope to pursue this analysis in upcoming years. This article will therefore focus on introducing the bioarchaeological methodology that was used, in an effort to highlight the subjects of study that have stood out as most potentially informative.

Methodology

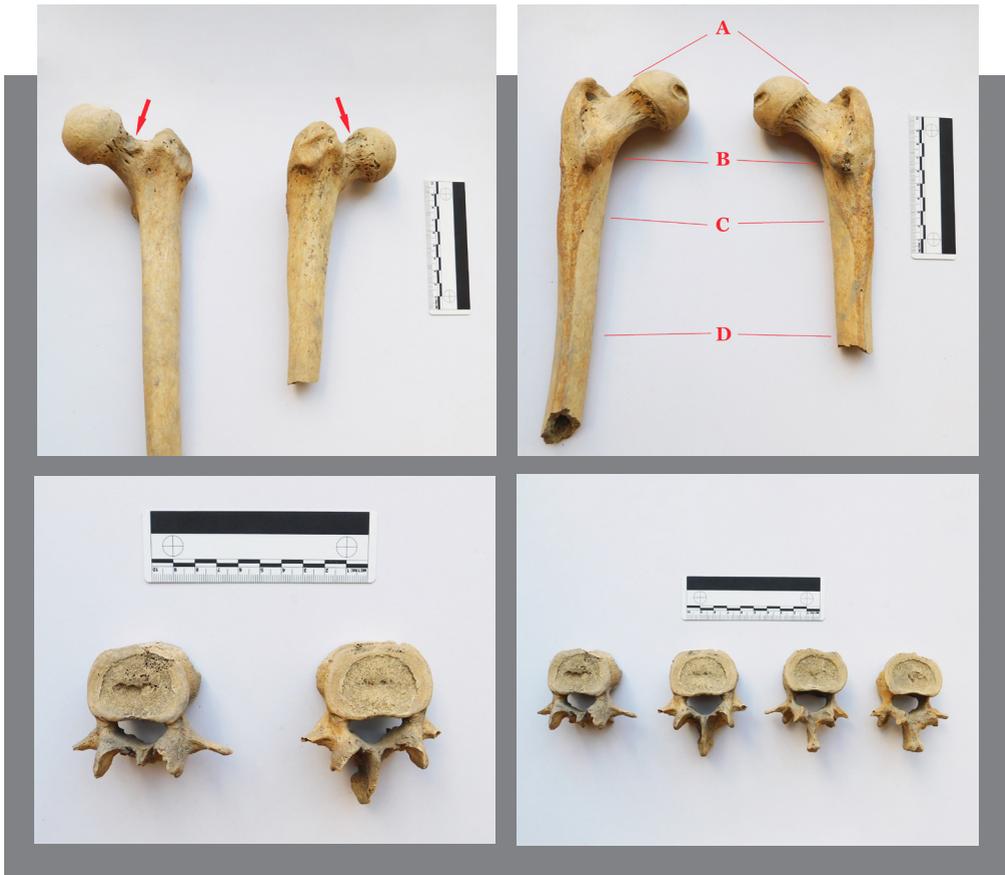
Excavation of the remains was carried on by the University of Georgia team at Samshvilde. The exhumation process was not supervised by a bioarchaeologist, although the procedure followed strict excavation protocol and the grave fill was sieved to retrieve small bones for a complete post-excavation analysis. Once separated by grave context and carefully transported to the university, the skeletal remains were examined by the second author following standard bioarchaeological methodology. This includes, first of all, the identification and lateralization of bones (White & Folkens, 2005). Teeth are recorded separately and in detail due to the great amount of information they can yield. If preservation allows, an age-at-death estimation may be done. This method should not be confused with the time elapsed since the death of the individual; it rather attests of the individual's approximate age at the time of their death. This is done based on the skeletal changes in growing children (Scheuer & Black, 2000), degeneration in the adult skeleton (methods described in Albert & Maples, 1995; Buikstra & Ubelaker, 1994; DiGangi et al., 2009), and dental wear caused by chewing coarse foods (Brothwell, 1981; Lovejoy, 1985). The male or female sex of individuals may also be estimated, based on sexually dimorphic traits of the skull and pelvic bones (Buikstra & Ubelaker, 1994). In addition to this, logistic regressions were applied to strengthen conclusions (Albanese et al., 2008; Walker, 2008). Variation in measurements, musculoskeletal markers (MSM) and discrete traits, or non-metric variation, were recorded in anticipation for future demographic studies of this population. Finally, paleopathologies and degenerative joint diseases were also recorded.

Grave no. 2

This burial contains the remains of a well-preserved female, estimated to have died between the ages of 30 and 39 (Pic. 7). Her height was approximately 150-160 cm during life. The body was placed extended on its back in the east-west orientation, with the head in the west and the forearms crossed over the stomach. The bones are in articulation, meaning that the anatomical connections that we see during life were not altered. This shows that the body was not moved after being buried (Duday, 2005, pp. 166-168). A noteworthy feature of this individual is the extremely poor dental health. Periodontal disease, tooth loss, caries and extreme dental wear were all observed. One final significant attribute of this skeleton is the development of MSM on the femora. These traits include bilateral Allen's fossa, femoral plaque, and strongly marked gluteus muscle insertions and linea aspera (pilasterism) (Pic. 8 top). Lumbar vertebra herniations, or Schmorl's nodes, were also noted on the inferior body of four vertebra and on the superior body of two vertebra (Pic. 8 bottom).



Pic. 7. Grave #2. Sioni Section. Samshvilde. 2017.



Pic. 8. Grave #2 (detail). Sioni Section. Samshvilde. 2017. Top left: proximal left and right femurs, anterior view, bilateral Allen's fossa indicated; Top right: proximal left and right femur, posterior view, MSM include A) posterior extension of the femoral head, B) lesser trochanter, C) gluteal line, D) linea aspera; Bottom left: two lumbar vertebra, superior view, single Schmorl's nodes; Bottom right: four lumbar vertebra, inferior view, single Schmorl's nodes.

Grave no. 4

Unlike the previous grave, the bones from grave no. 4 are disarticulated and commingled. This signifies that anatomical connections have not been preserved. The first step of analysis in this case was therefore the determination of the minimum number of individuals (MNI) in the grave. To accomplish this, in addition to following the methodology described in White and Folkens (2009 p. 339), the Albanese et al. (2008) linear regression was used to identify one adult female (individual 4A) and one male (individual 4B). Two other individuals were identified as infants from different age groups (individual 4C at age 6 and individual 4D younger than 6 years), giving this

assemblage a MNI of four. Individual 4A died at approximately 35-39 years of age, while individual 4B died between 14 and 19 years. It was not possible to associate the skull and mandible from this assemblage to either individual 4A or 4B. Sex remains undetermined and the age estimated by dental wear (25-30 years), although imprecise, does not conform to the estimates for either adult individual of this grave (Pic. 10). We could cautiously assume that a third adult is present, but this should be confirmed after a better understanding of dental wear rates in medieval Georgia has been gained. It was not possible to estimate the height of the adult individuals as this is measured on the long bones (bones of the arms and legs), and none were completely preserved. Notable development of muscle attachment areas on the femur of individual 4A include the intertrochanteric line (origin of the vastus muscles), the gluteal line (origin of the gluteal muscles) and the linea aspera (origin of the adductor, femoral biceps, gluteal and pectineal muscles) (Pic. 11). The femur of individual 4B is marked by advanced *cribra femoris* (Pic. 12), which is more commonly observed on juveniles in literature (Radi et al., 2013). This conforms with the previously noted age estimation, which was done by observing the epiphyseal line on the same element. Pathological lesions include three Schmorl's nodes and 2 osteophytic lipping on thoracic vertebra.



Pic. 9. Grave #4. Sioni Section. Samshvilde. 2017.



Pic. 10. Grave #4 (detail). Sioni Section. Samshvilde. 2017. Unassigned skull and mandible belonging to one individual (3rd adult?), age-at-death 25-30 years, sex undetermined.



Pic. 11. Grave #4 (detail). Sioni Section. Samshvilde. 2017. Ind. 4A (female), proximal right femur. Left: anterior view, vastus MSM indicated; Right: posterior view, MSM include A) gluteal line and B) linea aspera (pilasterism).



Pic. 12. Grave #4 (detail). Sioni Section. Samshvilde. 2017. Ind. 4B (male), proximal left femur, anterior view, cribra femoris indicated and epiphyseal line visible.

Preliminary conclusions

After having completed this preliminary phase of analysis, it appears that the preservation conditions of the bones from the Sioni cemetery of Samshvilde make them suitable for bioarchaeological, demographic and mortuary analysis. Because these all require a larger amount of individuals to yield significant results (ideally the entire cemetery population) we intend to continue the excavation in upcoming seasons. In addition to assessing the main biological traits of all future individuals (age-at-death, sex, height) we will record a maximum amount of information (measurements, non-metric variation, pathologies, articular surface modification and MOS) so that any patterns in the cemetery population can be brought to light.

Determining the precise chronology of the cemetery will be a central topic. There are no grave goods to aid us in this task and, despite the fact that the 8th century A.D. Sioni cathedral is peripheral to the cemetery, there is no way to confirm their contemporaneity. As of now it is only possible to affirm that graves no. 2 and no. 4 are cut into the high medieval period stratigraphic layers from the 11-13th century, putting them in the earlier 14-15th century layer. This chronology is supported by a palynological analysis on soil samples gathered under the skeleton from grave no. 2. Kvavadze (2017) notes the presence of blue fibers in the grave, indicating that the woman was dressed in a blue garment on the day of her death. It is considered that blue was the “royal color” in the medieval period and that it was reserved for women. We can therefore suggest that the woman from grave no. 2 was an individual with high social status in Samshvilde, despite her modest grave. This valuable information is not only corroborating our estimation of biological sex (done on the bones) with social gender, but could also prove useful in identifying burial practices of different social classes.

Already we can see that there is a diversity in burial practices at Samshvilde. Although the extended supine position such as seen in grave no. 2 is widely accepted as the most typical position for medieval burials, this question has never been studied in depth using mortuary analysis in Georgia. At this point it seems like a fairly straightforward assumption to say that the occupants were Christians. This is mainly due to the burial style and the proximity to the cathedral. The individual from grave no. 2 is buried in a very typical Christian fashion: laying extended on the back, with the arms crossed on the abdomen, with modest to no grave goods, and oriented in the east-west axis with the head to the west (Mindorashvili, 2014, p. 210). Disturbed burials such as grave no. 4 were also commonplace in this burial tradition, since consecrated ground was limited and burials reused. Nonetheless, even after stating this, we still cannot exclude the possibility that these burials arise from Islamic tradition, since Muslim burials

practices were diverse and their elements are known to overlap with Christian ones (Peterson, 2013).

Another topic of interest for the Sioni cemetery population will be MSM, particularly those that can be interpreted as markers of occupational stress (MOS). We have observed numerous enthesopathies in both graves so far. Enthesopathies are changes on bone tissue at the site of muscle and ligament insertions. They occur when the muscle is solicited repetitively, causing irregularities on the bone from the prolonged and repeated external stress (Kennedy, 1989). In certain cases they can be associated to certain habitual or occupational activities such as squatting (Singh, 1959) or load bearing (Capasso et al., 1998), which in turn may give us valuable information on the lifestyle of the ancient inhabitants of Samshvilde. So far such traits have been observed on the femurs of the woman from grave no. 2 and individual 4A. Although this sample size is small, a pattern has already emerged: both individuals are female and died in their thirties. The younger individuals from grave 4 are not affected, which is consistent with previous observations that their prevalence in a population increases with age (Radi et al., 2013). We also hope to determine if any sexual dimorphism can be observed, or, in other words, if tasks were distributed differently between men and women, as it has been observed osteologically in some medieval populations (Molleson, 2007, p. 21). One hypothesis is that observed MSM on the proximal end and shaft (upper leg) were caused by walking, running or climbing on the uneven landscape at Samshvilde. As was noted earlier, the city is located on a promontory delimited by a rocky escarpment, one that may have been climbed down regularly to gather resources. Another plausible explanation is a long-distance walking and running or squatting.

A final subject of interest will be health and diet at Samshvilde. Poor bucco-dental health is the norm in medieval populations (Hillson 2005:293), and the individuals from Samshvilde fit this profile so far. The woman from grave 2 has lost two molar teeth to tooth decay. This is most likely due to honey, fruit and/or wine consumption, since there is a strong association between this dental disease and sugar in the diet (Hillson 2005:291) these foods are the most likely causes. Another commonly found pathology on this individual, and some unassigned vertebra from grave 4, is Schmorl's nodes (Waldron 2009:45). Characterized as circular depressions on the body of the vertebra (Pic. 8, bottom), they are the result of heavy load bearing and will be studied in conjunction with OSMs to identify the strenuous activities potentially at cause. A final lesion noted on individual 4B is far less well prevalent, and far less studied. Cribra femoris has been linked to various aetiologies such as calcium- or iron-deficiency anemia (Saunders & Havencroft, 1980) and tuberculosis (Blondiaux et al., 2015), but according to Waldron (2009) this has not been verified clinically and has a multifactorial etiology (many causes) (Djuric, 2008).

It must be mentioned that, although the Sioni cemetery at Samshvilde promises to lead to valuable bioarchaeological research, there are some limits to consider. Most are due to the paucity of similar studies in the Caucasus, and therefore our relative lack of knowledge on the osteological characteristics of medieval Caucasian populations. The observer has already noted some inconsistencies with the dental wear methods of age estimation by Brothwell (1981) and Lovejoy (1985) so they were excluded from results. Because they rely heavily on food sources (grit and sand in flour causes dental enamel deterioration) we will need to pursue research on this subject and adjust the wear stages based on local wear rates.

We strongly believe, as has been shown in a growing body of literature (for example Bigoni et al., 2013; Connell, 2012; Kowaleski, 2014), that bioarchaeological study of Georgian medieval populations can yield new information on demography, occupation, diet, nutrition, and much more to compliment to historical sources.

Conclusion

Because only two graves have been studied and presented in this article, and most methods in bioarchaeology target the study of populations, results presented here are only preliminary. In the coming field season 2018 we intend to study several more graves from Sioni section and prepare bioarchaeological and archaeological materials from the graves excavated in 2016 for publication.

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Identity Markers in the Georgian Narrative Sources of the Middle Centuries (Historical-Anthropological Analysis)

The Article deals with the issue of revealing the identity defining markers in the Georgian narrative sources of the middle centuries (“The Life of Georgians” and hagiographic works). Main characteristics, considered to be important according to the Georgian historical material from the points of view of determining “us” group belonging and identifying distinctness of one ethnicity from the other ones, have been highlighted. The point of view stating that the identified markers are in compliance with the attributive and interactive paradigms of ethnicity, has been expressed.

Keywords: Georgia, Middle Centuries, narrative sources, “The life of Georgians“, ethnicity.

In our modern, global world, as well as in the process of intercultural communication, the problem of cultural and ethnic identity, (i.e. identification of humans with certain a culture) is becoming increasingly significant. Therefore, analysis and clarification of the essence of identity is one of the most important and pressing issues in the social science and humanities. Today the terms ethnicity and ethnic identity are widely used and generally imply human understanding of one's belonging to any group. This allows humans to identify their own place in the socio-cultural sphere and feel confident in the universe, more precisely, the mentioned terms are used to describe human self-consciousness. Due to the complexity of this issue, scholars are divided when defining the identity phenomenon; from the point of view some authors, only significant marker/markers are identifiable, however, we can identify some unity across significant markers that to a large extent conditions the molding of ethnic identity. Hence, the mentioned markers can be considered to be of an ethnic nature. The markers of the mentioned type are:

- A.** Collectively shared idea of the group members about a common language, a common tangible and spiritual culture, common territorial and historical origins;
- B.** Politically determined opinions on the homeland and special institutions such as statehood;
- C.** The sense of difference or deep apprehension of the idea that the fact of one's belonging to a particular group conditions the specificity of the pattern of solidarity and common activities;
- D.** Compatibility of social and cultural borders, "our" and "their" opinions on the existence of the other group represent the issues of paramount importance.

Since ancient times humankind has been striving for the sense of living his life in a well-arranged and organized world and naturally he has been approaching the values of his own ethnos that are tested in time and most reliable and understandable for him. As a result, the sense of intergroup solidarity and unity is becoming more and more potent. Due to this very fact humankind views itself as a part of the unity giving him value orientations needed to orientate in the universe. For this purpose, he is to voluntarily share the elements of consciousness, taste, customs, moral standards, value systems and other means of relations applicable and dominating in the given society. Adopting the standards of the social lifestyle of the group gives an organized and predictable nature to human life.

According to majority of scientists, ethnicity or ethnic identity is a universal phenomenon implying the universal form of expression of loyalty with respect to the culture of one's own people. However, characteristics of ethnic groups cannot be reduced to

the sum of cultural characteristics only. In other words, ethnicity is a form of social organization of cultural differences identified by fundamental links to other cultures, social and political unities, including state unities.

Three paradigms for the identification of ethnicity are considered more or less recognized in modern scholarship:

- attributive (as the quality of group);
- subjective-symbolic (ethnicity as ethnic identity);
- interactive (ethnicity as intergroup relations)

According to the first paradigm, ethnicity is viewed as an aspect of the demonstration of the cultural qualities that create the basis of formation of unity (language, ethnonym, historic memory, peculiarities of tangible culture, rituals, behavioral patterns etc.).

The Subjective-symbolic form of demonstration of ethnicity is viewed by an individual as an aspect of the sense of belonging to a certain (reference) group. Such identity is molded on the basis of understanding of origin, tradition, values, intergeneration inheritance of cultures.

The Interactive paradigm views ethnicity at the level of dichotomic scheme – “we”-“they”, i.e. ethnicity is a group characteristic demonstrated by comparison of the “ours” with the “not-ours.” In such a case cultural differences are thought to be significant constituents of what is perceived to be important, valuable and socially relevant.

In this very context we would like to view the opinions about Georgians as an ethnic unity depicted in the Georgian medieval historic sources and define to which ethnicity paradigms these markers correspond.

A preliminary hypothesis concerning the issue can be developed this way:

Identity markers which according to the Georgian medieval narrative sources are considered to be significant for defining the ethnicity of Georgians should primarily represent an intersection of attributive and subjective/symbolic paradigms of ethnicity. However, the advantage of one of the paradigms may be outlined and/or it may appear that the idea of the medieval Georgians concerning ethnic belonging practically corresponds to all the three paradigms of demonstration of ethnicity and is marked by the tendency of variability of dominant paradigms considering the epoch and the political situation.

The Georgian Chronicles not only provides us with the rich material and presents the idea of the Georgian society of the early and developed medieval period about nationality/ethnicity but also offers the whole concept regarding this issue. According to this concept, the ethno-cultural image of a Georgian individual comprises the following components: common origin, common language and territory (borders), confession (religion) and common historic past (historic memory).

Common origin

According to The Georgian Chronicles, a common origin implies origination first from Targamos, and afterwards - from Kartlos. All the descendants of Kartlos are Georgians. Therefore, national identity is based on common origin, i.e., blood relations. To denominate this, the work offers a special term outlining origination of Georgians from Kartlos, i.e. their blood relations – “relative of Georgians”, “Georgian by relative.” By this sign, descendants of Kartlos differ from other “relatives”, for example: “Ovsetian by relative”, “Persian by relative.”

At the same time, all Georgians are not descendants of Kartlos. Unlike “Georgian by relative” and descendant of Kartlos, where blood relations are brought to the forefront, the name “Georgian” accentuated the place of origin. It has a much wider context than just a unity of one family – Georgian means a resident of Kartli as a state, regardless of “relationship”, however it also implies “descendant of Kartlos” (Berdzenishvili, 1975).

For example, in the narration of the conversion of Kartli, the following is depicted: “There was mourning and sorrow about *Georgian Jews*, residents of Mtskheta”(The Georgian Chronicles, 1955).

It can be mentioned that from the beginning “Kartveli”, as the name denominating ethnic identity, used to have a synthetic context and implied both citizenship, subordination to one state and possible origination from one biological ancestor which created an illusory sense of relationship. It should also be mentioned that according to generally accepted opinion, in developing the sense of unity it does not matter whether the relationship uniting humans included in “our group” is real or imaginary.

At the same time, the opinion of The Georgian Chronicles regarding desirability and expediency of arrival and settlement of ethnic communities of foreign origin in Geor-

gia is interesting and modernly sounding. The chronicler considers and assumingly, it is not only his personal opinion but also the position of the ruling elite that if foreigners are loyal to Georgian society, its language, religion, and customs and do not contradict the state interests of Georgians but on the contrary, act in favour of the Georgian statehood, their settlement in Georgia is quite desirable because their arrival increases and therefore, strengthens the Georgian society and state in the fight against foreign enemy. We can provide the story about Turks expelled by Persians as an example. According to The Georgian Chronicles “Georgians made friends with these Turks ...and brought them to all cities and fulfilled each other’s will. They waited for arrival of Persians, fortified fortresses and cities. At that time everybody who came after escape from Greece, Assyria or Khazaria became friends with Georgians to help them against Persians”.

Territory

According to The Georgian Chronicles, one of the main preconditions for the nation’s, people’s existence is a unified territory and therefore, the work attaches great importance to showing the borders of settlement of Georgians. It should be mentioned that it is the only monument drawing common borders of the biblical Targamos and his descendants absolutely specifically: “From the east – the Sea of Gurgun (Caspian Sea), from the west – the Sea of Ponto (Black Sea) and from the south – the Sea of Oreti (Mediterranean Sea) and from the north – Mount Caucasus” – which implies the territory between the Caucasus mountain range and three seas: Mediterranean, Caspian and Black Sea. Such self-confidence of the chronicler when drawing the borders of settlement of descendants of Targamos was predetermined by the fact that he imagined the territory of Targamos as the unity of the territories of those states from whose names it derived the names of possible eight sons of Targamos by adding the Greek suffix “os”: Haos, Kartlos, Egros etc. and finally united the peoples residing in the western part of the North Caucasus under the one name Caucasus and derived the name of the eighth son of Targamos – Caucas according to their common name.

After identifying common borders of settlement of descendants of Targamos, “The Life of Georgian Kings, the First Fathers and Relatives” separately identifies the borders of the countries of all the eight “sons” of Targamos – “brothers”. As already mentioned, these are the borders of the kingdom of Kartli that existed during his period and the borders of the neighboring states or political units existing around the kingdom of Kartli in the period of the chronicler.

Language

Georgians also differ from “others” by the Georgian language. The Georgian Chronicles recognizes and accepts two theories of the origin of the Georgian language. The first theory is associated with the destruction of the biblical tower of Babel. According to the bible, humankind speaking one language instantly became multilingual by desire of the God. The second theory, on the contrary, justifies creation of the new Georgian language as a result of the merger of already separated various languages.

According to The Georgian Chronicles language in general and the Georgian language specifically, undergoes several steps in its development: the first step is its origination, the second – its universal spread within the state borders, the third and the highest step is its transformation into the language of education. This work associates reaching this third highest level of development of the Georgian language to the founder of the state of Kartli and its first king, Parnavaz, who, according to the chronicler, “expanded the Georgian language ... and created Georgian education” (The Georgian Chronicles, 1955). To explain how the Georgian language was created, The Georgian Chronicles offers a rather original opinion: descendants of “foreign relatives”: Assyrians, Turks, Khazars, Jews settled during various historical periods resided next to the Kartlosians (Georgians) speaking Armenian in Kartli from ancient times and the Georgian language was created by mixture of languages of all these “relatives”.

In the late 11th century and the 1st half of the 12th century, this opinion used to have a direct and well defined social-political meaning in Georgia: it made the Georgian society believe that “Georgian” is the result of the merger of both “Georgians by relative” and other “relatives” settled in Georgia and therefore, by the 1st half of the 12th century when Georgia became multiethnic in parallel to becoming a monarchy uniting the Caucasus, nothing special happened in this regard, i.e., polyethnicity, and therefore, based on it, the desire or ambition of the Georgian political rulers to transform the Georgia into the power uniting Caucasus, is quite natural.

Religion

According to The Georgian Chronicles, the necessary precondition for existence of Georgians as well as any people in general, is the unity of religion, i.e., confession.

According to the work, religion – confession of ancestors is one of the most signifi-

cant attributes of the nation and state and the guarantee of its sustainability. Therefore, change of confession, betrayal of the confession of ancestors is the case when the The Georgian Chronicles evidences even the murder of the king by his subordinates. This is clearly confirmed by the passage of The Georgian Chronicles which addresses the conspiracy against the king Parnajom and his capital punishment.

When Parnajom's son came to Kartli to regain the throne, he addressed the nobles of the kingdom who had killed his father because of the change of confession: "Murder of my father was fair because he could not maintain the confession of your ancestors." However, it should be mentioned, that as it seems, when discussing the loyalty to the confession of ancestors, a sense of unity/relationship formed on this basis is more significant for the chronicler than the religious component. Religious unity is understood as one of the effective instruments of ethnic integration and predetermined belonging to the in group and this outlines the in group's difference from "other", "foreign" ethnic group. This can be confirmed by the chronicler's discussion about the development stages of religiousness and spirituality, in particular, the passage is related to the period after Targamos and Kartlos. Despite the fact that the chronicler accentuated that Christianity is the highest step of spirituality and religion, when narrating the epoch following the death of Mtskhetos, he said: "In the epoch of commotion and fights and intrigues after the death of Mtskhetos, son of Kartlos, the descendants of Kartlos forgot God and descended to the lower step of development of spirituality – "they started serving the sun and the moon and five stars," but they remained having a strong ethnic unity because they maintained it from the past as the one thing that united them: "The grave of Kartlos was the strong and senior place for them." That was the basis for uniting Kartlosians as one ethnos.

Historic memory

One more component allowing us to attribute the identity markers observed in The Georgian Chronicles primarily to the attributive paradigm of identification of ethnicity, is the chronicler's discussion about the significance of common past, i.e., historic memory. In this regard, The Georgian Chronicles mainly focuses on the fights, agreements, political achievements and compromises related to acquiring/gaining separate territories. The mentioned phenomena are considered to be the common past. For example, in the description of the first years of reign of Vakhtang Gorgasali it is depicted: "At that moment Greeks came to Abkhazia and conquered the territory from Egristkali to Tsikhegoji. All Georgians began to mourn and worry and said: 'We committed

many sins before the God ... the God became angry with us because we received the border from Greeks just like the king Varaz-Bakar had received Klarjeti”; In the part dedicated to the conversion of Kartli, Vakhtang Gorgasali says: “Our ancestors secretly possessed this book [Nebrothis], ... after that our father Mirian accepted the Testament by Nino”, or the Arab Asim addresses Archil: “You are the son of great kings Khuasroans” etc. According to the chronicler, all these factors unite the Georgians and contribute to their sense of the past as well as making the sense of their relationship and unity more tangible.

Conclusion

Analysis of the markers related to ethnic identity of Georgians observed in The Georgian Chronicles practically fully confirms the hypothesis presented by us about possible correspondence of the mentioned markers to all the three paradigms of identification of ethnicity. This analysis demonstrates the scholarly-justified opinion of the author of this most significant historical source of the medieval period. Considering all necessary preconditions, the mentioned opinion is politically determined and focused on the perspective of preservation/development of a unified/centralized state. For the population residing on a certain territory but may not be related ethnically, these preconditions should create the basis for firm loyalty to the unity, belonging to the group “we” and culture, traditions and values of this group.

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The Issue of Georgia's Borders in the Main and Additional Agreements of Bret-Litovsk

This article concerns The Treaty of Brest-Litovsk, which was signed on March 3, 1918 between the Soviet Russia (the Russian Soviet Federated Socialist Republic) and the powers of the Quadruple Alliance (the German Empire, the Austro-Hungarian Empire, the Ottoman Empire, the Kingdom of Bulgaria) and significantly determined relations between Georgia and the Ottoman Empire in the period 1918-1921.

We are interested in the fourth article of the basic treaty and the second article of the supplementary treaty between Russia and Turkey, both of which deal with Georgia, especially its borders. According to the basic treaty the question of the political orientation of Kars, Ardahan and Batumi should be discussed based on the referendum. Thereport stressed that referendum was formal. In our opinion this is confirmed by the supplementary treaty. According to this, the border between Turkey and Russia (1877-1878) where Ardahan, Batumi, and Kars belonged to Turkey must be restored.

According to these materials we conclude, that the result of referendum was pre-determined and formal.

Keywords: Georgia, Bret-Litovsk, Soviet Russia, the Ottoman Empire, Turkey, Ardahan, Batumi, and Kars.

The article deals with the Treaty of Brest-Litovsk signed on March 3, 1918, between Soviet Russia and The Big Four states (Germany, Austria-Hungary, the Ottoman Empire and Bulgaria). Article IV of the General Agreement and the Article II of Additional Agreement (Russia-Turkey) will be discussed, which are directly related to Georgia, namely, its borders.

The war between Russia and the Ottoman Empire in 1877-1878 ended with Adrianopol's temporary truce (19 January 1878), which was renewed by San Stefano truce on February 19 in the same year. According to this truce, Ardahan, Kars, Baiazeti and Adjara with Batumi became part of Russia in the Caucasus. Based on this truce, the Ottoman Empire tried to return the lost territories.

In 1917, two revolutions happened in Russia – the Revolutions of February and October. The revolution of February was a more natural phenomenon and the basis for the end of monarchy in Russia. After this event, the temporary bourgeois government was established, which created the Transcaucasian Special Committee - Ozakom entrusted with the management in the Transcaucasia. On November 15, the Transcaucasian Commissariat was established and the independent government was created chaired by Evgeni Gegechkori; the Ottoman Empire observed the ongoing events and was waiting to seize territories.

In December 1917, the Ottoman Empire offered a truce to the Commissariat of Transcaucasus – the Commissariat received the letter from Vekhib Pasha. The Commissariat of Transcaucasus agreed to receive the truce and started to prepare for negotiations. They designed appropriate instructions for delegation and established the major principles on March 1, 1918: 1. The pre-war boundaries of 1914 Russian-Ottoman war had to be basis for the truce; 2. The delegation should require the rights of self-determination for East Anatolia, particularly the autonomy of Ottoman Armenia within the frames of the Ottoman Empire.

However, as we have already mentioned, the Ottoman Empire had a completely different plan regarding the Caucasus. Simultaneously, the Ottoman Empire was trying to fulfill its territorial ambitions while conducting the Treaty of Brest-Litovsk. On December 29, 1917 the government of the Soviet Union published the decree “On Turkish Armenia” in the newspaper *Izvestia* regarding the Governorate of Arzrumi, Kars, Sebasti, Vanisa, Diarbekir. The decree supported the right of free self-determination of Turkish Armenia until gaining complete independence. At the same time, the Russian government demanded the withdraw of the Turkish army from “Turkish Armenia” and the creation of an Armenian militia there.

The Turkish government decided to use the right of self-determination declared by the Russian government for accomplishing its goal. Turkey was interested in regaining the lost territories during 1877-1878 years, particularly, the district of Kars, Artaan and Batumi. Therefore the Turkish delegation demanded to withdraw the Russian army and clarify the status of this region by carrying out referendum.

The German government understood well the existing, complicated situation and the Transcaucasian government was invited to the ongoing negotiations in Brest-Litovsk on January 3 (16), 1918 in order to fulfill its goals. The telegram was sent to Commander-in-chief – General Lieutenant Odishelidze. It was also mentioned in the telegram that “...the delegates of mediator states are ready to recognize the independence of Transcaucasus... and it can send plenipotentiary representatives to Brest-Litovsk” (the history of Georgian Diplomacy; p. 455). Commander-in-chief of Turkish Caucasus army Ferik-Vehib-Medmed signed the telegram. The telegram was received on February 1 (14).

The Transcaucasian government did not receive an invitation. Later the newspaper *Ertoba* wrote about the position of the government: “we were invited to Brest-Litovsk but we acknowledged that we are a part of Russia we did not want to be separate from Russia creating its prosperity on the disaster of other nations and as a result we did not go there”. The leader of Transcaucasian government sent a message to Brest-Litovsk: “as the Caucasus is a part of Russia, the issue of a truce is part of Russia’s responsibility.” (Maghlakelidze, 1991, p. 160)

The 4th article of Brest-Litovsk declared the readiness of Germany for a universal truce and at the end of the demobilization of the Russian military removing the located territory in the east indicated in the 1st paragraph of 3rd article.

Russia will do everything in its power in order to quickly cleanse the provinces of Anatolia and return them back to Turkey.

Artana, Kars and Batumi districts will be immediately cleaned of Russian forces. Russia will not interfere in the re-organization of state-legal and international-legal relations; the local population will decide in agreement with their neighboring countries, especially with Turkey, the new system and form of governance.

From our point of view, the question of the above-mentioned breach of the Treaty of Brest-Litovsk is apparently resolved in favor of the Ottoman Empire. It is more obvious from additional treaty of Brest-Litovsk between Russia and Turkey. It is written

in the second paragraph of this agreement: “Two mixed Turkish-Russian commissions should be created. The first commission restored the prewar borders from Persia to sanjaks of Kars, Ardagan and Batumi; And the second commission was assigned to define the border between Russia and the three sanjaks listed above”. (Международная политика, новейшего времени, в договорах нотах и декларациях., 1926). The borders should have been restored according to the border between Russia and the Ottoman Empire during the War. As a result, Artana, Kars, Baiazeti and Batumi entered the Ottoman Empire.

It's completely obvious that article IV of main agreement of Brett-Litovsk and the mentioned referendum regarding establishing and electing political governance in Artana, Kars and Batumi districts was entirely fictitious. As we have already seen in additional agreement the border line was directly indicated and according to it, the above mentioned sanjaks were under the governance of Ottoman Empire.

