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## Sesaval i

**sakvl evi Temis aqtual oba:**

saxel mwifos teritoriul i mowyobis saki Txii met-nakl ebad probl ematuria nebismieri qveynisTvis. amasTan, es ar aris erTj eradi aqti, aramed, garkveul i azriT, cocxal i procesia, romel ic mudmivad cvl il ebebs ganicdis. Tumca imaze, Tu ramdenad sworadaa arceul i saxel mwifos mowyobis model i, ramdenad zustadaa igi morgebul i eris (xal xebis) fsiqikasa da istoriul i

ideebiT aris gamswval ul i. marTal ia, bevri aseTi idea cal mxrivia, aqcentebi gakeTebul ia mxol od pozituir mxareze, ar aris gaanal izebul i federal izmis uaryofiT i mxareebi da nakl ebad obieqturia, magram isini garkveul argumentebs eyrdnoba. meore mxriv, avtorTa im nawil is mosazrebani, romel ic mxars ar uwers saqarTvel os federal izacias da saqarTvel os unitarul saxel mwifod arseboba optimal ur variantad miaCnia, nakl ebad aris dasabuTebul i, an zogiert SemTxevaSi mxol od survil is donezea darCenil i.

aRni Snul idan gamodinare, sadisertacio Tema `federal izmis perspektivebi qarTul sinamdvil eSi~ Cven mier SemTxeviT ar yofil a arCeul i. marTal ia, iuridiul Tu pol itikur I literaturaSi arsebobs mralval i naSromi, romel ic exeba, rogorc zogadad saxel mwifos teritoriul i mowyobis probl ematikas, ise konkretul ad federal izmis raobas, mis funqciebsa da cal keul aspeqtebs, magram, vfiqrobT, mocemul i saki Txebi dRevandel real obaSi ar kargavs aqtual obas da moiTxovs axl eburi midgomebis Ziebas. miT umetes, rom bevri ar aris Tanamedrove mecnierul i naSromi,

azeeba, rogorc qtual Tana Tw[( miT

imTavi Tve unda iTqvas, rom winamdebare naSromSi aris federal izmis garkveul i kritika, magram arc imis Tqma SeiZI eba, rom naSromSi dakninebul ia zogadad federal izmis mniSvnel oba da rol i.

unda ganvacxadoT, rom Cven ar vizairebT saqarTvel os federal izaciis ideas, ar migvaCnia, rom es aris saqarTvel os teritoriul i mowyobis optimal uri varianti da gamosaval i teritoriul i mTI ianobis aRsadgenad. ufro metic, Cven vfiqrobT, rom qveynis federal izaciam SesaZI oa, erTi mxriv, gaamwvavos is probl emebi, roml ebic dgas saqarTvel os winaSe da pirdapir kavSirSia qveynis teritoriul mowyobasTan, xol o, meore mxriv, saqarTvel os saxel mwifos damatebiT SeuqmnaS mniSvnel ovani probl emebi, rogorc pol itikuri, aseve ekonomikuri da samarTI ebrivi Tval sazrisiT.

SemTxevaSi panaceac ki aRniSnul i probl emis mosagvarebl ad, rasac Cven ar veTanxmebi T. amdenad, sadisertacio naSromis erT-erT mizans swored xsenebul i mosazrebebis kritikul i anal izi da Cveni poziciis argumentirebul ad dacva warmoadgens.

**sadisertacio naSromis mecnierul i Rirebul eba:**

sadisertacio naSromSi dasmul i mral i sakiTxi ar aris saTanadod Seswavl il i qarTul iuridiul mecnierebaSi. naSromebis didi umravl esoba, romel ic federal izms exeba, ZiriTadar cal mxrivad, aSkarad keTil ganwyobil i poziciidan warmoaCens mas. igive unda iTqvas im avtorTa Sesaxeb, roml ebic saqarTvel os federal izaciis perspektivas mxol od pozitiuri kuTxiT xedaven da srul iad

Cveni interesis sferos amj erad warroadgens mxol od federal izmi, rogorc xel isufl ebis organizebis principi. naSromSi federal izmis swored am aspeqtze iqneba gamaxvil ebul i yuradReba.

pirvel i Tavis meore paragrafi mTI ianad eZRvneba suverenitetis probl emas federaciul saxel mwifoSi, xol o mesame paragrafi daTmobil i aqvs federal izmisa da demokratiis urTierTmimarTebis saki Tx.

meore Tavi eZRvneba federal izmis, rogorc xel isufl ebis organizebis principis dinamikas. mocemul TavSi Cven ganvixil avT saxel mwifos federal izaciis zogad mizezebs, ufrro sworad, Tu ra SemTxvevaSi, saxel mwifoebri ganviTarebis ra stadiaze xdeba qveynis federal urad mowyoba. aseve mocemul TavSi aris mcodel oba imisa, rom konkretul i federaciul i saxel mwifoebis magal iTze vaCvenoT maTi dinamika unitarizaciisaken, xol o evrokavSiris magal iTze – federal izmis gl obal uri mniSvnel oba.

xedva da cal keul rekomendaciebs saqarTvel os momaval teritoriu mowyobasTan dakavSirebiT.

naSromis bol os aris reziume qarTul da ingl isur enebze, romel Sic Sej erebul ia naSromis ZiriTadi debul ebebi, mokl ed aris Camoyal ibebul i Cveni kvl evis Sedegebi.

### **gamoyenebul i kvl evis meTodi.**

sadisertacio naSromSi gamoyenebul ia kvl evis zogadmechnierul i meTodebi. maT Soris unda gamoiyos I ogikuri azrovnebis, sistemuri, SedarebiT-samarTI ebrivi, aRweril obiT, istoriul i, hipoTezuri daSvebisa da model irebis meTodebi.

sistemuri meTodis gamoyenebiT Sesazi ebel i gaxda federal izmis, maT Soris federal izmisa da suverenitetis Seswavl a-gaanal izeba.

qarTul sinamdvil eSi federal izmisa da praqtkasi misi real izaciis Sesaxeb msj el obisas farTod iqna gamoyenebul i kvl evis SedarebiT-samarTI ebrivi, agreTve hipoTezuri daSvebisa da model irebis meTodebi. am meTodebis meSveobiT gaanal izebul iqna saqarTvel os momaval i federal izaciis savaraudo Sedegebi cal keul i federaciul i saxel mwifos (bel giis, germaniis, avstriis da sxva) xel isufl ebis organizaciul i struqturis marekul irebel i kanonmdebl obisa da samarTI ebriv-pol itikuri mdgomareobis fonze.

saqarTvel os federal izaciis koncefciebis anal izis mizniT aqturad iqna gamoyenebul i aRweril obiT meTodi.

kvl evis istoriul i meTodi mniSynel ovnad dagvexmara federaciul i saxel mwifoebis warmoSobis zogadi mizezebis, agreTve Tanamedrove federal izmis dinamikis sakiTxebis garkvevashi.

naSromis praqtkul ad yvel a sakiTxis kvl evisas sxva meTodebTan erTad aqturad gamoiyeneboda I ogikuri, maT Soris, deduqciisa da induqciis meTodebi.

federal izmis probl ematur sakiTxebze, agreTve qarTul sinamdvil eSi federal izmis Sesazi o gamovl inebebze gakeTebul i daskvnebi emyareba, rogorc ucxoel, ise qarTvel mechnierTa naazrebs. wyarod gamoyenebul ia, rogorc qarTvel i, ise ucxoel i iuristebis, pol itol ogebisa da istorikosebis naSromebi.

