

*History*

# Political and Legal Heritage of Georgian Emigration in the European Context

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(Presented by Academy Member David Muskhelishvili)

**Integration with European institutions and practical implementation of western orientation has become the main starting point and gained special actuality in modern Georgia. Naturally, achieving the set goal is not a simple task and it is important to make the measurable steps, considering the political or socio-economic processes, as well as complete knowledge of historical experience and using it for the benefit of future development of Georgia. Against this background it is important to evaluate the activity of such persons and introduce to the wide audience, like Mikheil Muskhelishvili and Aleksander Nikuradze. The goal of evaluating and analyzing of the material, provided in this work, is not only a discussion of the life and activity of the above-mentioned persons, also to expose the historical experience of Georgian-European relation and what is the main, to maintain the existing offset during the process of strengthening the future relations and to outline the new ways. Visa liberalization is one of Michel Mouskheli's four main concepts of creating the European Union, for which he fought. The concepts at that time meant creation of the Union of European Countries (EU, Confederation), European common market, demolishing borders among European countries and creating and harmonizing common educational system. Georgia has already participated in the last two concepts. The country continues carrying out successful reforms and will return to the European family to which it truly belongs. © 2023 Bull. Georg. Natl. Acad. Sci.**

Georgian emigration, European integration, visa-liberalization, Europe, Georgia

Georgia has always been aspiring to Europe. Today, the country is thoroughly pursuing the path of western orientation. From the very first days of European civilization, Georgia participated in the development of spiritual, cultural, political and economic institutions constituting the essence of European life. Georgians became Europeans when the country converted into Christianity and became part of Hellenistic world and sharer of Roman and

Greek civilizations. Georgia has significantly contributed to European creative work. In this respect, it is important to highlight the merits of Georgian immigrants M. Muskhelishvili and A. Nikuradze in the development and formation of the European Union.

It is also necessary for Georgians to prove their existence in Europe and for Georgia to be accepted in the family of Western nations [1].

Even before Jean Monnet founded the EU, M. Muskhelishvili had published a few works about European confederation. While Robert Schuman and Jean Monnet were merely discussing about uniting Europe, M. Muskhelishvili was publishing articles on the same subject in the leading newspapers and magazines of that time and actively participating in the processes of creating the European Union. In 1948-1949, M. Muskhelishvili founded the Scientific Research Center of the USSR and Eastern Europe (the so-called Socialist). He has been in charge of this center for 18 years. It was later called the Mouskhely Center (it's still called today). The Center was one of the most important hearth of political science and international law in the field of sociology in France, where the idea of European integration and the removal of borders was being worked out. He was one of the first political figures in the world to propose and defend the idea of taking over the European Union and European borders [2]. Secondly, he was involved in the creation and establishment of the Council of Europe (1949) from the beginning. This Council laid the foundation for the guarantee of human rights in Europe. Since 1952, M. Muskhelishvili has been in possession of „the mandate of the Council of Europe's Advisory Assembly“, and has been actively involved in the work of the Council of Europe. The third direction of the politician's work is as follows: he formed „the Georgian-European Movement“ – the first apolitical union focused on democratic values and liberal values. On August 10, 1953, the first "Georgian-European Movement" was officially founded in Strasbourg, inspired and initiated by M. Muskhelishvili. The "Georgian-European Movement" was based charter, which was drawn up and approved by the Constituent Assembly of Munich, gathered on April 7, 1953 in St. Petersburg:

- 1) Spreading the idea among the Georgians of the European Union and the need for Georgia to join this Union as a sovereign and democratic state.
- 2) To inform foreigners that Georgia has always