According to the truce the Ottoman authority held referendum in Artana, Kars and Batumi districts from June 12 to July 14, 1918.

Turks unified the territorial-administrative units of Batumi and Kars and called them *Elviye i Selase*. Artana was considered to be a constituent part of Kars.

The Ottomans held preparatory works for referendum in the above mentioned districts starting in 1918. A special delegation was sent led by secretary of internal supervision Abdul Hadik Bay. The delegation included: Hilmy Bay – sent to Kars; Shakiri – sent to Artana; Nedjat Bay – Oltis; Asaf Talat Bay – Kagizman.

The delegation started studying the existing administrative structure in the districts; a census of enumeration and registration was decided.

Within the framework of the preparatory work, election zones were established; in total, 62 election zones were declared; the first poll and registration was held in Artana. The men who turned 19 were given the voting right.

Confirmed: 85 villages in Artana, from it - 74 Islamic, 11 others. There were 3 175 Muslims and 1000 followers of other religions in the district.

In Batumi: 73 Islamic villages, 12 others; in total: 4312 inhabitants.

In Kars: 325 Islamic villages; 12 others, in total, 66 923 inhabitants (Sürmeli S., *Türk-Gürgü ilişkileri* (1918-1921), 2002).

The voting procedure was carried out: primarily, information was sent to the polling stations; several polling stations were subordinated to one central district.

The referendum began on June 12. Polling boxes were put in polling stations in front of the municipality. Voting was carried out on blue and white cards. Red Crescent Moon and stars were depicted on the white cards and these cards were put in sealed boxes. Inserting white cards meant voting in favor of Turkey while the blue ones were against it.

People gathered in front of polling stations were informed about article IV of Brett-Litovsk truce. According to Turkish sources serious incidents did not take place at the polling stations.

The Russian voters demanded voting in secret in the Batumi polling station.

We should also mention one condition that voting and population registration took place simultaneously. Due to this, voting process lasted from June 12 to July 14. The vote counting process started by special commission and the results were sent to the Ottoman government.

Overall, 87 048 people were surveyed, out of them 85 129 confirmed acceptance, 441 confirmed refusal, 1693 abstained. (Sürmeli S., *Türk-Gürgü ilişkileri (1918-1921)*., 2002).

Georgian government sent protest note to the Ottoman government where it did not recognize the referendum results; the Ottoman government sent a note on August 12 in response to it, where it denied accusation regarding falsifying the referendum results.

On August 15, Sultan Mehmed VI published a rescript which stated the unification of three sanjaks to Ottoman state. The big celebration took place on August 21 regarding this event in Batumi.

On September 20, 1918 the government of Soviet Union sent a note to Ottoman Turkey which mentioned that the referendum held in Kars, Artana and Batumi districts did not show the desire of the population of these districts because it was held under the terms of occupational regime and apparent plebiscite falsification took place.

Ottoman officials denied falsification of its referendum in responsive note and tried to justify it. The Russian government still sent a note in response to this on October 10

and it stated again that Kars, Artana and Batumi districts were illegally appropriated and it was against Brett-Litovsk truce.

Besides Russia, the government of Germany considered the referendum to be illegal. The government of Germany ordered its ambassador in Istanbul to inform the Ottoman government that the plebiscite held by Ottoman was not in line with Brett-Litovsk truce; due to the fact that it was held without agreement with neighboring countries and it was not based on legal foundation.

Germany managed to get the Ottoman Empire's consent to organizing a referendum, but the victory of Antanta in the world war changed the political picture and referendum was not held.

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Georgian and Abkhaz Discourses about 1992-1993 Armed Conflict: Narrative Analyzes of Interviews of Eyewitnesses.

Society is a self-producing entity, which creates and recreates itself in frames of existing collective consciousness. Collective frames operate like social matrices and influence importantly the formation of images about the past. In order to recreate itself, a society needs a special point of reference. The production of discourses is a fundamental way to preserve mnemonic communities and transmit means for value systems' formation. Discourses represent a generalized sum representing specific and frame-narratives, which is based on the prior guiding values and those beliefs and ideas the society has about itself. It is noteworthy to mention that society assesses itself, as well as other societies and events according to those beliefs and ideas.

The subject of this study is Georgian and Abkhazian discourses that these two conflict-torn societies have about 1992-1993 years armed conflict. The research is based on an analysis of biographical-narrative interviews given by the witnesses of the war and person directly involved in combat. The analysis of the Georgian and Abkhaz narratives is paramount especially for two reasons: 1) narratives allow for the possibility for reconstruction of the past and 2) narratives shape the collective imaginations about the future and describe the degree of invariability or variability of a societal value system through the time continuum. National narratives represent a fundamental aspect of national identity and provide a group with fundamental ideas about its past and its role and mission in the world.

Narratives highly influence the formation of interpretative and the attitudinal mindset of the individuals. Also, they affect reflective processes, which influence individual cognitive-emotional system and is reflected in the narrations.

The research demonstrates the mainstream, therefore the most influential, central narrative models about 1992-1993 Georgian-Abkhaz conflict. Besides, this study underlines the implications of side-narrative models, which are the branches produced on the ground of central narrative templates.

This research examines Georgian and Abkhaz biographical narrative interviews, particularly, the textual representations of these interviews, that is, in interview transcripts. Methodological approach of narrative analysis opens the window of opportunity for identifying and defining what sort of discourses exist in Abkhaz, as well as in Georgian societies about the conflict.

Based on interview analyses, this study demonstrates narrative constructing elements (the four-component structure of narratives), the leading and produced narratives about the 1992-1993 Georgian-Abkhaz armed conflict are reflected in the Georgian and Abkhaz mnemonic communities, which is the representation of chosen trauma in Abkhazian narratives and what is the importance given to the narrations about “victimhood” in the creation of group identity.

Keywords: Georgian-Abkhaz conflict, narrative template, national narrative, chosen trauma, victim narrative, memory, biographical-narrative interview, discourse.

After gaining independence, the creation of free political space in Georgia became possible, which was not directly dependent on directives coming from specific empires or states.

Having at its background heightened by nationalistic discourse, in a chaotic and unstable political environment of 1992-1993, bloody armed contradiction took place resulting in death toll more than thousands of people. After the Georgian-Abkhaz conflict, the broken relations and disunification of the societies created an informational gap and increased the possibility of the construction different perceptions about, attitudes towards and evaluations of conflict.

It is interesting to assess, study and compare Georgian and Abkhaz narratives about the conflict. Working towards this direction is valuable, because even though 24 years after the hot phases of the conflict have passed, a common understanding between contradicting parties about the conflict has not been reached and the vital steps towards conflict transformation have not been taken. This at some point demonstrates that the past events have not been well studied, comprehended and evaluated. Therefore, research on Georgian and Abkhaz narratives is paramount for understanding the attitudes that Georgian and Abkhaz societies have towards conflict.

The importance of the research

A study and comparison of Georgian and Abkhaz narratives about 1992-1993 conflict on the ground of analyzing in-depth interviews given by ethnic Georgian and ethnic Abkhaz respondents has not been conducted yet. It might be possible that this fact is conditioned by a limited access to the interviews conducted with ethnic Abkhaz population beyond the line of separation. In line with others, topics like: the discourses of Georgian and Abkhaz societies about the armed conflict of 1992-1993, the representation of ‘victimhood’ in Georgian and Abkhaz narratives, the Georgian-Abkhaz “brotherhood” narrative popular in the Georgian discourse, and also “enemy” perception in Georgian and Abkhaz discourses are not studied with the usage of mentioned interviews.

Along with the historical narrative, information coming from different media means, also the narratives constructed by thought leaders and the shared experience of the actual witnesses of the conflict play enormous role in the creation of discourse about conflict. Making historical sources as the only foundation for understanding this topic

doesn't give us full picture. Memory politics, which exist in the country, as well as the narrative constructed during years, can be observed in the writings depicting Georgian-Abkhaz conflict of 1992-1993. While discussing the above-mentioned conflict, people are omitted, average people, which saw the conflict with their own eyes or participated in it, also these writings do not demonstrate attitudes and feelings of these people towards events developed during 1992-1993. Besides the historic narrative, it is interesting how this narrative influences people and how average people reflect on it. Having in mind this idea, studying popularly disseminated narratives based on the interviews given by persons directly involved in the conflict is necessary. It is important to analyze interviews conducted with the ex-combatants, IDPs, and others, who were directly involved in the conflict in some specific ways.

It is interesting how Abkhaz people evaluate the conflict and what sort of attitudes they have with regard to it. The analysis of Georgian and Abkhaz narratives gives us an opportunity to assess, study and compare Georgian and Abkhaz storytelling with their commonalities and differences.

Methodology

In frames of this research, in order to study the issue, narrative analysis method is used. Narrative analysis is based on the study of discourse and textual representations of discourse. Narratives, in this context, mean stories, which describe a chain of specific events. Different approaches are used to collect such stories, but, in frames of following research the focus is on the narrative-biographical interviews. More specifically, the research studies textual representation of Georgian and Abkhaz narrative-biographical interviews, that is - interview transcripts.

Based on the analysis of narrative stories, it is possible to observe how people directly involved in the conflict or eye-witnesses of it evaluate the conflict of 1992-1993. What sort of main narratives exist about Georgian-Abkhaz conflict? What is the representation of 'victimhood' narrative in the Georgian and Abkhaz discourses? What it looks like the representation of chosen trauma in Abkhazian narrative template and what is the enemy perception in Georgian and Abkhaz discourses? The narrative analysis method gives a possibility to analyze what kind of commonalities and differences exist in Georgian and Abkhazian discourses about the 1992-1993 conflict.

Results

In order to study discourses existing in Georgian and Abkhazian societies, which both societies have about the 1992-1993 armed conflict, in frames of the research 300 Georgian and Abkhazian narrative-biographical interviews were analyzed. The analysis revealed that the narrative structure contains four main components. These components are as following: fact, emotion/evaluation, re-evaluation and message.

As a result, this study demonstrates Georgian and Abkhazian narrative templates and the specific narratives involved in the narrative templates. Also, the results reveal the representation of the ‘victimhood’ in Georgian, as well as in Abkhazian narrative templates.

Additionally, the analysis of Georgian and Abkhazian interviews demonstrated the narratives, which accompany the main narrative – Georgian and Abkhaz ‘brotherhood’ narrative, also the enemy perception perspectives among Georgian and Abkhaz people.

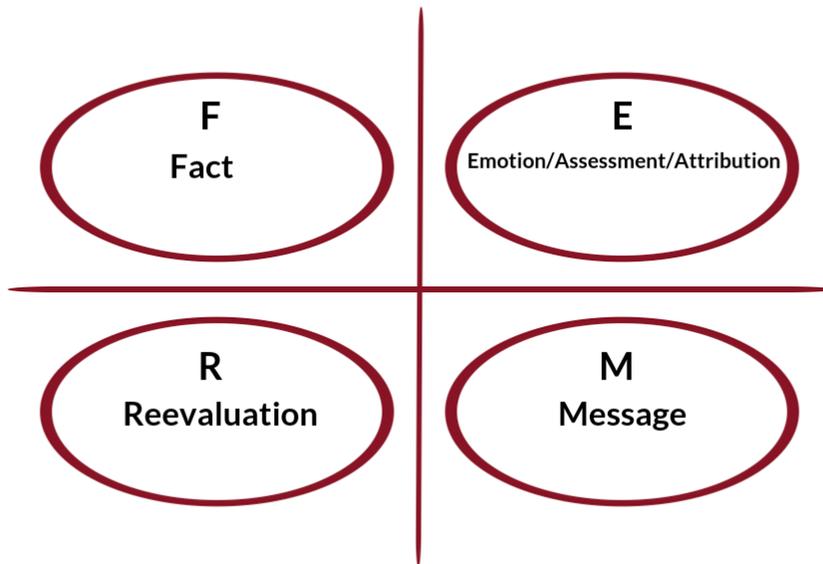
1.1 Four-component structure of the biographical interview

For the research Georgian and Abkhaz narrative (biographical) unpublished interviews are used. As mentioned in the beginning, interviews used in the research were recorded by the non-governmental organization Berghof Foundation’s interviewers and are under the Foundations’ ownership. Interviews were conducted in frames of projects: “History, Memory and Identity” and “History Dialogue for Future Cooperation” from the period of 2013-2016 years. Narrative interviews are recorded with the ethnic Georgian and Abkhaz respondents, who reside on both sides of the River Enguri.

Respondents were people connected to the 1992-1993 Georgian-Abkhaz conflict in some specific way: IDPs, soldiers, members of informal groups, doctors and other witnesses of the war and escalation periods.

These interviews were recorded with the usage of one question “please, tell me your story from the beginning up today”. During the interview, the respondent recalled their own story and constructs the narrative on their own, without interviewer giving him/her direction. Interviewer asks precision question (in case such questions exist) only when the respondent finished his/her storytelling.

It is interesting, that in biographical interviews recorded in this way, a structure can be observed, which is same for almost all interviews. They can be termed as follows: fact,



In most cases, first part of the interview includes factual information about respondent or event, which the respondent describes. In the second part, respondent evaluated facts and events emotionally and attributed some specific facts or events to something or someone, about what or whom the respondent tells in the interview (attribution). In the third part it is observable that events are reassessed; this involves the respondent re-evaluation of the past in a different way, where it is demonstrated how respondent's evaluations and perceptions are changed during a time-span. The fourth part, at some degree, summarizes factual, emotional and re-evaluative parts, and this gives a storyteller the possibility to construct and transmit to the listener a particular message or piece of information.

A Fact is an event, case, story or factual, descriptive information, which the respondent tells as an event that has already occurred. It might be information or data, on which it becomes possible to base the choice to accept or deny some conclusion. The descriptive factual components represented in the narrative interviews give possibility to reconstruct past events. They transmit concrete and detailed information about actors who were involved in the events, names of the territorial entities, quantities, date or other sort of similar specific information. Thus, it is related to the first component of the theory about two levels of narrative analysis template by Wertsch, according to which specific narratives represent surface texts containing concrete information about a particular time, also information about the localities or actors involved in past events (Wertsch, 2012; p175).

It is noteworthy that the information given by the storyteller might be unrelated to the truth, but the storyteller represents it as a fact. Notwithstanding this, specific narratives similar to them play important role in creation of general narrative scheme and template construction. The mentioned narrative schemes relate to the second level of narrative analysis by Wertsch, which, unlike the specific narratives, represents generalized, schematic structure of the narrative and doesn't include specific information.

Emotion/Evaluation is an attitudinal feeling a respondent has towards an event. The evaluation consisting of an attitude, which, as a rule, demonstrates the emotional attitude the storyteller, has towards an event, fact or case. It also informs how this event was emotionally perceptible for the storyteller. Emotional-evaluative component might also include attribution. To be more precise, it might include evaluative attitudes of the respondent towards whom or what the respondent attributes this event. With the specific narrative, which is transmitted with an emotional heaviness, a storyteller constructs a general attitude towards wider chain of events and creates an important ground for reconsidering of the past.

Re-evaluation is an assessment, which is distanced from facts or events in time continuum, which invites us to see event or fact from a new perspective. Re-evaluation considers changing of an existing mind of view after some time since the action or event had passed. Re-evaluation can be done by an actor involved in an event or a person who observed an event. As an example, soldier from Tbilisi who participated in armed activities during 1992-1993, 24 years after conflict assesses his own activities as mistake, while during the hot phases of a conflict he thought about the same activities as being heroic. In the re-evaluative part of the story, mostly regretful phrases and passages are on face. Re-evaluative part is at some degree preparatory part for construction of the message part.

Message is an information containing part of the story, which the respondent sends to the recipient, as a main idea of episode, (interview, story, event) some sort of lesson, a conclusion of his/her own narrative, which the respondent constructs in a manner of advice or appeal. The message is in most cases directed to and thought to be for the other side. For instance, the recipient of a message by an ethnic Abkhazian is mostly Georgian, with whom he/she doesn't have any communication or relationship, and a recipient of a Georgian message is often Abkhazian. It is noteworthy, that the message might be either a separate episode, or it might be deduced from the whole narrative. It can be that the whole storytelling (factual, emotional/evaluative and re-evaluative parts) serves conclusive message, which might be constructed in a few sentences. Mostly, respondents use all the facts, emotions, evaluations and re-evaluations repre-

sented in the interview, in order to construct logical conclusive message, a message that summarizes everything what was spoken before.

Thus, if a researcher is interested in specific (concrete) narratives, (dates, localities, actors, facts), which play significant roles in constructing general narrative schemes and templates, he/she shall study first component of biographical interviews, which can be called factual component of an interview. With the help of this component it becomes known when an event ended, who were participants of it, where an event took place and etc. It also gives a possibility to understand, which past events are more important for the respondents (for example, for ethnic Georgians and Abkhazians).

If a researcher is interested in narrative templates and schematic plots, then the second component of an interview might be helpful. This component minimally contains specific information and mostly reveals general evaluative template. In a second or emotional-evaluative component of a biographical interview general-evaluative information is involved, which represents narrative “cookie-cutter plots or storylines”, on which a specific narrative template is built (Wertsch, 2012, p175). The emotional-evaluative component of a biographical narrative interview depicts general schemes of a narrative, which becomes a fundament for other narratives’ production, for example, the construction of a ‘victimhood’ narrative.

If a researcher is interested in how a respondents’ set of mind, attitudes, and evaluations towards past events has changed, and also, which general narrative was substituted with a new scheme of narrative, then he/she has to study re-evaluation component. At some degree, studying only, which leading narratives existed at a time when event took place and, with which they were substituted after some certain time passed; that is till the moment of recording an interview. For example, the popular heroic narrative of 1992-1993 and the leading reasoning behind human activities, was at an important level substituted with a narrative oriented towards peace and cooperation, 24 years after the conflict.

When a researcher is interested in understanding what is the main message of the respondent, what kind of lesson the respondent learned based on observation at his/her own story and what he/she wants to share and transmit to the recipient, then a researcher has to study message part of the interview. In this part of a story, the perspective of future is represented. It depicts how a respondent sees the way out of a specific situation or a solution of a problem. With studying this component, it becomes possible to define those general narrative templates and plots, which the respondent wants to disseminate for the future.

Georgian and Abkhaz Narrative Templates – Commonalities and Differences

According to Jan Assmann (2006),

...national narratives give rise to a particular way of relating to the past that is distinct from ‘cultural memory’. Specifically, a national narrative ‘is one particular “cultural text”, a coherent ordering of events along a strict narrative line serving as an intellectual and emotional backbone of national identity. From this perspective, national narratives are important because they provide groups with core ideas about their past and their role in the world (Wertsch, James V., Deep Memory and Narrative Templates: Conservative Forces in Collective Memory, p.174).

It is interesting how narratives are created and then, how they become internalized by group members.

National narratives might be analyzed at more than one level, and in this regard... ...a distinction can be drawn between ‘specific narratives’ and ‘narrative templates’. Concrete narratives are surface texts that include concrete information about the particular times, places and actors. In contrast, narrative templates are generalized schematic structures that do not include such concrete information. They are cookie cutter plots or storylines that can be used to generate multiple specific narratives. As such, they function in the role of underlying codes, suggested by DNA metaphors. The notion of a template suggests that this sort of storyline is used repeatedly by a mnemonic community to interpret multiple specific events by fitting them into a schematic plot line (ibid., p175).

If we base our work on the model suggested by Wertsch and compare Abkhaz and Georgian narratives, it turns out that Georgian and Abkhazian narrative templates are identical; they differ only in concrete (specific) narratives. As Jan Assmann (2016) writes, a national narrative tells us who “we” are by telling the story of “our” development, our past and our becoming (p.19). Georgian and Abkhazian stories about “who we are” are very much similar with regard to the main structure of the narrative. It is

cookie cutter plots, fundamental narrative plots that make Georgian and Abkhazian narrative templates similar, though concrete (specific) narratives make the difference. It is interesting, that the members of mnemonic communities assume, that their national narrative template is uniquely fitted to them and is useless for other groups. More than that, narrative template offers their only true story, which cannot be rivaled by other narrative templates. In itself, such assumptions separate one mnemonic community from the other even when they share the same generalized scheme of the plot, that is – the narrative template.

In such a way, Abkhazian mnemonic community creates its unique, true historic narrative, and contradicts it with its specific narratives against the national narrative of Georgian mnemonic community, notwithstanding the fact that both Georgian and Abkhazian national narrative fundamentals itself on the same plot reasoning.

Let's discuss Georgian and Abkhazian national narrative templates. According to the Georgian narrative template, as it is noted by James Wertsch and Nutsa Batiashvili in their article "Mnemonic Communities and Conflict, Georgian National Narrative Template", Georgia is one of the ancient nations in the world, with a rich history and culture. It is noteworthy that Abkhazians also have a pretension on antiquity, as well as on a rich history and culture. This is especially well observable in documentary movies about Abkhazia, where Abkhazians attempt to demonstrate what is Abkhazia and what is their history. In such movies, while telling about Abkhazian history, Georgia is represented as one of the neighboring countries that border Abkhazia, while the recalling of the past begins from times of the Abasgoi and the Apsilae tribes. Importance is given to the uniqueness and very little attention is given to the information about co-habitation with Georgia. An important component of Georgian narrative is defense against foreign enemies, preservation of cultural values (especially language and religion) with the help of disobedience towards foreign governments and self-renunciation. In the Abkhazian narrative, enormous importance is given to the same component – fighting against enemy and preservation of cultural self-uniqueness (especially language and tradition).

In the Georgian national narrative template, the reigns of Queen Tamar and David the Builder are represented as historical landmarks, which are defined as a historic period of stability and normalization. Accordingly, the modern Georgian national narrative is directed towards the Golden Age of Georgian history, notwithstanding the fact that the mentioned period (conventionally, normalization period), did not last for a long period of time.

Notwithstanding geopolitical transformations and frequently forceful change of territorial borders, Georgian, as well as Abkhazian history is a fight for preservation the uniqueness. That is why, both narrative template uses such factual substantiations from the past, and revitalizes those periods of the past, which strengthen the mentioned narrative structure. Consequently, Georgia under David the Builder and Georgia of Queen Tamar is a symbol of unification as well as territorial unity. This period is a fundamental element of the Georgian narrative, while Abkhazia's independence from Georgia represents the key element of Abkhazian narrative template.

In the Abkhazian national narrative template, as well as in the Georgian narrative, attention is given to the normalization period, notwithstanding the fact that length of such periods are significantly shorter in contrast to the periods of Abkhazia and Georgia being conquered with their territorial entities having within other states' borders. Georgian history, as well as Abkhazian history, focuses on the periods from of past when the populations were living under stability and normalization. For the Georgian historic template this period is the Golden Age, while for Abkhazians it is living as an independent entity from Georgia.

According to Georgian, as well as Abkhazian narrative templates, all other are periods of battles for identity preservation and maintenance. In both, Georgian as well as Abkhazian perceptions, an alternative reality is created, which represents the maintenance of identity and self-uniqueness, notwithstanding the fact, in which the state's ownership is located in the territory at a particular moment of time.

Andrea Zemskov-Zuege writes in her article that Georgian and Abkhazian history creates some sort of zipper template, according to which ethnic Abkhaz and Georgian respondents recall different historical periods while speaking about their past (Zemskov-Zuege, 2015, p.23). This trend is observable in Georgian and Abkhazian narrative (biographical) interviews. Besides the fact that Georgian respondents pay attention to the part from their past when Abkhazia was a constituent part of the Georgian state while Abkhazian perspective on history emphasizes a period from the history of Abkhazia when it was an independent entity. Georgian respondents also recall stories about neighborly relations with Abkhazians, at the same time when Abkhaz respondents focus on the problems they had to encounter while living with Georgians (limitations on Abkhazian language, the closure of Abkhazian schools, discrimination in job places on the ethnic grounds, discriminative speeches). According to Zuege, a whole picture about the past can only be created when both sides of the zipper supplement each other, in any other case, Georgian and Abkhazian narratives exist independently from each other and, therefore, create an alternative pictures about the past (p.23).

Georgian and Abkhaz ‘victimhood’ narrative templates

Victimhood narratives are clearly seen in Georgian, as well as in Abkhazian interviews. Abkhazians perceive themselves as the victims of Georgian aggression, while Georgians – of a Russian provocative tactical device. Ethnic Abkhazian respondents pay attention to the attacks from the Georgian side, on their brutality and aggression, while for Georgian respondents it is natural to speak about brotherhood and reconstruct narratives about good neighborly relations with Abkhazians, which suddenly were substituted with confrontation. According to the general Georgian narrative template, the Abkhazian war was planned by Russia long time before. In this context, most often, respondents recall the mines put by Russia, which had to be activated after the dissolution of the Soviet Union, in Abkhazia, as well as in Nagorny Karabakh and South Ossetia.

It is interesting, that in Georgian interviews, the land mines Russia had planted were named as the reason why conflict escalated - an idea that emphasizes the preliminary calculated plan by Russia about conflict escalations in different territories of Caucasus after the collapse of the Soviet regime. Therefore, Georgian respondents perceive themselves as victims of a previously planned Russian provocation. Ethnic Abkhazian respondents emphasize in their narratives the aggression and particular brutality from Georgians, especially from Tbilisi side, whose victim became an undefended and small Abkhaz society.

According to the Georgian narrative template, Georgians became victims of spurring and Russian provocation. From this template it is Russia who has to carry the responsibility and Georgia is seen as a passive victim. According to the Georgian narrative, the armed contradiction of 1992-1993 was not a Georgian-Abkhaz war; it was Russian-Georgian war, where Georgia was defeated. Therefore, the victim is Georgia. As the result of this conflict, Georgia lost territories and thousands of people became homeless.

Much like the Georgian template, the Abkhazian side also thinks about itself as being a victim, but in this case – a victim of Georgian aggression. According to Abkhazian narrative, Georgians desired to become masters on Abkhazians, therefore Georgians always oppressed and limited them. According to the same template, Georgian attacks and aggression resulted in an enormous death toll in small Abkhazia. According to Daniel Bar Tal’s ‘conflict supporting narratives’ theory, the above-mentioned narratives helps the members of the society to adapt to the hardships of conflict. They justify violence and destructive actions, which members of their own group had done.

Just with such narratives the society's preparation towards future hardships is done and formation of positive collective and individual identity becomes possible. The narratives alike help the society to represent itself as a victim. Daniel Bar Tal also notes that, when the window of opportunity for the constructive solution of the conflict opens, such narratives become the barrier, which hinders the peaceful conflict transformation (Bar-Tal, 2014). Thus, conflict-supporting narratives, which help society to represent itself as a victim, at some degree unite the same society and form a positive collective identity. Because of this, political leaders often encourage and support the reconstruction of similar narratives in Georgian, as well as in Abkhazian mnemonic communities.

Another positive aspect of the similar narratives is in its helpful nature – it helps society in its resistance and adaptation to the losses of conflict; though, it shall be noted that by producing similar narratives, mnemonic communities are driven to the dead-locks with regard to the regulation of conflicts between different societies. With the strengthening the victimhood narrative in Georgian and Abkhaz mnemonic communities, the narratives contradict each other and it becomes impossible to find out points of intersection between two alternate realities.

Thus, in Georgian as well as in Abkhazian interviews the stories are observable, according to which Georgian and Abkhazian mnemonic communities are represented as victims. Therefore, both – Georgian as well as Abkhazian mnemonic communities create victimhood narrative template, which is similar to each other according to their structure (big oppresses small); however, they are different according to the specific narratives (in one case oppressor is Russia, in another case – Georgia).

Memory of the Chosen Trauma and Transgenerational Transmission of Trauma in Abkhazian Narrative

Psychoanalyst Vamik Volkan studied the group identity phenomenon. He describes how identity is formed in individuals, feeling of belongingness with a larger group, like nationality. A sense of belonging with a bigger group is a fundamental part of an identity, which begins its formation from childhood. When a large group has difficulties overcoming trauma, hardships might evolve. The process of mourning and grieving is consisted of several stages, including denial and anger, which continues from two to four years, while mourning, which continues up to a decade, might transform traumatic experience and memory into 'chosen trauma'.

'Chosen trauma' is a shared mental representation of a historic phenomenon that oc-

curred in larger group, when the group experienced catastrophic losses, humiliation, and feeling of helplessness at the enemy's hands. When trauma healing is not reached, the 'chosen trauma' is transmitted to the offspring with the help of narratives and rituals. This is called transgenerational transmission of trauma. When an identity of a larger group is at stake, strong collective fears and dismay might be produced (Volkan, 1998).

In Abkhazian interviews the representation of a chosen trauma is revealed as well as the role of this trauma in construction of large group identity. While producing Abkhazian national trauma, except for Mohajir trauma, a large place is taken by the traumas and losses resulted from Georgian-Abkhazian conflict. This conflict is perceived in the Abkhazian mnemonic community as an attempt of genocide from the Georgian side against Abkhazians.

As narrative interviews demonstrate, not forgetting the above-mentioned traumas and their transgenerational transmission is understood as the sign of patriotism. In interviews given by Abkhaz respondents, directly or indirectly, representation of their 'chosen trauma' is demonstrated. As Volkan writes, this 'chosen trauma' is transmitted through the generations with the help of narratives and rituals. From the Abkhazian narrative interviews it is seen that the generation, which went through the war, humiliation, and losses, was not able to heal from the traumatic experience, therefore they attempt to transmit it to future generations through narratives and rituals. Unlike the Abkhazian mnemonic community, the 1992-1993 Georgian-Abkhaz conflict hasn't become a national trauma for Georgians. It has an image of a specific narrative, which frequently is observable in stories told by IDPs from Abkhazia and soldiers.

The Georgian-Abkhazian 'Brotherhood' Narrative

As Jan Assmann notes, 'history turns into myth as soon as it is remembered, narrated, and used' (Assmann, 2005, p. 14). According to this idea, it can be said, that the fact, which occurred in the past, is influenced by an individual's contemporariness and is changed, while being remembered and narrated at a concrete moment of time. Jan Assman also writes, that the history 'is, woven into the fabric of the present', idea considering that human beings while distancing themselves from the past, are prone to change meanings of already occurred facts, evaluate them through the prism of contemporariness and filter them according to meanings.

While comparing Georgian and Abkhaz narratives, it is clearly seen that the witnesses of armed conflict of 1992-1993 and those people directly involved, while remembering historic events, base their narration not only on the experiences received during the conflict, but also on the pre-escalation and post-conflict experiences. The narratives disseminated among societies create mental templates, which affect the perception of historic facts and while reconsideration of the past, influence event analysis. Notwithstanding the fact that the Georgian-Abkhazian conflict was a real experience for conflicting parties, its perception and reevaluation is characterized with different features between the Georgian and Abkhazian sides.

An information vacuum and the full separation of the societies after conflict encouraged the development of different perceptions. However, the imaginary system disseminated in Georgian and Abkhazian societies is framed with different historic narratives and different foundations for the analysis of historic narrative templates.

The ‘brotherhood’ narrative originates from a scientifically-strengthened thesis, according to which Abkhazian territory is an inseparable part of Georgia and Abkhazians are descendents of Georgian peoples. The brotherhood narrative, which at some degree among Georgian society is used to represent a positive attitude and closeness towards Abkhazians, simultaneously rejects an Abkhaz identity independent from Georgian identity. The brotherhood narrative, as a cultural text, is involved in the national narrative, which is one of the most important representations of group identity and at a fundamental level creates the phenomenon of unity of particular group of individuals and of ‘mnemonic community’. According to James Wertsch, similar narrative templates ‘function in the role of underlying codes’, while the meaning of the template, in itself, conditions the fact that stories of this type are used repeatedly by the society for interpreting numerous specific events (Wertsch, 2012, p175). It is interesting that consideration of the time factor gives an opportunity to create much deeper and significant forms of interpretation. This opportunity becomes possible only due to the reflection an individual does on an experience he/she gathered during a time.

According to Bartlett, a narrator may not even consider that a narrative provides him/her with a framework within, which he/she shapes, formulates and tells a story. The changes taking place in general, generalized narratives, which exist in the society, influence the contemporary attitudes respondent has towards past events. A reconsideration of past events collectively changes the direction of reasoning inside the collective frame and becomes internalized in a particular individual at some degree. Respondent closely connects own activities and attitudes, which are disseminated among the society and his/her narrative repeats details from the collective narrative. (Batiashvili, 2012, p.191).

The brotherhood narrative, as it was noted, is based on the national-cultural narrative and represents part of it. According to Jan Assmann ‘ethnocentric particularity stems from forces that characterize most national narratives’ and at a cognitive level they are ethnocentric. ‘It is a kind of cognitive ethnocentrism that stands in the way of understanding the power and legitimacy of other national narratives. In extreme cases, the result may be what Thomas de Waal has termed ‘sealed narratives’²¹ such as those behind the frozen conflict between Azeris and Armenians in Nagorny Karabakh (Wertsch, 2012, p. 181). The same can be told about the narratives existing beyond Georgian-Abkhazian conflict. This fact creates one of the most important discouraging factors hindering reconciliation and understanding between conflict-torn societies.

Russia from the Georgian and Abkhazian Perspective – enemy or defender?

Memory is a complex and multilayered construct. From the one side, it is based on factual knowledge and represents a consisting part of a cognitive system, on the other side it is permanently changing and heterogeneous. Material residing in the memory, as usual, is very fragile and is influenced by collective, as well as individual mental system. According to what sort of experience made grounds for further gathering of knowledge, memory changes meanings of past events and transforms them.

This fact conditions that people’s attitude towards memory is a selective in nature. It is noteworthy, that history is characterized by interruptions. Large scale losses, emotional and material hardships, deaths of close people or generally, facing different sorts of threats, affects human perception and history becomes chain of interlocking factual and emotional processes. Apart from history’s political template, individual stories like these are, have their own existence.