**Temis Sedegebis Teoriul i da praqtikul i mniSvnel oba:**

naSromis praqtikul i Rirebul eba is aris, rom arsebul i praqtikis anal izTan erTad, igi Seicavs rig Sexedul ebebsa da Cveneul winadadebebs, romel ic Seexeba saqarTvel os momaval teritoriul mowyobas.

Tavi 1. federal izmi, rogorc xel i sufl ebi s  
organi zebi s princi pi

**\$1. federal izmis cneba da funqci ebi**

Tanamedrove dasavl eTis iuridiul i literatura federal izmis Sesaxeb 500-ze met Teoriasa da skol as aRiarebs (zogierTi Sexedul ebiT 650).<sup>3</sup> federal izmis ganixl aven rogorc fil osofiur, social ur, iuridiul, politikur da sxva Tval sazrisiT. magal iTad, didi tradiciebis mqone damouki debel samecniero mmindinareobad Camoyal ibda federal uri Teol ogia da federal izmis fil osofia.<sup>4</sup>

federal izmi mraval aspeqtiani movl enaa da mas ikvl even iuristebi, sociol ogebi, istorikosebi, fil osofosebi, fsiqol ogebi, eTnografebi da sxva. Sesabamisad, misi Seswavl isas erTni upiratesobas aniWeben istoriul -politikur meTods, meoreni \_ struqturul - anal itikur meTods an fil osofiur-dogmaturs, sxvani

safuzvel ze Tvi TmmarTvel obisa da xel isufl ebaSi konstituciuri wil obrivi monawil eobis erTobl ioba.<sup>7</sup> aqedan gamodinare, viwro mniSvnel obiT federal izmis cnebaSi moiazreba tradiciul i Tval sazrisiT federaciul i saxel mwifoebi, xol o farTo gagebiT i gi moicavs yvel a decentral izebul saxel mwifos, sadac gamoyenebul ia Tvi TmmarTvel obisa da xel isufl ebaSi wil obrivi monawil eobis principebi.

el azari ambobs, rom federal izmi aris saxeobiTi ni Sani, roml idanac SeiZI eba gamoiyos oTxo qvesaxeoba:

pirvel i, es aris federacia (federation), romel ic warmoadgens saxel mwifo xel isufl ebis organizaciis formas, romel ic formul irebul ia amerikis SeerTebul i Statebis konstituciaSi.

meore \_ konfederacia (confederation), romel ic arsebobda amerikis SeerTebul i Statebis Seqmnamde, xol o dRes amis yvel aze kargi magal iTia evrokavSiri.

mesame \_ federatzmi (federacy), asimetriul i urTierTkavSiri federaciul saxel mwifosa da ufro msxvil federaciul saxel mwifos (Tvi Tmpyrobel obas)<sup>8</sup> Soris. dRes amis magal iTia amerikis SeerTebul i Statebis urTierToba puerto-rikosa da guamTan.

meOTxe \_ asocirebul i saxel mwifoebrioba (associated statehood) gavs mesame qvesaxeobas, orive SemTxvevaSi urTierToba asimetriul ia, magram asocirebul i saxel mwifoebriobis dros kavSiri ufro myifea da garkveul i pirobebis arsebobis SemTxvevaSi Sesazi oa gawydes ki dec. aseTi urTierTobis magal iTia, erTi mxriv, amerikis SeerTebul i Statebis da, meore mxriv, mikroneziisa da marSal is kunZul ebis kavSiri.<sup>9</sup>

amj erad Cveni kvl evis sagani aris federal izmi viwro gagebiT anu el azaris tipol ogiis mixedviT Tu vimsj el ebT \_ federal izmis pirvel i qvesaxeoba \_ federacia.

<sup>7</sup> . . , , « » ( ),  
1999, #5, . 106-115.

<sup>8</sup> rusul TargmanSi gamoyenebul ia sityva . . , « » ( ),  
1999, #5, . 106-115.

I literaturaSi federaciul i saxel mwifos mraval i ganmar teba arsebobs.<sup>10</sup> amodian ra federal izmis etimol ogiuri mniSvnel obidan (foedus \_ kavSiri), mecnierеби miuTiTeben, rom es aris sakavSiro saxel mwifo, romel Sic Sedian iuridiul ad damouki debel i saxel mwifo warmonaqmnebi da romel Ta damouki debel oba SezRudul ia mxol od mTel i federaciis ufl ebebi T.<sup>11</sup>

konstituciur-samartI ebrivi Tanafardoba da maT Soris erTiani saxel mwifos saqmianobis ZiriTad saki Txebze urTierTdamokidebul ebis samartI ebrivi mowesrigeba;

- Sinasaxel mwifoebri urTierTobis forma, romel ic emyareba TanamSroml obas, kompromissa da SeTanxmebas.<sup>14</sup>

Avtoris Tval sazrisiT, federal izmis funqciaa CaaxSos konflikti centrsa da subieqtebs Soris, ganamtkicos maTi TanamSroml oba da uzrunvel yos mocemul pirobebSi marTvis yvel aze ufro mizanSewonil i meTodebis gamoyeneba. federaciul sistemas aqvs meti SesaZI ebl obebi samartI ebrivi gziT, Tanmimdevrul ad, kompromisul i SeTanxmebebis meTodiT moagvaros winaaRmdegobebi. aseTi sistemis mraval i avtonomiuri elementi miiswrafvis Tavisi urTierTdamokidebul ebis mowesrigebisaken yovel gvaris sagareo xel isufl ebisadmi mimarTvis gareSe. amgvarad, federal uri sistema xdeba TviTorganizebadi (TviTmarTvel uri).

federal izmis azri is aris, rom igi moqal aqeebs aZI evs real ur SesaZI ebl obebs marTon TavianTi saqmeebi, gaerTiandnen sxva adamianeBTan, gainawil onakanomdebl o, aRmasrul ebel i da sasamartI o xel isufl ebaTa prerogativebi da a.S. federal izmi SesaZI o ganvixil oT, rogorc marTvis sistema, roml is fargl ebSic arsebobs yvel a piroba Tavad xal xma `marTos- am sityvis pirdapiri mnisvnel obiT da ar ifiqros, rom marTavs mxol od `xel isufl eba-.<sup>15</sup>

g. gogiaSvil i gamoyofs federal izmis Semdeg xuT ZiriTad funqciash:

I. pol itikuri erTianobis organizacia, romel ic akavSirebs mraval ferovnebasa da erTianobas erTmaneTTan. qvevidan zeviT, pataridan didisaken, simravl idan erTianobi saken;

II. gamaerTianebel i rol is sapirispirod federaciul i wyoba SeIZI eba emsaxurebodes erTiani pol itikuri organizmis danawevrebas, romel ic federal uri wyobiT dacul i unda iqnes mTI iani sabol oo dezintegraciisagan (bel gia);

<sup>14</sup> iqve, . 7-15.