been spiritually and culturally a part of Europe, and wants to become its member. To achieve these goals, he contacts the Caucasian neighbors and other European nations. The Charter of the Movement states that „the Georgian-European Movement“ did not belong to any party or group. Any Georgian, regardless of religious and political beliefs, who recognized Georgia's sovereignty and shared the idea of European integrity could join it [3]. When it comes to the legal side of Europeanization process, the following initiatives of M. Muskhelishvili are particularly important. In 1948, M. Muskhelishvili, together with Gaston Stefani, create a draft project of the European Federal Constitution, “M. Muskhelishvili, Gaston Stefani, Draft of a European Federal Constitution 1948”, detailing the principles of political and social democracy. It is based on peace and social justice in the context of the unity of the federation and the diversity of the federal states. It is noteworthy that modern European law is richly nourished by the principles of law initiated by Muskhelishvili (most notably his fundamental papers on fundamental human rights and freedoms). On August 6, 1950, the day before the opening of the European Conference in Strasbourg, more than 300 students from eight European countries, led by the passionate European Union initiator M. Muskhelishvili and three other professors, dismantled the French-German border infrastructure and raised the flag of the united Europe, "We just light a small fire, big bonfires now need to be lit up in Strasbourg so that European hearts can be lighten," said M. Muskhelishvili [4]. In September, 1955, at the World Congress which took place in city of Trieste, attended by 120 participants from 18 countries, the keynote speaker M. Muskhelishvili addressed the representatives of Civilized World's countries: now the time has come for the intellectual and cultural unification of Europeans, which, in the first place, meant the modernization of the unified European education system, the project approaching the present-day Bologna process, the prospects for

European intellectual mass mobility and convergence, Europe Harmonization of educational programs. M. Muskhelishvili was the initiator of the development of unified teaching methods in the higher education institutions of European countries, the mobility of professors and students of European higher education institutions [5]. M. Muskhelishvili was initiating the creation of a common European market in Brussels and in the international tribunes of Europe. On April 23-27, 1958, at the Pavilion of the World Exhibition C.E.C.A in Brussels, the next meeting of the European Professors' Association was held. There were two issues on the agenda: Europe's common market and Europe's common institutions. The reports concerned the legal nature of European economic integrity and its general aspect, its psychological side. M. Muskhelishvili delivered an extensive report here on the creation of the European common market, its integration and its legal aspects. He believed that the European market should be united after the European Union, which would facilitate trade between the countries and create a single market system on the European continent. The creation of a common market system would promote the consolidation of European countries and strengthening of this process [6]. In September 1952 in France, on the initiative of Alexander Nikuradze was held a congress of European scientist near the city Compiègne in the La brévière Palace. The subject was discussed, in particular, among other proposals, the Congress adopted in order to introduce the notion of the term "European Studies", which originally meant to bring together European scientific disciplines and to form one field of study. Also, the initiative was to create and develop a separate branch of the "Volkswirtschaft" economy, which would deal only with economical study issues. Since then, the use of such terms as "European Studies" and "the Volkswirtschaft" economics in science and their placement in European higher education institutions is connected with the name of Professor Alexander Nikuradze [7]. A. Nikuradze also wor-

ked on a project of the Caucasian Confederation, which envisaged Georgia becoming a leader in the Caucasus region. All of this had to happen under German protectorate and on the basis of the economy of the Transcaucasus. He believed that the best way to maintain Georgia's independence and sovereignty was to run its economy. Even then A. Nikuradze and prominent German economists, including director of the Eastern Economic Institute, M. Akhmeteli, were convinced that Georgia would become the most economically important bridge in the future to transit Europe and Asia. The geographical and geostrategic location of Georgia was considered as the main factor for this [8]. Realization of Mikheil Muskhelishvili's idea in Georgia, 25 years after its independence was implemented in the form of "visa liberalization". On 2 February of 2017 Georgia got EU visa liberalization (VLAP-Visa Liberalisation Action Plan). It was result of successful reforms which it was realized by Georgian Democratic Government and we hope that it will be the beginning of integration process of Georgia to European Union. Special importance to these studies has the fact that as a result of studying our archival materials and with the support of the famous Georgian diplomat Zviad Kvachantiradze in 2019 found previously lost grave of Mikheil Muskhelishvili. He is buried in the Strasbourg North Cemetery (Robertsau), which was previously lost. Also, in 2019, Sunday School named after Michel Mouskhely was opened in Strasbourg, where Georgian emigrant children are taught M. Mouskhely work along with other Georgian prominent [9].