Besides having a wide political content, the Georgian and Abkhazian confrontation had the face of private tragedy, which is fundamentally connected to the cognitive and emotional existence of specific individuals. Therefore, for evaluation/re-evaluation of historic facts and also for filling the informational gaps, it is noteworthy to study those attitudes and thoughts, which reveals whom members of Georgian and Abkhazian mnemonic communities perceive as enemies and defenders. At some degree, the fact who stands beyond enemy and defender’s image solves the matrix of Georgian and Abkhazian perception towards the conflict.

An analysis of Abkhazian and Georgian biographical narratives demonstrates that perceptions of enemy images in Abkhazian and Georgian discourses are different, and according to this it becomes possible to summarize that the main reason why the war started is different for both societies.

In the interviews given by Abkhaz respondents the enemy perception is sharply drawn, it is clearly seen what sort of face it has, while in Georgian interviews the enemy is not named. In Abkhazian stories, respondents say: “when Georgians attacked us”, “when Georgian forcibly entered Sukhumi”, “when Georgians burned my house”, while in Georgian interviews the naming of the enemy is omitted and respondents avoid naming the enemy. As an example, a Georgian soldier who fought in the vicinities of Tamishi, says that “he was fighting against enemy”, “on the second side there was an enemy” and uses words ‘opposite side’. In most interviews respondents do not say that Georgians were fighting against Abkhazians. According to the Georgian narrative template, the Abkhaz people are friends and brothers. Therefore, the Abkhaz cannot be an enemy. This dissonance is clearly observable in soldier interviews. On the one side, Abkhazians are our brothers, and on the second side, we fight against them. The Abkhaz person doesn’t have the label of the enemy attached to them and if the Abkhaz person is not an enemy, it is logical not to fight against them. It might be that in order to neutralize this dissonance, Georgian respondents use the word ‘opponent’ and avoid calling Abkhazians as enemies.

Conclusion

Society is a self-producing entity, which creates and recreates itself in frames of existing collective consciousness. The members of a society internalize characteristics of collective consciousness templates and are changed according to the features of social group. To maintain and renew itself within a time continuum, a society permanently needs to have some landmark of a value system. The production of discourses is a fundamental way how to form the landmarks of a value system, how to maintain it and how to transmit it. Discourses present a generalized summation representing specific and frame-narratives, which is based on the main features of the society. It is noteworthy to mention that a society assesses itself, as well as other societies and events according to those beliefs and ideas.

The creation of individual narratives is connected to the main, fundamental narratives and shows the belongingness of an individual to a social group. Individuals are social creatures and, therefore, reflect collective cognitive systems of society; However, the majority of the population doesn’t comprehend how closely they are related to the imaginary whole.

The main value system and imaginary system influences how society perceives itself,

also it affects systems of perception and attitude, which the imaginary society has towards other social groups or events. This is why it is of paramount importance, that simultaneously with studying generalized imaginations and narratives, individual narratives be studied and analyzed too.

In frames of the research, studying of biographical-narrative interviews given by ethnic Abkhaz and ethnic Georgian respondents demonstrate the close relationship between generalized narrative constructs and individual narratives. The existence of different perspectives about 1992-1993 Georgian-Abkhaz conflicts in Georgian and Abkhaz societies showed how difficult it is to evaluate, reassess and reconsider the events, especially when highly separated societies reside in informational vacuums and, as a result, have a limited possibility to share ideas. They have difficulty in reconstructing the past together. It is important to study Georgian and Abkhaz narratives, as they give us the possibility of reconstructing the past and also, open the window of opportunity to reduce collective imaginations about the future while also depicting the invariability and variability of social value systems.

Based on the interview analysis, a four-component structure of narratives was revealed, consisting of the following elements: Factual, emotional/evaluative, re-evaluative and message components. Besides the mentioned structure, interview analysis showed that these components are repeated in the stories in this sequence.

This research demonstrates what leading and accompanying narratives exist in Georgian and Abkhazian narrative templates about 1992-1993 Georgian-Abkhaz conflict among Georgian and Abkhaz mnemonic communities what is the representation of 'chosen trauma' in Abkhaz narratives and what meaning the production of the 'victimhood' narrative has for the group identity formation.

Thus, Georgian and Abkhaz narrative templates are identical, having only differences in concrete (specific) narratives. Abkhazian and Georgian stories about "who we are" are much alike with regard to the main structure of narrative. Just in cookie cutter plots, fundamental narrative plots are Georgian and Abkhazian narrative templates similar, while in concrete (specific) narratives - different. Members of imaginary societies claim that their national narrative templates are exclusively fitted to them and are not disseminated to other groups. Furthermore, narrative templates offer the only truth about their history, which cannot be rivaled by any other narrative template. In itself, such assumptions make one imaginary society separated from the other, even when these two societies share the same generalized scheme of the plot, that is, the narrative template.

Thus, the Abkhaz imaginary community constructs its unique, true historic narrative, which is in contrast with its specific narratives with the national narrative of Georgian imaginary community, notwithstanding the fact that both, Georgian and Abkhaz national narratives are founded on the same plot logic. One of the most important components of Georgian narrative is defending itself against foreign enemy, preservation of cultural values (especially language and religion) while being permanently in contradiction with foreign governments and self-sacrifice. In the Abkhaz narrative the same components have high importance – fighting against the enemy and preserving self-uniqueness (especially in language and traditions).

In the Abkhaz national narrative template, as well as in Georgian narrative the attention is paid to the normalization period, notwithstanding the fact that such periods were substantially shorter during the history than periods when they were conquered or annexed by other states. Georgian, as well as Abkhazian history is focused on the parts from their past when they lived in their normalization periods, for the Georgian historic template this period is the Golden Age, while for the Abkhaz this period is living independently from Georgia. All of the other periods according to Georgian as well as Abkhazian narrative template covers times of fights for the preservation and maintenance of an identity. In both, Georgian and Abkhazian perception an alternative template to the reality is created, which focuses on identity preservation and maintenance, notwithstanding the fact within which the state's borders and territory is formed by a particular moment of time. The victimhood narrative is clearly seen in Georgian, as well as Abkhazian narratives. Abkhazians perceive of themselves as victims of Georgian aggression, while Georgians think of themselves as victims of Russian provocative plans. Ethnically Abkhaz respondents pay attention to the attacks, brutalities and aggression coming from the Georgian side, while for the Georgian respondents good neighborly relations with Abkhazians and reconstruction of the 'brotherhood' narrative is naturalized, which suddenly was changed with the confrontation. According to the Georgian narrative template, the war in Abkhazia was preliminary planned by Russia.

It is interesting that in Georgian interviews, the reason for the escalation of conflict is seen as mines that Russia had planted before -- a reason, which implies a pre-planned provocation developed by Russia in order to escalate conflicts in different parts of Caucasus region shortly after the dissolution of Soviet Union. Therefore, Georgian respondents see themselves as victims who were entrapped by a planned Russian provocation. In their narratives, ethnic Abkhaz respondents emphasize the aggression and brutalities coming from Georgians, especially from Tbilisi, which victimized the defenseless and small Abkhaz nation.

According to the Georgian narrative of the 1992-1993 armed conflict, it was not a war between Georgia and Abkhazia; on the contrary, it was Russian-Georgian war, where Georgia was defeated, thus it is Georgia who is the victim. Due to this conflict, Georgia lost territories and thousands of people became homeless.

Much like the Georgian narrative of victimhood, the Abkhaz side also perceives itself as a victim, but in this case – as a victim of Georgian aggression. According to the Abkhaz narrative Georgians desired to master their rule of Abkhazians and because of this Georgians oppressed them. According to the same model, in itself small Abkhazia faced a huge death toll because of the Georgian attacks and aggression. In Abkhaz biographical interviews the representation of ‘chosen trauma’ is observable along with the importance ‘chosen trauma’ has in construction larger group identity. Except for the Muhajir trauma, a significant importance is given to the traumas and losses, which resulted due to the 1992-1993 Georgian-Abkhaz conflict. This conflict is perceived by the Abkhazian imaginary community as an attempt at genocide against the Abkhaz nation committed by Georgian side. As it is seen from the narrative biographical interviews, the preservation and transmission of the above-mentioned traumas to the future generations is equated with the patriotism.

In interviews with Abkhaz respondents, directly or indirectly, the representation of ‘chosen trauma’ is observable everywhere. As Vamik Volkan explains, this ‘chosen trauma’ is transmitted to the generations through narratives and rituals. Unlike Abkhazian imaginary community, the Georgian-Abkhaz conflict of 1992-1993 didn’t become a national trauma for Georgians. It is only a sort of specific narrative, which mostly is observable in the stories recalled by IDPs from Abkhazia and soldiers.

Thus, an informational vacuum and the separation between the societies during the post-conflict period encouraged the development of different perceptions. However, the imagination system disseminated among Georgian and Abkhazian societies are shaped with similar historic narratives and bases construction of events and its analysis on mentioned historical templates.

Analysis of interviews given by Georgian respondents shows that in the Georgian historic template the idea about Georgian-Abkhaz conflict developed, according to which Georgians and Abkhazians are “brothers”. The brotherhood narrative, which to some degree is used in Georgian society to depict a positive attitude towards and the closeness of Georgians with Abkhaz people, simultaneously rejects existence of Abkhaz identity independently from the Georgian one. The ‘brotherhood’ narrative as a cultural text is involved in the national narrative, being the most important rep-

resentation of group identity and creates at a fundamental level phenomenon of the unity of a concrete group and “imaginary community.” The brotherhood narrative, as was mentioned, is based on a national-cultural narrative and is a consisting part of it. According to Jan Assmann, ethnocentric particularity characterizes most national narratives. Cognitive ethnocentrism is the main hindrance that discourages understanding of the fact that other national narratives also have power and legitimacy. Thomas de Waal mentions that ethnocentric nationalistic narratives are ‘sealed narratives’, such as those behind the frozen conflicts in Caucasus.

The same can be said about narratives that exist beyond the Georgian-Abkhaz conflict, which create one of the strongest hindrances towards reconciliation and understanding between conflict-torn societies. An analysis of Abkhazian and Georgian narrative biographical interviews demonstrate that the perception of the enemy in Abkhazian and Georgian discourses is different. From the narrative analysis of the interviews it is observable that for the Abkhaz people the expectation of war always exists, and it is seen on emotional, as well as at physical levels that the perception of threat is still active even after the end of an armed conflict.

As the result of the memory of chosen trauma, the expectation of threat is transmitted through generations. This fact reveals the reason why Russia is still perceived by Abkhaz society as a defender. It can also explain how the desire of the Abkhaz mnemonic community to maintain the Russian Federation’s army on the Abkhazian territory. On the contrary, according to the Georgian narrative, Russia is identified not only as the enemy of Georgia, but also as the enemy for the whole region as it is in Russia’s interest to provoke and escalate conflicts in the Caucasus.

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International Relations

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Western Press Coverage of Environmental Controversies in the Caucasus: Filling the News and Information Gap?

Environmental crises confront Armenia, Azerbaijan, and Georgia. The implications of these crises cross sensitive and disputed national borders and may affect economic, political, and cultural relationships on a vast geographic scale. At the same time, the countries' domestic press systems are subject to a range of legal, quasi-official, political, and economic constraints that discourage — and sometimes punish — or prevent aggressive but fair, balanced, and ethical news coverage of environmental controversies. This study uses content analysis of news stories and interviews with journalists to explore how two independent Western news organizations, US-based EurasiaNet.org and UK-based Institute for War & Peace Reporting, tried to fill the news and information void left by constraints on domestic media during a three-year period. Among the variables analyzed are news sources (experts, advocates, and non-experts), fairness and balance, and article topics.

Keywords: Georgia; Armenia; Azerbaijan; content analysis; environment; news media; EurasiaNet; Institute for War & Peace Reporting

The three former Soviet republics in the South Caucasus—Armenia, Azerbaijan, and Georgia—face major ecological challenges. Among them are threats to the Caspian and Black seas, the ramifications of climate change for glacial melt, destruction of habitat and biodiversity, overfishing, radioactive and hazardous wastes, water quality and supply, deforestation, energy exploration, air and pesticide pollution, and environmental diseases. Other environmental problems include construction of hydropower dams, soil degradation, and hazardous tailings from mines. The implications of these and other eco-challenges cross national borders and may affect economic, political, and cultural relationships on a large geographic scale.

Recent studies exploring some of those environmental problems range from the natural sciences to the social sciences and public policy. For example, Rashid et al. (2013) examined the presence of *Vibrio cholerae*, the cause of cholera, in the surface waters of Azerbaijan, including reservoirs that supply municipal drinking water, while Magiera et al. (2013) studied sub-alpine grasslands in Georgia. Shiriyev (2011) analyzed energy politics and Azerbaijan's security in the Caspian Sea Basin; Kemkes (2015) looked at how natural capital can sustain livelihoods in a remote Georgian mountainous region; and Ismayilov (2015) discussed the interplay between Azerbaijan's energy resources and its foreign policy.

At the same time, the region's governments, burdened by limited economic resources, weak civil society institutions, perceived national security threats, and varying degrees of political authoritarianism rooted in their lengthy Soviet legacies—have demonstrated inadequate resolve and fiscal resources to tackle these complex challenges (Chatrchyan & Wooden, 2005).

Meanwhile, the governments and their proxies—the presidents' friends, relatives, and political supporters, as well as financial-industrial groups—still tightly control the “not free” press systems of Azerbaijan and Armenia; Georgia's media system is categorized as “partly free” (Freedom House, 2017). In its 2017 press freedom survey, Reporters sans Frontières (RSF) ranked Georgia 64th, Armenia 79th, and Azerbaijan 162nd among 180 countries. Overall, Azerbaijan's political, press, and human rights record places it among the world's most repressitarian states—meaning both repressive in human rights practices and authoritarian in governance (Freedman, Shafer, and Anatova, 2010).

In this context, this article looks at foreign coverage of environmental issues, specifically fairness, balance, and sourcing in stories about environmental and environmental health issues and events in the three countries during a three-year period, from 2012

to 2014. Its core assumption is that most environmental stories involve more than one perspective or “side”, that the principal contenders in these issues are identifiable, and that assertions about them in a news story can be isolated. It then becomes possible to analyze how news outlets treat the contending sides by measuring the prominence — where in a story they appear, and space — the number of paragraphs they receive in news stories. Because of the lack of prior research in this area, the goal of this study is to present a descriptive and exploratory view of the coverage.

State of the news media in the Caucasus

In a 2015 interview, Justin Burke, the editor of EurasiaNet, observed, “It’s much easier to operate now in Georgia and Armenia, especially on such matters as the environment, since that can be seen as not political.” He continued, “It’s now impossible to report openly in Azerbaijan. Our local correspondents have been pretty much hounded out of the country. Anyone who stays in Azerbaijan and tries to carry out what you might call the functions of an independent journalist risks arrest.”

The government of Azerbaijan is under increasing criticism from nongovernmental organizations that advocate for human rights and freedom of expression for its systemic abridgement of journalists’ rights and constraints on press freedom and, more broadly freedom of expression. One of the most prominent recent examples is the 7½-year prison sentence given to Azerbaijani investigative journalist Khadija Ismayilova in September 2015. Ismayilova, the host of a daily program on Radio Azadliq, a Radio Free Europe/Radio Liberty (RFE/RL) service, was convicted on what regime critics and press freedom advocates consider politically motivated, sham charges. Her investigative topics for RFE/RL and EurasiaNet include environmental issues, such as the controversy about a gold-mining operation tied to the family of President Ilham Aliyev (Fatullayeva and Ismayilova, 2012). The US State Department responded to the penalty with a statement saying it was “deeply troubled” by her sentence and by “reports of irregularities during the investigation and trial, including the apparent exclusion of witness testimony and other key evidence” (Ahmedbeyli, 2015). Authorities released her in May 2016 and she has resumed reporting for RFE/RL.

In August 2015, independent journalist Rasim Aliyev was fatally beaten. The reason remained uncertain, according to press reports, with some blaming a Facebook post he made critical of a popular soccer player, while others suggested it was in retaliation for his oppositional and independent reporting. Aliyev had formerly worked for Report-

ers' Freedom and Safety, a press freedom advocacy NGO that authorities had forced to close, and had been previously been attacked by police (The Guardian, 2015.)

Among other journalists targeted by the government, opposition journalist, press rights defender, and government critic Emin Huseynov fled Azerbaijan for Switzerland in 2015 to avoid prosecution on politically trumped-up charges (Committee to Protect Journalists, 2015). In September 2015, police searched the Baku apartment of RFE/RL contributor Islam Shikhali in connection with an investigation of purported tax evasion (RFE/RL 2015). Recently, the Committee to Protect Journalists (Said, 2017) warned of more restrictive laws about online media and more detentions and arrests of journalists and bloggers in Azerbaijan. Among them was the January 2017 sentencing of independent journalist Afgan Sadygov to two and a half years in prison on assault charges after he refused an official demand to delete critical reports from his website Azel. The organization also reported that the country had five imprisoned journalists as of December 1, 2016, more than all but eleven other countries; Georgia and Armenia had none.

There has been little research by mass communications scholars into how foreign news organizations report about public affairs in the Caucasus. A major exception was a 2015 analysis of coverage of the Armenia-Azerbaijan conflict over the contested Nagorno-Karabakh region by UK media and the *New York Times* (Imranli-Lowe, 2015). That study examined how those media organizations selected and used news sources during their Western-centric reporting of the issue during the late Soviet era and into the early years of post-Soviet independence. Another exception looked at how a Christian-oriented press service covered religion-related news and conflicts in the region with its two predominantly Christian countries—Armenia and Georgia—and one predominantly Muslim country—Azerbaijan. That study examined the type and content of coverage, sourcing, and newswriting conventions in articles published by Forum 18 News Service (Freedman, Chang, and Shafer, 2008).

Any gaps in press coverage of environmental news carry serious public policy implications. Shallow or nonexistent coverage weakens the agenda-setting ability of the press, deters efforts to hold government and corporate interests accountable and transparent, impedes public awareness of threats to the environment and health, and reduces the capacity of international donors, funders, and multinational agencies to alleviate ecological perils.

The region's governments are opaque in their operations and reluctant to take steps to encourage citizen engagement on environmental issues. A limited exception is the

small network of fifteen Aarhus Centres¹ in Armenia and one in Georgia. (Organization for Security and Co-operation in Europe, 2015). Their activities include trainings for journalists, such as an August 2015 “eco-educational” seminar for young journalists in Ararat, Armenia. “The aim was to introduce the children to the ecological functions of journalism, trends, environmental issues and coverage deficiencies, inherent errors, how to make material easier and the process of sending it to [an] audience in intelligible form, [and] the role of ecological education in journalism” (Armenian Aarhus Centers, 2015).

Two Western news organizations

This study content-analyzes news stories posted in English in 2012-2014 by New York-based EurasiaNet (www.eurasianet.org) and London-based Institute for War & Peace Reporting (www.iwpr.net). Both news outlets post in English; EurasiaNet also posts in Russian, and IWPR posts in national languages. We selected these long-established media organizations because they regularly cover a broad range of public policy issues in the Caucasus, use Western-style methods of newsgathering and news dissemination, and follow Western-style standards for fairness, balance, accuracy, and ethical reporting. While other Western news organizations such as the British Broadcasting Corporation, *Financial Times*, Reuters, and the Associated Press also report on the region, their coverage is either more sporadic or focused on a specific non-environmental theme, such as Forum 18 News Service, which covers religious freedom issues. RFE/RL concentrates on news pertaining to human rights and political rights, issues that sometimes intersect with ecological ones. To illustrate, RFE/RL reported on allegations that fish farms owned by the Armenian prime minister’s family are depleting the wells of villagers in Apaga (Simonyan, 2015).

IWPR describes itself as “an international not-for-profit organisation governed by senior journalists, experts in peace-building, development and human-rights, regional specialists and business professionals ... IWPR employs skilled staff and expert consultants in a variety of fields to support its capacity-building activities and to assist

¹ The centers are part of an effort to implement the 1998 United Nations Economic Commission for Europe’s Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters. “By providing a venue where members of the public can meet to discuss environmental concerns, the Aarhus Centres strengthen environmental governance. They assist the public with participating in environmental decision-making and facilitate access to justice on environmental matters sensitizing the public and governments to their shared responsibility for their natural surroundings” (United Nations Economic Commission for Europe 2015).

in providing journalists, civil society, and civic activists with the basic and advanced skills and knowledge that support sustainable and positive change...” (IWPR, 2017).

EurasiaNet is part of the Open Society Foundations Eurasia Program. It provides “information and analysis about political, economic, environmental and social developments in the countries of Central Asia and the Caucasus, as well as in Russia, Ukraine, Moldova, Turkey, and Southwest Asia.... EurasiaNet.org advocates open and informed discussion of issues that concern countries in the region. The web site presents a variety of perspectives on contemporary developments, utilizing a network of correspondents based both in the West and in the region. The aim of EurasiaNet.org is to promote informed decision making among policy makers, as well as broadening interest in the region among the general public” (EurasiaNet, 2017).

Research questions

The research questions examine environmental issues covered by EurasiaNet and IWPR, the countries involved in those news events, the sources incorporated into the stories, and the balance of views in that coverage.

RQ1: How many environmental news stories did these news organizations produce and who wrote them?

RQ2: What environmental issues did these news organization cover in 2012-2014?

RQ3: With what frequency did news organizations cover environmental issues in each country?

RQ4: What types of news sources appeared in these stories and to what extent were issue experts and non-experts used as sources?

RQ5: To what extent do these stories reflect balanced reporting?

Methodology

Few published studies have incorporated content analysis of Caucasus news coverage in general and environmental coverage specifically. Major reasons for this omission in scholarship include the transient survival of many news outlets and the absence of comprehensive, accessible archives. Some press organizations in the region are short-

lived, perhaps established by a political party or aspiring politician in the run-up to an election. Due to inadequate circulation and advertising revenue, news organizations supported by international NGOs may go out of business when foreign subsidies end. Others are closed directly by regime action or court orders, including economically crippling libel judgments. Even longer-lived news outlets may maintain poor electronic archives accessible to researchers. Another factor relates to academic freedom: constraints on academic freedom may discourage or punish domestic media scholars, especially amid concern that their research may uncover weaknesses in how the press covers environmental controversies and other public policy issues.

The study supplements the content analysis with interviews conducted with journalists from the two media organizations.

Stories in this study focus on environment-related policies, events, research findings, and controversies. To be included, a story must have at least three paragraphs about the environment or environmental health. They may involve executive, legislative, or judicial, branches of government at local, district, national, or international levels. They also may involve businesses, NGOs, researchers, educational institutions, and/or multinational organizations. The study closely follows the protocol used in recent research about IWPR and EurasiaNet coverage of environmental news in Central Asia (Freedman, Neuzil, Takahashi, and Carmichael, 2016).

The data set includes stories by staff, freelancers, and correspondents, as well as stories they reposted from partner news organizations such as RFE/RL. Editorials are excluded.

The study defines a news source as a person, organization, or document that supplies information to reporters. A source is explicitly identified when reporters quote or paraphrase information from that source. In media studies, the means by which reporters publicly credit a source for a story is called attribution. Attribution is signaled when a source's name is linked with verbs such as "said" or "claimed". Attribution also can come from verbs denoting a source's state of mind, such as "thinks", "believes", "wants", or "feels". Broad categories of individuals to whom an assertion is attributed (for example, "residents say" or "experts state...") are not considered sources. Also, we assume that information that is not clearly attributed to a source originated from the reporter's direct observation of events or actions. Sources can be considered advocacy or non-advocacy as determined by their publicly declared position on an issue or event.

Our study classifies sources into three categories:

- **Advocacy sources:** An advocacy source is one whose assertions suggest a particular course of political or policy action or point of view on an issue. This category excludes assertions from expert sources intending to define or identify a problem.
- **A non-advocacy issue source** has not explicitly advocated a position on the topic in any relevant story. Instead, non-advocacy sources shed light on or explain some aspect of the issues it raises. An issue-expert source is any person cited in stories because of his or her institutional or background credentials to evaluate or interpret the issues.
- **Ordinary people:** These are non-expert, non-advocacy sources who comment on an environmental or environmental health issue—for example, “a farmer in Batumi”. The issue usually affects them or their relatives, community, or business.

Sources in these categories may be anonymous. If so, the reports or their news organization omit or change their full names in the story to keep their identities confidential. This is common in a region where people may fear official or unofficial repercussions if they are identified in the press as critics of government or other influential interests. For example, an IWPR article about storm damage in East Georgia quoted “one protestor, who gave his first name as Niko” (Jvania, 2013), while a RFE/RL partner story that EurasiaNet reposted quoted “an unnamed Azerbaijani expert” discussing a water-related border dispute (RFE/RL, 2014). The use of anonymous sources, while raising ethical questions under traditional Western professional journalistic standards, is understandable in a political context where anonymity may be the only—or at least the most effective—way to get ordinary people and, sometimes, activists, to comment on sensitive topics. A cautionary note about sources: As Soltys (2013) explained in the context of Central Asia, some environmental NGOs are “fronts” for government. That status is not transparent and may influence the opinions expressed by their experts and leaders, whether classified as advocacy sources or non-advocacy expert sources.

Intercoder reliability with two coders was calculated for all the reported variables using 14 news articles. Reliability scores, based on Krippendorff’s Alpha, ranged from 0.71 to 0.85 and were deemed acceptable for coding of the full sample and analysis. Two coders then split the sample in half and coded the rest of the articles.

Interviews with two EurasiaNet editors supplement our content analysis.

Results

RQ1 asked how many environmental news stories these news organizations produced during the three-year study period and who wrote them. The analysis finds that 56.5 percent of environmental stories originated from EurasiNet.org, and 43.5 percent from the Institute for War & Peace Reporting. In regards to the byline — the writer’s name —, almost half of the stories (48.4 percent) originated with partner news organizations, while the news organizations’ own staff, freelancers, or correspondents authored only 21 percent. Almost a third (30.6 percent) originated from another source.

Research question 2 asked about the environmental issues covered by these news organizations in 2012-2014. As Table 1 shows, energy accounts for more than a third of all stories in the data. The two other issues that received the most attention were water (11.3 percent) and animals and endangered species (8.1 percent). Almost 18 percent of stories focused on other issues that did not fit into the rest of the categories (e.g., tourism, parks, and landslides). EurasiaNet and IWPR paid limited attention to major global issues such as climate change—with only two stories—which may reflect the interests of the correspondents and their editors, their audiences’ perceived interests, or the relative ease or difficulty in covering more localized environmental controversies. We acknowledge some subjectivity in this type of classification because topics can overlap, such as agriculture and food or agriculture and water.

Table 1 - Issues covered

	Frequency	Percent
Agriculture	2	3.2
Animals and endangered species	5	8.1
Energy	21	33.9
Food	5	8.1
Water	7	11.3
Mining	4	6.5
Roads and transportation	3	4.8
Urban green space	2	3.2
Climate-weather	2	3.2
Other	11	17.7
Total	62	100.0

To answer Research Question 3, stories were almost equally divided in number among the three countries, with 11.3 percent focusing on more than one country, as Table 2 shows.

Table 2 - Country

	Frequency	Percent
Armenia	23	37.1
Georgia	19	30.6
Azerbaijan	13	21.0
More than 1 country in Caucasus	7	11.3
Total	62	100.0

Research Question 4 focused on types of news sources and how the stories incorporated them. Story length ranged from four to 44 paragraphs, with an average of 19 paragraphs per story. Reporters’ paragraphs ranged from one to 19, with an average of seven. Advocacy paragraphs averaged about eight per story, while experts’ paragraphs averaged 2.5 and non-experts’ paragraphs only 1.4 (Table 3)

Table 3 also shows that advocacy sources received the most paragraphs (ranging from none to 25), with approximately four per story, compared to 1.4 for experts (ranging from none to six) and 0.6 for non-experts (ranging from none to 14).

Table 3 – Descriptive statistics of paragraphs and sources

	Minimum	Maximum	Mean	Std. Deviation
Total Paragraphs	4.00	44.00	18.94	6.91
Reporter Paragraphs	1.00	19.00	7.05	3.96
Advocacy	.00	11.00	3.87	2.56
Advocacy Paragraphs	.00	25.00	7.87	5.63
Expert Sources	.00	6.00	1.39	1.54
Experts Paragraphs	.00	16.00	2.55	3.12
Non-expert Sources	.00	7.00	.61	1.21
Non-expert Paragraphs	.00	14.00	1.37	2.89

As Table 4 shows, government expert sources (in 19.4 percent of all stories) were most commonly used, followed by interest group sources (17.7 percent of all stories). In addition, 21 percent of stories were coded as “other” source. For example a story on the Transcaspian pipeline quoted a man called an “energy expert” with no further attribution. Non-expert sources appeared in only 20 stories.

Table 4 - Type of expert sources

	Frequency	Percent
No experts	22	35.5
Government	12	19.4
Multi-government	1	1.6
Academic	2	3.2
Business	1	1.6
Interest Group	11	17.7
Other	13	21.0
Total	62	100.0

When advocacy sources are included, they tend to make their initial appearance between paragraphs two and five (56.5 percent of all stories) (Table 5). Expert sources appear for the first time primarily between paragraphs six and 10 (24.2 percent of stories) and paragraphs two to five (21 percent) (Table 5). As Table 5 shows, non-expert sources usually first appear in paragraphs 11 or later (14.5 percent of all stories).

Table 5 - Where advocacy, expert, and non-expert sources first appear

	Advocacy sources		Expert sources		Non-expert sources	
No sources	8	(12.9%)	22	(35.5%)	42	(67.7%)
Lead Paragraph	7	(11.3%)	2	(3.2%)	1	(1.6%)
Paragraphs 2-5	35	(56.5%)	13	(21.0%)	5	(8.1%)
Paragraphs 6-10	9	(14.5%)	15	(24.2%)	5	(8.1%)
11-on	3	(4.8%)	10	(16.1%)	9	1(4.5%)
Total	62	(100.0%)	62	(100.0%)	62	(100.0%)

RQ5 explores how balanced these stories are in presenting more than one side in an environmental controversy. The analysis shows that only 9.7 percent of stories incorporated a balance of sources, while 56.5 percent and 21 percent respectively favored one or other position (Table 6).

Table 6 - Balance

	Frequency	Percent
Favors A	35	56.5
Favors B	13	21.0
Balanced	6	9.7
N/A	8	12.9
Total	62	100.0

Finally, a cross-tabulation (Table 7) found that the Institute for War & Peace Reporting produced more balanced environmental news stories than EurasiaNet during the study period (22.2% vs. none for EurasiaNet.org).

Table 7 - News Organization Balance Cross-tabulation

	Favors A	Favors B	Balanced	N/A	Total
EurasiaNet.org	22 (62.9%)	8 (22.9%)	0 (0%)	5 (14.3%)	35 (100.0%)
Institute for War & Peace Reporting	13 (48.1%)	5 (18.5%)	6 (22.2%)	3 (11.1%)	27 (100.0%)
Total	35 (56.5%)	13 (21.0%)	6 (9.7%)	8 (12.9%)	62 (100.0%)

While some of the region’s unreported or underreported ecological issues are complex, politically dangerous, and geographically remote, others are visible, accessible, and relatively simple to cover. Audiences can easily grasp the nature of such problems that connect with their own lives and communities. Therefore, beyond our quantitative analysis, it is important to explore how foreign news organizations decide what environmental events and controversies to cover and how to do so.

Environmental coverage in the region has not been a priority for EurasiaNet, according to two of its chief journalists. Elizabeth Owen, its editor for the Caucasus, Moldova, and Turkey, said, “There generally has to be corruption or a political angle” to spur coverage. That leaves acknowledged gaps in coverage. Referring to mining, she said in a 2015 interview, “The [three] governments all have a tendency to look the other way at regulations when it comes down to mining deals. We’ve touched on this in the past, but when I look at this topic, it could be a news site all by itself”.

Expanding on the topic of underreporting about environmental issues, Owen, who is based in Tbilisi, said, “What’s frustrating is that there’s really a gigantic wealth of things to be pursued, but the logistics on the ground have to be kept in mind. As difficult as environmental reporting can be in the West, the difficulties are often compounded in this region. One impediment: the fact that “anything related to energy is seen as strategic, and you’re seen as a potential threat”. Another impediment: lack of accurate data. “Apart from NGOs, there’s not really a lively government interest in putting together always-coherent policies and programs. That can complicate things in trying even to find out what a government’s position”.

EurasiaNet editor Justin Burke in New York contrasted the organization’s environmental coverage of the Caucasus with that of Central Asia. “In Central Asia we’ve done

a little early warning reporting, especially about melting glaciers and things like that, but “nothing anticipatory” in the Caucasus. “Central Asia has the Aral Sea and water issues. That isn’t necessarily the case in the Caucasus”, he said in a 2015 interview. He identified soil degradation of agricultural lands as one underreported topic.

On a broader level, Burke continued, “We don’t have any set agenda other than to... perform classic watchdog responsibilities. We try to highlight issues in which there’s maybe a potential danger to public wellbeing or an issue that potentially is in the public interest. We’re a public interest news site that strives to uphold classical functions of a free press including the watchdog function. We try to identify good stories and write about them and highlight the pros, cons, or potential dangers and what happens after that. Hopefully the stories can provoke public debate and lead to changes that serve the public interest”.

Conclusion

Efforts to research non-domestic coverage of environmental issues in the Caucasus provides advantages and drawbacks. From the scholars’ perspective, advantages may include easier access to contemporary and archived content for analysis and the wider ability to present and publish their results outside the region in an atmosphere of academic freedom. Unfortunately, there have been few studies published about environmental journalism in the Caucasus. Given the public importance of environmental and environmental health news, we hope future content analysis and framing studies by scholars in and out of the region will contribute to a better understanding of how local private, state, and independent media cover—or fail to cover—such issues.