<sup>15</sup> iqve, . 7-15.

III. federal izmi aris saSual eba, romel ic mosaxl eobas SesazI ebl obas aZI evs monawil eoba miros politikur procesSi xel isufl ebis ramdenime doneze;

IV. federal izmi, rogorc politikuri meqani zmi, bowaws central uri xel isufl ebis tiranias;

V. igi warmoadgens metods, regional uri konkurenciis gziT gai zardos mTavrobis efektianoba.<sup>16</sup>

federal izmi xSirad ganixil eba, rogorc politikuri da eTnikuri konfi iqtebis daZI evs efektiani saSual eba. Tanamedrove dasavl uri mecniereba federal uri marTvis sistemas ganixil avs rogorc eTnikuri konfi iqtebis ga



## \$2. federal izmi da suverenitetis problema

suverenitetis problema mral azTa svedasxvaobas iwevs mecnierTa Soris. ZiriTadar arsebobs ori midgoma, romel Tagan erTi uSvebs suverenitetis gayofas xel isufl ebaTa Soris, rogorc horizontal urad, ise vertikal urad federal ur centrsa da federaciis subieqtebs Soris, xol o meore suverenitetis danawil ebis winaaRmdeg gamodis.

pozdniakovi saxel mwifo xel isufl ebaSi gul isxmobs mxol od umaRI es xel isufl ebas, romel ic aris suverenitetis gansaxiereba.<sup>23</sup> suvereniteti `aris erTiani da ganuyofel i da koncentrirebul ia umaRI es saxel mwifo xel isufl ebaSi, romel ic warroadgens mis erTaderT gamomxatvel s- \_ ambobs pozdniakovi.<sup>24</sup> misi `umaRI esi xel isufl eba~ ufro abstraqciaa, romel sac avtori ganasxavebs marTvel i xel isufl ebisagan. igi umaRI es xel isufl ebas arsebiTad aigivebs saxel mwifos marTva-gamgeobis (wes-wyobil ebis) formasTan: umaRI esi xel isufl eba `arsad aris rTul i an Sereul i. igi yovel Tvis martivia da efuzneba sami mudmivi principidan erT-erTs: monarqias, aristokratias da demokratias.<sup>25</sup>

pozdniakovisaTvis umaRI esi xel isufl eba erTiani da ganuyofel ia. umaRI esi xel isufl eba aris erTiani Zal a: `umaRI esi xel isufl eba ar eqvemdebareba special izacias. es rom momxdariyo, igi dakargavda Tavis Zal as, Tavis azrs da Tavis arsebolas rogorc erTiani warmarTvel i Zal a.<sup>26</sup>

pozdniakovis mixedviT, umaRI esi saxel mwifo xel isufl ebis gamovl inebe SeiZI eba iyos samsaxovani: a) sakonmdebl o, b) aRmasrul ebel i da g) sasamarTI o. umaRI esi xel isufl ebis es gamovl inebebi gamoxataven erTi da imave, da ara svedasxva Zal isa da principis muSaobas... sakonmdebl o, sasamarTI o da aRmasrul ebel

<sup>23</sup>

, 1995. . 151.

<sup>24</sup> ique, . 163.

<sup>25</sup> ique, . 164-165.

<sup>26</sup> ique, . 169.

xel isufl ebas azri aqvs mxol od rogorc gamovl inebas erTi da imave Zal i sa...<sup>27</sup>

pozdniakovi aseve dauSvebl ad miicnevs suverenitetis dayofas vertikal urad federacisa da federaciis wevr subieqtebs Soris. eyrdnoba ra amerikel mecnier fol etis msj el obas, igi ambobs, rom suvereniteti es aris mxol od erTi mTI ianisaTvis imamenturad damaxasiaTebel i niSani. igi arsebobs mxol od organizebul mTI ianSi da ekuTvnis uzenaes xel isufl ebas, romel ic warroadgens am organizebul i mTel is gansaxierebas. saxel mwifo suverenul ia imdenad, ramdenadac mas aqvs ufl ebamosil eba da Zal a Seqmnas erTi mTI iani, romel Sic yvel ani Tanaarsebaben. suvereniteti aris xel isufl eba, roml iSTvisac damaxasiaTebel ia srul i damoukidebli oba da acnobierebs amas. suvereniteti aris uzenesi xel isufl ebis fenomeni. Tu xel isufl eba, romel ic Tavs suverenul ad miicnevs, ususuria saxel mwifosi daamyaros saTanado wesrigi da ufl ebas aZI evs sxva saxel mwifoebi an cal keul xel isufl ebebs qveynis SigniT Caerion saxel mwifos saSinao saqmeebSi, igi faqturad uars ambobs suverenitetze. es ki niSnavs saxel mwifosa da sazogadoebis sikvdil s, saxel mwifos usaxo mosaxl eobiT dasaxl ebul usaxo sivrced gadaqcevas.<sup>28</sup>

Tanamedrove qarTul iuridiul literaturaSi arsebobs maval i naSromi, romel ic exeba suverenitetis problemas. maT Soris gvinda gamovyot batoni valeri xaburZanias sadisertacio naSromi saxel wodebiT `suverenitetis Teoria da konstituciuri kanonmdebl oba-, romel Sic, Cveni azriT, sakmaod fundamenturad aris gamokvl eul i aRniSnul i sakiTxi da saTanadod aris dasabuTebul i avtoris pozicia.

v. xaburZanias azriT, saxel mwifo (erovnul i) suvereniteti TviTufl ebiT, aradel egirebul i xel isufl ebiT aRWurvil i pol itikuri sazogadoebis gansakuTrebui i TviTgansazRvraa da gul isxmobs saj aro samarTI ebrivi xasiatlis monopol izebul i uzenesi xel isufl ebis saxes sxva msgavsi xel isufl ebisagan damoukidebli i statusiT. saxel mwifo

<sup>27</sup> iqve, . 168-169.

<sup>28</sup> iqve, . 177.

suvereniteti, Tavis gamovl i nebaSi, saxel mwifo xel isufl ebis organoTa Tvi Tufl ebiTi qmedebiT real izebadi samarTal ia sazogadoebis marTI Segnebis fargl ebSi.<sup>29</sup>

avtori suverenitetis Sinaarsidan gamohyofs mis or saxes \_ damouki debl obas da araangariSval debul ebas, romel Tagan pirvel i saxel mwifos maxasiaTebel ia, xol o meore \_ saxel mwifos uzenaes xel isufl ebisa. igi ambobs: suverenul i saxel mwifo xel isufl ebis aucil ebel i atributia saxel mwifos sxva saxel mwifosagan damouki debl oba. es damouki debl oba \_ suverenul i saxel mwifos da ara misi suverenul i organos atributia da piriqiT, araangariSval debul eba, garkveul i arapasuxismgebl oba suverenul i organos da ara suverenul i saxel mwifos niSania. saxel mwifo \_

kavSiris Semadgenel i saxel mwi foebi damouki debel ni arian, maSin ar SeIZI eba iyos uzenaes, maTze maRI a mdgomi, maTTvis saval debul o xel isufl eba kavSirisa da piriqiT: Tu kavSiris xel isufl eba batonobs cal keul , mis Semadgenl obaSi Sema