In addition to Mikheil Muskhelishvili's initiatives, contribution at the Berlin University Professor Aleksander Nikuradze's is also great in the matter of Eurointegration and formation of European Studies – as interdisciplinary field. A. Nikuradze's this important initiative had its outcome after 66 years, which was launched several years ago in Europe, when the EU was not completely formed. So, one of the first apologists

of the idea about creating the European Studies as the interdisciplinary field, was Aleksander Nikuéradze, a famous Georgian scholar [10]. The important ideas of Georgian emigrant scholars Mikheil Muskhelishvili and Aleksander Nikuradze on Georgian-European relations and parallels turned out in our research area display their

contribution in the development of Euro integration and European studies “visa liberalization” and “European studies”, which evidence, that Georgia is not entering the Europe with empty hands, but with important cultural-educational reserve, which it has accumulated during its long historical development.

*ისტორია*

## ქართული ემიგრაციის პოლიტიკურ-სამართლებრივი მემკვიდრეობა ევროპულ კონტექსტში

### ე. ჯაფარიძე

*საქართველოს ტექნიკური უნივერსიტეტი, სამართლისა და საერთაშორისო ურთიერთობების ფაკულტეტი, თბილისი, საქართველო*

(წარმოდგენილია აკადემიის წევრის დ. მუსხელიშვილის მიერ)

თანამედროვე საქართველოში განსაკუთრებული აქტუალობა შეიძინა და ჩვენი ქვეყნის მთავარი ამოსავალი პრინციპი გახდა ევროპულ სტრუქტურებთან ინტეგრაცია და დასავლური ორიენტაციის პრაქტიკული სახით განხორციელება. ბუნებრივია, დასახული მიზნის მიღწევა მარტივ საკითხს არ წარმოადგენს და მნიშვნელოვანია გეგმაზომიერი ნაბიჯების გადადგმა, როგორც პოლიტიკური თუ სოციალურ-ეკონომიკური პროცესების გააზრება, ასევე ისტორიული გამოცდილების სრულყოფილი ცოდნა და საქართველოს სამომავლო განვითარების გზაზე მის საკეთილდღეოდ გამოყენება. ამ ფონზე მნიშვნელოვნად მივიჩნით ისეთ პიროვნებათა მოღვაწეობის შესწავლა და ფართო აუდიტორიისთვის გაცნობა, როგორცაა მიხეილ მუსხელიშვილი და ალექსანდრე ნიკურაძე. ნაშრომში წარმოდგენილი მასალის შეფასება და ანალიზი, მხოლოდ ზემოხსენებულ პიროვნებათა ცხოვრებისა და მოღვაწეობის განხილვას კი არ ისახავდა მიზნად, არამედ ქართულ-ევროპული ურთიერთობის ისტორიული გამოცდილების საშუაარსად გამოტანას და, რაც მთავარია, სამომავლო კავშირის განმტკიცების პროცესში არსებული მონაპოვრის შენარჩუნებას და ახალი გზების დასახვას. მიხეილ მუსხელიშვილის ბიოგრაფიის და შემოქმედების შესწავლის შედეგად გამოკვლეულ და გამოვლენილ იქნა შემდეგი ახალი ფაქტები, რომელიც ევროინტეგრაციაში შეტანილი მნიშვნელოვანი წვლი-

ლის წარმოჩენას ეხება, კერძოდ: ა) 1948 წელს მან გასტონ სტეფანისთან ერთად შექმნა ევროპის ფედერალური კონსტიტუციის პროექტი, რომლის მნიშვნელოვანი დებულებანი საფუძვლად დაედო თანამედროვე ევროპული კავშირის სამართალს, ბ) ერთიანი ევროპული ბაზრის შექმნისა და ევროგაერთიანების ინსტიტუციების დაარსების იდეა (რაც მერე განხორციელდა ევროპარლამენტის, ევროკომისიის, ევროკავშირის საბჭოს და სხვათა შექმნით), გ) ევროპული საგანმანათლებლო სივრცის მოდერნიზაცია და ევროპული საგანმანათლებლო სისტემებისა და პროგრამების ჰარმონიზაცია (რაც მერე განხორციელდა ე.წ. „ბოლონიის პროცესის“ სახით და ა.შ), დ) ევროპაში საზღვრების მოშლის კონცეფცია, რაც მოგვიანებით განხორციელდა ე.წ. შენგენის ვიზის სახით, რამაც ევროკავშირში ფაქტობრივად საზღვრები მოშალა.

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