Foreign news organizations and their journalists—even their local freelance contributors—often operate more freely than their domestic media peers because their economic survival and physical safety does not depend as heavily on the good graces or honesty of governmental officials and regulatory agencies. Even so, they do risk the perils of censorship, website blockages, and expulsion of non-citizen journalists. Foreign correspondents may not be proficient in Russian and the national and ethnic languages of the Caucasus. Those who “parachute” in for short reporting stints may lack deep understanding of and appreciation for local cultures and history. That impairs their capacity to communicate with news sources and weigh sources’ credibility while possibly coloring their reporting. Transient journalists may also arrive and depart from the region with a sense of gloom-and-doom that they impart into their coverage.

Foreign media's coverage of environmental issues can inform and influence decision-making and policy-making about projects and financial commitments from international donors, funders, and environmental advocacy organizations such as the United Nations Environmental Programme, World Bank, Nature Conservancy, and United Nations Development Programme. Their reporting can also affect project and investment decisions by businesses that already operate in the region or are considering doing so.

In addition, foreign coverage can influence the news agenda for domestic media outlets because domestic press organizations sometimes reprint, rewrite, or follow up on foreign stories that they missed, lacked resources to cover, or feared to cover on their own. EurasiaNet's Burke (2014) said about one-quarter of his news organization's Twitter followers are journalists. The majority of audience members for these and other online Western news organizations live outside the Caucasus. About 26 percent of the EurasiaNet audience accesses the site from Eurasia, mainly in the Russian language, and Georgia ranks third in readership among the 15 former Soviet republics (Burke, 2015).

For IWPR, Russian speakers in the region are the major intended audience, but websites and newspapers in national languages sometimes use IWPR material as well.

The comparatively greater influence in the region of Russian-language rather than English-language media poses another limitation on the influence of Western news organizations. The reasons include geographic proximity, the stationing of more Russian media journalists in the region, the number of Caucasus citizens who work in Russia, and the fact that more residents of the region are fluent in Russian than in English.

In summary, these two Western news organizations do the type of reporting that domestic media often cannot due to official, cultural, economic, and self-imposed obstacles, as well as insufficient resources. Yet we believe that an observation about Central Asian journalists applies to their counterparts in the Caucasus: "This is certainly not to say that many journalists lack the professional skills or interest to report about and access such issues with a multiplicity of views and with factual accuracy" (Freedman, 2005: 313-314).

We are not naive and unrealistic enough to believe that significant liberalization of the media environment in the Caucasus will soon arrive. Complex factors such as the lack of public trust in the press, authoritarian traditions, legal and extra-legal constraints on the press, insufficient professional training and weak ethical standards, self-cen-

sorship, cultural and religious values, and inadequate media resources and economics combine to keep such aspirational changes beyond reach –for the foreseeable future, at least.

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Nuclear Proliferation of the Islamic Republic of Iran: Challenging the Balance of Power in the Middle East

Few topics in international relations consistently attract as much academic and policy interest as nuclear proliferation. Literature on the subject tends to focus on the following questions: Why do states seek nuclear weapons? How do they acquire the components necessary to build them? What are the consequences of nuclear proliferation? Does nuclear proliferation change the balance of power? These issues will remain salient in the years to come as the Iranian nuclear weapon programme continues, heightening the crisis between regional leading states.

Keywords: Nuclear Proliferation; Iran's Nuclear Weapons Programme; Balance of Power in the Middle East.

Warfare typically involves offensive and defensive actions. During the history of warfare these actions were carried out by using swords and shields, to cite a famous example. There are two basic types of defensive measures – passive (a fortress, for example, especially one high ground or surrounded by a moat or ramparts) and active (like arrows or cannon balls launched from the fortress to break up enemy formations). Today these types of defence systems can be similarly classified: Firstly, passive - anti-aircraft and anti-rocket defensive systems both can be considered as a surface-to-air missile (SAM) system; and secondly, active –projectiles shot by mortars, artillery shells fired by guns and howitzers or even guided ballistic missiles which can be launched from fixed or mobile launchers (vehicle, aircraft, ship or submarine). Up to the twentieth century, the development of military technology was slow and gradual; however, the creation of nuclear weapons and emergence of guided ballistic missiles has brought with it a new era of warfare. In this era, possession of nuclear weapons does not guarantee an advantage from a military perspective. Nevertheless, this view is sceptical that the net influence of nuclear weapons should not be misinterpreted as endorsement of any proposition suggesting an essential irrelevance of those weapons to statecraft and strategy (Lakoff, 2007). To be nuclear-armed probably does not add to a country's strong influence in the world, but it will under certain conditions really matter. A country's nuclear arms will discourage an adversary from interference in internal affairs by a state which is well armed conventionally, while those nuclear arms mean that one is fundamentally protected against intimidation by the nuclear arms of others. According to one of the leading theories of geopolitics in the nuclear era Robert Jervis, the "theory of the nuclear revolution," nuclear weapons are the ultimate instruments of deterrence, protecting those who possess them from invasion or other major attacks. Nuclear-armed states thus have good reason to engage in intense competition, even if their own arsenals are currently secure (Jervis, 1989). As a leading neorealist John Mearsheimer noted about the Cold War nuclear arms competition:

The continuation of the arms race was not misguided, even though nuclear superiority remained an elusive goal. In fact, it made good strategic sense for the United States and the Soviet Union to compete vigorously in the nuclear realm, because military technology tends to develop rapidly and in unforeseen ways (Mearsheimer, 2001).

Stated differently, nuclear weapons are the best tools of deterrence ever created, but the possibility of the development of anti-ballistic missile systems and the fear that the opponent might do the same, which explains why nuclear weapons have not affected states behaviour in the international politics. And yet, nuclear weapons have made all-out war between nuclear armed states virtually unthinkable.

When a state acquires nuclear capabilities, it challenges the existing status quo. States seeking nuclear weapons might try to sidestep these technological and political hurdles by buying, rather than making, the weapons (and despite strong rates of economic growth in case of Iran, its struggle to establish high-quality state bureaucracies is challenging) (Hymans, 2012). Seven states with nuclear weapons (United States, Soviet Union, United Kingdom, France and People's Republic of China, India and Pakistan) developed nuclear weapon programme before 1970, and all seven succeeded in relatively short period of time. The average timeline for the development of nuclear weapon programme before 1970 was about 7 years, and after 1970 has been about 17. In the intensifying crisis over Iran's nuclear activity, its nuclear proliferation, has slowed down. This slowing tendency of nuclear proliferation clearly indicates the risk of premature conclusion that Iran's nuclear weapon programme is about to achieve its ultimate goal.

From the country's socio-political perspective, the Islamic Republic of Iran is a unique state; a non-Arab (and non-Arabic-speaking) state in the Middle East with its own ancient history and culture and a distinctive political style. It is the only Shiite theocracy in the world. It has both a revolutionary regime and a deeply traditional and conservative society. Iran does not yield easily to the standard tools of Western politics. It demonstrated the most significant developments in the modern history of the Middle East, which has led to a vivid transformation its political system. Since its outbreak, the revolution has attracted a great deal of public opinion, as well as the interest of scholars, the media and policy-makers worldwide. More than two decades after the revolution, the Iran remains in many aspects a mystery. The power structure, decision-making process and politics of the Islamic regime are far from clear, and the competition over the revolutionary path is not yet decided. Moreover, the main developments under discussion seem to have reached a new, more complex peak. A leading Iranian expert David Menashri noted this about Iran's modern history that:

The principles of the revolutionary philosophy and politics are now being examined in a fierce and open debate about religion and state, Islam and politics, Islam and democracy, state interest versus revolutionary ideology, and Iran's relations with the outside world (Menashri, 2010).

Yet, more than last two decades, Iran's theocracy is still searching for an applicable track to cope with the challenge of governance while adjusting its idealistic Islamic vision to evolving realities of severe social and economic difficulties (Menashri, 2010).

At the same time, Iran continues to be influenced by the changing patterns of regional politics. Political decision-making process in Iran, as mentioned above is very complex. Some of the decisions have opened new opportunities, but others have confronted Tehran with serious challenges and severe dilemmas in the region. The current regime has viewed its victory as an instrument of an overall change in the world of Islam - a model for imitation by other non-Shia Muslim states. For revolutionary Iran, the most natural arena for expanding its ties was among neighbouring Muslim states, particularly in the Persian Gulf. Yet historical antagonism with neighbours, cultural uniqueness from Arabs and Turks, sectarian differences from Sunnis and ideological or political differences from other Muslim states, as well as strategic and economic interests made it difficult to promote such goal. Certainly the fact that Iran and its neighbours shared the same faith did not create mutual trust between them (as the war with Iraq in 1980s). The heritage of the past and the conflicting interests of more recent times has led to tension with Israel, Saudi Arabia and or Turkey. However, along with major policy changes in Iran and while basic disagreements were not resolved, there have been clear signs of improving ties with Iran's Arab neighbours in recent years.

A revolutionary theocracy and major world oil supplier, Iran has always demanded recognition as a regional power seeking to lead the Muslim world competing Turkey and Saudi Arabia. In this regard, Iran took advantage of the revolts that have had spread throughout the Arab world from 2010 for at least five years in order to enhance its influence in the Middle East. As a neorealist Kenneth Waltz predicts:

There will be a massive shift in the balance of power in the region, with Iran moving to a dominant power. Perhaps the greatest fear among Iran's neighbours is that a nuclear capability will embolden Iran to more aggressively intervene and influence the broader region (Waltz, 2012)

Here, Israel's regional nuclear monopoly should be considered as major driving force, which has proved remarkably stable for the past four decades and has long fuelled self-resilience in the Middle East. There is no other region in the world with a single and unrestrained nuclear state like Israel. Given the centrality of Iran's nuclear issue to regional geopolitics and nuclear proliferation, this attention is not surprising. However, without a clearer grasp of the underpinnings of power and leadership in Iran, our understanding of the nuclear issue will be unsatisfactory and incomplete. Teheran's determination to pursue its nuclear weapons programme, despite economic hardship and international outrage is top priority (Pollack, 2011). What are Iran's motives in seeking nuclear technology in reality? The official story is that they are not seeking weapons

but merely peaceful nuclear power (Byman & Green, 2012). It is true that Iran lacks oil refining capability, but it is doubtful that one of the world's main oil-producing countries believes it needs nuclear energy when this technology of power generation has been a costly, dangerous failure elsewhere (Byman & Green, 2012). From the perspective of scholars and policy-makers of the West, under the current Islamic regime Iran is considered to be an impulsive and disturbing force in the Middle East, fully capable of affect stability in a variety of spheres. But it is not clear that constructing a confrontation bloc will make Iran in their support for its nuclear policy. A more comprehensive approach that builds gradually nuclear capabilities may be more effective for justifying the danger from both a nuclear Iran and the reactions of neighbours.

Iran's nuclear weapons programme has emerged not just as an important aspect of the country's foreign relations but increasingly as a defining element of its national identity. And the reasons for pursuing the programme have changed as it has matured. However, obtaining nuclear capabilities is unlikely to help Iran achieve its political aims, because nuclear weapons, by definition, are such a narrow category of arms that they can accomplish specific objectives from the military viewpoint, like deterrence from Israel or defence from other countries with a stronger conventional arms. A nuclear Iran would undeniably shift the balance of power in the Middle East; and Iran will try to press the presumed advantages of its newfound capability. Iran is a critical state in international relations because of its natural resources, its strategic location, its controversial conservative Islamic regime and its effect on shifting the balance of power in the Middle East. As a result, Iran is facing pressure from all sides. Internationally, Iran has been accused of being a state sponsor of terrorism and has been labelled by the George W. Bush Administration as a member of the "Axis of Evil" which also included Iraq and North Korea. The term "Axis of Evil" was first used by United States President George W. Bush in his State of the Union address on January 29, 2002, and often repeated throughout his presidency, to describe governments that his administration accused of sponsoring terrorism and seeking weapons of mass destruction. Since, the United States invaded Iraq and is confronting North Korea, Tehran had no option other than investing in its self-preservation and went forward with the development of its nuclear weapons programme. Iran is the sole regional great power today in the Middle East, and it is relatively more powerful today than at any time in modern history. Given all these factors, it is reasonable to say that Iran's growing power is possibly challenging situation that the world will face the coming years in the Middle East. Instead of the direct threat of nuclear attack, there is greater concern about a nuclear-armed, or even a nuclear-capable, Iran sparking a regional arms race and compelling others to develop their own indigenous nuclear weapons programme.

The critical issue facing Iran today is its nuclear stand-off with the international community. While this point is self-evident, what is often not is that the resolution of this crisis is likely to affect profoundly the future course of the Iran, not just in terms of its foreign policy, but also in terms of its internal affairs, its economy, and potentially even the nature of the state itself. It is for this reason that nuclear stand-off has the potential to shape Iran's future in areas far beyond the traditional security sphere. The stakes are so high for Tehran, that the Iranian nuclear issue has the potential to break the deadlock in Iranian politics and hand over control of the government, inevitably entailing major shifts in policy on a variety of other critical matters. As an expert on Middle East Kenneth Pollack predicts:

International public opinion is also of major importance for Iran's politics. Public opinion in the Arab world is largely sympathetic to an Iranian nuclear option, viewing it as a counter to Israel and a way to overcome the perceived double standards of allowing Israel, but not others in the region, to get away with the bomb. Turkish public opinion also does not perceive Iran or the nuclear issue in particular as a threat (Pollack, 2012).

The reality is that the concern about Iranian nuclear weapons programme has had three components: the production of fissile material, the development of missiles and the building of warheads. Heretofore, production of fissile material has been treated as by far the greatest danger, and the pace of Iranian production of fissile material has accelerated since 2006. So has the development of missiles of increasing range. What appears to have been suspended is the engineering aimed at the production of warheads. Meantime, Tehran has developed an indigenous infrastructure, since the early 2000s, world attention has focused in November 2004 mass production of the Medium-Range Ballistic Missiles (MRBM) Shehab-3 ("Shooting Star" in Farsi) with a range of 2,000 kilometres and now its number reaches approximate 12 missile. Moreover, in the summer of 2005, Iran successfully tested a new solid fuel missile motor for its arsenal of MRBM Ghadr-1 and developing new MRBM Sajjil-2. Recently, in September, Iran unveiled a new Long-Range Ballistic Missile which appeared at a military parade in Tehran. LRBM is called the Khorramshahr missile range of 2,500 kilometres and can carry multiple warheads would be easily capable of reaching Israel and Saudi Arabia. This technological breakthrough can make Iran's missiles more mobile and quicker to deploy. Iran is determined to become the world's tenth nuclear power. It has ignored several UN Security Council resolutions directing it to suspend enrichment and has refused to fully explain its nuclear activities to the UN nuclear watchdog, the Interna-

tional Atomic Energy Agency (IAEA) (Report of International Atomic Energy Agency on verification and Monitoring in the Islamic Republic of Iran in Light of United Nations Security Council Resolution 2231, 2015). Iran's nuclear weapon programme constitutes a significant aspect of stability and security in the Middle East. Over the past two decades, this issue has repeatedly appeared to border on a major crisis spread by prolonged negotiations. Regarding the West, some scholars, policymakers and civil society perceives Iran's nuclear weapon programme as a danger for the Region and International peace and stability. Iran's military capabilities remain a concern in the region and beyond. Although the embargo on the sale of many conventional weapons to Iran is to remain in force from 5 years ago and on the 18th of October 2015, the adoption of the Joint Comprehensive Plan of Action (JCPOA) the deal designed to limit Iran's nuclear activities signed between Iran and the United Nations Security Council 5 Permanent Member States and European Union (P5+1). To extend that breakout time, the JCPOA requires that uranium enrichment at Fordow and Natanz be restricted and a heavy-water reactor, at Arak, have its core rendered inoperable; its plutonium by-product, the P5+1 countries feared, could have been reprocessed into weapons-grade material. These facilities are now being repurposed for peace purposes, and subjected to inspections by monitors from the IAEA (Joint Comprehensive Plan of Action, 2015). The Agreement aims to guard against the possibility that Iran could develop nuclear weapon in secret at undeclared sites. In the meantime, United States current administration announced in October this year its decision to reject the agreement, threatening to leave the deal altogether if it was not amended to permanently block Tehran from building nuclear weapons or Intercontinental Ballistic Missiles (ICBM). Iran responded that it will not reopen the agreement for negotiation. After Trump's statement that the Pentagon was identifying new areas where it could work with allies to put pressure on Iran in support of the President's new policy toward the region and was reviewing the deployment of United States forces. This policy in towards Iran is assertive and would lead to the crisis between this two states.

The risks of Iran's entry into the nuclear club are well known: encouraged by Teheran's ambition to become the regional hegemon, it might multiply its attempts at sabotaging its neighbours and encouraging terrorism against the United States and Israel, the risk of both conventional and nuclear war in the Middle East would escalate. More states in the region might also want to become nuclear powers, the balance of power in the Middle East would be challenged and broader efforts to stop the spread of nuclear weapons would be undermined. A nuclear-armed Iran, believing that it possessed a powerful deterrent from Israel might increase the support for proxy war carried out against Israel. After gaining nuclear weapons, Iran will stop worrying about the relative balance of power engaging in conventional arms races or competing for alliance

partners. It is Israel's nuclear arsenal, not Iran's desire for one, which has contributed most to the Iran's necessities for acquiring nuclear arms. Power, after all, pleads to be balanced. What is surprising about the Israeli case is that it has taken so long for a potential balancer to emerge. Proponents of the theory of the nuclear revolution have always recognized the discrepancy between their theory's predictions and the actual behaviour of countries in the nuclear era. One of the leading proponents of the theory of balance of power, Waltz argues: "that nuclear weapons eliminate the thorny problems of estimating the present and future strengths of competing states and of trying to anticipate their strategies" (Waltz, 2012). Iranian leadership's main concern was its own self-resilience and it believed that a nuclear deterrent alone could give it enough protection, then as a nuclear state, it might curtail its support for proxies in order to avoid needless disputes with other nuclear powers (Waltz, 2012). Most importantly, scholars and policymakers from the West should take in to consideration from a historical experience that when nuclear capabilities emerge, so, too, does stability as it partially occurred in case of India and Pakistan. According to this principle and theoretical assumption, Iran has no reason to cancel its nuclear weapon programme. After Iran acquires it, unquestionably the status quo will be changed in the Middle East. The JCPOA does not prevent Iran from fully accomplishing its nuclear weapons programme. Regardless of how secure nuclear-armed states are, the competition still remains very intense between leading regional powers. Consequently, after building this programme, nuclear antagonism between Iran and Israel could easily generate a regional crisis. On the other hand, if Iran will develop nuclear capabilities, what will prevent Saudi Arabia to start the nuclear weapons programme development from the same reason, to maintain the balance of power with Iran and the region?

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Culture

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Multiculturalism and Aspects of Intercultural education in Georgia

This article will argue that an important prerequisite for the successful development of Georgia is the harmonious coexistence of different cultural representatives, this will be possible if the intercultural education will be fostered. Educational systems and institutions are socially responsible for the creation of such teaching process which will prepare persons to be tolerant towards people of different nationalities and to increase their value of differences. An intercultural education is the obligatory precondition to achieve these goals.

This paper analyzes the legislative and on-the-ground situation of intercultural education in Georgia. The main research questions are what progress has Georgia made in this direction and what are the main challenges?

The research is partially based on secondary source analysis: articles of various researchers, reports of different non-governmental organizations which work to enhance multiculturalism and intercultural education on Georgia, and the analysis of various books.

Keywords: Multiculturalism, Interculturalism, Intercultural Education, Multiculturalism Policy Index, Minorities, Cultural Diversity.

Interest towards cultural diversity is increasing actively. Cultural diversity is one of the main features of the modern world. Today, it is practically impossible to find a country where there is not even one cultural minority. Just a glance at the international system is enough to see that the majority of modern states are culturally heterogeneous. Mankind has never been homogenous, but today the process of globalization process has closely linked different parts of the world and diversity has become more evident. As a result of globalization and international migration, multiculturalism has become a dominant theory in the last decades in many Western countries.

For some people multiculturalism has a highly positive meaning: an attractive diversity of ways of life, mutual respect among citizens from different backgrounds, free expression, culinary variety... etc. For others it suggests social fragmentation and non-egalitarian privileges for certain groups. Is multiculturalism positive or negative? These are the questions which have risen in recent years among some political leaders and academic circles.

Multiculturalism observes and approves the presence of multiple cultures within a single society and supports public recognition of those cultures.

Education is a fundamental thing in addressing cultural differences. The main objectives of intercultural education are the following: enhancing the efficiency of intercultural relations; increasing tolerance and acceptance towards those who are different; training people to make them perceive, accept and respect diversity.

Intercultural education is a global necessity. The values derived from intercultural education (tolerance, freedom, acceptance of differences, understanding of diversity, pluralism, cooperation) are built into the personalities of the educated subjects through consistent efforts. Intercultural education promotes solidarity of the local community with the international community.

The education system should ensure that a person will be able to live in diverse world. That is the reason why the importance of intercultural education is clearly seen in a number of declarations, resolutions or documents that create a legislative basis for the development of multicultural society.

From Multiculturalism to Interculturalism, Grand Debates

The era of multiculturalism and multiculturalist policies began in the 1960s and 1970s when the world felt the impact of globalization in the wake of increased migration from developing countries to the developed societies of North America, Western Europe and Australia. Unlike previous waves of immigrants, the new arrivals were thought to be too “different” to be easily assimilated.

The valuing of cultural diversity in balance with equality of opportunity and mutual tolerance are some of the central themes of multiculturalism. In pursuit of these goals, new policies were introduced, first in Canada and Australia in the early 1970s, and then in many other countries.

It was generally accepted that due to multiculturalism, the practices different cultures could exist together peacefully. Multiculturalism as a concept has been shared by many countries around the world as one of the best ways for civil consolidation and integration. Multiculturalism attempts to promote the recognition and respect of other ethnic and cultural groups in a particular state. It implies an active support for cultural differences and contradicts enmity and denial against them. The widespread metaphor of multiculturalism is the so-called “salad bowl” according to which the salad ingredients are mixed with one another but they keep their unique qualities, the same is implied to society where each culture retains its different qualities and create one heterogeneous society.

Multiculturalism policies includes the following measures: Recognition of dual citizenship; special measures to increase minority participation in educational and economic institutions; programs that promote minority participation and representation in local and state politics; flexible working hours for minorities to celebrate their religious holidays; protection of minority rights to enable them to wear traditional or religious clothes in schools, workplaces or other places of public gathering; providing means for minorities which will enable them to get education on their mother tongue; existence of bilingual educational programs in schools; state funding for translation of minority languages; state funding of minority cultural festivals; conducting of trainings on cultural diversity in public services.

Over the past few years, an alternative approach to the management of cultural diversity has been emerging – interculturalism. The relationship between two policy approaches multiculturalism and interculturalism has been a matter of intense debate in recent years.

Multiculturalism has always had its critics, and these have become more numerous and vocal over the years. In part the critics have been alarmed by a number of cases in which multiculturalism has been blamed: for example, the murder of the Dutch film-maker Theo van Gogh or the London bombings of 7 July 2005. Such events have often been said to demonstrate the “failure of multiculturalism”.

Since the terrorist attacks of September 11, 2001, there has been an increasing critique of multicultural policies around the world. In much of the western world, and particularly in Europe, there was a widespread perception that multiculturalism has ‘failed’. Some academics and politicians have concluded that the “multicultural experiment” has failed and have called on governments to adopt new programs and policies that enforce integration and cohesion. Some European political leaders have taken such criticism even further in their speeches. Speaking to a meeting of young members of her Christian Democratic Union party, Merkel said the idea of people from different cultural backgrounds living happily “side by side” did not work. “This [multicultural] approach has failed, utterly failed,” declared the German Chancellor. She was followed by her cabinet minister’s pronouncement that “multiculturalism is dead”. A few months later, French President Nicolas Sarkozy echoed his German counterpart, declaring that multiculturalism has been a “failure”. Then, in February 2011, speaking at a security conference in Munich, British Prime Minister David Cameron made a high-profile speech linking the failure of “state multiculturalism” to the rise of Islamic extremism and terrorism: “Under the doctrine of state multiculturalism,” he explained, “we have encouraged different cultures to live separate lives, apart from each other and the mainstream”. Mr. Cameron said the multiculturalism policy - one espoused by the British government since the 1960s, based on the principle of the right of all groups in Britain to live by their traditional values - had failed to promote a sense of common identity centered on values of human rights, democracy, social integration and equality before the law.

However, the critique of multiculturalism as an approach existed a while before we saw it in the media and in various policy formulations. The White Paper on Intercultural Dialogue, *Living Together as Equals in Dignity* of the Council of Europe argues that interculturalism should be the preferred model for Europe because multiculturalism has failed.

As the White Paper reports multiculturalism is no longer fit for the purpose and needs to be replaced with a form of interculturalism. Similar views were expressed in the UNESCO World Report *Investing in Cultural Diversity and Intercultural Dialogue*. This report facilitated the creation of the Intercultural Cities programme, which supports cities in reviewing their policies through an intercultural lens and developing

comprehensive intercultural strategies to help them manage diversity positively and realize the diversity advantage.

Kymlicka writes that if the Council of Europe White Paper's statement is right about the fact that interculturalism can save us from moral relativism which according to Paper defends multiculturalism, then it means that during twenty or more years, main political elites have been indifferent to the fundamental principles of human rights and liberal democracy. In the form of multiculturalism they recognized policy which was against above-mentioned principles (Kymlicka 2014).

Debates have gone even further in academic circles. One of the prominent defenders of interculturalism, Zapata-Barrero (2017), who depicts interculturalism not as substitutive of but as “complementary” to multiculturalism. He even argues that a fully developed “recognition of rights” (which he attributes to multiculturalism) is necessary for interculturalism's “contact”-orientation to take off. In Zapata-Barrero's view, interculturalism arises in a “post-multicultural” moment of anti-multiculturalist backlash, financial crisis (favoring low-cost, “mainstreaming” policy solutions to diversity), and “super diversity” with its multiple identity and post-race issues, where diversity is even eroding the notion of a homogeneous “majority”. More concretely, interculturalism figures for him as “mediator” between, on the one side, an increasingly discarded multiculturalism and, on the other side, duty-focused civic integration policies, whose impulse of limits to tolerance and of finding a common ground is taken on board by his (and all other versions of) interculturalism (Zapata-Barrero, 2017).

The literature on interculturalism focuses on three main issues:

- Positive Interaction – This implies not only interpersonal contact, but result-oriented approach which will eliminate stereotypes. In other words, this approach implies interpersonal relationship;
- Antidiscrimination as a fundamental element of intercultural citizenship – This implies to legal frameworks, which give foreigners the right to vote and naturalization policy;
- Diversity as an advantage.

Interculturalism supporters claim that their advantage is to see diversity as an advantage. But multiculturalism also encourages diversity. Multiculturalism goes deeper than diversity by focusing on inclusiveness, understanding, and respect, and also by looking at unequal power in society. As Baker also noted “Multiculturalism encourages diversity and is usually associated with the view that we are tolerant, non-discriminatory, and respectful of others” (Baker, 2012. p.26).

The Role and Objective of Intercultural Education

Research from the Multiculturalism Policy Index which monitors the evolution of multiculturalism in twenty first century Western democracies – also indicates that the majority of these countries show stable strengthening and expansion of multicultural policies from 1980 to 2000 to 2010. The index clearly shows the success stories of those Western democracies which more or less pursued the policies of Multiculturalism. The index uses eight indicators to measure the level of multiculturalism policy in the countries over three decades. Scores are based on an evaluation of eight aspects of multiculturalism policies: legislative affirmation, school curriculum, media representation, exemptions from dress codes, allowing dual citizenship, funding of ethnic organizations, minority-language education and affirmative action.

The Multiculturalism Policy Index shows that intercultural education is the crucial element to measure the concrete development of the level of multiculturalism in a country. Two indicators out of eight, measuring the level of multiculturalism in a country are dedicated to educational themes, like school curriculum and minority-language education.

In 1948 the United Nations Organization adopted the Universal Declaration of Human Rights. Article 26.2 of the declaration directly deals with the issues related to intercultural education and values. In the article we read: “Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace” (UN 1948, Article 26.2). It can be said that the declaration is the fundamental document on intercultural education.

Since then the number of important international documents have been adopted to protect the rights of national minorities. Treaties, conventions and covenants are essential parts of the international legal framework as they are binding for the contracting parties and produce legal obligations. Many of them draw on the two basic principles of the Universal Declaration of Human Rights which state that education should be directed to the full development of the individual and to the promotion of understanding and peace. Some also establish complementary concepts that are equally relevant to Intercultural Education.

The International Covenant on Economic, Social and Cultural Rights (1966) adds a central provision concerning the social empowerment of the individual through education. It states that: “education shall enable all persons to participate effectively in a free society”.

The complex cultural responsibilities of education are addressed in the Convention on the Rights of the Child (1989), which states that: “the education of the child shall be directed to ... the development of respect for the child’s parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own” (UN Convention on the Rights of the Child 1989).

It is also important to mention the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005) reinforces the idea already included in the UNESCO Universal Declaration on Cultural Diversity (2001) that cultural diversity must be considered as a “common heritage of humanity” and its “defense as an ethical imperative, inseparable from respect for human dignity”. It also states that “cultural diversity can be protected and promoted only if human rights and fundamental freedoms...are guaranteed”, which is to be achieved through the encouragement and promotion of “understanding of the importance of the protection and promotion of the diversity of cultural expressions through educational programs (UN Convention on the Protection and Promotion of the Diversity of Cultural Expressions, 2005).

In 1995 the Council of Europe adopted the Framework Convention on the Protection of National Minorities. Georgia ratified this convention in 2005 and since then has taken obligation before the international community to protect the rights of national minorities. The aim of this convention is to promote the creation of such conditions which will enable national minorities to develop their own culture and identity.

Georgia is a member of various international organizations that deal with problems of intercultural education. As a member country, Georgia supports and adheres to decisions and policies of these organizations.

Since 2005 Georgia has made progress towards the implementing intercultural education. The Action Plans of Georgia includes the following measures: Improvement of national curriculum and textbooks, enhancement of teachers’ qualification in Non-Georgian schools and other improvements.

Aspects of Intercultural Education in Georgia

Georgia is a multiethnic state and the integration of ethnic minorities in social life is of special importance. The level of integration is a kind of measure for whether Georgia will be able or not to establish a state which will be based on the principles of engagement, participation and pluralism.

The importance of intercultural education is clearly underlined in the Georgian Law on General Education. Article 4 of the Georgian Law on General Education states that ‘teaching language in general education institutions is Georgian and in the Autonomic Republic of Abkhazia – Georgian or Abkhazian.’ The same article (Article 4.3) states that ‘the citizens of Georgia, to which Georgian is not a native language, have the right to receive full general education in their native language, in accordance with the national curriculum, and the legislation’.

Poor command of the state language by ethnic minorities, especially in compactly settled ethnic groups living in Kvemo Kartli and Javakheti, represents a most acute problem with respect to civil integration. This problem prevents ethnic minorities from participating in political and public life and decreases chances of their economic and professional success.

Since 2003, the Ministry of Education and Science of Georgia has started projects that help national minorities to improve their knowledge of Georgian language. These projects were implemented with the help of the Office of the High Commissioner on OSCE National Minorities. Knowledge of the state language but at the same time protection of a groups’ linguistic and cultural identity is necessary for the integration of national minorities.

Multilingual education helps people to become more tolerant towards other cultures. It also teaches them to coexist constructively with other ethnic groups. Such type of education gives ethnic minorities a chance not to change cultural orientation and to maintain their native language.

In 2010, the Ministry of Education and Science launched a pilot program for multilingual education, which was targeted for the relevant regions. There were 40 schools involved in the program. With the joint local and international efforts, several models of bilingual education have been developed.

The program had many weaknesses. This fact was mentioned during the interviews of the representatives of the Ministry of Education and Science of Georgia.

The main challenge of the program was that most teachers did not have the knowledge of Georgian language even at an A2 level. The language courses which were selected for the teachers were ineffective in improving their linguistic skills, because the length of the courses was too short. Consequently, as a result of the program’s lack of time and financial resources the result was only partly reached.

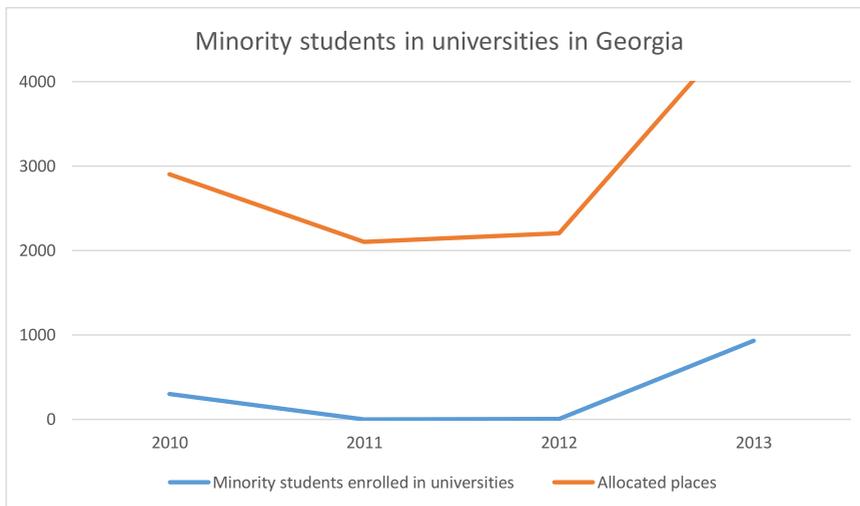
Another important problem that has been revealed in the bilingual education system

was the issue of bilingual textbooks. The translation of textbooks into minority languages started in 2005. These manuals were translated for I-IV classes and did not spread to higher grades.