saxel mwifos, rogorc erTi mTel is, niSani da amdenad misi dayofa SeuZI ebel ia. suverenul i saxel mwifo funqciebis ganmaxorciel ebel i, misi suverenitetis damcvel i da amave dros matarebel i aris uzenaes xel isufl eba. mcdarad migvaCnia suverenitetisa da kompetenciaTa erTmaneTSi aRreva. federaciis subieqtis xel isufl ebas SeiZI eba gaaCndes garkveul i kompetenciebi, magram mas ar eqneba suvereniteti, anu igi ver iqneba uzenaes. sxvas rom Tavi davaneboT, amis Tval saCino magal iTia Tundac is faqt, rom federaciul saxel mwifoebSi kompetenciasTan dakavSirebul nebis mier sadavo sakiTxze sabol oo gadawyvetil ebis miRebis ufl eba aqvs federal ur (sakonstitucio) sasamarTI os, anu federal ur organos da am SemTxvevaSi principul i mniSvnel oba ara aqvs am organos dakompl eqtebis wess. aqedan gamodinare, sabol oo gadawyvetil ebis ufl eba yovel Tvis aqvs federal ur, umaRI es organos da ara federaciis subieqtis xel isufl ebas.

Cven aseve mcdarad migvaCnia suverenitetze ufl ebamosiI ebaTa mocul obis mixedviT msj el oba. vfiqrobT, suvereniteti ufro metia, vidre saxel mwifoSi arsebul i federal uri da federaciis subieqtTa xel isufl ebebis yvel a kompetenciis meqanikuri j ami.

saxel mwifos kl asikuri Teoriis mixedviT, saxel mwifos oTxi niSani gaaCnia: teritoria (sivrce), saj aro xel isufl eba, sagadasaxado sistema da suvereniteti. iuridiul I literaturaSi sayovel Taod aRiarebul ia, rom federaciis teritoriul erTeul ebs gaaCniat saxel mwifoebriobis ZiriTadi el ementebi:akanonmdebl o, aRmasrul ebel i da sasamarTI o xel isufl eba, saxel mwifo aparati, finansuri damouki debl oba, formal urad gaaCniat moqal aqeoba da a.S.<sup>35</sup> anu, rogorc wesi, saxel mwifos zemoxsenebul i oTxi niSni dan federaciis subieqtebs aqvT pirvel i sami niSani. amdenad, maT saxel mwifosagan ganmasxvavebel ni Sans mxol od suvereniteti warmoadgens da Tu am niSansac mivakuTvnebT, maSin maT Soris yovel gvari gansxvaveba waiSI eba.

<sup>35</sup> amasTan dakavSirebiT ix., magal iTad, z. ruxaze, saqarTvel os konstituciuri samarTal i, baTumi, 1999. gv. 186.

saxel mwi fos suverenitetis dayofis daSveba da federaciis  
subieqtTa suverenul obis Tundac nawil obriv aRiareba gaumarTI ebl ad  
migvaCnia pol itikuri Tval sazrisiTac, vinaidan, vfigrobT, rom es aris  
ideuri niadagis mamzadeba separatizmisTvis.

### **\$3. federal izmi da demokratia**

xSirad iuridul literaturaSi aRiniSneba, rom saxel mwifos federaciul i mowyoba gacil ebiT ufro demokratiul ia, vidre unitarizmi. zogierti avtori miicnevs, rom federal izmis demokratiul oba imiT aris ganpirobebul i, rom igi xel isufl ebis decentral izaciis principzea agebul i.<sup>36</sup>

rom mecnierobi qveyanaSi demokratiis mdgomareobis ganmsazRvrel faqtorTagan asaxel eben Semdegs:

- regul arul i, konkurenciul i, sayovel Tao, Tanaswori, Tavisufal i da farul i arCevnebi;
- azris, sainformacio, Sekrebebis, gadaadgil ebis da

demokratiisa da federal izmis urTierTmimarTebaze saubrobs  
hagenis universitetis profesori artur bencic. masac miaCnia, rom

SeIZI eba gaxdes ufro konservatiul i saxel mwifos Camoyal ibebis saSual eba.<sup>46</sup>

amerikel i mecnieris azriT, srul iad gansxvavebul ma partiebma da mTavrobebm Camoayal ibes da manipul irebas uwednen federal izmis institutebs xel isufl ebis xangrZI ivad Sesanarcunebl ad. amas Cven didi xania vxedavT I aTinuri amerikis qveynebis magal iTze, sadac federal izmi gamoyeneba nacional uri koal iciebis Sesaqmnel ad. es araris ubral od social uri kl asobrivi koal iciebi, es swored teritoriu i strategiaa, romel sac SeuZI ia xangrZI ivi drois ganmavl obaSi arseboba Seunarcunos mmartvel xel isufl ebas da arsebul rejims.<sup>47</sup>

avtors federal uri institutebis manipul irebis magal iTad brazil ia mohyavs, sadac xel isufl ebam Tavisi arseboba gaixangrZI iva subsidiebis misdami I oial urad ganwyobil i StatebisaTvis mizanmimarTul ad gacemis, agreTve Statebis reorganizebisa da axal i Statebis xel ovnurad Seqmnis xarj ze.<sup>48</sup> I aTinuri amerikis magal iTze Cans \_ ambobs gibsoni, \_ rom federal izacias mivyavarT avtoritarizmis subnacional uri diqtaturebis warmoqmnisaken. federal izmi qmnis srul iad gaugebari hibridebis potencial s demokratiul centrsa da periferiebSi mcire despotiebs Soris.<sup>49</sup> aqedan gamodinare, gibsoni skeptikurad uyurebs federal izms da ar aigivebs federal izmsa da yvel afer sauTeTos, rac demokratias axasiaTeb. federal izmi araris iseTi didi sikeTe, rogorc amas bevri fiqrobs.<sup>50</sup>

federal izmis SesaZI o antidemokratiul gamovl inebase saubrobs batoni g. xubuac. misi azriT, nacvl ad demokratiisa SesaZI ebel ia federal izmma ufro ganamtkicos biurokratiul i el ementebi saxel mwifo marTvaSi, Seqmnas mTel i rigi probl emebi federaciis