The textbooks and manuals that are used in schools are drawn up in Armenia and Azerbaijan which in the future makes problems for ethnic minority youths because these books are not drawn up according to the program which is necessary to pass the University entry exams.

One more important step towards intercultural education was launching the “1+4 program”. In 2009, the Ministry of Education introduced a quota system in order to help ethnic minority students continue their post-secondary education in Georgian universities. Armenian and Azeri students each are allocated 5 percent of all academic placements, and Ossetians and Abkhazians get 1 percent each.

In the first three years, the number of ethnic minority students enrolled in this program tripled from 301 students in 2010, to 928 in 2013. However, there are more allocated places than actual students. For example, in 2010 only a bit more than 11 percent of all 2602 places were used, and in 2013 this number was 24 percent (928 out of 3900).



Source: Tabatadze and Gorgadze report Evaluation of the Effectiveness of the Quota System in Georgia 2013. <https://files.eric.ed.gov/fulltext/ED555611.pdf>

These students can get into university passing just a General Skills exam in their mother tongue, but they then have to spend an extra year learning Georgian language before they can start their selected study programs.

Within the framework of the intercultural education policy, the state continues to have non-Georgian language schools and non-Georgian language sectors. According to the latest data, 213 non-Georgian public schools and 77 non-Georgian language sectors are on the list. Out of the 217 non-Georgian public schools, most of the 117 Armenian schools represent 85 Azeri and 11 Russian speakers. From 77 non-Georgian sector, 31 are Georgian-Russian, 28 Georgian-Azeri, 8 Georgian-Armenian, 7 Georgian-Armenian-Russian and 3 Georgian-Armenian-Azeri sectors (Catalog).

Conclusion

The aim of this article was to analyze the legislative and factual situation of intercultural education in Georgia and show the progress and challenges in this direction.

This research shows that the question of intercultural education is of special importance for Georgia which is clearly seen in the recent activity and programs of the Government of Georgia. The policy pursued by the Government of Georgia is in conjunction with the general concept of multiculturalism. From the 2000s, intercultural education policy has become more consistent. Georgia recognizes the declarations and documents adopted by the Council of Europe concerning intercultural education.

At the same time, it should be noted that there are still many challenges. The main challenge still remains the lack of knowledge of Georgian among minorities.

Active and coordinated work of not only the Ministry of Education and Science of Georgia but also all educational system structures is needed to bring more results in support of intercultural education.

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Problematic Issues with Hermeneutics in Law

This paper deals with problematic understanding of legal texts. Hermeneutic approaches are reflected in various opinions regarding the understanding and interpretation of the text. The interpretation is presented in light of the research from both legal and philosophical sciences. The views of lawyers and philosophers of continental Europe as well as common law systems in relation to hermeneutics are analyzed.

The actuality of the issue is due to the fact that the problem discussed in the jurisprudence is not yet solved. There is no uniform approach to the issue; the principles set out in action are not explicitly defined. There is no unified strategy. All this creates difficulties in the implementation of practical activities.

In the presented work the establishing of principles is given special importance. Understanding the text as the main goal of Hermeneutics is set as the unity of the two processes. First of all, it is the correct understanding of the will expressed, and then the correctly perceived will be passed to whom this norm is directed to. These two processes should be harmoniously interconnected so that an interpretation can be achieved with the desired goal and the text will not add new vagueness.

The article discusses subjective and objective theories of comprehension and their positive sides as well as their shortcomings. The focus is on the goals of Hermeneutics and the tasks that should be carried out by the text interpreter. Hermeneutic activity is presented as a synthetic connection of the three elements that are considered: the author of the text, the text itself, and the subjective subject.

In conclusion, it is suggested that since the importance of the text in the jurisprudence is given special attention, the goal of interpretation must match the goals of the law. The objectives of the law are based on social aspirations and their will, and therefore the principles of interpretation should be determined based on the will of the public.

Keywords: Hermeneutic approach, Law, Jurisprudence.

In the science of law, from antiquity to present, many issues are presented differently by different scholars. Some scholars agree with a certain opinion, while others do not just simply disagree but have diametrically different opinions. All this is due to the fact that justice is not a metaphysically defined subject or event. It is a system of rules defined by the necessity, which means that it must be created. It is artificially created, it is not necessarily the inevitable and logical consequence of the development of events and is not due to cause and effect determinism. If it were so, it would remain unchanged through time and space. Law is logical dynamic rules of communication system. It changes with the demands of the society and with political and economic changes.

The goal of this article is to define the basic principles that enable practitioners or theoretical lawyers to use hermeneutic methods in the interpretation of legal texts. The problem discussed in this paper is not yet resolved in jurisprudence. There is no uniform approach to this issue, because the principles in which the interpretation of the legal texts should be made are not defined clearly. A common strategy around this issue is not clear. This negatively affects the process of practical activity, as the explanations made by lawyers often differ from one another.

A special problem arises in judges' activities, since the judicial law does not establish uniform principles of action. In the science of law, it is of particular importance to understand the contents of legal texts. The legislator cannot always make the text clear and easy to understand for everyone.

Methods of Research

Research methods are not exclusively derived from legal scholars. They should be synthesized by the harmonious combination of hermeneutic and legal methods. Equal importance should be given to both the ontological and the rational, and to target factors. The interpretation of legal texts should be combined to identify the semantic as well as legal significance of words. In addition, determining interpretation only with a normative approach does not give the desired outcome and it is necessary to merge the cognitive and rational and targeted elements that are ontologically conditioned.

In this regard, not only legal researchers (Savigny, Kelzene, Betty, Hart, Dworkin, Barak, etc.) express interesting ideas, but also philosophers. Especially the most visible researchers of hermeneutics: Heidegger and Gadamer.

Main Section

It is not surprising, that in the science of law many questions remain unanswered to date. It is difficult to determine which of them is more important, because there is no hierarchy set out for the problematic issues of law. One thing that is certain is that the norms of the law require an explanation. According to Dworkin, most lawyers share the idea that the law is a matter of interpretation and the necessity of explanation is related to the vagueness of the norm, the term indefinability or the ambiguity of the sentence (Dworkin, 1982, p.529). There is also an opinion that definition is necessary for every norm of law and there is no simple text that does not require interpretation and explanation (Barak, 2005, pp. 3 - 4). This issue will be discussed below, because first of all, it is important to say a few words on the understanding of the text.

The clarification of norms is not exclusively for law. The understanding of written text, or hermeneutics, has been known since ancient times. However, it has much older roots. The term itself is derived from the name of the Hermes the messenger of the gods, who informed humans about the will of the gods. This implies that the will expressed by the subject may be misinterpreted or not understood at all by the recipient, and therefore the will given in the text requires clarification. Today, hermeneutics is of particular importance because it furthers the human potential for understanding the importance of language in order to enhance the endless possibilities of human thought (Palmer, 1969).

Generally speaking text can be presented in two ways: in one case it refers to the text that does not oblige the reader and in the second case the reader is addressee of the text and is obliged to act in accordance with the rules set out in the text. The first is mainly in literary and epistolary texts, and the other is in normative texts.

Understanding artistic literature depends on the reader alone, and can cause practically nothing except for approval or disapproval of the author of the text. However, it is necessary to understand a text containing the normative rules. With normative rules, it is clear that law is not the lone idea. Along with law, such rules include morality, religious dogma, and customs. It is necessary to note that only one of the rules listed here, law, must have implicitly defined text. For others that is not a necessity. More precisely, it is necessary to have written law, for religious dogmas it is desired, while morals and customs require no such thing.

Primitive religions (such as animism, totemic, fetishism and magic) which emerged at an early stage of social development, are totally unfamiliar with written texts for

the simple reason that in that era writing was not yet created. Religion and religious rituals exist and people are successful in following them. After people learn how to write, the records of religious beliefs begin, and most importantly, a problem emerges that has not occurred before. This problem is, letting people know about divine will. With special intensity, this problem was first revealed in the Hebrew religion, where people who have been chosen by God or famous people begin to interpret the divine will. After one millennium, this was addressed by the interpreters of New Testament. The art of interpretation was further improved by the glossators of the XI - XIII Centuries (West, 2000, pp. 1125 - 1165). Even today legal science actively uses different methods of hermeneutics for understanding of texts.

As for morals and habits, they are not provided in writing and do not need any explanation. There is no need for this, because both of them are permanently repeated in public coexistence and are a set of rules and attitudes recognized by each member of the community. They are loud statements of public perception and consciousness, and therefore both of them are created directly from the public domain and are thus a set of implicit rules for the society.

Like religion, justice is not implicit, but a heteronymic will. In religion it is God's will, and in law, the will of the state. That is why both of them ask for explanation, clarification and definition. The nature of religious dogmas and their explanations differ significantly from the methods of law and its interpretation and obviously this is outside the scope of this article. This conversation is only about the interpretation of the law.

First of all, it must be decided how to interpret the norms of the law. What principles should be based on legal hermeneutics and in which case can the desired result be achieved. The problem is that if the explanation of a literary work only explains the will of the author and his statements, in the case of law interpretation, the integrity of the legislation and the law must be interpreted. The issue is furthermore complicated because the legislatures in modern democratic states is not a specific personal subject but is rather provided through the general public's' will. Therefore, it cannot be characterized by human passions, aspirations, and selfish expressions. The will of a single person in a democratic state does not contribute to the contents of the law.

Each person has their own worldview and aspirations. It is not difficult to recognize the individual's will, because studying the person can determine what social layer they belong to, what values are important for them, what is important for them and what is not. What they consider to be important, protected, maintained, and etc. These opinions are not the same for each and every person. These opinions and the public's

worldview in general is determined by which social layer people were raised in and exist in. The legislator has to take into consideration the will and aspirations of people of various social strata and different opinions, and thus he cannot think or act personally. The state government adopts a certain policy as an action plan and establishes legislation in accordance with the elected political course. The adoption of the law is based on the political views that is otherwise called the will lawmaker. It should be noted here that political views are due to certain goals. The goal is often not given in the text. This, however, gives an established norm of independent action, based on the will of the legislator, as well as the will of the law itself. This nature of the norms of law produces different approaches to the interpretation: the subjective will of the author (meaning legislator); Objective, according to which the content of the text is determined directly (Barak, 2005, p. 4) and synthesis which is equally trying to define the will of the legislator will of the law.

The methods of interpretation in hermeneutics can vary greatly from each other. In the understanding of the text, it is important to determine what is the most important value of the ontological and textual content of the text as it is observed in Gadamer's interpretation (Gadamer, 2004) or methodological as it required from Betti (Betti, 2015). According to Betti, for the interpretation of the law, it is necessary to develop a clearly defined methodology where the main aspect of the interpretation of the text is the methodology. In this view, Betti has challenged subjectivism and relativism in the interpretation of the norm (Betti, 2015, Ch 1). According to this view, Betti considers hermeneutics a "moral science", which is accompanied by epistemology and methodology (Pressler, 1996, p. 89).

When determining the contents of the text, two varied opinions arise. According to one, the explanation should be derived from the wishes and aspirations of the author of the text, which means that the interpretation should be based on the thinking of the writer. In contrast, the second view considers that the main thing is not the text's creator but the text itself. In the first theory, the object of knowledge is the determinant; in the second case, the subjective entourage is passed to the foreground, because if the content of the text and the vague wish in it is to be determined, it cannot be done without the attitude of the applicant's text. Everyone has their own view of subjects and events. They often differ significantly from each other. Such differences in attitude is primarily due to social background. The latter is based on societies formed by people living on a certain territorial entity and the established ideas in these societies. For example, in a culture that is characteristic of certain societies, that woman should be obedient to man and be his property, the society is considered to be savage and lacking of development. It is logical that subjects of different cultural representations will give different interpretations of the same text.

Besides that, the implementation of the explanation requires the selection of the correct beginnings and determining the goals correctly. When explaining religious texts, the only purpose is to understand God's will. According to Palmer, the theological interpretation is to confirm the power of God in the process of thinking (Palmer, 1969).

It is acceptable to interpret religious norms so that the explanation is not entirely clear. This can be explained by the reason of theological view that man cannot fully understand God's will because his mental ability cannot understand divine will with accuracy.¹ Religion imposes obligations on a person, which are determined by morality, and thus their understanding is not difficult for anyone. The rest of the issues that are set up in religious dogmas are the subject of judgment, the views and the concepts that the contents of which are a very difficult issue and a regular believer is not required to fully understand them. This should be achieved by faith.

As for the definition of law, the case is altogether different. The law requires accurate clarification. Otherwise, the idea of interpretation loses its sense. Legal norms require the recipients to perform, or abstain from certain actions. Therefore, the recipients of the norm should know exactly what the requirement is in the norm. In addition, the creator of religious norms is quite uncertain and vague for the human being. No one can say that he knows God and knows the divine thoughts. The law creator is known to everyone and it is not only possible to know his requirements, but it is also mandatory. The democratic processes further more closed the gap between legislator and the recipients of the norm. Therefore, the definition requires more specification and transparency. Today no one can argue that "Princeps stands above law."²

Law and jurisprudence are unimaginable without the definition of law. According to Dworkin, legal practice is fully comprised of interpretation (Dworkin, 1982, pp. 229 - 231). As Barak points out, legal interpretation is a rational process by which we come to understand the content of the text and go to its normative significance. This is a process that emphasizes the legal significance of the text from its semantic importance and interpreters translate the "human" language into "legal" language (Barak, 2005, p. 6). To put it simply, according to Barak's explanation, the semantic text is transformed into legal text through the interpretation.

¹ For more information on noted matter see: Aquinas, T. (1914). *The "Summa Theologica"*, Part III, Translated by Fathers of the English Dominican Province, R & T Washbourne, LTD. Paterson Row, London

² Princeps supra legem – Princeps stands above law. The term recognized in the Roman Empire has now been changed by the principle: Nemo est supra leges – nobody stands above law.

This is a process that emphasizes the legal significance of the text from its semantic importance and interpreters translate the “human” language into “legal” language (Barak, 2005, p. 6). To put it simply, according to Barak’s explanation, a semantic text is transformed into a legal text through its interpretation.

Barak properly develops this discussion, but the issue needs more specification. Because legal interpretation is based on practical activities, it is based on the existing reality and practical activities, therefore it serves practical activities. If the rule of law is not practicable, nobody spends time working on definition, because it is worthless as a dead norm. In practice, legal definition requires not only the will of the legislator but also of the will of private individuals. Consequently, there are two main types of legal interpretations: definition of the agreement of the parties and the definition of legal norms. The main difference is that in the first case it is the legalization of the will of private persons (i.e., transformation of the semantic significance legally), and in the second case, it is to establish the semantic importance of the text compiled in the legal language.

During the interpretation of the agreement it is inadmissible to interfere with the will of the Contracting Parties or their interpretation from their will, because if their will is not enforced, they will not have any desire to make any transaction. In the interpretation of the law, the situation is different. The legal norm is created by an authorized state body or a person authorized by law to exercise this authority. Generally speaking, the creator of the law does not possess the freedom that the Contracting Parties may have. People enjoy their rights, and the state – plenary powers. The rights arise in various ways. Including the grounds that are above the norms of law. The authority is meant to grant the right. Accordingly, the right is granted within certain limits. The rights of the legislator of the act, that is subject to law, are measured by law. The creator of the law itself is limited by public will.

Thus, the interpretation of the text of the contract shall be directly in accordance with the will of the author of the text and the text shall be given a legal form through interpretation. In this case, the interpretation of the semantics is directed towards the normative. The second type of text, or the norm of the law, requires the use of the opposite method, i.e., a semantic explanation of the normative values.

Determining the meaning of the text is presented through the unification of the meanings of words. The meaning of the word requires more attention because it can be used in different texts with different meanings. According to Gadamer, the word gives the name given to a specific object that creates an imaginary reflection on it (Gadamer,

2004, p. 62). Moreover, understanding of the word and the general text is not independent of ontology, it is impossible to determine the meaning of the text by such a method. In modern philosophy and in hermeneutics, Heidegger devotes special attention to ontology. He considers ontology as everyday routine and with associates this existence to hermeneutic discourses. (Heidegger, 2001, pp. 21-37).

In legal science, special importance is given to the rules for interpretation. First of all, it must be determined if there are any rules, which would put interpretation in certain frames? This question was raised by Dworkin. His answer to this question was that the law itself is interpretation (Dworkin, 1982, p.527 - 550). This view was first challenged by Savigny and criticized by scholars who interpreted it as a lawmaking within the delegated authority (Savigny, 2011, p. 389).

In Savigny's opinion, the definition of legal norms resembles the definition of other types of texts (as is done in philology). The difference occurs when the legal definition is broken up into constituent parts. In this case, Savigny separates four, as he calls them, elements: grammatical, logical, historical, and systemic definitions. According to his words, it is possible to understand the content of the law perfectly, but he adds that none of the elements are elected, but rather by combination of all of them we can achieve desired results (Savigny, 2011, pp. 391 - 392). For Savigny, the interpretation is not only dependent on the interpreter's capabilities. In his opinion, the legislature must possess a normative art in order to make the law perfectly established. Thus, success can be achieved if a close connection between the legislator and the interpreter is established. Because one depends on another this guarantees success (Savigny, 2011, p. 392).

The normative school does not even deny the necessity of explaining the legal norms. According to Kelsen, judges' function is not only to find justice, or to track down one of the existing solutions (Kelsen, 1967, p. 237). According to him, the creation of individual norms by judges based on the constitutions and laws implies the renewal of the law from the general (abstract) to the individual (to the concrete) (Kelsen, 1967, p. 237).

Many authors talk about similarities between definitions in legal explanations and philological science. As Barak notes, all interpreters of the law are linguists, but not all linguists are interpreters of the law (Barak, 2005, p. 7). During semantic and grammatical interpretations, philologists use established rules and these rules are based on words and their possible connections. The best measure of compliance with the rules is the language that has been formed over the centuries. As for the science of law, it is quite

difficult to establish the rules, because the legislature is not engaged in this activity, and the problem of their authenticity comes from any other subject defining the rules. That's why lawyers refrain from working out any clearly established rules. In spite of such a problem, it is wrong to leave the question unanswered. Various, often different theories, give future researchers the opportunity to outline certain action rules.

In legal literature there have been a number of times that there is only one definition of interpretation - this is giving rational importance to the text (Barak, 2005, p. 9). Therefore, the question arises: is it necessary to interpret any norm? Some lawyers think this is necessary. They are suspicious of the words of the Romans: *In claris non fit interpretatio* (clear norms do not require interpretation) (Barak, 2005, p. 13. Literature set there). They think that the text, becomes clear as a result of interpretation, and is not easy in of itself because of its simplicity.

To fully understand the issue, first of all, it should be decided what is to be interpreted and what purpose it serves. The interpretation refers to the explanation of the text, its explanation and the provision of it to other subjects or subjects as they are understood. The latter is a necessary element, since if the recipient of the norm cannot understand the importance of the norm, then its implementation will be complicated. The purpose of the interpretation of legal norms can be interpreted in a variety of ways. In some cases, the obscure nature of the norm requires that it be explained. In other cases, the law enforcer explains how the norm should be used and why he used this particular norm in this case. Such interpretation can be defined by the normative nature of the text. In such a case, legislation and the will of the law are synthesized.

A different approach is required when interpreting the text of a private legal agreement. The interpretation here is more concrete, since a contract is separate, and independence of the parties does not have a will of its own (as in the case of the law). Therefore, the wills of the text creator and contracting parties must be defined. The contract has no other purpose than to enforce the wills of the contracting parties. This is why the interpretation cannot be formed in differentiated form than the will of the contracting parties. Often the parties draw the text according to their usual semantic values, and thus, such a text requires additional legal determination. Semantical significance of words in such an interpretation should be transformed into legal significance, which gives the text a normative nature and thus, compulsory force. Nevertheless, the interpretation should be done in the correlation with the agreement with the parties to not violate their rights and interests.

An exception is the occasion when the dominant side forces the other side to agree to

any of the desired conditions and accept the cabal obligations undertaken in the text of the agreement. In such cases the interpretation takes a different form. The authorized interpreter may at any time cancel the expressed will and regard the transaction as unlawful, on which grounds the cabal agreement is invalidated. In the main case, the agreement expressed by the parties in a contract is followed by the legal results. In other words, the will of the contracting parties is the basis of the legal outcome, but the invalidation of the transaction no longer affirms the outcome of the legal effect.

If the text of the agreement is distinguished by its special simplicity and the readiness of the parties to read it clearly, it will have a normative “equipment” that will give the demand for the text compulsory force and therefore no longer require additional interpretation. Interpretation is unnecessary in that case, since the legal force requires the text to be compulsory when the contracting parties, or the recipients of the norm are aware of the content of its request. Otherwise, the meaning of legitimation becomes completely absurd. If laws are written in unfamiliar language, their implementation will be impossible and such norms are not executed. To put it simply, the mandatory power in the legal sense is different from other compulsory forces (such as the armed robber’s request) that the in case of the first both parties recognize and agree to the terms, as for the second case, both the robber and the victim are aware that the obligation is only created through threats and there’s no agreement. Therefore, if the parties’ agreement of the contract is easily understood by the participating subjects, it will not require any further interpretation.

It should be noted that the law does not include only the provisions of the state, it includes norms sanctioned by the state along with ones sanctioned by the authorities. These norms can be taken from customs, religious beliefs, and morals. The latter’s explanation implies individual convergence of conventional perceptions, since interpretation is considered a process where a particular subject assigns the meaning of the other subject to any meaning (Corbin, 1960; Patterson, 1964). It is impossible to present any single person as an author of moral norms; morality is a manifestation of public opinion. Hence, its interpretation refers to public opinion. The interpreter may have a different set of moral values. This will become the basis for incorrect interpretation. And if the emphasis in the existing text as semantic, as well as the normative requirement remains unchanged, then self-explanation is meaningless.

Hermeneutics has long sought to find out the principles that will be based on legal interpretation. Despite such attempts, most scholars do not define their principles at all, or consider them to be beyond concrete. According to Kelsen, it is impossible to determine which version of the many available is the most “correct” one in the inter-

pretation of the norm (Kelsen, 1991, p. 130). For Gadamer, the interpretation, or the understanding of the text is historically defined (Gadamer, 2004, pp. 299 - 305), he is opposed to the objective, neutral reading of the legal text, as he considers interpretation to be ontological, dialectic, and critical analysis (Eskridge, 1990, pp. 609 - 615).

According to Gadamer, guidelines are required which cannot be taught abstractly; they must be practiced in concrete cases and therefore these principles provide ability to judge akin to feelings (Gadamer, 2004, pp. 27-30).

Judges seek to harmonically unite interpretations of lawyers, parties, and witnesses (Arneson, 2015, p. 24). Judges in common law countries try to develop the principles that will be common for solutions of similar cases. But since there are no two absolutely identical cases, the principles developed by them are of general character and are based primarily on fairness and effectiveness (Lindquist, Cross, 2005, pp. 1159 - 1160).

Explanation of two different types of speech are discussed by Schane. He distinguishes the lexical and syntactical ambiguity of the word (Schane, p. 4). In both cases, the meaning of the word is interpreted through context (Corbin, 1965, pp. 161 - 190). The interpretation of the legal meaning of the text does not require only the semantic meaning of the words. The most important thing is the idea, which is imbued into the text. Sometimes words used in a sentence can have multiple different meanings. Sometimes a text of the legal significance gives a narrower or wider meaning to a particular word in the spoken language. For example, in Georgian legislation, the word “fish” means fish, as well as other sea products.

Any text of legal significance seeks to convey a certain requirement or will. Thus, legal interpretation is oriented around the content of the request or the will. The explanation is not limited by the determination of the importance of individual words. The meaning of the word often determines the content of the request. A formal side of interpretation does not actually exist, because sometimes two similar texts may contain different demands. In addition, it may be that the term used in the text is derived from the laws of the legislature. If the law allows fishing to be carried out only using a fishnet, the definition of a fishnet may be different in certain cases and in other countries. The term “enterprise” defined by the Tax Code of Georgia is different from the Definition of the IFRS (International Financial Reporting Standard) as it also considers physical entity as opposed to the Code (Nadaraia, Rogava, Rukhadze, Bolkvadze, 2012, p.61). Such differences are due to the goals that the author of the text wants to achieve. It is therefore clear that legal texts require a synthetic definition of the purpose and will. Both of them are formed as a result of judgment. A judgment is merely the capacity of mind and cannot be understood by other criteria or evaluated by different categories.

Purpose and will are the fruit of the human mind. It is neither a formality nor is it a social sign. That is why they are all related to the power of mind. Therefore, their interpretation is also possible through a rational approach. People have common goals and similar attitudes. That is why one person does not find it difficult to recognize the will of another person. Because a legal text represents the unity of the will and purpose, interpretation can only be made in accordance with basic principles. It is not possible to adjust the appropriate rules for each specific situation. It may be that the purpose of public law and judicial texts differs from one another, but often their goals are coincidental, since both of them are designed to regulate public relations.

The rules for the use of legal interpretations cannot be determined without defining their meaning and purpose. Legal interpretation means transmitting text content to one of the other subjects. In addition, the interpreter is not the author of the text. For example, someone's request must be transmitted in a simplified form. Interpretation necessarily involves reduction because if the text, without any simplification, is clear for the addressees, then such text does not require any further explanation. Reduction is done in two different forms. In one case, from the semantic to the normative values, and on the other, on the contrary, from normative to semantics (Barak, 2005, pp. 5 - 61). Members of the community demand a semantic explanation of normative values, since the latter is clearer to them. The law demands a normative definition for any text because the semantic meaning of words is not enough for it.

The state is not an absolutely independent subject; it is limited to the interests of the public and its will. Hence, there are two expressions of expression in the norms of law. This is the will of the legislator and the will of the law. The will of the legislator may sometimes not coincide with the will of the public and it is due to certain necessity. This happens when the government carries out progressive forces and the society is still unable to understand the expected outcome. The interpreter's function in this situation is to not exceed the will of the legislator. The legislator is not a separate independent subject in this situation. He is still concerned with public welfare. And he is not forced to change the law, it already means that there is a consensus of the interests of the society and the legislature.

As for the law, it cannot be independent of the interests of the public. It must express the desire of the public. Otherwise the existence of the law would not have been possible. The purpose of the law is to regulate public relations in such a way that the society is given the possibility of development and better living. This is possible by harmonizing the law, the goals and will of society.

The conclusion is that legal interpretation is based not on concrete rules but general

principles. In these principles there is no hierarchy, since the principle of which is higher is the evaluative category and establishing the norm in this is fairly problematic. During interpretation of the norms of the law, an interpreter shall be based on public will and its interests. This should be a defining sign of interpretation. That's why the lawyer is required to have not only legal but also general education. The interpretation should not lose touch with life, it should be tailored to reality. The interpreter's function is to give the normative definition of the law its right to act. This can be achieved only when social aspirations are related to reality of its implementation.

The purpose of legal texts is to determine a correct behavior model for the recipients. This is done in accordance with the revealed will. The interpretation of such a text is not limited by the determination of the author's will. Its task is to hand this over to the recipients after recognizing this will. Therefore, legal interpretation is the connection between three subjects: the author of the text, the text addressee, and the interpreter. The purpose of interpretation is to connect the author's will with the consciousness of the reader. This process requires rational and targeted action. Both of them are determined by the objective reality. Hence, interpretation is defined by the public realm and its main pillar is the values that have been formulating in society for centuries and have found place in a particular time and in a particular state.

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Reasonable Time Requirement: ECtHR Approach

It is said that: “Justice delayed is justice denied.”

The concept of access to justice is enshrined in Article 6 of the European Convention on Human Rights. It encompasses a number of core rights and the requirements arising therefrom constitute the main obligations for high contracting parties to the convention. Thus, ensuring the materialization of those rights in their respective domestic legal systems should, in fact, be perceived as the sole priority of the member states in terms of guaranteeing adequate human rights protection framework. The right to a fair trial protected by Article 6 of the convention provides that everyone is entitled to a fair and public hearing within a reasonable time in the determination of his civil rights and obligations and of any criminal charge against him. In simpler words, it says that proceedings shouldn't be excessively long. At first glance, the implementation of a reasonable time requirement seems very easy. On the other hand, if we look just a little bit deeper, several factors that hinder hearing from being within a reasonable timeframe will therefore appear, which as usual results in preventing the proper administration of the justice. Apparently, the importance of this right is itself obvious; however, alleging the violation to have proceedings concluded within a reasonable period of the time is by far the most common issue raised in applications to the ECtHR. The article analyzes the concept of the reasonable time requirement. Afterward, it describes the identification of the relevant period that ought to be taken into account while assessing the reasonableness. Lastly, the paper tries to illustrate the key criteria applied by ECtHR in order to determine the reasonableness of the proceedings referring key standards set by the court itself and examines if the methodology used by the court while assessing the reasonable length of the proceedings is the right approach to the problem.

Keywords: reasonableness of the proceedings, reasonable time requirement, The right to a fair trial, a fair and public hearing, the proper administration of the justice, ECHR, article 6, Just satisfaction, key criteria applied by ECtHR.

The right to a fair trial protected by Article 6 of the European Convention on Human Rights has a paramount importance for every state that is based upon the principles of rule of law and democracy. Generally, the right guaranteed under article 6 creates the cornerstone of the state and lies straightforwardly in its center, as a result holding equilibrium therein. Broadly speaking, it is hard to imagine even the existence of a proper-functioning state without the right to a fair trial and it appears even harder to imagine effective administration of the justice without one's right to have proceedings concluded in accordance within the reasonable time requirements prescribed by national legislation. So, the question that needs to be asked is the following: beyond the theoretical dimension and significance of the right to a speedy trial, why it is so important in practice? Well, the answer to this question is the simplest of all. From the viewpoint of an average person involved in the court litigation, it is crucial because of the reason that an individual actually has the firm juridical interest concerning the outcome of the proceedings and usually, upon the judgments that are made on such proceedings depends the granting and then the realization of substantive rights or an abstaining from exercising such rights. In simple terms, the life plans or the life activities and even the future of him or her depend on a court decision, so, therefore, a hasty decision would be pretty beneficial. Moreover, the reasonable time requirement reduces the court workloads and protects litigants from undesirable delays (*ECtHR. Stögmüller v. Austria*, para. 5, 1969). These are the very reasons these sets of rights are made for. Therefore, ECtHR states that human rights should have practical and effective nature, rather than theoretical and illusory (*ECtHR. Artico v. Italy*, para. 33, 1980). To develop this viewpoint and to better indicate the prime importance of the reasonable time requirement set by article 6 of the Convention, I will contextualize a wide range of social activities and arising legal controversies therefrom, thus as mentioned above, it will draw up the exact landscape showing the significance of the right mentioned. For instance, in corporate litigation or in any other commercial issues when the subject matter of the case strictly refers to the certain amount of money, in this sense, speedy decision plays a key role in the further course of events. It is said that time is money. For business and the other kinds of commercial matters a reasonable time-consumed litigation is not a bad idea. In family affairs, when case refers to the child, for example to its removal or the determination a place of the residence, right to the adjudicative proceedings to be concluded in accordance within a reasonable time requirement has a substantive importance, because the value of the "good" either the plaintiff or the defendant, are having at stake is too high. In criminal matters, due to the pressing social need or the high pressure envisaged into high public interest, according to the very dogmatic objectives of the criminal law, referring key standards of the sense of the security deeply enshrined in the concept of the rule of law, I argue that the positive obligation of the state to ensure a relevant system and the negative obligation not to impair the very essence of the right has a principal importance. Even, from the perspective of the suspected or the accused person's rights the whole image does not change at all, instead, it does gain more primacy. In addition, in crim-

inal matters, especially, it is designed to avoid the situation where a person charged should remain too long in a state of uncertainty about his fate (ECtHR. *Stögmüller v. Austria*, para. 5, 1969). For further clarification, if society sees the judicial settlement of disputes functions as too slow, it will lose its confidence in the judicial institutions (Kuijer, p.1). Even more importantly, the slow administration of justice will undermine the confidence society has in the peaceful settlement of disputes (Kuijer, p.1). A reasonable time requirement is an issue of fundamental importance that has caused deep concern at an international level and the treatment of this issue is the subject of ongoing discussion and research (Salamoura, p.1). In 1996 the European Court of Human Rights ('ECtHR' or the 'Court') allegedly declared a 'war on unreasonable delays' (Henzelin, Rordorf, 2014). A large number of applications inundate the ECtHR on a daily basis; the overwhelming majority of these concern the violation of the right to be tried within a reasonable time (Salamoura, p.1). According to the 3rd report of the European Commission for the Efficiency of Justice ('CEPEJ'), violations of Article 6(1) ECHR through excessively lengthy proceedings represents the primary reason for European States to be condemned by the ECtHR (European Commission for the Efficiency of Justice, 2010. p. 2). Whilst most of the Court's decisions regarding the excessive length of proceedings concern civil law cases, the number of criminal cases is far from insignificant (Henzelin, Rordorf, 2014, p.79). An exemplification of a wide range of research-based statistics show that the state violation of the rights protected by convention is not necessary at all. Even with a cursory glance we can comprehend that the right to a fair trial within the reasonable time is the most frequent breach by the contracting parties to the Convention. We can simply conclude: 1. A reasonable time requirement is not a concern for a very few states of Council of Europe, but rather, it more looks like on the Achilles Tendon for the European countries. 2. Thus, this is the issue most widely addressed before the ECtHR.

Each year, the European Court of Human rights has to deal with a bunch of applications many of them alleging the breach of the reasonable time requirement. It would be interesting to find out what kind of methodology the ECtHR utilizes when assessing the reasonableness of the length of the domestic proceedings. Before that, a discussion about reasonable time requirement under the case law of the ECtHR shall therefore be essential.

Concept of “reasonable time requirement” under the case-law of ECtHR

The right to a fair trial is designated to facilitate access to justice for those in need. The provision under article 6 contains the most basic concepts how the systematic organization of the court ought to be constructed. The case-law set by ECtHR provides a much broader interpretation of the article 6 than just the wording of the provision itself.

It means that case law provides further standards mandatory for contracting parties to implement in their respective domestic legal systems. These standards include equality of arms, the right to the adversary proceedings, the rights of the accused persons, the right to the representation, right to a hasty decision and so on. It is worth noting that according to the doctrine of jurisprudence, a fair trial is called an enforcing right, due to the fact that it is the instrument which enables benefits from other substantive, procedural and/or the material rights. In other words, it gives any individual the entitlement to satisfy their subjective interests via enforcing their rights either before domestic or either before the International Tribunals. The European Court of Human Rights in its landmark case of *Golder v. United Kingdom*, referred to the distinct rights that stem from the very basic idea that taken together set up a sole right – right to a fair trial (*ECtHR, Golder v. United Kingdom*, 21 February 1975, para. 28). A reasonable time requirement is an integral part of this “very basic idea” widely reiterated in the case of *Golder*. On one hand, an effective administration of the justice would have lost its substance if essentially the administration of the self is slow, uncertain and is barricaded by several delays. It is a key factor that prevents the effective administration of justice and gives birth to skepticism toward the judicial bodies. On the other hand, ECtHR reiterates that in requiring cases to be heard within a “reasonable time”, the Convention underlines the importance of administering justice without delays which might jeopardize its effectiveness and credibility (*ECtHR. Katte Klitsche de la Grange v. Italy*, para.61, 1994). In its judgment in *H v. France*, ECtHR states: “the Court is not unaware of the difficulties which sometimes delay the hearing of cases by national courts and which are due to a variety of factors. Nevertheless Article 6 para. 1 (art. 6-1) requires that cases be heard ‘within a reasonable time’” (*ECtHR. H. v. France*, para. 58, 1989). The dogmatic problem lies in whether a right to a speedy trial is compatible with the right to reasoned judgment, because often the examination of the merits, facts and evidence in taking care for an adequately reasoned decision turns out to be complicated, albeit, the argument thereto solely cannot overweight the need of a hasty administration of justice. The virtue of European Court of Human Rights in this context is analogous and has already been clarified several times. “In so providing, the Convention underlines the importance of rendering justice without delays which might jeopardize its effectiveness and credibility.” (*ECtHR. H. v. France*, para. 58, 1989) This sub-section is mainly oriented on outlining the theoretical dimension of the right and its determination in the case law of the court.

As noted above, the right to a fair trial within the reasonable time is guaranteed by article 6 of ECHR. Article 6(1) of the European Convention on Human rights reads as follows: “*In the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.*” In other

words, it provides that a court, “in the determination of his civil rights and obligations¹ or of any criminal charge” (ECtHR. *Eckle v. Germany*, 15 July 1982, para. 73)² must decide within a reasonable time (Salamoura, E. p. 2). The Court has held that this implies a right to equality of arms (Greer, 2006, p. 274), and a right of access to courts, the latter of which can be limited, according to a national margin of appreciation, provided a legitimate aim is pursued, the principle of proportionality is observed, and the very essence of the right itself is not impaired (Greer, 2006, p. 274). One may ask, if we presume the existence of the reasonable time mechanism protected by ECHR, does it imply that there is a prescribed period of the time during which a domestic court is obliged to conclude the proceedings, including the enforcement ones? We might expect the answer to be yes, however, it is still no. Let’s examine the answer by giving an etymological definition of the reasonable time and then attempt to put the definition in a legal context in relation with the core standards set by the legal order of the Council of Europe. Etymologically, reasonable time means a certain, fixed period that may be regarded as reasonable. Legally, the reasonable time requirement is a specific period of time during which a domestic court must determine the case by giving a reasoned decision. But, the mandatory element of the time to be a reasonable depends on the various factors, including the distinction between the legal systems of each state. In every member state the reasonableness is understood and then prescribed by the legislator in a different manner. For example, in Georgia, the duration of criminal proceedings are considered to be reasonable if time does not exceed the prescribed period of nine months (*Code of Criminal Procedure of Georgia*, Art.205, para 2). We can further assume that reasonable time requirements vary by state. If we put the etymological and legal definitions in the context of the jurisprudence of the Council of Europe, we will definitely conclude a non-existence of a reasonable time in the scope thereof. The reason for this assumption is simple. The Council of Europe is composed of 47 member states, each of them having their unique legal structure based on their legal tradition and experience. It would be illogical from the prospect of the Council of Europe to propose a mandatory common time system on member states, since it would in reality be extremely difficult to comply and then to implement the common time requirement. Even if we imagine a realization of this concept in any way it would be ineffective, causing only the breach of it. As we have already outlined, the legal basis of each system is different and comprehensive from their point of approach, so one size fits all policy will not be justified. For this very reason, The Court has not laid down any

¹ *Civil Rights and Obligations* are an autonomous concept deriving solely from the ECHR. It is, independent of the categorizations employed by the national legal systems of the member States. See also, ECtHR. *Georgiadis v. Greece*, 17 October 2002, para. 34

² *Criminal Charge* is an autonomous concept deriving solely from the ECHR. It means that, interpretation of the ECtHR is superior over any kind of interpretation given by domestic court. See also, ECtHR. *Eckle v. Germany*, 15 July 1982, para. 73

particular means of attaining the required outcome (Edel, 2007, p. 16). The Court is here laying down a positive obligation whose content remains largely unspecified and is therefore at the discretion of the state, which has a wide domestic margin of appreciation in meeting it (Edel, 2007, p. 16). For instance, like in many other cases, the court in case of *Jama v. Slovenia*, reiterates that “it is for the State to organize its judicial system in such a way as to enable its courts to comply with the requirements of Article 6 (1)”³ and “it is not the Court’s function to indicate which measures [the state] should take” (ECtHr. *Johnston and others v. Ireland*, para.77, 18 December 1986). For further clarity, in case of *Scuderi v. Italy*, ECtHR therefore confirms that, Article 6 para. 1 (art. 6-1) imposes on the Contracting States the duty to organize their judicial systems in such a way that their courts can meet each of its requirements (ECtHR, *De Micheli v. Italy*, 9/1992/354/428, 2 February 1993)⁴ Further guidelines are not provided by the court on that matter. What does that really mean? Convention “trusts” the states in choosing their approaches while ensuring a reasonable time requirement under their respective jurisdiction and therefore grants a freedom of an action in terms of deciding their “means” for pursuing even more respective “ends”. However, its supervisory mechanism plays a role of the guardian of the convention, and is not going to make itself blind when facing a violation thereof. Beside the fact that the convention has granted specific room for changes to the states, the European Court of Human rights has still elaborated a system that can assess the reasonableness of the national proceedings without even prescribing the notion of reasonableness in its case law. According to our examination, neither CoE law nor EU law has established specific time frames for what constitutes a ‘reasonable time’ (FRA, 2016, p. 136).

After having examined the concept of reasonable time, we have concluded that it would be meaningless for European Court of Human rights to elaborate a specific period of the time in its case law and if it decided to, indeed that would basically undermine the concept of the large room de manoeuvre granted by the convention to every member state. Apart from that, the key aspect of the reasonable time requirement that needs to be discussed is its applicability. In other words, how an application occurs and what is its scope. From a very general viewpoint, the convention has legally binding power over the states and its first article rigorously imposes by a great amount of incumbency to protect every individual under its jurisdiction. It means that for the convention the primary goal constitutes to be the human, as a self-being and his or her not only the negative, natural rights but also the social, cultural and political rights derived therefrom. The state is the central subject having its unique moral and international status

³ See, among many other examples: *mutatis mutandis*, *R.M.D. v. Switzerland*, 26 September 1997, para. 54, Reports of Judgments and Decisions 1997-VI

⁴ See, among many other authorities, ECtHR, *De Micheli v. Italy*, 9/1992/354/428, 2 February 1993.

before the ECtHR. When arguing about the states duty to ensure the realization of the right to a speedy trial, here the primary question that needs to be answered is, “Which of the states’ body or an organ can breach the right to a speedy trial? If we manage to answer this question properly, it will be equivalent to answering the question concerning the scope of the application. Generally, the answer to that question is simple. Indeed, it’s the domestic court that basically violates right to the speedy trial, but, is there any organ capable of breaching a reasonable time requirement other than a court? As the wording of the convention outlines, the right to a hearing within a reasonable time may be invoked in relation only to a tribunal responsible for determining – in the words of Article 6 – “civil rights and obligations” or “any criminal charge” (Edel, 2007, p. 9). That means that article 6 is not a general right that has an overall scope and is not capable of holding every typical state body regulated, but rather, in its scope we can assume to be every type of domestic court, including other types of organs only in case they elaborate the power to determine the cases related to “civil rights and obligations” or “any criminal charge”. However, those terms are autonomous concepts purely defined by the virtue of the convention and no matter what the domestic legal definition of those terms are the superior power shall the convention wield. The dynamic interpretation by the European Court seems to be gradually changing the position regarding these two concepts (Edel, 2007, p. 9). Today in practice – although the European Court has refrained from describing the situation in these terms – Article 6 can clearly apply to any judicial proceedings, apart from certain spheres ruled out by judicial doctrine as being impossible to assimilate to civil or criminal cases (Edel, 2007, p. 10). In so saying, defining “civil rights and obligations” and “the criminal charge” and implications thereof shall support our argument on the applicability of the reasonable time requirement. Therefore, we will draw up extensive case law of the ECtHR on this matter in order to find out which spheres are included in and excluded from the applicability of the reasonable time requirement.

As noted above, the right of access to a court under Article 6 of the ECHR is limited to disputes concerning criminal charges against the applicant or civil rights and obligations (FRA, 2016, p. 26). The concept of “civil rights and obligations” is interpreted extensively. It encompasses the whole of what continental law defines as private law, regardless of the law governing a particular case – civil, commercial, administrative, etc. – or the authority with jurisdiction to settle the dispute (Edel, 2007, p. 9). The court in case of *Georgiadis v. Greece*, “recalls that the concept of “civil rights and obligations” is not to be interpreted solely by reference to the respondent State’s domestic law and that Article 6 para. 1 (art. 6-1) applies irrespective of the status of the parties, as of the character of the legislation which governs how the dispute is to be determined and the character of the authority which is invested with jurisdiction in the matter” and in *Bochan v. Ukraine*, the court stipulates that “for Article 6 § 1 in its “civil” limb to

be applicable, there must be a dispute (“contestation” in the French text) over a “right” which can be said, at least on arguable grounds, to be recognized under domestic law, irrespective of whether that right is protected under the Convention.” But, when should the right be regarded as a civil? European Court has addressed this question in the case of *Konig v. Germany*, “whether or not a right is to be regarded as civil within the meaning of this expression in the Convention must be determined by reference to the substantive content and effects of the right - and not its legal classification - under the domestic law of the State concerned.” The existence of the dispute is an integral part in terms of defining the “civil rights and obligations”. The dispute must have a genuine and the serious nature, instead of having mere and formal one. In the case law of the Strasbourg Court, the detailed analysis of the “dispute” is laid down, however here discussion about its conceptual aspects are not necessary and thus exerts the purposes of the articles. All we need to take into account is considering the notion of the “dispute” as inevitable element of a context defining the “civil rights and obligations”. Apart from that, the pecuniary nature of the proceedings should also be included. It gives an opportunity for the court to classify the case as a “civil” notwithstanding its place under domestic jurisdiction. In other words, the case may be classified to be consistent with public law, but because of its pecuniary nature European Court classifies as a civil case and consequently puts those cases under the scope of reasonable time requirement (*as mentioned above, in the case of Koning v. Germany, [...] “and not its legal classification - under the domestic law of the State concerned”*). Moreover, that’s why the Court in the case of *Ferrazzini v. Italy* reaffirms that “the principle according to which the autonomous concepts contained in the Convention must be interpreted in the light of present-day conditions in democratic societies does not give the Court power to interpret Article 6(1) as though the adjective “civil” (with the restriction that that adjective necessarily places on the category of “rights and obligations” to which that Article applies) were not present in the text”. Further, in *James and other v. The United Kingdom*, the court recapitulates that “it does not in itself guarantee any particular content for (civil) “rights and obligations” in the substantive law of the Contracting States”. The virtue that is upheld in the case of James once again emphasizes on the sole relevance of the autonomous concepts derived purely from the case law of the court, thus highlighting its primacy over the domestic interpretations.

The other most basic principle upon which the convention was elaborated is its living nature. The convention is a living instrument that has got dynamic and flexible nature. It evolves step by step and “runs after” a society. So, if standards in the society are to be changed, the convention within its elaborative nature as a living instrument will ameliorate through its case law in a way that shall address any given challenge before it. The living nature of the convention is simply useful because it does not shy away from addressing contemporary challenges. If in the past the scope of applicability of

the reasonable time requirement has been narrow and was limited only to the judicial organs, today the sphere of proceedings relating to “civil rights and obligations” has thus expanded considerably to take in an assortment of disputes (Edel, 2007, p. 10). Thus, Article 6 is applicable toward disputes between private individuals and public authorities –regardless of whether the latter is acting as a private individual or the depositary of public authority – if the administrative proceedings involved affect exercise of property rights, as with proceedings relating to expropriation, pre-emption, planning permission and so on (Edel, 2007, p. 10).⁵ As noted above, the pecuniary dimension of the right supports the applicability of a reasonable time requirement because the results they can produce under the national jurisdiction may have significant impact over private rights and obligations. For example, in the case of *Ringeisen v. Austria*, the subject matter was the permission of selling the land. In *Konig v Germany* – the permission to manage a private clinic. Also the building permission was included in *Sporrong and Lönnroth v. Sweden*. The permission for fulfilling the requirement in order to work in a specific field of profession was said to fall under the scope of article 6 in the case of *Bentham v. Netherlands*. Even license matters in the case *Tre Traktor-er aktiebolag v Sweden* have been recognized to fall therein. Moreover, disciplinary proceedings before the professional bodies in case of *Le Compte, Van Leuven and De Meyere v. Belgium*; *Philis v. Greece (no. 2)* were admitted to fall under the scope, when the right to practice a profession is at stake (ECtHR. *Le Compte, Van Leuven and De Meyere v. Belgium*, 18 October 1982; *Philis v. Greece (no. 2)*, para.45, 27 June 1997).

The case law cited above outlines that the pecuniary nature of the right, which may or may not have an impact over individuals’ private rights, is enough to justify the applicability of Article 6th, in this context, the right to a speedy trial. On the other hand, there are specific categorization of the cases in which merely stating the pecuniary nature of a right is not enough justification to prove the validity of applicability of the right thereto, because other interests that are at stake are proved to be the sufficient ground for excluding the applicability of article 6. As in the case of Ferrazzini, European court states that “merely showing that a dispute is “pecuniary” in nature is not in itself sufficient to attract the applicability of Article 6(1) under its “civil” head.” For instance, the court strictly excludes tax matters from this. In the same case of Ferrazzini, the Court stipulates that “there may exist ‘pecuniary’ obligations vis-à-vis the State or its subordinate authorities which, for the purpose of Article 6(1), are to be considered as belonging exclusively to the realm of public law and are accordingly not covered by the notion of ‘civil rights and obligations’” thus mentioning tax cases

⁵ Edel, F. (2007). *The length of civil and criminal proceedings in the case law of the European Court of Human Rights*, Strasbourg, Council of Europe. p.10. Other examples include: land consolidation, dispute over a development plan regulating the building, environmental protection.

as “the hard core of public authority prerogatives” (ECtHR. *ferrazzini v. Italy*, para. 29, 12 July 2001). The same attitude is shown in immigration cases. The case law of the court indicates that immigration cases have nothing to do with the concept of “civil rights and obligations”. Its exemplification can be found in the case of *Maaouia v. France*. “The Commission has been called upon to do so, however, and has consistently expressed the opinion that the decision whether or not to authorise an alien to stay in a country of which he is not a national does not entail any determination of his civil rights or obligations or of any criminal charge against him within the meaning of Article 6 § 1 of the Convention” (ECtHR. *Urrutikoetxea v. France*, 5 December 1996) and “the Court considers that the proceedings for the rescission of the exclusion order, which form the subject matter of the present case, do not concern the determination of a “civil right” for the purposes of Article 6 § 1. The fact that the exclusion order incidentally had major repercussions on the applicant’s private and family life or on his prospects of employment cannot suffice to bring those proceedings within the scope of civil rights protected by Article 6 § 1 of the Convention” (ECtHR. *Neigel v. France*, 17 March 1997). We can make the clear conclusion that sometimes even in cases when at stake it is the private and family life of the applicant cannot override the strategy of state policy in terms of the applicability of article 6. It should be further noted that, the cases concerning political factual circumstances, including the right to the immunity and the right to elections are mainly viewed as a sets of the rights that are derived from political rights, rather than considering them as an elements of the civil rights. The same manner is applied concerning the civil servants. These cases usually fall outside of the scope of application. According to the landmark case of *Vilho Eskelinen and Others v. Finland*, “to recapitulate, in order for the respondent State to be able to rely before the Court on the applicant’s status as a civil servant in excluding the protection embodied in Article 6, two conditions must be fulfilled. Firstly, the State in its national law must have expressly excluded access to a court for the post or category of staff in question. Secondly, the exclusion must be justified on objective grounds in the State’s interest.” The court therefore states that the fact that an individual is working at the sector of department that takes part in the exercising of power conferred by the public law does not constitute to be the solely decisive reason to justify exclusion (ECtHR. *Vilho Eskelinen and others v. Finland*, 19 April 2007), “In order for the exclusion to be justified, it is not enough for the State to establish that the civil servant in question participates in the exercise of public power or that there exists, to use the words of the Court in *Pellegrin*, a “special bond of trust and loyalty” between the civil servant and the State, as employer. It is also for the State to show that the subject matter of the dispute in issue is related to the exercise of State power or that it has called into question the special bond.”

After having examined the extensive case law of ECtHR we can conclude that in the

past the applicability of the reasonable time requirement (article 6) was only limited to the judicial organs having authority to exercise legally binding decisions. But, as society evolves, the convention evolve too, and its scope is extended to the various types of the cases.⁶ For that very reason, we have discussed the evolution of the concept of “civil rights and obligations” and then had put in the context of applicability of article 6 (the reasonable time requirement). Shortly, we can assume that the reasonable time requirement applies to the concept of “civil rights and obligations”. Not only the judicial organs that elaborate legally binding authority can breach the right to a speedy trial, but also the organs mentioned above. As the analysis of the case law has shown, the pecuniary nature of the right plays a role in determining the indicating “value” each applicant has at stake. For that reason, the right under the national jurisdiction maybe classified as a right deriving purely from public law, but for the virtue of the convention it shall still be regarded as the part of a “civil right and the obligation” because abstaining from exercising or exercising of those rights may have a specific impact over the individual. Thus, the convention does not pay attention on the domestic classification of those rights. It mainly focuses on the autonomous concepts solely derived from case law. Albeit, only asserting that the nature of the right is pecuniary seems not to be sufficient ground for the justification of the applicability of article 6 (reasonable time requirement). As we have examined, in certain types of the cases the article 6 (reasonable time requirement) is inapplicable because the mere pecuniary nature of the right cannot override the values deeply enshrined in the realm of public law and state governing policy too, therefore, for this very reason the convention usually abstains from perceiving that those certain types of disputes fall in the scope of article 6.

In order to discuss the applicability to the proceedings relating to “any criminal charge” at first the definition of “any criminal charge” must be given. Like “civil” cases, the concept of “criminal” cases has been endowed with an autonomous European meaning regardless of how it is defined in the domestic law of member states; it has been construed broadly, thanks to essentially a substantive definition by the European Court (Edel, 2007, p. 13). The truly relevant criteria for determining whether a case is criminal are, on the one hand, the nature of the offence – that is, the contravention of a general rule whose purpose is both deterrent and punitive – and/or, on the other hand, the seriousness of the penalty incurred (Edel, 2007, p. 14). Those criteria are alternative, not cumulative. The deprivation of the liberty is by far the most relevant indicator that links to the nature of the offence. Administrative sanctions and punishments also fall in the scope of article 6. The nature of the body ordering the penalty is of no consequence; the European Court has extended the criminal sphere to encompass administrative penalties, including disciplinary and tax penalties (Edel, 2007, p. 15).

⁶ The list of cases I have indicated is not an exhaustive list; it is just an illustration.

In case of *A.P., M.P. and T.P. v Switzerland*, the court stated that “The penalties, which in the present case take the form of fines, are not intended as pecuniary compensation for damage but are essentially punitive and deterrent in nature.” Article 6 also applies to disciplinary regulations, both in the army and in prison (Edel, 2007, p. 16).

Ultimately, almost every case falls within the article 6 under the categorization of the criminal offence. On the other hand, cases from the civil sphere suffer from numerous restrictions.

Methodology of the European Court of Human Rights

The concept of a reasonable time requirement has been analyzed above. It would be meaningless to examine the methodological approach of an assessment that is widely used by the court, if one is not capable of understanding the main essence of it. As noted, a reasonable time requirement protects parties from unreasonable delays and supports the effective administration of justice while at the same time preventing all parties to the proceedings from getting stuck in the intercourse of litigation. However, the convention sets an obligation to conduct national proceedings without exceeding such time, but does not prescribe the means of achieving these purposes. It gives an opportunity to the member states to choose in which manner the compliance with the duties imposed by the convention shall be the best for their respective domestic legal orders. We have once asserted that the contracting parties to the convention are utilizing and thus having the benefit from the margin of appreciation in choosing and deciding their implementation policy. The convention deeply believes that member states know it better how to comply with the reasonable time requirement and gives them an entitlement to organize the domestic legal system in a way they consider it is necessary. Each member state is better aware of the particular features and characteristics of their national system. Unfortunately, things are not that positive. Basically, we do not live in a perfect world and even the convention perhaps does not expect that member states will perfectly realize their obligations under their jurisdiction, but it is really acrimonious when ECtHR has a plethora of cases to determine alleged violations frequently referred to a right to a hasty trial. The problem seems to have become commonplace in Europe. Here, we are not examining the ways to prevent violations of the reasonable time requirement. Instead, our attempt is to scrutinize how the court considers the adjudicating proceedings are excessively long. As a result, we must consider the methodological approach widely utilized by the court itself. Moreover, to have the methodological approach analyzed with greater scrutiny an exemplification of the relevant case law of the court shall be essential. Nevertheless, the relevant case law of the court is too extensive because its overwhelming number of the applications

usually before the ECtHR, our venture shall imply the linkage only to those significant cases that is vital for our purposes.

The European Court of Human Rights deploys a unique approach to determining the reasonableness of the length of the proceedings. The approach thereto is neither derived from the domestic legal order nor international treaties. Even the wording of the convention doesn't contain any provision referring to it. So, we cannot find any reference other than the case law of the court itself. The methodology is solely derived from the case law of the court. It is the Strasbourg court that elaborated and then developed the notion. Regarding its contextual definition, the approach was developed so to assess the duration of the proceedings and conclude whether it is reasonable or is likely to lack it. So, what kind of function does that method have? – the function is to assess the compatibility of the national proceedings with the reasonable time requirement featured in article 6. Each case brought before the court is usually assessed on an individual basis in light of all individual circumstances (FRA, 2016, p. 138). This assessment is made pursuant to the criteria established by the ECtHR in its case law (FRA, 2016, p. 138). The court envisages that of virtue in number of cases. In its case of *Katte Klitsche de la grange v. Italy*, the court addressed that “the reasonableness of the length of proceedings is to be determined in the light of the circumstances of the case and with reference to the criteria laid down in the Court's case-law.” The same is stipulated in the case of *H. v. France*.⁷ Each case should be assessed in the particular context of its own and unique circumstances. The circumstances of the case have a dominant role while assessing if there is a breach of the reasonable time requirement. Generally the reasonableness of the length of judicial proceedings is assessed case by case: the assessment will depend to a large extent on “the circumstances of the case” – the Court's way of indicating that these will substantially affect the application of the general rules – and entails thorough scrutiny by the Court of the distinctive features of the particular case (Edel, 2007, p. 36). It appears that there are some principles that the assessment of the reasonable time requirement is based upon. At first, the convention obliges the member states to construct their judicial framework in order to enable their court to be compatible with the requirement of the convention. These are the institutional requirements the convention imposes on states to fulfill thoroughly. As the cases, *Comingersoll S.A. v. Austria* and *Lupeni Greek Catholic Parish and Others v. Romania* share the common spirit. In case there is a complaint referring the violation of the reasonable time requirement the attention then is paid to the courts methodology of an assessment whether the breach has really occurred. As mentioned, the cases ought to be examined according their individual, particular and unique circumstances. That is, what the Strasbourg court calls the assessment “in light of all individual circum-

⁷ *The reasonableness of the length of proceedings must be assessed in the light of the particular circumstances of the case and having regard to the criteria laid down in the Court's case-law*

stances”. But the question lies whether it should be partial or an overall assessment. So, which part of the proceedings should be assessed? Does it apply only to the first instances of proceedings or appellate and cassations too? The partial assessment would be illogical. The pure substance lies in the entirety. The court examines from the very starting point of the proceedings to the very ending point, nevertheless it is the first instance or the last round proceedings that are in question. In simple words, the court calls for a global and overall assessment. The court in the case of *Obermeier v. Austria*, notes that, “its case-law is based on the fundamental principle that the reasonableness of the length of proceedings is to be determined by reference to the particular circumstances of the case. In this instance those circumstances call for a global assessment”. The terms, “global”, “overall” and “as a whole” are the synonyms and are used similarly. For example, in *Comingersoll S.A. v. Austria*, court is using the term “as whole” to articulate the need for an overall assessment of the case, indeed in light of the individual circumstances (“In the light of the circumstances of the case, which are to be assessed as a whole”). Even more justification is provided in the case of *König v. Germany*, where the court while assessing the proceedings, notes the need to examine “the whole of the proceedings in question.” Apart from that, there is an even more exigency to examine the case as whole, like a vivid organism, taking into consideration an overall duration of it. As noted somewhere above, the aim of the reasonable time requirement is protect litigants from unreasonable delays. Whereas, alternative delays may not be presumed to be unreasonable, the delays taken altogether in cumulative manner may result into the reasonable time being exceeded. The case of *Deumalnd v. Germany* is a great example of this concern. According Deumaland, the litigation extended over the 11 years. It was divided in six independent phases. Taking into account that delays into those phases alternatively were not regarded to be excessive, an approach to examine those phases cumulatively has indicated the result of having breached the reasonable time requirement. Therefore, the court stipulates, “[...] the responsibility for its duration rests to a large degree with Mr. Deumaland, [...] viewed together and cumulatively, the applicant’s case was not heard within a reasonable time, as required by Article 6.” The circumstances, however, can be different from what we have considered above. For example, a delay in a particular stage of the proceedings may not be conceived as unreasonable, even more they can be permissible, provided that the “whole”, “overall” duration of the proceedings were not presumed to be excessive. The court in the case of *Pretto and others v. Italy*, explains that, “[...] As regards the four other phases, it does not find their duration to be unreasonable, [...] Nevertheless, although these various delays could probably have been avoided, they are not sufficiently serious to warrant the conclusion that the total duration of the proceedings was excessive. The permissible limit was therefore not overstepped.” From these two

examples we can draw a significant conclusion. Moreover, the case of *Deumland and Pretto* are key examples that emphasize a great need to assess the reasonable nature of each proceeding in overall manner, as a whole. In particular, while alternative delays may not give a rise to the issue, cumulative approach that implies analyzing all phases of the delay in a common context, may lead to an undesirable consequence. On the other hand, the particular delay can be permitted unless the overall duration of the proceedings is not excessive. There is, however, one exception, when the European Court will make an assessment unrelated to the circumstances of the case and the criteria that it has laid down (Edel, 2007, p. 37). If the case has occurred in a context of repeated breaches of the reasonable-time requirement by the defendant state, reflecting organizational failure of its judicial system, the Court confines itself to very limited scrutiny (Edel, 2007, p. 38). The Court does not examine the specific circumstances of the case: the existence of previous judgments against the state in the same sphere and an established absence of appropriate general measures to remedy the situation are adequate evidence of non-compliance with the Convention (Edel, 2007, p. 38). The court in the case of *Botazzi v. Italy*, considered that “excessive delays in the administration of justice constitute an important danger, in particular for the respect of the rule of law”, [...] “Similarly, under former Articles 31 and 32 of the Convention, more than 1,400 reports of the Commission resulted in resolutions by the Committee of Ministers finding Italy in breach of Article 6 for the same reason. The frequency with which violations are found shows that there is an accumulation of identical breaches which are sufficiently numerous to amount not merely to isolated incidents” and further gives an explanation that “this accumulation of breaches accordingly constitutes a practice that is incompatible with the Convention.” Therefore, examination of the case in light of the individual circumstances is a usual manner for the court. The court does it with great scrutiny, analyzing each detail of the case very closely.

As discussed above, the approach taken by the court attempts to detail every case in its individual context taking into consideration the genuine nature of those cases concerned. From more theoretical point of view, the examination of the case whether it is conducted within the reasonable time is usually conducted within two phase. These phases are cumulative and not alternative. It means that court needs to determine them both in order to give the above-mentioned conclusion concerning the reasonableness of the length of the proceedings. Each of them has very unique and interconnected nature. For example, the court will not examine the second phase unless it has completed the examination of the first one. Thoroughly assessing them both enables the court to make a firm conclusion. This approach has been rooted significantly in the depths of the case law of the court. It constitutes a well-examined practice which does not really lack an effective nature. The whole idea of a two phase approach lies in determining the starting and the ending point of the proceedings and further assessing its

reasonableness referring key criteria developed in its case law. In other words, ECtHR first identifies the period to be taken into consideration in determining the length of proceedings. It then considers whether the length of time is reasonable (FRA, 2016, p. 138). Therefore, my suggestion will be discussing each phase in as much detail as is needed for the purposes of this article. To start, the first phase implies the identification of relevant period, especially the starting and ending point of the proceedings, including the civil and criminal limb.

Whatever the circumstances, when reviewing compliance with the reasonable-time requirement the Court always begins by determining the starting point (*dies a quo*) and the end (*dies ad quem*) of the period to be considered (Edel, 2007, p. 19).

As civil cases are concerned, an expeditious holding of trial is required, in order to avoid a prolonged state of uncertainty in which the involved parties find themselves (Salamoura, p. 1). In civil and administrative cases, the starting point is calculated as the date on which the concerned proceedings are addressed (i.e., the date on which the relevant action is filed with the court's secretary) (Salamoura, p. 1). As the court referred in the case of *Erkner and Hofauer v. Austria*, "In civil proceedings, the "reasonable time" referred to in Article 6 § 1 (art. 6-1) normally begins to run from the moment the action was instituted before the "tribunal" (ECtHR, *Bock v. Germany*, para. 35, 21 February 1989). Sometimes time begins to run until the moment the action is instituted. Usually it occurs when there is a need to take a certain preliminary for being entitled to start proceedings before the court. The need for lodging the complaint before the administrative body for accessing the court is a usual example of this. For instance, in the case of *Golder*, the court comments that "in civil matters the reasonable time may begin to run, in certain circumstances, even before the issue of the writ commencing proceedings before the court to which the plaintiff submits the dispute." Thus the Court can take the date of a preliminary application to an administrative authority as a starting point, especially when this is a prerequisite for the commencement of proceedings (Edel, 2007; ECtHR, *König v. Germany*, para. 98; *X v. France*, para. 31; *Kress v. France* [GC], § 90). The court in the case of *Blake v. United Kingdom*, stated that "While it is conceivable that in certain circumstances the period might begin earlier (*Golder v. United Kingdom, judgment of 21 February 1975, Series A no. 18, § 32*), this is exceptional and has been accepted where, for example, certain preliminary steps were a necessary preamble to the proceedings (*K. v. Italy, no. 38805/97, § 35, ECHR 2004-VIII*)." Particular examples that have mainly occurred during the evolution of the case law of the court are presented below.⁸ Time ceases to run when the proceedings

⁸ Edel, F. (2007). *The length of civil and criminal proceedings in the case law of the European Court of Human Rights*, Strasbourg, Council of Europe, p.23, As noted in Edel, 2007, the date of a preliminary claim for compensation sent to an administrative authority; the date of a non-contentious claim lodged

have been concluded at the highest possible instance, when the determination becomes final and the judgment has been executed. In civil cases the period may therefore continue after the final judgment of a court, (i.e., subsequent proceedings for the execution of that judgment) (ECtHR. *Guincho v. Portugal*, 10 July 1984). The court in the case of *Robins v. the United Kingdom*, confirmed that stages subsequent to the judgments on the merits will not be excluded. Same goes for an execution of the judgment as mentioned above. In the case of *Martin Moreira v. Portugal*, the court found a violation of the convention, in particular the reasonable time requirement. It further proclaimed that, “the relevant period should also extend to the subsequent enforcement proceedings” and refers to *Guincho*, where the court has envisaged the analogous virtue. In other words, the execution of judgment or enforcement proceedings are considered an integral part of a case for purposes of calculating the relevant period (EctHR. *Silva Pontes v. Portugal*, para.33; EctHR, *Di Pede v. Italy*, para. 24). However, the court, in the case of *Estima Jorge v. Portugal*, adopted a judgment that was quite different from its recent case law. The case can be distinguished from the previous cases that were determined before it. It has differentiated the case of *Estima Jorge* from the case of *Martins Moreria* because the “court has previously held that determination of a civil right is constituted at the moment when the right asserted actually became effective.” It divulged that for identifying the relevant period it ought to be included the course of periods in which the right established becomes effective, because the time will not stop and on the contrary will run until the right obtained is not exercised. The other topic on this matter will regard constitutional courts. There is only one option the court will consider the proceedings before the constitutional court while determining the relevant period. The court takes into consideration the particular role of the constitutional court and encapsulates its legal status. According to its relevant case law, (e.g. the case of *Pammel v. Germany*, *Deumeland v. Germany*, *Süßmann v. Germany*) the constitutional court is regarded as a “special guardian of the constitution.” Therefore, ECtHR takes into account its special status while determining the relevant period. The court takes proceedings before constitutional courts into account only if its outcome is likely to affect the proceedings before the ordinary courts. Lastly, distinction should be made between the intervention of the third party and the death of the applicant that is followed by his or her heir with the intention to continue the proceedings as an original applicant’s heir. Where the applicant has intervened in domestic proceedings only on

with the Prime Minister; the date on which an objection was lodged by the applicant with the administrative authorities that had withdrawn his authorization to practice medicine and run a clinic; the date of a request for termination of public care of three children; the date on which the applicants lodged a challenge to a decision with the authority that had issued it; the date of the applicants’ request for formal confirmation of an association’s decision;⁸⁶ the date of an application for restitution of real estate; the date of the first challenge to a government department regarding the total amount of compensation following nationalization of a company, etc.

his or her own behalf the period to be taken into consideration begins to run from that date, whereas if the applicant has declared his or her intention to continue the proceedings as an heir he or she can complain of the entire length of the proceedings (ECtHR. *Scordino v. Italy (No. 1)* [GC], para. 220, 29 March 2006).