<sup>46</sup> iqve, <http://www.expert.ru/society/2005/10/41ex-gibson3/>

<sup>47</sup>

<sup>48</sup> <http://www.inop.ru/reading/gibson/> . « » 41(487).,

<http://www.expert.ru/society/2005/10/41ex-gibson3/>

<sup>49</sup>

<sup>50</sup> iqve, <http://www.inop.ru/reading/gibson/>

subieqtis doneze warmomadgenl obiT i demokratiis institutTa saqmianobis Tval sazrisiT.<sup>51</sup>

gibsonis zemoaRniSnul i mosazreba gaakritika rusma mecnierma a. zaxarovma, roml is ganmartebiTac, principi `erTi adamiani \_ erTi xmaefuZneba demokratiis tradiciul, majoritarul gagebas da moZvel ebul ia. avtori eyrdnoba ingl isel i mecnieris kenet ueris mosazrebas, roml is Tanaxmad, `federal uri mmarTvel oba amodis iqedan, rom xel isufl ebis ganxorciel eba mxol od `SiSvel ~ umravl esobaze dayrdnobiT ar aris erTaderTi meTodi xarisxiani mmarTvel obisaTvis. ufro metic, amvari midgoma zogj er cudi marTvis tol fasicaa.~ zaxarovi demokratiis e.w. majoritarul gagebas upirispirebs umciresobis interesebis dacvis princips da acxadebs, rom umciresobaTa ufl ebebisa da interesebis yovel mxrivi dacva ukve didi xania gaxda demokratiul i sistemis iseTive aRiarebul i principi, rogorc `erTi adamiani \_ erTi xm

aramed rogorc politikur procesze individis mier zegavl enis SesaZI ebl oba, ufro srul ad aris real izebul i SedarebiT patara teritoriale (rac, cxadia, ar nisnava, rom „patara sivrcis demokratias“ auci l ebl ad unda mieniWos upiratesoba „didi sivrcis demokratiasTan“ mimarTebaSi).<sup>54</sup>

CvenTvis misaRebia batoni giorgi xubus mosazreba, rom is mixedvi Tac, savsebiT dasaSvebia, rom federal izmi da demokratia SeTanxmebul ad funqcionirebdnen. amave dros, ar aris gamoricxul i, rom isini erTgvar konkurenciasac uwevdnen erTmaneTs. ar SeiZI eba ukritikod iqnes gaziarebul i Sexedul eba, rom is Tanaxmadac demokratia SesaZI ebel ia real izebul iqnes mxol od federal izmis SemTxvevaSi da arc Sexedul ebaTa iseTi radikal izaciaa marTebul i, rodesac federal izmi warmodgenil ia, rogorc marTvis arademokratiul i sistema.<sup>55</sup>

swored amitomac mecnierebi aRniSnaven, rom demokratia SeiZI eba yvaodes rogorc federal uri, aseve unitarul i sistemis qveynebSi.<sup>56</sup> federaciul i saxel mwifos sinonimi ar aris demokratiul i saxel mwifo, federal izmi avtomaturad ver ganamtkicebs demokratias. amas adasturebs Tundac mecnierebis mier federaciul i saxel mwifoebis dayofa demokratiul da arademokratiul federaciul saxel mwifoebad.<sup>57</sup>

is, vinc cdil obs daamtkicos federaciul i saxel mwifos ufro metad demokratiul oba unitarul saxel mwifosTan SedarebiT, man unda daamtkicos isic, rom, magal iTad, safrangeTi, dania, niderl andebi, skandinaviis qveynebi ufro nakl eb demokratiul ebi arian, vidre, vTqvaT, samxreT amerikis federaciul i saxel mwifoebi, avstral ia, an Tundac aSS da Sveicaria. magram, vfiqrobT, maTi amgvari Sedareba gaumarTI ebel i iqneba. demokratiul obis xarisxze msj el oba aradamaj erebel ia saxel mwifoebis teritoriul i mowyobis mixedviT.

<sup>54</sup> g. xubua, federal izmi rogorc normatiul i principi ..., gv. 182.

<sup>55</sup> i que, gv. 181.

<sup>56</sup>

<http://usinfo.state.gov/russki/infousa/government/dmpaper4.htm>

<sup>57</sup> ix. g. xubua, federal izmi rogorc normatiul i principi ..., gv. 330.

## Tavi 2. federal izmis, rogorc xel i sufl ebi s organi zaci i s princi pi s di nami ka

### \$1. federal izacia

federal izmze saubrisas aqtual urad gvesaxeba federaciul i saxel mwifos warmoqmisa da ganvi Tarebis mizezebis ganxil va. rogorc bari Sni kovi aRni Snavs, es saSual ebas gvaZI evs CawwdeT federal izmis bunebas, mis gavl enas saxel mwifos efeqtian funqcionirebaze.<sup>58</sup>

sanam mocemul or SemTxvevas cal -cal ke davaxasiaTebdeT, unda iTqvas, rom aq Cven vsaubrobT ara federal izaciis konkretul mizezebze, aramed zogad faqtorebze (SemTxvevebze), ugro sworad, saxel mwifoebriobis<sup>60</sup> ganvi Tarebis etapebze, rodesac SeiZI eba dadges federal izaciis saki Txi. am SemTxvevaSi Cven ar vixil avT im saki TxS, rodesac, vTqvaT, saxel mwifos warmoSobis sawyis stadiaze federal uri mowyoba nakarnaxevia gare agresi isagan Tavdacvis (magal iTad, rodesac xdeba saxel mwifoebis an kol oniebis gaerTianeba erT saxel mwifod), ekonomikuri, eTnikuri, teritoriul i Tu sxva mizeziT.<sup>61</sup> Cven vTvI iT, rom ZiriTadar swored ori faqtori \_ saxel mwifos warmoSoba an daSI is safrTxe TamaSobs gadamwyvet rol s saxel mwifoTa federal izaciis saqmeSi. magal iTad, Znel ia moizebnos iseTi federirebul i unitarul i saxel mwifo, rom isTvisac federal izacia ar iyo izul ebiTi nabij i saxel mwifoebri vi erTianobis Sesanarcunebl ad. amitomac aris, rom bel giis federal izaci amde, romel ic unitarul idan federaciul ad

amgvarad, davaxasiaToT orive zemoaRniSnul i SemTxveva cal -  
cal ke.

pirvel SemTxvevaSi arsebobs sxvadasxva varianti:

tasmania, samxreT austral ia, kvinsl endi da viqtoria, riTac Seiqmna austral iis kavSiri. imave wl is 31 ivl isis referendumis Zal iT kavSirs SeuerTda meeqvse yofil i kol oniac \_ dasavl eT austral ia. dRes austral iis kavSiri Sedgeba eqvsi Statisa da ori teritoriisagan.

aseve moxda samxreT afrikaSic, sadac 1910 wel s oTx i britanul i kol oniis gaerTianeba (kapskis miwa, natal i, transvaal i da narinj isferi mdinaris teritoria) daedo safuzvl ad samxreT afrikis kavSiris Seqmnas. 1996 wl is 8 maiss samxreT afrikis respubl ikam miiRo axal i konstitucia, romel mac Secval a arsebul i teritoriul i mowyoba.<sup>66</sup>

meoTxe variantia, rodesac kol oni idan an okupirebul i teritoriidan gadis metropol ia da axal warmoSobil i saxel mwifo ewyoba federal urad. ase magal iTad, 1947 wel s indoeTis damouki debi ad gamocxadebas mal eve (1949 wl is 26 noembers) mohyva 1 Tf avsouki debi

aris ganpirobekul i (yofil i kol oniis srul i politikuri suverenitetis damuxruWeba, misi an misi nawil is kol oniad Senarcuneba, ekonomikuri interessebi da a.S). saqme is aris, rom xel ovnurad Seqmnii i federaciul i model i warmoSobs Cveul ebrevze met probl emas, rasac yofil i metropol iac Seuwyobs xel s da am probl emebis manipul irebit Seecdeba Tavisi miznebis miRwevas.

amis magal iTia nigeria. meore msofl io omis Semdeg nigeriaSi gaZI ierda erovnul -ganmanTavisufl ebel i moZraoba, daiwo mZI avri gaficvebi. sapiri spirrod, ganmanTavisufl ebel i moZraobis Seferxebis miznit, britaneTma warmoadgina gegma, roml is mixedvi Tac, nigeria jer unda dayofil iyo administraciul raionebad, xol o Semdeg federal izebul iyo<sup>68</sup>. 1946 wel s nigeria xel ovnurad dayes sam administraciul raionad \_ dasavl eTi, Crdil oeTi da aRmosavl eTi,

aseve gaaqturda separatistul i moZraoba, romel ic dResac daSI iT emuqreba qveyanas.<sup>71</sup>

dReisaTvis arsebul i federaciul i principis mimart nigeria sityvierad rCeba erTgul i, magram sinamdvil eSi, rogorc Cans, jerjerobiT igi uZI uria Tavidan aicil os samxedro mmarTvel oba.<sup>72</sup> `dReisaTvis nigeriis `federacia~ \_ es aris eTnokratiul i, fsevdoavtonomiuri warmonaqmnebis gaerTianeba, romel ic ganmtkicebul ia avtoritarul i samxedro reJimis mier~.<sup>73</sup>

amitomac werda onani jer kidev meoce saukunis samocian wl ebSi, rom `nigeriis tipis federaciebi kol onial izmis tipiuri memkvidreobaa. isini iqmnебoda srul iadac ara marto imitom, rom daecva erovnul umciresobaTa interesebi. kol oniur saxel mwifota mier mogonil i federaciebi Zireul ad ewinaRmdegebian afrikis xal xTa interesebs da warmoadgenen mxol od kol oniuri mmarTvel obis moxerxebul iaraRs.<sup>74</sup>

aseve, 1945 wl is 17 agvistos indoneziis respubl ikis damouki debi obis gamoxadebis Semdeg moxda am qveynis reokupacia hol andiel ebis mier. miuxedavad mosaxl eobis didi winaaRmdegobia, 1949 wel s indonezia gamoacxades federal ur saxel mwifod da mas uwodes indoneziis SeerTebul i Statebis respubl ika. miuxedavad amisa, xal xis brZol a Tavsmoxveul i federal uri mowyobis winaaRmdeg ar Sewyvetil a, rac dagvirgvinda indoneziis parl amentis 1950 wl is 14 agvistos miRebul i konstituciiT, romel ic indonezias acxadebs unitarul saxel mwifod.

okupirebul i qveynis federal izaciis erT-erTi magal iTia germaniis federaciul i respubl ika, romel sac meore msofl io omis Semdeg antifaSistur bl okSi Semaval ma dasavl eTis wamyvanma qveynebma<sup>75</sup> Tavs moaxvies aRniSnul i saxel mwifoebri i mowyoba da igi im mxrivac ganumtkices, rom gfr-is ZiriTadi kanoniT, romel ic zemoxsenebul i

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<sup>71</sup> , : . « ». 3, 1,  
72 - 2003. . 17. ;

qveynebis pirdapiri kontrol is qveS iqmnебoda,<sup>76</sup> akrZal ul ia federaciul wyobil ebasTan dakavSirebul i nebismieri konstituciuri cvl il eba. (germaniis federaciul i respublikis ZiriTadi kanoni, mux. 79, naw. 3) Tanamedrove germaniis federaciul mowyobas rom tradiciul i safuzvel i ara aqvs, isic metyvel ebs, rom germanul i miwebis didi umravl esoba `xel ovnuri warmonaqmnebia, romel Ta sazRvrebic saokupacio xel isufal Ta nebiT daadgines.<sup>77</sup>

venesuel aSi moqmedebs 1953 wl is konstitucia, romel ic inarcunebs saxel mwifos federal ur mowyobas, Tumca federal izmi aq ufro xel ovnur xasiaTs atarebs.<sup>79</sup>

brazil iis SeerTebul i Statebi \_ Seiqmna 1889 wel s saxel mwifo gadatrial ebis Sedegad (daamxes imperatori). 1891 wel s general ma fonsekam Tavi diqtatorad gamoacxada, ramac safuzvel i daudo mraval gadatrial ebas. gamoicval a ramdenime konstitucia. qveyana xan unitarul i iyo, xan federaciul i. bol os, 1946 wl is konstituciis miRebiT brazil ia gaxda federaciul i, Tumca mas formal uri xasiaTi hqonda. 1988 wel s brazil iam kidev erTi federaciul i tipis konstitucia miRo.

argentina \_ aqac brZol a mimdinareobda unitaristeba (centristebs) da federal istebs Soris. argentinis saxel mwifo daarsda 1816 wel s, rodesac gamocxadda I a-platis SeerTebul i provinciebis damoukidebl oba. 1818 wel s kongresma miRo pirvel i unitaristul i konstitucia, Tumca cal keul ma provinciebma ar cnes igi, ramac safuzvel i daudo samoqal aqo oms. samoqal aqo omi argentinaSi dasrul da 1826 wel s argentinis federaciul i respublikis gamocxadebit, Tumca, rogorc zogierti mecnieri miutiTebs, masSi federaciul i, garda saxel isa arafeli iyo, vinaidan gauTavebel i gadatrial ebebis Sedegad xel isufl eba erTi diqtatoridan meoris xel Si gadadioda.<sup>80</sup> 1853 wl is 1 maiss kongresma miRo axal i konstitucia, romel ic mTI ianad imorebda aSS-is 1787 wl is konstituciis ZiriTad debul ebebs,<sup>81</sup> Tumca mogvianebit ganxorciel ebul ma sakonstitucio cvl il ebebma argentinaSi mnisvnel ovnad ganaviTara central isturi tendenciebi.

msgavsi movl enebiT xasiaTdeba meqsikis istoriac.

e.i. iqmneba axal i saxel mwifo, rasac SeIZI eba Tan axl des am qveynis teritoriu i mowyobis cvl il ebac.<sup>82</sup> amis magal iTia avstriis federacia, romel ic 1918 wl is 12 noembers gamocxadda respubl ikad avstria-ungreTis monarqiis daSI isa da habsburgTa dinastiis damxobis Sedegad. Tumca aqve unda aRiniSnos, rom avstria-ungreTis monarqiis daSI a ar iyo mxol od marTva-gamgeobis formis cvl il eba, aramed amis niadagze Seiqmna ramdenime axal i saxel mwifo, maT Soris avstriis respubl ikac.

yovel i ve zemoaRniSnul idan Cans, rom saxel mwifos federal urad mowyobis pirvel SemTxvevaSi federal izmi dasaSvebia rogorc gaerTianebis, aseve danawevrebis formiT. Sekrebis principi moqmedebs pirvel i, meore da mesame variantebis dros, xol o danawevrebis principi \_ meoTxe, mexuTe (I aTinuri amerikis qveynebi) da meeqvse (avstria) variantebis dros.