Article 6 § 1 of the ECHR guarantees the party – or in criminal proceedings the accused – the right to a fair trial, that is, the right to be tried fairly. Although the concept of a fair trial is set out in general terms, the spirit of the Convention implies that the term “fair” refers to a timely, effective and unimpeachable trial, under such procedural safeguards that enable the objective search for truth and the issuance of a sound decision (*The protection of Human Rights in Europe*, 2006; *Athens Bar Association*, p. 65). The reasonable time requirement is strictly referred to as the rights of the accused persons. As mentioned above, accused persons should not remain in the state of uncertainty too long. In the case of *Wemehoff v. Germany*, the court notes that it “is of opinion that the precise aim of this provision in criminal matters is to ensure that accused persons do not have to lie under a charge for too long and that the charge is determined.” The period to be taken into consideration in determining the length of criminal proceedings begins with the day on which a person is “charged” within the autonomous and substantive meaning to be given to that term (ECtHR. *Grigoryan v. Armenia*, para. 126, 10 July 2012). As it is reiterated by the court in *Neumeister v. Austria*, the relevant period “necessarily begins with the day on which a person is charged (‘accusée’).” “Charge”, for the purposes of Article 6 par. 1 (art. 6-1), may be defined as “the official notification given to an individual by the competent authority of an allegation that he has committed a criminal offence” (ECtHR. *Eckle v Germany*, para.73, 15 July 1982). The court in the case of *Todorov v. Ukraine*, notes that “this definition also corresponds to the test whether “the situation of the [suspect] has been substantially affected.” In fact, while considering a complaint of violation of the reasonable time requirement provided for by Article 6(1) ECHR, the Court attaches a specific importance to the applicant’s awareness of the proceedings or the police involvement in order to determine the *dies ad quo* and hence whether his situation has been ‘substantially affected’ (Henzelin, Rordorf, 2014, p. 84). Accordingly, in the case of *Ustyantsev v. Ukraine*, the court held that, “In the absence of more specific information, the Court will take this date as the *dies ad quo* for the purposes of the present examination”. *Philippe Bertin-Mourot v. France*, summarizes the already established case-law in this area.⁹ It should be noted

⁹ “The Court recalls that the period to be taken into consideration in respect of Article 6 paragraph 1 begins to run as soon as a person is formally charged or when the suspicions relating to this person have substantially affected the latter’s situation because of measures taken by the prosecuting authorities, [...] This may have occurred on a date prior to the case coming before the trial court ..., such as the date of arrest, the date when the person concerned was officially notified that he would be prosecuted or the date when the preliminary investigations were opened ... Whilst “charge”, for the purposes of Article 6 para-

that time may begin to run before a case comes before a trial court.¹⁰ The Court exercises unfettered discretion in determining the point at which criminal proceedings first substantially affect the suspect's situation (Edel, 2007, p. 27). To conclude, the shield of procedural protection afforded by Article 6 comes into play as soon as a "criminal charge" is brought against an individual and it remains in place until the charge is "determined" that is until the sentence has been fixed or an appeal decided. But Article 6's requirements of judicial procedure do not cover the pre-"charge" phase of a prosecution, and in particular the process of criminal investigation prior to charging (Mahoney, 2004, p. 107).

Regarding the end of the period to be taken into account, it is generally unnecessary to distinguish between civil and criminal proceedings; in both spheres the period considered by the Court ends, in principle, with the last decision delivered by the domestic legal system that has become final and has been executed (Mahoney, 2004, p. 28). This may even, in certain circumstances, include a decision by the European Court if the case is still pending before domestic courts (Mahoney, 2004, p. 28). The court in the case of *König v. Germany*, emphasized the need for assessing criminal proceedings as a whole in an entire manner. It stipulates, "In criminal matters this period covers the whole of the proceedings in question, including appeal proceedings." Furthermore, in the case of *Neumeister v. Austria*, the court indicates that "as the final point, the judgment determining the charge which may be a decision given by an appeal court when such a court pronounces upon the merits of the charge." It should be noted that acquittal or the conviction of the individual should also be taken into account while identifying

graph 1, may in general be defined as "the official notification given to an individual by the competent authority of an allegation that he has committed a criminal offence", it may in some instances take the form of other measures which carry the implication of such an allegation and which likewise substantially affect the situation of the suspect.

¹⁰ FRA. (2016), *Handbook on European Law relating to access to justice*. Luxembourg: Publications Office, p.140, *Further, the European Court accepts the following starting points, depending on the circumstances of the particular case*. For example, As cited in Edel, F.(2007), the date on which an arrest warrant or search warrant was issued (See, *Motta v. Italy*, 19 Feb. 1991, §15, *Coëme and others v. Belgium*, 22 June 2000, §133); the date of the applicant's actual arrest (See, *Alimena v. Italy*, 19 Feb. 1991, §15); the date on which he was charged (or, in other words, indicted) or on which his parliamentary immunity was lifted (See, *Frau v. Italy*, 19 Feb. 1991, §14 *Pugliese v. Italy* (No. 1), *Ficara v. Italy*, *Colacioppo v. Italy*, 19 Feb. 1991, §14, §15 and §13 respectively); the date, in Italy, on which judicial notification was sent or received (See, *Adiletta and others v. Italy*, 19 Feb. 1991, §15) or notice of criminal proceedings was received (See, *Mori v. Italy*, 19 Feb. 1991, §14; *Hozee v. the Netherlands*, 22 May 1998, §45.) ; the date on which the applicant was officially notified of the criminal proceedings against him or her (See, *Angelucci v. Italy*, 19 Feb. 1991, §13); the latest date on which he appointed defence counsel (See, *Raimondo v. Italy*, 22 Feb. 1994, §42; *Šleževičius v. Lithuania*, 13 Nov. 2001, §26.); the date of a decision ordering the confiscation of items seized or confirming the sequestration of a flat (See, *Vendittelli v. Italy*, 18 July 1994, §21). etc.

the end point in the criminal matters, even if this decision is appealed or whatever there is in any pyramid of the court structure. The court in the case of *Wemhoff v. Germany*,” reveals there is no doubt that the period to be taken into consideration in applying this provision lasts at least until acquittal or conviction, even if this decision is reached on appeal. There is furthermore no reason why protection is given to the persons concerned against the delays of the court should end at the first hearing in a trial: unwarranted adjournments or excessive delays on the part of trial courts are also to be feared. The date in which the person is informed about the final decision of the domestic court relating to his or her conviction, acquittal or the dismissal is indeed relevant. As to the knowledge of the verdict or the reasons for the decision, in a departure from the Vallon case, the Court considered in *Pop Blaga v Romania* that the dies *ad quem* corresponds to the day the applicant had been informed of the verdict, even if the judgment with the reasons for the decision was drafted subsequently with the applicant effectively becoming aware of those reasons at a later stage (Henzelin, Rordorf, 2014, pp. 83-84). Therefore, a criminal “charge” is presumed to be determined only after the fixation of the sentence. In *Eckle v Germany* the Court found that upon conviction, there was no “determination ... of any criminal charge” within the meaning of Article 6(1) ECHR so long as the sentence was not definitively fixed (Henzelin, Rordorf, 2014, p. 84). The execution of the judgment plays a vital role in determining the relevant period. It is an integral part of the reasonable time requirement set by an article 6 of the convention. The court in the case of *Assanidze v. Georgia*, firmly stated that “the guarantees afforded by Article 6 of the Convention would be illusory if a Contracting State’s domestic legal or administrative system allowed a final, binding judicial decision to acquit to remain inoperative to the detriment of the person acquitted” and therefore “If the State administrative authorities could refuse or fail to comply with a judgment acquitting a defendant, or even delay in doing so, the Article 6 guarantees the defendant previously enjoyed during the judicial phase of the proceedings would become partly illusory.” It is noteworthy that the accused can raise a claim of the violation of the reasonable time requirement with the Court even though domestic proceedings are still pending and no final decision has yet been rendered (Henzelin, Rordorf, 2014, p. 84). It is an interesting point out what happens in such circumstances. Article 34 of the convention imposes an obligation for those who want to lodge a complaint before the court to exhaust all possible domestic remedies. However, this is an exception from that of rule. When proceedings at a national level are clearly taking too long, the admissibility requirements for a complaint about the unreasonable length of time are relaxed to allow an applicant to apply direct to the Convention’s supervisory bodies without waiting until domestic proceedings are complete (Edel, 2007, p. 35). In other words, it is possible to complain of excessive length of proceedings to the European Court of Human Rights before the final domestic decision has been delivered, precisely because that decision is slow in coming (Edel, 2007, p. 35). Albeit, the ground-breaking precedent of *Kudla*

v. Poland set a new standard that obliges member states to organize their domestic legal system in a way to enable an individual to obtain an effective redress for breaches that arisen from the reasonable time requirement as prescribed by article 6.

As noted above, the assessment widely utilized by the court consists of two independent phases which taken as a whole creates the methodological approach of the court. The first phase of the assessment was an identifying the relevant period of time, including start and the end points. Consequently, we have examined the start and the end point of the proceedings in criminal and civil limb. The first phase contains the valuable information for the court, in particular, it determines when the proceedings before the national courts have started and when they have ended. The identification of the relevant period of the time enables court to proceed on the second phase of its assessment. The second phase is truly depends on the mastery of the court. As the court has mentioned it several times, it is the main factor in the characterization of the cases. The second phase is the right time for the court to prove this. Therefore, the court effectively does that which makes sense given the criteria are the right approach to the problem. After identifying the relevant period, we can therefore assume that the first phase is over. At the second phase the court applies the significant criteria elaborated in its case law on the relevant period of the time that has been identified in the first phase of an assessment. This is the reason why a cumulative approach is the right methodology in this context. As mentioned, the criteria are purely derived from the case law of the court. These criteria shall therefore be discussed below.

The second phase that I will be discussing is also called an objective assessment deriving from a number of criteria. In the case of *Sürmeli v. Germany*, the court “reiterates that the reasonableness of the length of proceedings must be assessed in the light of the circumstances of the case and with reference to the following criteria: the complexity of the case, the conduct of the applicant and of the relevant authorities and what was at stake for the applicant in the dispute.” The complexity of the case, the conduct of the applicant and relevant authorities and what is at stake for the applicant are the fundamental criteria the court applies when assessing the reasonableness of the proceedings before domestic court. The wording in the case law may be slightly different from each other, but overall context is the same. No matter what kind of sequence of the structure is in the case law of the court, only these criteria are valid and therefore applicable. Consequently, when exercising its full powers of review, the Court uses a number of criteria to assess whether or not proceedings have been reasonable: some of the criteria concern the nature of the case (that is, its complexity and what is at stake) while others relate to the conduct of the parties (that is, the applicant and the relevant authorities) (Edel, 2007, p. 39). For further illustration these landmark cases are all of relevance (ECtHR. *Neumeister v. Austria*, 27 June 1968).

The examination has come to a final point and therefore is striving to reach its final destination, assessing whether the application of these principles are in fact an effective tool for considering the case as having excessive duration. This purpose at first entails a discussion about the criteria stipulated above using the same manner of an examination.

Complexity of the case

The first criterion the European Court of Human Rights applies is the complexity of the case. The term in this context can only be defined in relation with the case. The complexity within its theoretical dimension relates to whether such case in itself is characterized by the sufficient degree of convolution to a certain extent that may be regarded as a complex, after examination as a whole vivid organism. The complexity of the case in particular is strictly connected to the nature of the case. In fact, if we establish the case is complex then the delays can therefore be justified. Albeit, things are not that easy.

As noted above, the complexity is closely linked to the nature of the case, especially to the extent whether the case features a certain degree of complexity. The complexity may have to do with the facts to be established, the legal issues to be decided or the proceeding (Edel, 2007, p. 39). The court in the case of *Katte Klitsche de laGrange v. Italy*, agrees with the responding state and asserts that “the case was complex as regards both the facts and the law.” Also in the case of *Papachelas v. Greece*, the court states that “the case is relatively complex” for its facts and laws. The complexity of the facts frequently arise when the factual circumstances of the case are unusual and is regarded as having a “difficult” nature. For example, the case of *C.P. and Others v. France* was extremely complex “where the suspicions relate to “white-collar” crime that is to say, large-scale fraud involving several companies and complex transactions designed to escape the scrutiny of the investigative authorities, and requiring substantial accounting and financial expertise”. For further illustration the case of *Erkner and Hofauer v. Austria*, is a relevant example. This case referred to the land consolidation. “Any land consolidation is by its nature a complex process. Usually - and quite legitimately - the proper valuation of parcels of land to be surrendered and to be received in exchange is at the forefront of the landowners’ concerns.”¹¹ Further, the number of the defendants and the witnesses constitute to be another reason to consider the case

¹¹ ECtHR. *Erkner and Hofauer* (merits), 23 Apr. 1987, para. 67, The court indicates, that “The difficulties inherent in such an assessment are often exacerbated by farmers’ traditional attachment to their fields and meadows.”

in overall as a complex. In the case of, *Milasi v. Italy*, the government claims that the case was complex “for three reasons, namely the nature of the charges, the number of defendants and the political and social situation obtaining in Reggio Calabria at the time.” From this example, it can be assumed that not only the number of the defendant is an indicator of a complexity, but the particular nature of the charge too. In the case of the *Yalgin and others v. Turkey*, “the Court acknowledges the Government’s submission that the case was a complex one owing to the large number of defendants, the seriousness of the charges and the courts’ difficulties in handling a large-scale trial.” Even sometimes, the difficulties concerning evidence can be a sufficient ground for the court to regard the case as a complex. In *Preto and the other v. Italy*, “The Commission and the Government both considered that the facts were undisputed but that they raised a rather complex problem of legal interpretation.”¹²

The legal issues are often regarded to be a further grounds for considering a case to be a complex one. This may stem, for example, from the application of a recent and unclear statute; respect for the principle of equality of arms; questions of jurisdiction, constitutionality or town-planning law; or interpretation of an international treaty (Edel, 2007, p. 40). When it comes to complexity of the proceedings, there is well-established case law of the court that describes in detail examples where the cases have been regarded to be a complex due to the procedural complexity. For example the large number of parties or interlocutory applications submitted by those parties, the whole loads of the case documents or an obtaining those documents from a foreign country, the vast number of defendant and witnesses, also a sundry problems that involve examination of evidence and so on. Hence, the case law of the court on this matter is extensive. I suppose this list does not have an exhaustive nature, but rather illustrational.

The Court sometimes restricts itself to acknowledging that a case is of some complexity and referring to the summary of the facts and also frequently has occasion to note that a case is not complex or does not involve great or particular complexity (Edel, 2007, p. 41). However, if the problems are a result of the organizational complexity of national procedures and therefore objectively attributable to the state, they may count against the respondent government (especially if the complexity increases the risk of infringement of other rights guaranteed by the Convention) (Edel, 2007, p. 41).

¹² See also, ECtHR. *Preto and the other v. Italy*, 8 December 1983”The Court is of the same view: what was involved was the application of a relatively recent statute which did not contain any specific provisions on the legal point in issue, namely whether the conditions to be satisfied in order to exercise the right of pre-emption also applied to the right to obtain a re-sale; in addition, the decided authorities - still scarce at that time - disclosed contradictory approaches. It was thus reasonable that, with a view to eliminating this divergence of approach and to ensuring certainty of the law, the 3rd Civil Chamber of the Court of Cassation should have deferred its decision until judgment was given by the plenary Court, even though there was a possibility that this would lead to a prolongation of the proceedings.”

This is the case if national law makes it necessary to apply successively to different types of court (Edel, 2007, p. 41). As noted above, the complexity strictly relates to the nature of the case. So, why does the court need to establish the complexity of the case? Because of the reason that the complexity of the case concerned is a determinant factor that can, in some cases, justify lengthy proceedings. If a case is complex within its nature in the light of the case law of the court, then a violation may not be found on that matter. In the case of *Tierce v. San Marino*, the court states that the complexity of a case can provide sufficient explanation why the domestic proceedings have in fact been so prolonged. However, we should not make an assumption that the complexity of the case warrants the justification of lengthy proceedings. In the *Adiletta v. Italy*, the court states that “The case was of some complexity, [...] the Court cannot regard as “reasonable” in the instant case a lapse of time of thirteen years and five months.” Beside the fact that the complexity of the case may justify certain inactivity of the domestic courts, it may not be regarded as a sufficient for establishing the non-violation of the article 6 in terms of the entire length of the proceedings. The relevant precedents clearly justify that matter. In the case of *Rutkowski v. Poland*, the court considers that, “the applicant’s case, involving a large number of accused and the charges related to organized crime, must have been of more than average complexity. This, however, does not justify the entire length of the proceedings.” The last point of the complexity of the case refers to the duty of the member states to organize their domestic legal system to enable their court to comply with the requirements of the convention. If that does not happen so, the violation of can be established, notwithstanding the complexity thereof. In the case of *Lupeni Greek Catholic Parish and Others v. Romania*, the court affirms that, “Albeit the case in itself was not a particularly complex one, the lack of clarity and foreseeability in the domestic law rendered its examination difficult; those shortcomings are entirely imputable to the national authorities and, in the Court’s opinion, contributed decisively to extending the length of the proceedings.”

Conduct of the applicant

The next criteria that the court takes into account while analyzing the reasonableness of the length of the proceedings is the conduct of the applicant. Firstly, we should have a firm vision of the attribution here. The terms of conduct in this context means an action that has negative impact over the proper administration of the justice, in particular over the hasty proceedings. If we look through the methodology of the court, we will definitely notice that the term conduct is used in association with two criteria. First it is the conduct of the applicant and the other is the conduct of the relevant authority. It is crucial to not to mislead within these connotations. The key difference lies in the legal outcomes; they are totally different. In this section, the conduct of the applicant

shall be discussed. As noted above, conduct is an act that influences the hasty administration of the justice, as a result threatens its proper functioning and leads to the breach of article 6. Article 6 itself applies to both criminal and the civil proceedings. In civil cases, most parties are either plaintiffs or defendants. It is not significant whether the parties are private or public entities. A distinction should be made regarding criminal cases. In criminal cases the party always is suspect, accused, the defendant and the co-defendant, the prosecuting authorities as well (although the latter, like the public parties to civil proceedings, should really be included with the relevant national authorities; the same applies to some administrative departments involved in proceedings without being directly implicated) (Edel, 2007, p. 53). That means that the conduct of the applicants is only applicable to those of figurants of the proceedings that were mentioned above. The conduct of the applicant is an objective fact, which means that the court does not exercise the control over the behavior of the applicant. Objectively, the party never asks the court what actions he or she should take in order to exercise from his or her procedural instrument set by the domestic legislation. The court in the case of *Wieisinger v. Austria*, recalls that, “applicants’ behavior constitutes an objective fact which cannot be attributed to the respondent State and which must be taken into account in determining whether or not the reasonable time referred to in Article 6 para. 1 (art. 6-1) has been exceeded.” Moreover, in the case of *Erkner and Hofauer v. Austria*, the court reiterates: “in the first place that it has consistently held that applicants cannot be blamed for making full use of the remedies available to them under domestic law.” However, in the case of *Unión Alimentaria Sanders S.A. v. Spain*, the court points out that “the person concerned is required only to show diligence in carrying out the procedural steps relating to him, to refrain from using delaying tactics and to avail himself of the scope afforded by domestic law for shortening the proceedings.” A different standard is set by the case of *I.A. v. France*. The court points on “a deliberate attempt by Mr I.A. to delay the investigation is evident from the file – one example being the fact that he waited to be informed that communication of the file to the public prosecutor was imminent before requesting, on 19 July 1995, a number of additional investigative measures.” The case of *I.A. v. France*, is a significant case that held that in case the evidence shows that applicants actions are dedicated for the sole purpose of prolonging proceedings, then these should also be taken into account while assessing the reasonableness. Albeit, in the case of *Mincheva v. Bulgaria*, the court has still emphasized the duty of the domestic authority to ensure the right to a hasty trial under their domestic jurisdiction, notwithstanding the conduct of the applicant.

The conduct of the applicant is an objective fact that cannot in any circumstances be attributed to the respondent state. It would be quite unfair to hold the state liable just because of the behavior widely shown by the applicant, nor should it be held liable because the applicant has utilized and maybe has exhausted all available domestic

instruments. In civil cases, the Court considers that parties may be expected to act with “due diligence” but that it is nevertheless not obliged to ascertain whether or not their conduct has been negligent, unreasonable or delaying: that conduct in itself is an objective factor for which the state cannot be held responsible (Edel, 2007, p. 57). In criminal cases this holds even truer: “Article 6 does not require a person charged with a criminal offence to co-operate actively with the judicial authorities” (Edel, 2007, p. 58). However, domestic courts must not sit back and do nothing: even in legal systems which have established the rule that the parties control the course of civil proceedings (the *principe du dispositif* in French), the attitude of the parties “does not ... dispense the courts from ensuring the expeditious trial of the action as required by Article 6” (Edel, 2007, p. 57).

The main difficulty is the following: the applicants conduct is an objective fact and the state cannot exercise control over his or her conduct. However, an applicant in any case is not responsible to actively cooperate with the judicial organs in order to speed up the proceedings. It is the duty of the state to ensure the hasty administration of the proceedings, beside the fact that applicant may sometimes use delay tactics. In these cases, the court takes into account the objective conduct by the applicant and does not attribute them with the state, albeit it examines the steps carried out by the respondent state in order to prevent the slow administration of the justice, even when applicant uses such strategies and is not cooperating actively with the domestic authority.

Conduct of relevant authority

The court takes into consideration not only the conduct of the applicants, but the conduct of the relevant authorities too. The court here imposes even more obligation on the state, starting from a very general idea that implies ensuring the relevant domestic legal order to prevent the slow administration of the justice until the concrete factual circumstances are purely attributed to the state and its lack of effective measures.

Firstly, In the case of *Von Maltzan and Others v. Germany*, the court emphasizes the doctrine of the proper administration of the justice and generally asserts the requirement of the article 6 that lays obligations on the member states to construct their domestic legal system in order to enable their courts to act in an expeditious manner. As mentioned above, the convention imposes an obligation to comply within the reasonable time requirement arising from the article 6 that are further illustrated in the cases of *Buchholz v. Germany* and *Humen v. Poland*. The state is responsible not only for the conduct of the judicial authorities but the conduct of all relevant organs that are subject to its jurisdiction. In the case of *Martins Moreira v. Portugal*, the court highlights an

even greater standard of responsibility. The court here does not limit the scope only to the judicial organs and extends it to any particular public organ that is in any aspect involved in the intercourse of the litigation and holds the liability of the state even for these conducts. It implies the approach that the state should exercise full power and control over its public organs, whether it is exercising the judicial functions. The court asserts that the chronic workload of the court is not a reasonable ground to justify the delays. In the case of *Probstmeier v. Germany*, the court reiterates that “according to the Court’s established case-law, a chronic overload, like the one the Federal Constitutional Court has labored under since the end of the 1970s, cannot justify an excessive length of proceedings.” Even, in legal systems where the desire of the party to take or not to take certain procedural steps has decisive importance, yet it does not exclude the obligation of the court to ensure that an expeditious trial as required by article 6 takes place. In the case of *Tierce v. San Marino*, the court points out that, “While it is true that the domestic civil procedure leaves it to the parties to decide what steps to take and when, the Court points out that such a principle does not absolve Contracting States from the obligation to ensure compliance with the requirements of Article 6 regarding a reasonable time.” The same standard applies to when there is a great need for the opinion of an expert. In this case, the convention sets its prior duty on judges to prepare the case for the proceedings and to take concrete steps that would accelerate the course of the proceedings itself. The virtue envisioned in the case of *Capuano v. Italy*, where the court asserts that “in the present case, the expert was acting in the context of judicial proceedings supervised by the judge; the latter remained responsible for the preparation of the case and for the speedy conduct of the trial.”

The respondent states often argue that directly that due to the chronic workload of the court sometimes it is difficult to hear a case within the reasonable time. Under circumstances like that, member states often strive to justify non-compliance with the chronic workload experienced on daily basis by the national courts. The European court does not share the point of view of the responding states and reminds them the necessity of the compliance with the reasonable time requirement and is reiterating that chronic workload in itself cannot justify the breach. In other words, workload does not represent a sufficient justification that could prove why the court could not properly realized their obligations arising from the convention. In the case of the *Cappello v. Italy*, “The Government pleaded the backlog of cases in the Tempio Pausania District Court and the transfer of two judges, but Article 6 para. 1 (art. 6-1) imposes on the Contracting States the duty to organize their legal systems in such a way that their courts can meet each of its requirements.” Therefore, the court in the case of Cappello referred to its case of *Vocaturio v. Italy*, the court states: “As regards the excessive workload, the Court points out that under Article 6 para. 1 (art. 6-1) of the Convention everyone has the right to a final decision within a reasonable time in the determination of his civil

rights and obligations. It is for the Contracting States to organize their legal systems in such a way that their courts can meet this requirement.” As a result, putting pressure on a bunch of the cases to be dealt by the court is now a pointless. Further in the case of *Buchholz v. Germany*, the court points out that there will be no liability for the state if the latter has ensured sufficient domestic remedies. The court in the case of *Buchholz*, asserts that “nonetheless, a temporary backlog of business does not involve liability on the part of the Contracting States provided they have taken reasonably prompt remedial action to deal with an exceptional situation of this kind.”

The respondent states have often justified their delays due to their own approaches in the determination of the cases. A more frequent methodology suggested was a determination of the cases on a particular order. In their point of view, usually delays were caused because of the workload of the court and the date of the case in which it should have been determined. The court in several cases rejected this approach and stated that the introduced reason was not representing reasonable justification for the delays concerned. This vision was upheld in a number of the cases and today it is well established practice referring to the need of more sufficient standard of the proof for those delays. In the case of *Zimmermann and Steiner v. Switzerland*, the court assessed the methodology of national courts as to the extent to which they use proper approaches, e.g. by the date of submission. The court states: “Methods which may fail to be considered, as a provisional expedient, admittedly include choosing to deal with cases in a particular order, based not just on the date when they were brought but on their degree of urgency and importance and, in particular, on what is at stake for the persons concerned. However, if a state of affairs of this kind is prolonged and becomes a matter of structural organization, such methods are no longer sufficient and the State will not be able to postpone further the adoption of effective measures.” Moreover, in the case of *Unión Alimentaria Sanders S.A. v. Spain*, the court pointed that such justifications are no longer relevant and courts are capable of justifying their reasonableness.

Other kinds of justification for the delays concerned included the introduction of the reform that was at aim to speed up the litigation. The respondent states have been referring to these sets of the reasons quite often. In the case of *Fisanotti v. Italy*, the court strictly rejected the idea that introducing reform in order to promote speeding up of the proceedings cannot justify the delays of the proceedings, thus such arguments are not as reasonable as to prove the reasonableness of the delays. The court in the case of *Fisanotti* affirmed that, “However, the introduction of a reform of this nature cannot justify delays since States are under a duty to organize the entry into force and implementation of such measures in a way that avoids prolonging the examination of pending cases.” In some cases, the constant changing of the judges can also cause the violation of the reasonable time requirement. In the case of *Lechner and Hess v.*

Austria, the court found that the changing of the judges in this sense was incompatible for the purposes of the reasonable time requirement. It states that “undoubtedly, the repeated changes of judge slowed down the proceedings.” The State was also held to be responsible for the failure to comply with the reasonable-time requirement in a case where there was an excessive amount of judicial activity focusing on the applicant’s mental state (*Guide on Article 6: Right to a Fair Trial (civil limb)*, p. 66). The case of *Bock v. Germany* is an example where the domestic courts expressed an excessive amount of the judicial activity, and thus the procedure was so prolonged that it has been regarded as a violation of the reasonable time requirement.

Although a temporary backlog cannot be attributed solely to the state, the Court has established a doctrine combining flexibility with firmness, and understanding with vigilance (Edel, 2007, p. 66), similarly the domestic court has the responsibility to ensure the attendance of the relevant participant of the proceedings. On the contrary, non-attendance will be on the part of the court. But this will result into the violation only in cases where such actions had caused numerous postpones and latter has resulted in the delay of the justice. In the case of *Tycko v. Russia*, the court stated: “As to the Government’s arguments to the effect that certain delays in the proceedings were caused by the non-attendance of the participants in the trial, including the applicant, his co-defendant, their representatives and the witnesses, the Court considers that they were attributable to the State. The applicant himself was detained in custody throughout most of the trial and his attendance was dependent on the domestic authorities in charge of transporting him from the remand prison to the courthouse.” On the other hand, if the health condition of an applicant is the sole reason that had caused the substantial delays of the proper administration of the justice, in particular if the latter has prevented the realization of the right to a hasty trial – it cannot be attributed to the state as it is referred in the case of *Yaikov. v. Russia*.

What is at stake?

The last criterion also relates to the nature of the case. This criterion usually determines the value of the good the party has at stake. In simple words, what he cares about. The subject matter can be pecuniary as well as non-pecuniary. Regarding the speed required of the authorities the Court draws a distinction between cases demanding “special or particular diligence” and those necessitating “exceptional diligence” (Edel, 2007, p. 45). The difference between “diligence” is only in its degree of intensity. The cases that require special or the particular diligence include the civil status and capacity. The landmark case on this matter is *Bock v. the Federal Republic of Germany*, where the court noted “what is at stake for the applicant is also a relevant consideration

and special diligence is required in view of the possible consequences which the excessive length of proceedings may have, notably on enjoyment of the right to respect for family life.” The court reiterated this in its case of *Voleský v. the Czech Republic*. The Court also demands particular diligence in paternity proceedings, where what is at stake for the applicant is “to have his uncertainty as to the identity of his natural father eliminated”, as stated, for example, in the Ebru and Tayfun Engin Colak judgment of 30 May 2006 (Edel, 2007, p. 44). The same applies to divorce proceedings, which, if excessively long, unquestionably affect the enjoyment of the right to respect for family life, as illustrated by the Berlin v. Luxembourg judgment of 15 July 2003 concerning divorce proceedings lasting seventeen years (Edel, 2007, pp. 44-45).

Individuals’ professional activities and other social issues call for particular diligence. For example, in employment cases particular diligence is required. In the case of *König v. the Federal Republic of Germany*, the subject matter of the case referred to the right to run a clinic. According to that, the value that was at stake was incredibly high and at this extent there was a need for speedy proceedings had got paramount importance for the individual. Moreover, the case of *Doustaly v. France*, in which an architect brought proceedings to determine the balance of a lump sum payable under a public works contract that represented a significant proportion of his professional activity (Edel, 2007, p. 48): “the Court considers that special diligence was required of the courts dealing with the case, regard being had to the fact that the amount the applicant claimed was of vital significance to him and was connected with his professional activity”. The court noted that “continuation of the applicant’s professional activity depended in large measure on the proceedings.” In employment disputes, pension disputes can therefore be specified. The court in the judgment of *Frydlender v. France*, noted that, “an employee who considers that he has been wrongly suspended or dismissed by his employer has an important personal interest in securing a judicial decision on the lawfulness of that measure promptly, since employment disputes by their nature call for expeditious decision, in view of what is at stake for the person concerned, who through dismissal loses his means of subsistence.” It should therefore be borne in mind that “employment disputes by their nature call generally for expeditious decision” (ECtHR. *Tóth v. Hungary*, para. 62, 30 Mar. 2004). In its *Zawadzki v. Poland* judgment of 20 December 2001, the Court reaffirmed its view that “proceedings relating to social issues [were] especially important for the applicant” (Edel, 2007, p. 49).