es, rac dakavSirebul i iyo saxel mwifos federal urad mowyobis pirvel SemTxvevasTan.<sup>83</sup>

rac Seexeba meore SemTxvevas (e.i. rodesac qveynis federal izacia xdeba erTiani central izebul i saxel mwifos daSI is safrTxis dros), aq federal izmi SesIZI ebel ia mxol od danawevrebis formiT, romel ic erTaderTi saSual ebaa qveynis erTianobis gadasarCenad. amis magal iTad SeIZI eba davasaxel oT yofil i ssrk. rodesac Seiqmna daSI is safrTxe, centrma daiwyo msj el oba respubl ikebisaTvis ufl ebebis gafarToebis Taobaze. skkp 1988 wl is XIX sakavSiro konferenciasa da 1989 wl is

mi znad dasaxul iqna ssrk gardaqmni l iyo `suverenul saxel mwifota kavSi rad~,<sup>84</sup> Tumca aman ver uSvel a da ssrk daiSal a.

sabWoTa kavSiris daSI is Semdgom gamoaSkaravda ruseTis



uel sisa da Crdil oeT irl andiis magal iTze.<sup>95</sup> avtorTa kol eqtivis mier decentral izaciasTan dakavSirebiT SveicariaSi gamocemul clamxmare saxel mZRvanel oSi miTiTebul ia, rom devol ucia aris administraciul i decentral izaciis yvel aze ZI ieri forma, roml is drosac xdeba central uri mmartvel obis mier finansirebis, menej mentisa da gadawyvetil ebaTa miRebis kompetenciebis gadacema adgil obrivi samTavrobo erTeul isaTvis. amasTanave, rogorc wesi, saubaria adgil obriv TviTmmarTvel obebze, romel Tac gaaCniat arCeviTi organoebi da teritoriul ad gancal kevebul i kompetencia.<sup>96</sup>

federal izmis institutis profesori I. basta (Lidija R. Basta), exeba ra federaciul saxel mwifosi kompetenciaTa gadanawil ebis sakiTx, bel gias devol uciur federaciad moixseniebs.<sup>97</sup> amdenad, Cvenc mizanSewoni ad migvaCnia, unitarul i saxel mwifos federirebis procesis aRniSvna terminiT `devol ucia`.

amrigad, Sevaj amoT yovel ive zemoTqmul i:

zogedad saxel mwifos federal urad mowyoba Sesazl ebel ia mxol od ori formiT: 1. gaerTianebiT (integraciis principi) an 2. devol uciiT (danawevrebis principi).

sakiTx qveynis federal urad mowyobis Sesaxeb dgeba mxol od or SemTxvevaSi:

I SemTxveva \_ ar arsebobs saxel mwifo da aseTi iqmneba. aq dasaSvebia federal izmi rogorc gaerTianebiT, ise danawevrebiT. mocemul SemTxvevaSi Seizi eba arsebobdes ramdenime varianti:

1. erTiandebian damouki debel i saxel mwifoebi (ssrk, evrokavSiri da sxva);
2. konfederacia gadai zrdeba federaciaSi (aSS, Sveicaria);
3. erTiandebian kol oniebi (avstral ia, vest-indoeTo da sxva);
4. metropol iis gasvl as kol oniidan an okupirebul i teritoriidan mohyeba am qveynis federireba (indoeTi). xSirad

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<sup>95</sup> Timphy Garton Ash. Warum gehört Großbritannien zu Europa? Wissenschaftszentrum Berlin für Sozialforschung. Vorlesungen. Berlin. 2006. St. 10.

<sup>96</sup> Dora Rapold und anderen. Dezentralisierung. Orientierungshilfe. Bern. 2001. St. 6.

<sup>97</sup> Dezentralisierung und Entwicklung. Entwicklungspolitische Schriften. Direktion für Entwicklung und Zusammenarbeit. Bern, Januar 1999. Lidija R. Basta. Dezentralisierung: Schlüsselfragen, Trends und zukünftige Entwicklung. St. 28-44.

federaciul i mowyoba Tavsmoxveul ia metropol iis mier (nigeria, indonezia, germania da sxva);

5. federal uri mowyoba qveyanaSi arsebul i xangrZI ivi areul obisa da xel isufl ebis arastabil urobis anu saj aro xel isufl ebis ararsebabis Sedegia (I aTinuri amerikis qveynebi);
6. saxel mwifos marTva-gamgeobis formis arsebiT Secvl as (monarqi idan gadadis respubl ikaze) Tan axl avs misi teritoriul i mowyobis cvl il ebac (avstria).<sup>98</sup>

II SemTxveva \_ arsebobs erTiani saxel mwifo da mas daSI is safrTxe emuqreba (ssrk, rfr, bel gia da sxva). aq federal izacia SesazI ebel ia mxol od danawevrebis formiT. amasTan, mocemul SemTxvevaSi federal izmi erTaderTi gzaa qveynis erTianobis Sesanarcunebl ad.

vfigrobT, ZiriTadar, swored zemoaRniSnul etapebze xdeba saxel mwifos federal izacia.

rac Seexeba saqarTvel os, igi ar akmayofil ebs arc pirvel i da arc meore SemTxvevis pirobebs. saqarTvel os saxel mwifo dRes arc Seqmnis stadiazea da arc kul turul -l ingvistur j gufebsa Tu kuTxeebs Soris arsebobs dapirispi reba, rom amis safuzvel ze qveyanas daSI a emuqreboes. rac Seexeba afxazeTisa da yofil i samxret oseTis avtonomiuri ol qis sakiTxebs, Cveni azriT, isini mogvarebadia unitarizmis pirobebSi, miecema ra maT autonomia gafarToebul i ufl e

## \$2. federal izmis dinamika

iuridicul literaturaSi xSirad aRiniSneba, rom Tanamedrove etapze federal izmisadmi intereszi Zal ian didia da rom unitarul i saxel mwifoebi sul ufro xSirad iyeneben federal izmis principebs.

aseTi msj el obebisas xSirad, nebsiT Tu unebl ieT, srul iad uyuradRebod aris darcenil i sapiri spiro tendenciebi, kerZod, federaciul i saxel mwifoebis unitarizacia da is, Tu ramdenad xSirad iyeneben federaciul i saxel mwifoebi unitarizmis principebsa da meqani zmebs.