Further, cases that are related to the victims of the road accidents are usually the subject of the due diligence. Concerning victims of criminal violence, “the Court considers that special diligence [is] required of the relevant judicial authorities in investigating a complaint lodged by an individual alleging that he has been subjected to violence by police officers”, in the words of the *Caloc v. France* judgment of 20 July 2000. In the *Caloc* case, the Court found against France because “the proceedings lasted more

than seven years merely in respect of the investigation of the applicant's criminal complaint and civil party application" (Edel, 2007, p. 47). The last type of the cases that require special diligence relates to the defendants that are held into the custody. In its *Kalashnikov v. Russia* judgment, the Court noted that, "throughout the proceedings the applicant was kept in custody – a fact which required particular diligence on the part of the courts dealing with the case to administer justice expeditiously."

Cases entailing an exceptional diligence is necessary in the following spheres: A.) Parents affected by educational measures ordered by a court and restriction of parental authority (because of potentially serious and irreversible consequences for the parent-child relationship); and B.) Persons with reduced life expectancy suffering from incurable diseases (Edel, 2007, p. 51). In the first matter that court in the case of *Paulsen-Medalen and Svensson v. Sweden*, notes that "in cases concerning restrictions on access between a parent and a child taken into public care, the nature of the interests at stake for the applicant and the serious and irreversible consequences which the taking into care may have on his or her enjoyment of the right to respect for family life require the authorities to act with exceptional diligence in ensuring progress of the proceedings," whereas on the second matter concerning with reduced the life expectancy the court in its case of *X. v. France*, states that, "in the light of the applicant's state of health, what is at stake in the dispute [is] extremely important."

The approach of the court as an effective concept

After having thoroughly analyzed the approach elaborated by the court in order to assess whether adjudicative proceedings are excessively long, a conclusion must be drawn up to the extent in which it will be therefore determined if the concept proposed by the court is in itself a right approach to the problem. I consider that the methodology of the court that assesses the nature of the proceedings in terms of the speediness is the right methodology and thus is a right approach to the problem. My arguments that at least strive to justify the premise will be discussed below.

Firstly, for the sake of my argument, I will make a few indications on the nature of the convention. The European Convention of Human Rights is in fact a treaty that was created with an aim to secure the rights and freedoms for those who are under its veil. At some extent, it may be concluded that the convention is more humane with the actions of the individuals, rather than the conducts of the states, in particular in this context of the matter, I mean the reasonable time requirement. But even this approach is correct and within its very essence. When an individual gives up its individual freedom under the social contract, therefore he or she is entitled the protection of the state and by this virtue the state in this sense is more responsible ensuring the reasonable time

requirement than the person itself. The reasonable time requirement is strictly a procedural matter and in this case institutional activeness of the state is therefore required. The state should organize its legal system in a manner that could not only speed the proceedings up under its jurisdiction, but will enable the court to be complied with the requirements of the convention. My argument here strives to emphasize that the state bears a more burden of ensuring the reasonable time requirement for the individual rather than the individual for an individual. It is because of the reason that the state holds more institutional power and it is under its duty to fully exercise its institutional power granted by the population during every election. This does not really happen so. Why is the approach determined by the European Court in fact is the right approach? The first reason it is that the convention and the case law of the court focuses on an individual as a self-being that is in need of the state protection, in particular in terms of the reasonable time requirement. As I mentioned in the introduction, the central subject of the convention is an individual, whereas the state having its moral and international status bears not only moral but international legal responsibility to ensure the obligations arising from the convention. Therefore, the convention imposes the burden on the state, instead of the person. That is why the conduct of the applicant is not attributed to the state, but even so, the cases of the chronic workload are not representing the sufficient ground for the justification. The second reason why this tool is in reality effective is the manner of its applicability and utilization. As mentioned above, the approach is divided into two phase. The first phase includes the identification of relevant periods. The question arise how can the court assess the reasonableness of the proceedings if the court itself is not aware about the amount of the period of the time the court should take into account while analyzing its reasonableness. It would be illogical to ask the court to determine whether the breach of the article 6 has really occurred if the court would not at first identify the relevant period in which it could apply some standards according which it could be capable of making the concrete and adequate decision. Therefore, I believe that the first phase of the approach widely utilized by the court is relevant to approach to the problem. The third reason, the concept is the right concept because of the manner of an assessment. The court in its well established case-law has rejected the idea of the partial assessment of the cases and referred to the need of an overall assessment. Why in fact is an overall assessment better than a partial one? Generally speaking, when the court assesses the case as a whole it usually does so in the light of all individual circumstances. Moreover, it does so step by step and fact by fact. The manner of an overall assessment enables the court to see the very essence of the nature of the delays. As it is already shown by the established case law of the court, delays can occur, but as a whole they may not constitute to have exceeded the reasonable time, but on the contrary the delays may occur that partially are not representing enough grounds for justification of the breach of the reasonable time requirement, but taken them as a whole vivid organism, the breach of the reasonable time requirement may therefore occur. Case law relating to that matter

has been analyzed above. It is the reason why an overall assessment is always superior to a partial one. The 4th reason is the individual nature of an assessment. Broadly, speaking the human rights law is the law of the precedents when even the sky is not the limit. Each case is an individual in itself. An approach relating to the assessment in an individual manner is the correct approach, because simply each case is individual and each of them is in need of an individual approach. The court is not unaware of this and that is why it has chosen an individual and overall approach. Individuality refers to the “light of all factual circumstances”. The court frequently reiterates in its case law that cases should be assessed on an individual basis and in light of all individual circumstances. Just because each case is an individual and viable in itself, it means that the factual circumstances are therefore different. In this sense the individual manner of an assessment relates to the assessment in the light of all individual circumstances. In the first phase of the concept, the court identifies a specific period of the time upon which it then draws up a conclusion stating whether it is reasonable. Thus it utilizes an individual and overall manner of assessment. It means that it has analyzed all of the individual circumstances in an overall context, identified the relevant period of the time and now is ready for proceeding on the next phase in which it is going to apply the criteria widely established in its case law.

As mentioned above, in the second phase the court applies the criteria. These criteria are the following: the complexity of the case, the conduct of the applicant, the conduct of the relevant authority and what is at stake for the applicant. It would be rational if we proceed discussing the effectiveness of an approach by the complexity of the case. The complexity of the case rigorously refers to the nature of the case in establishing whether the case is in fact a complex one. Complex cases are not novel, and in reality need much more time to determine. The court in its case law reiterates that normally complex cases that have many factual, legal or the procedural complications require much more time to be determined. At first glance, it may seem that if the case is complex (because many cases can be really complex) then the responding state is not going to be held liable and therefore a breach of the article 6, in particular the reasonable time requirement, will not be determined. But just because the courts approach is a unique concept to that problem, the court states that the matter of the complexity is not as sufficient a reason that it can solely drive the court to the decision of non-violation of the reasonable time requirement. It is widely reiterated in the case law of the court that the complexity of the case is not a sufficient ground for, let’s say, considering the length of the adjudicating proceedings reasonable. On the other hand, the court takes into account that the complexity as the determinant of the nature of the case is a serious ground for the justification but does not accept it as one and only ground and continues digging even deeper. In other words, the court does not restrict itself from going further and is not staying satisfied just because it is revealed that the case is complex. The next criterion is a conduct of the applicant. The court applies this criterion in order to find at

what extent the applicant is liable for the delays. However, it implies that the applicant is not obliged to cooperate with the judicial authorities and thus is entitled to use every available remedy that can be utilized in the domestic law. Why the second criterion is an effective tool? Because, here the court examines if the conduct by the applicant has a causal link to the delays of the proceedings. The court does so taking into account all factual circumstances of the case as a whole. If the court determines that applicant have used some procedural tactics in order to cause delays it takes it into consideration. Similarly to the relationship with complexity, the court does not consider that the conduct of the applicant itself can justify the lengthy proceedings. In this context, the court looks whether the domestic authority has taken certain steps in order to speed up the proceedings, besides the active “involvement” of an applicant in terms of producing more delays. For example, the constant changing of the lawyer is an indicator that an applicant strives to prolong proceedings, but here the court also takes into account the steps taken by the domestic system for preventing such delays. The next criterion is the conduct of the relevant authorities. The court while analyzing the conduct of the relevant authorities takes into account the actions that has been committed by the national authority that resulted in a preventing the hasty administration of the justice. At this stage, practically, the European Court shows a no tolerance policy in relation with the state. The reason behind this is that states are contracting parties to the convention and their institutional inactivity is often the reason for occurrence of such delays. Even in legal systems where the procedural “willingness” is on part of the individual and he or she does not exercise it so, the court still obliges the member state to ensure an expeditious trial. Moreover, at this stage, the court importantly puts pressure on judges. It stipulates that judges are in fact individuals who should facilitate access to justice for an individual and they actually represent the communication bridge between the domestic judicial authority and the population of the state itself. In simple words, in the examination of this stage complete attention is paid to the domestic legal organs that on one hand are trying to ensure the obligation of the court and on the other hand the court looks whether the conduct of such organs in fact caused the occurrence of the delays. The main reason for its effectiveness is that the court takes into account not only the conduct of the applicant but the conduct of the relevant authority too. In other words, the European Court takes into account both of the conducts, either the conduct of the applicant, either the conduct of the domestic authority and does it on the equal basis, taking into consideration the portion of an action of the both parties into the preventing the hasty administration of the justice. The last criterion that the European Court applies is the matter of what is at stake for an applicant. As noted above, it means the “price” of the good the applicant has at stake. The court here is mainly focused on a need of an individual relating to the hasty administration of the justice. Subjectively, I reckon the court on this stage more supports the applicant. This standard requires the domestic court to show either due diligence, either exceptional diligence that in fact strictly depends on each case. If we look even deeper at this we will see why this cri-

terion is effective. The main advantage of having this criterion in the list of applicable criteria is that it shows to the European Court which specific reasons was the domestic court obliged to show the particular diligence which in this context should result into the hasty administration of the justice. Those specific reasons are the implications of the subject matter of the case. In other words, by analyzing the subject matter of the case is directly equal within its content as to what is at the stake for the applicant the court gains an information why proceedings should have been conducted in a fast manner and therefore why national courts have been obliged to showcase more diligence and express even more scrutiny while determining the case. For instance, the examples which have been provided in section (iv) are pure justification of what the Strasbourg court strives the national courts to care for and to be aware of.

Lastly, the concept elaborated by the court is in fact an effective tool and is in reality the right approach to the problem. Here I will draw up a conclusion showcasing the concrete reasoning. 1. At first it identifies the relevant period, e.g. if the court will not identify the relevant period, how can the latter determine whether it is a reasonable?; 2. The court assesses each case in the context of individual circumstances – each cases varies by the factual circumstances, therefore an individual approach is a beneficial; 3. The court assesses the duration of the case as a whole – partial assessment may lead the court to the false decisions, because, as noted, sometimes the delays taken separately does not constitute the violation of the article 6, but taken altogether cumulatively may result into the breach of the convention. 4. The court addresses the complexity of the case in relation to the nature of the case. The logical approach here lies in determining complexity. If a case is complex, it is logical that it will require much more time for domestic courts to determine; 5. The conduct of the applicant is the objective fact that cannot in any case be attributed to the respondent state. But the court does not limit the scope here and affirms that the conduct of the applicant has nothing to do with the states duty to exercise the relevant system to be concluded the proceedings within the reasonable time, so it takes into consideration what certain steps the authority has taken in order to eliminate delays despite the behavior shown by the applicant. 6. The conduct of the relevant authority is widely taken into account by the court. The court here pressures the domestic authority and examines the steps that, has been taken for eliminating the occurrence of such delays. 7. What is at stake for the applicant – the subject matter of the case, by which the court examines whether the government has shown a due or exceptional diligence in terms of speeding up the proceedings. According to the argument mentioned above, I believe that the approach of the court is in fact the right approach to the problem.

Consequently, when the court takes into account the premises that were mentioned above, it then analyzes them thoroughly and draws up a conclusion whether the duration of the proceedings before the domestic court was in fact exceeded.

The conclusion

Article 6 of the European Convention on Human Rights ensures the right to a speedy trial. It imposes obligations on the member states to guarantee the reasonable time requirement under their respective jurisdictions. Besides the prime significance of the right thereto, the violation of the reasonable time requirement has become a commonplace in Europe and the court has a number of applications to determine on the daily basis concerning this matter. The European Court of Human Rights has elaborated the specific approach that assesses the reasonableness of the length of the national proceedings. It consists of two phases. The first phase implies identification of the relevant period and the other includes applying the relevant criteria. This article analyzes the concept of the reasonable time requirement, as well as the approach taken by the court. Lastly, it examines the approach of the court and determines if the concept is the right approach to the problem.

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Determining Factors of Voters' Participation in Local Elections of Community Head in Armenia

This study attempts to determine the socio-economic factors affecting participation in local community head elections in Armenia. To that end, a binary logistic regression model was estimated using the household survey data gathered by the Caucasus Research Resource Center's (CRRC) regional office in Armenia, within the framework of the Civic Engagement in Local Governance (CELoG) Project. The results of the estimation showed that economic condition, settlement type, age, awareness of local government powers, and trust were statistically significant determinants of participation in local community head elections.

Keywords: local elections, binary logistic regression, household socio-economic characteristics, Civic Engagement in Local Governance (CELoG) Project

After becoming independent in 1991, Armenia faced socio-economic and political challenges. Among many challenges, Armenia had to deal with the issue of smoothly transitioning to a democratic society. That implied the establishment of democratic institutions and people's awareness of and participation in political processes. According to Grigoryan (2013), "democracy is a type of political system in which power alternates through regular, competitive elections, and citizens enjoy certain basic rights" (p. 3). Elections play an important role in any democratic country as a way of expressing people's will and favor for a particular political party. Elections present an opportunity to residents to raise new issues and problems they face and to choose leaders who may possibly undertake actions to resolve them.

The most low-income population in any developing country resides in rural areas (Anriquez 2007, Bokhyan 2017). These people rely on election candidates and hope that the elected candidate will keep his/her promises and their livelihood will change after the elections. According to my personal opinion, people might have more expectations in the case of local community head elections rather than in presidential or parliamentary elections. This can be explained by the fact that local community heads are more familiar with the existing issues their constituents face than the candidates for presidential or parliamentary elections as community heads share the same environment and living conditions. A lack of research on the factors determining the participation in local elections in Armenia is another reason to emphasize the importance of this paper.

The research question of the present study is: What are the socio-economic characteristics influencing voters' participation in the local community head elections? The empirical findings of this research will be significant to policy-makers, government, and international organizations dealing with assisting in establishing democratic institutions in Armenia.

The paper proceeds by first presenting literature review and hypotheses formulation. In the following section, the empirical specification is discussed and data description is presented in the ensuing section. Then, the estimation results are presented and interpreted. The last section includes summary and a set of policy recommendations.

Literature Review

Awareness and participation in elections

Awareness, TV-watching, reading newspaper

A number of empirical studies (Biswas, Ingle & Roy, 2014; Kleiner, 2015) choose policy awareness through media consumption as one of the determinants of citizens' willingness to vote in elections. However, media consumption has 2 dimensions: active and passive. Newspaper reading may be a form of active media consumption because it involves a person's will to choose, buy and read the newspaper. On the other hand, watching TV may be classified as a form of passive media consumption, because people usually accept the information received from TV and they do not make extra efforts to get that information. Whereas some researchers (Wilkins, 2000; McLeod et al., 1996) found that television use and newspaper use are positively associated with political participation in general, other studies found a negative association or no influence of television use on political participation (Norris, 1996; Viswanath et al., 1990; Kleiner, 2015; Muntean, 2015).

The explanation of local electoral participation also includes awareness variable as a measure of local political interest. According to Mouritzen, Rose and Denters (2014), local political interest and knowledge have positive impact on the likelihood of voting in local elections.

Hypothesis: we expect a positive relationship between a respondent's awareness of local government powers, TV and newspaper usage, on the one hand, and participation in local community head elections, on the other.

Political engagement and participation in elections

Membership in a political party, discussion of personal and community problems with community head, trust

Numerous studies suggest that membership in political parties and an attitude toward the candidates may also have significant impact on the person's willingness to vote (Prysbly & Scavo, 2002; Kleiner, 2015; Mouritzen, Rose & Denters, 2014). In particular, people who are attached to a political party (members of political party) are more probable to participate in elections when compared to those who do not have party affiliation or psychological attachment. For the same reasons it may be expected that people's cooperation with their local community may also increase the likelihood of voting in a local election (Mouritzen, Rose & Denters, 2014).

Trust towards candidates is another important determinant of political participation (Muntean, 2015). In addition, people who distrust government are not inclined to vote. Researchers (Quintelier, 2007; Muntean, 2015) indicate that especially young people

do not trust politicians and they do not believe in the ability of their vote to influence the election results. This leads to the lower participation rate in the local elections.

The positive relationship between the discussion of personal and community problems with community heads and participation in local elections may be explained by the fact that if the community head is eager to discuss and solve any kind of problem of community resident, so he/she might have higher chances to win votes in the elections.

Hypothesis: we expect that the high levels of public trust towards candidates, attachment to a political party, and discussion of problems with community head are in positive relationship with participation in local community head elections.

Socio-economic factors and participation in elections

Age, gender, settlement type, education, and economic condition.

When analyzing the voters' behavior in elections, one set of factors that have an impact on voting in elections include demographic factors such as race, religion, region, social class, gender, and age. Some researchers (Harder & Krosnick 2008; Prysby & Scavo 1993) mentioned that younger people are more likely to vote in elections in general, given the poorer physical health and lower energy levels of older people. In contrast, according to other empirical analyses, older people are more inclined to participate in national and local elections than younger people (Kleiner, 2015; Mouritzen, Rose & Denters, 2014).

Until the 1980s, females had been politically less active and less informed than males. However, recently the picture has changed, women's participation rates in both national and local elections occasionally even exceeded those of men (Kleiner, 2015; Harder & Krosnick, 2008; Mouritzen, Rose & Denters, 2014). A number of empirical studies (Berinsky, 2010; Tenn, 2007; Bredy, Verba & Schlozman, 1995; Mouritzen, Rose & Denters, 2014) show that people with more years of education are more likely to vote in elections compared to ones who have fewer years of education. In addition, people with higher income and better economic conditions are more likely to participate in elections (Filler, Kenny & Morton, 1991) given that people with lower income have less free time to learn about elections, and wealthier people have more interest in participating in elections in terms of getting more psychological and social rewards from voting (Rosenstone, 1980). Some authors (Harder & Krosnick, 2008; Wolfinger & Rosenstone, 1980) also argue that people from rural areas have higher participation rates than people from urban areas, because the farmers think that after elections they may get some farm subsidies from the government.

Hypothesis: we expect that being in a better economic condition, education level, and residing in rural areas will have a positive impact on citizens' participation in local community head elections. Also, we expect that older people are more prone to participate in local community head elections than young generation.

Empirical Specification

To identify the socio-economic variables influencing the voters' participation in local community head elections in Armenia, a binary logistic regression model was estimated, where the dependent variable, participation in local community head elections, was modeled as a function of a set of socio-economic characteristics (variables). The empirical specification of the binary logistic regression model estimated in this study is as follows:

$\Pr(\text{elect}= 1)$

$$\begin{aligned} &=F(\beta_1+\beta_2\text{male}_i+\beta_3\text{good_econ_cond}_i+\beta_4\text{urban}_i+\beta_5\text{Yerevan}_i \\ &+\beta_6\text{age}_i+\beta_7\text{prim_sec_voc_educ}_i+\beta_8\text{high_educ}_i+\beta_9\text{aware}_i \\ &+\beta_{10}\text{newspaper}_i+\beta_{11}\text{TV}_i+\beta_{12}\text{discussion}_i+\beta_{13}\text{politi calparty}_i \\ &+\beta_{14}\text{low_trust}_i+\beta_{15}\text{high_trust}_i) \end{aligned}$$

where Pr is the probability of the respondent participating in local community head elections;

F is the logistic cumulative density function;

elect is a dummy dependent variable taking on 1 if the respondent participated in local community head elections and 0 otherwise;

age_i is the respondent's age;

male_i is a dummy variable taking on 1 if the respondent is male and 0 otherwise;

good_econ_cond_i is a dummy variable reflecting economic condition of respondent taking on 1 for having enough money for food and clothes and also for expensive durables like a refrigerator and washing machine and 0 otherwise;

urbani is a dummy independent variable taking on 1 if the respondent is from urban areas other than Yerevan and 0 otherwise;

Yerevani is a dummy variable taking on 1 if the respondent lives in Yerevan and 0 otherwise;

prim_sec_voc_educ_i is a dummy variable taking on 1 if the respondent has completed secondary technical education and 0 otherwise;

high_educ_i is a dummy variable taking on 1 if the respondent has completed higher education and 0 otherwise;

aware_i is a dummy variable taking on 1 if the respondent is aware of the local government powers and 0 otherwise;

politicalparty_i is a dummy variable taking on 1 for membership in a political party and 0 otherwise;

newspaper_i is a dummy variable taking on 1 if the respondent reads newspapers and

0 otherwise;

TV_i is a dummy variable taking on 1 if the respondent watches TV and 0 otherwise;

discussion_i is a dummy variable taking on 1 if the respondent discusses some personal or community problems with community heads and 0 otherwise;

low_trusti is a dummy variable taking on 1 if the respondent has a low level of trust towards community heads and 0 otherwise;

high_trusti is a dummy variable taking on 1 if the respondent has a high level of trust towards community heads and 0 otherwise and

β s are the parameters to be estimated.

The model was estimated using the STATA 10 software package. First, by observing the statistical significance of the parameter estimates associated with independent socio-economic variables key characteristics were determined. Then, by using the magnitudes of these parameter estimates, the percent change in odds ratios was calculated. Odds ratios were computed through the exponentiation of the logit coefficients (i.e., $\exp\beta_i$), and the percent change in the odds ratios were calculated as $(\exp\beta_i - 1) * 100$.

The Issue of Multicollinearity

One of the diagnostic issues that needs to be addressed is related to possible multicollinearity present in the data. To address this issue, the data were checked for the presence of multicollinearity using a set of criteria. The measures used for checking for multicollinearity are presented in the appendix (Table 1).

Data Description

To conduct the analysis, household survey data gathered by the Caucasus Research Resource Center's (CRRC) regional office in Armenia, within the framework of the Civic Engagement in Local Governance (CELoG) Project were used. The sampling method of the survey was multilevel cluster sampling. Stratification was done by region and area of residence, combined with purposed sampling of target pilot communities. These data are available on the CRRC-Armenia's website and they contain all the necessary information to successfully complete the research. The sample used in this study contains information on Armenian respondents who were at least 18 years old at the time when the survey was done. A total of 1,463 observations for Armenia were used in the analysis. To analyze the factors affecting voters' participation in local community head elections in Armenia the following set of household socio-economic characteristics (variables) were analyzed: household member's age, gender, household economic condition, respondent's education level, settlement type, awareness about the local government powers, membership in a political party, media consumption, discussion of issues with community head, and trust towards community heads.

Dependent variable

- Participation in a local community head elections

The dependent variable for the logit model is the participation in local community head elections. The dependent variable was created based on the answer to the following question: “Did you participate in the last elections to vote for the head of the community?” The possible answers were no (coded 0) and yes (coded 1).

Independent variables

- *Awareness of local government powers*

This variable was constructed based on the answers to the following questions: “1. Are you familiar with the decisions passed at your LSG bodies? 2. Have you ever heard of an announcement by your LSG bodies inviting the public to monitor the regulations accepted by them? 3. Have you ever inspected the regulations passed by your LSG? 4. Do you know any assessment tool that the government uses to rate the performance of LSGs? 5. Do you know how local taxes, property rates, fees, fines and licenses are determined by the LSG?” Possible answers no (coded 0) and yes (coded 1).

- *Newspaper*

The newspaper variable was developed using the answers to the following question: “How often do you use newspapers?” The answers were coded as 0 for “never” and 1 for “1-2 times a month”, “1-2 times a week”, and “every day”.

- *TV*

The TV variable was constructed using the answers to the following question: “How often do you use TV?” The answers were coded as 0 for “never” and 1 for “1-2 times a month”, “1-2 times a week”, and “every day”.

- *Discussion of issues with community head*

The discussion variable was developed based on the answers to the following question “In the past 6 months, did you contact the head of your community for a personal or a community problem?” The answers to this question were coded as 0 for no, and 1 for yes.

- *Membership in a political party*

The variable accounting for the respondents’ membership to a political party was developed using the respondents’ answers to the following question: “Could you please indicate whether you are a member or not of a political party or its local branch, and if YES, under what terms?” The answers were coded as 0 for a non-member, and as 1 for otherwise.

- *Trust towards community head*

The three trust variables reflecting the level of trust towards the community head were formed using the answers to the following question: “How much do you trust the head of community?” The first trust variable represented no trust (“do not trust at all”), the second one represented a low trust level (“very little”, “little”, and “neither mistrust nor trust”), and the third one represented the high level of trust (“a lot” and “fully trust”).

- *Age*

The age variable represented the actual age of the respondent at the time of the survey.

- *Gender*

The gender of the respondent was accounted for through the gender variable.

- *Settlement type*

The respondents’ settlement type was included in the model with three dummy variables representing rural area, urban area (excluding the capital, Yerevan), and the capital Yerevan.

- *Economic condition*

To account for the economic status of the respondents, variables were developed based on the answers to the following question: “Which of the following best describes your family’s economic situation?” The possible outcomes were the following: 1. Family income is not enough for food 2. Family income is enough for food, but not for clothes. 3. Family income is enough for food and clothes, but is insufficient for buying expensive household items, such as refrigerator or washing machine. 4. We can afford to buy expensive items, such as refrigerator or washing machine. 5. We can afford to buy anything we want. The answers were recoded into two categories: *poor_econ_cond* (Family income is not enough for food, family income is enough for food, but not for clothes) and *good_econ_cond* (Family income is enough for food and clothes, but is insufficient for buying expensive household items, such as refrigerator or washing machine. We can afford to buy expensive items, such as refrigerator or washing machine. We can afford to buy anything we want).

- *Education*

Respondents’ education level was incorporated into the analysis based on the information given in an answer to the following question: “What is the highest level of education you have accomplished?” The possible answers were 0-Have not attended primary school, 1-Primary (complete or incomplete) 2-Secondary (incomplete),

3- Secondary (complete), 4-Vocational, 5- Higher education (incomplete), 6-Higher education (complete), 7-PhD. These have been recoded into three categories: incomplete (have not attended primary school); primary or secondary or vocational (primary (complete or incomplete), secondary (incomplete), secondary (complete), vocational); and higher (higher education (incomplete), higher education (complete), PhD).

Percentages of respondents by socio-economics characteristics in Armenia are shown in Table 1.

Table 1. Percentage of Respondents by Socio-Economic Variables in Armenia

	Mean (%) n=1,239
Participation in local election	
<i>Participated</i>	76.76
<i>Did not participate</i>	23.24
Gender	
<i>Male</i>	35.27
<i>Female</i>	64.73
Economic condition	
<i>Poor_econ_cond</i>	57.71
<i>Good_econ_cond</i>	42.29
Education level	
<i>Not attended primary school</i>	1.69
<i>Primary or secondary or vocational</i>	45.44
<i>Higher education</i>	52.87
Settlement type	
<i>Rural</i>	43.58
<i>Urban</i>	32.85
<i>Yerevan</i>	23.57
Awareness	
<i>Respondent is aware about the local government powers</i>	20.34

<i>Respondent is not aware about the local government powers</i>	79.66
Use of newspaper	
<i>Respondent reads newspapers</i>	27.76
<i>Respondent does not read newspapers</i>	72.24
Use of TV	
<i>Respondent watches TV</i>	93.87
<i>Respondent does not watch TV</i>	6.13
Discussion	
<i>Respondent discusses issues with community head</i>	17.59
<i>Respondent does not discuss issues with community head</i>	82.41
Membership	
<i>Respondent is a member in a political party</i>	9.36
<i>Respondent is not a member in a political party</i>	90.64
Trust	
<i>No trust</i>	23.73
<i>Low trust</i>	34.46
<i>High trust</i>	41.81

Estimation Results

The estimated coefficients, the associated p-values and percent change in odds ratios from the binary logit model are presented in Table 2. The statistical significance of the coefficients was evaluated at the 5% significance level. The interpretation of the estimation results was done in terms of statistically significant percent change in odds ratios.

Table 2: Binary Logit Coefficients, Associated p-values and Percentage Change in Odds Ratios

	Coefficients	% change in odds ratios
Gender (base: Female)		
<i>Male</i>	-0.265 (0.090)	-23.3
Economic condition (base: Poor economic condition)		
<i>Good_econ_cond</i>	-0.465* (0.005)	-37.2*
Education level(base: No primary education)		
<i>Primary or secondary or vocational education</i>	0.906 (0.107)	147.5
<i>Higher education</i>	0.884 (0.118)	142.0
Settlement type (base: Rural)		
<i>Urban</i>	0.224 (0.258)	25.1
<i>Yerevan</i>	-1.176* (0.000)	-69.2*
Respondent's age		
<i>Age</i>	0.017* (0.000)	1.8*
Awareness (base: Respondent is not aware of the local government powers)		
<i>Aware</i>	0.496* (0.030)	64.2*
Use of newspaper (base: Respondent does not read newspapers)		
<i>Newspaper</i>	0.033 (0.853)	3.3
Use of TV (base: Respondent does not watch TV)		
<i>TV</i>	0.358 (0.200)	43.1

Discussion (base: Respondent does not discuss issues with community head)		
<i>Respondent discusses issues with community head</i>	0.416 (0.081)	51.6
Membership (base: Respondent is not a member of a political party)		
<i>Respondent is a member of a political party</i>	0.309 (0.310)	36.3
Trust (base: No trust)		
Low trust	0.710* (0.000)	103.4*
High trust	1.201* (0.000)	232.4*
Prob>chi squared	213.50* (0.000)	

Notes: ¹p-values are reported in parentheses.

²Asterisk indicates statistical significance at the 5% level.

Based on the p-value of the likelihood ratio chi squared statistic, which is equal to zero, it can be concluded that all the parameter estimates were jointly statistically significant at the 5% significance level. Also, the estimation results showed that the odds of participating in local community head elections were lower for respondents who were in good economic condition by 37.2%, compared to those who reported worse economic condition, everything else held constant. This finding is opposite to our hypothesis, and can be possibly explained by the fact that relatively wealthier people are busy spending most of their time working and they do not have time to participate in elections. Consistent with our hypothesis, the odds of participating in local community head elections for people living in Yerevan were by 69.2% lower, compared to the ones who lived in rural areas, *ceteris paribus*. Each additional year of age increased the odds of participating in local community head elections by 1.8%, other things being equal, which is in accordance with our hypothesis.

Another statistically significant determinant of participation in local community head elections was awareness of local government powers. Consistent with our hypothesis, the odds of participating in local community head elections increased by 64.2% if the respondent was aware of local government powers, compared to those who were not aware, *ceteris paribus*. The odds of participating in local community head elections were 103.4% higher for the voters who had a low level of trust towards the local com-

munity head, compared to those who had no trust towards community head, everything else held constant. Similarly, consistent with our hypothesis, for those respondents who reported a high level of trust towards community head, the odds of participating in local community head elections were 232.4% higher compared to those who did not trust community head, other things being equal.

The impact of such characteristics as gender, education, use of newspapers and television, respondents discussing issues with community head, and membership to a political party was not statistically significant.

Summary and Policy Recommendations

The objective of the present study was to shed light on the characteristics that affect participation in local community head elections in Armenia. To that end, a binary logit model was estimated using the CELoG dataset collected by the CRRC-Armenia in 2015.

The estimation results from the logistic regression indicated that economic condition, settlement type, age, awareness of local government powers, and trust were statistically significant determinants of participation in local community head elections. Particularly, compared to respondents who reported bad economic condition, being in a good economic condition reduced the odds of participating in local community head elections. Living in Yerevan also reduced the odds of participating in local community head elections, compared to those living in rural areas. Every additional year of age and being aware of the local government powers increased the odds of participating in local community head elections. At the same time, gender, education, use of newspapers and television, respondents discussing issues with community head, and membership to a political party did not influence participation in local community head elections.

Based on the estimation results, the following policy recommendations are suggested geared towards an increase in participation in local community head elections:

- Increase respondents' awareness of local government powers. This can be accomplished by promoting local government powers through various outlets.
- Boost the trust level of respondents with respect to the elections of local community heads. This can be achieved via holding transparent and fair elections.

Appendix

Table 1: Multicollinearity Diagnostic Table

	VIF	SQRT VIF	Tolerance	R-squared
Male	1.03	1.01	0.9754	0.0246
Primary secondary vocational education	15.90	3.99	0.0629	0.9371
Higher education	16.20	4.02	0.0617	0.9383
Good economic condition	1.18	1.08	0.8503	0.1497
Age	1.12	1.06	0.8955	0.1045
Awareness	1.20	1.09	0.8365	0.1635
Newspaper	1.13	1.06	0.8871	0.1129
TV	1.05	1.02	0.9528	0.0472
Discussion	1.15	1.07	0.8690	0.1310
Member of a political party	1.07	1.04	0.9326	0.0674
Low trust	1.85	1.36	0.5411	0.4589
High trust	2.22	1.49	0.4497	0.5503
Urban	1.32	1.15	0.7560	0.2440
Yerevan	1.64	1.28	0.6102	0.3898
Mean VIF	3.43			
	Eigenvalue		Condition Index	
1	7.0071		1.0000	
2	1.3713		2.2605	
3	1.1887		2.4279	
4	1.0458		2.5885	
5	0.7934		2.9718	
6	0.6986		3.1671	
7	0.6275		3.3417	
8	0.6069		3.3980	
9	0.5581		3.5434	
10	0.4878		3.7899	
11	0.3458		4.5016	
12	0.1471		6.9027	
13	0.0761		9.5927	
14	0.0390		13.4021	
15	0.0067		32.2278	
Condition Number	32.2278			

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