mecnieri ebi aRni Snaven, rom federaciul i saxel mwifoebis moZraoba unitarizmisaken Tanamedrove msofl ioSi gabatonebul i tendenciaa. umravl es federaciaSi Zal as ikrebs unitaristul i mimarTul ebani. es gansakuTrebiT damaxasiaTebel ia germaniisTvis, indeoTisTvis, aSS-Tvis,

sazRvrebi. venesuel aSi Statebi ubral o administraciul -teritoriul i erTeul ebia. kompetenciis did nawil s fl obs central uri xel isufl eba, maT Soris narCen kompetenciasac. Statebi central ur xel isufl ebasa da adgil obriv mmarTvel obas Soris arsebul i uufl ebo rgol ia.<sup>102</sup> yovel ive amis, da ara marto amis gamo, zogierTi avtori miuTiTebs venesuel is `il uzorul ~ federal izmze.<sup>103</sup> gibsoni ambobs, rom praqtikul ad venesuel aSi federal izmi ar aris. igi faqtobrivid gaxda unitarul i saxel mwifos, Tumca formal urad federaciad rCeba.<sup>104</sup>

federaciul i saxel mwifos mier unitarizmis principebis gamoyenebis naTel i magal iTia aseve austral ia, roml is aRmasrul ebel i xel isufl ebis meTauris \_ general -governatoris Tanamdeboba ar aris arCeviTi, mas niSnavs ingl isis dedofal i. general -governatori

maT Soris iseTebic, roml ebic pirdapir arRveven regionebis interesebs, swrafad gani xil eba da miReba. ase magal iTad, 2002 wel s federaciis sabWom moiwona cvl il ebebi miliciis Sesaxeb kanonSi, roml iTac gubernatorebs CamoerTvaT regionul i samarTal damcavi organoebis xel mZRvanel Ta dani Svnis ufl eba.<sup>106</sup>

putinis gaprezidentebidan or wel iwadSi anul irebul iqna regionebTan 1990-iani wl ebis dasawyisSi dadebul i 46 federal uri SeTanxmebidan 28, xol o 2004 wl is zafxul isaTvis mxol od 8 xel Sekrul eba iyo Zal aSi. imave wel s miRebul iqna kanoni, roml is Tanaxmadac, prezidenti warudgens regional urakanonmdebl o organoebs gubernatoris kandidaturas. gubernatoris kandidaturis orjer Cavardnis SemTxvevaSi prezidenti ufl ebamosillia daiTxovos regionis sakanonmdebl o organo da axl is arCevamde daniSnos regionis mmartvel i. presidents aseve aqvs gubernatoris Tanamdebobi dan ganTavisufl ebis ufl eba.<sup>107</sup> fraiburgis universitetis profesori oto I ufrehandti aRniSnavs, rom aseTi ram warmoudgenel ia aSS-Si, germaniaSi, an sxva stabil ur federaciul saxel mwifosi, magram rac warmoudgenel ia am qveynebSi, real obaa ruseTis federaciaSi. amitom mecnieri miicnevs, rom ruseTi mniSvnel ovnad daSorda federal ur model s.<sup>108</sup>

ruseTis SefasebaSi ufro mkacria rosi, romel ic miutitebs, rom dRes ruseTis saxel mwifos mTavari gamowveva aris ara konfederal izmi da eTnikuri dezintegraciis safrTxe, aramed defederalizacia da central izebul i avtoritarul i saxel mwifos Seqmna prezidentis meTaurobit. dRes ruseTSi aris el eqtoral uri avtoritarizmi, xol o federal izmi rCeba siyal bed, \_ miicnevs rosi.<sup>109</sup>

zogierti rusi mecnieri cdil obs gaamarTI os ruseTSi mimdinare unitaristul i tendenciebi. magal iTad, zubovi miicnevs, rom ruseTi tradiciul ad iyo unitarul i saxel mwifo da sabWoTa periodSic ki, saxel wodebis miuxedavad, federacias ar warmoadgenda. federaciul i

106

. 2006. . 130-158.

<sup>107</sup> iqve, . 130-158.

108

. 2006. . 175-181.

109





teritoriul i cvl il ebebi. am cvl il ebebis Sedegad dasavl eT germaniis saokupacio zonaSi Seiqmna 11 axal i miwa, romel Ta sazRvrebic ar emTxveoda manamde tradiciul ad Camoyal ibebul sazRvrebs. rogorc mecnierobi aRniSnaven, am axal i teritoriul i dayofis mTavari damaxasiaTebel i ni Sani iyo disproporia miwebs Soris. magal iTad, bavariis miwa teritoriit 17-j er aRemateboda bremenis miwas, xol o Crdil oeT rain-vestfal ia mosaxl eobis raodenobit imave bremens \_ 23-j er<sup>117</sup> da a.S. gamoiTqmoda mosazrebebic imis Sesaxeb, rom miwebis aseTi reorganizacia ar iyo gamarTI ebul i ekonomikurad,<sup>118</sup> ar iTval iswinebda mosaxl eobis azrs da ewinaaRmdegeboda saerTogermanul interesebs.<sup>119</sup>

ufro radikal uri iyo safrangeTis winadadeba, romel ic moiTxovda germaniis miwebis konfederaciis Seqmnas,<sup>120</sup> Tumca mogvianebiT safrangeTma `mokavSireebsa da sabWoTa kavSirs Soris sul ufro mzardi dapirispirebis fonze Tavisi pozicia erTgvarad daTmo<sup>121</sup> da aSS-is mier warmodgenil model s dauWira mxari.

unda iTqvas, rom germaniis danawil ebisa da erTiani germanul i saxel mwifos I ikvidaciis ideebi jer kidev meore msofl io omis wl ebSi gamoiTqmoda. aseTi iyo, magal iTad, I ord vansiartis gegma. aseve 1943 wel s Cercil ma wamoayena germaniis saxel mwifos I ikvidaciis idea, roml is mixedvitac, bavaria unda CamoSoreboda erTian germanias da unda SeerTeboda avstrias, ritac Seiqmneboda erTiani katolikuri saxel mwifo. cal ke unda Seqmnil iyo damoukidebel i rainis saxel mwifoc (ruris CaTvl iT), romel sac eqneboda didi britaneTis kol oniuri danamatis daniSnul eba.<sup>122</sup>

germaniis danawil ebis momxre iyo Sarl de gol ic. igi moiTxovda germaniisagan saaris mxarisa da rainis marcxena sanapiro CamoSorebasa

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<sup>117</sup>

da safrangeTze mierTebas,<sup>123</sup> xol o danarCeni germania unda  
garðaqmnil iyo `naxevrad clamouki debel saxel mwifota sistemad~ \_  
federaciad.<sup>124</sup>

arsebobda hol andiis (van-kl efensis) gegmac, romel ic  
iTval iswinebda erTiani germaniis gauqmebas da hol andiis mier mis  
aneqsi as<sup>125</sup> da sxva.

aris cnobil i. konstituciis proeqtis Semdgomi ganxil va gagrzel da saparl amento sabWosi, romel ic pirvel ad Seikriba 1948 wl is pirvel seqtembers bonSi. rogorc zogierti mecnieri miutitebs, saparl amento sabWos muSaoba mimdinareobda dasavl eTis saokupacio saxel mwifoTa Zi ieri zewol is qveS, roml ebic xSirad am organos Tavs axvednen TavianT winadadebebs. praqtikul ad es xorciel deboda saokupacio zonebis samxedro gubernatorebis mier sabWosadmi gagzavnii weril obiT i `ganmarterebebis~ an `rekomendaciebis~ saxiT, roml ebsac umravl es SemTxvevaSi ul timatumis xasiaTi hqonda. saparl amento sabWos mier ganxil ul i konstituciis yovel i proeqti waredgineboda samxedro gubernatorebs, roml ebic xSirad proeqtebs iwunebdnen da uk an abrunebdnen gadasamuSavebl ad.<sup>131</sup>

1949 wl is 8 maiss saparl amento sabWom sabol ood miRo konstitucia, romel sac, imis xazgasasmel ad, rom igi iyo droebiT da vrcel deboda mxol od qveynis teritoriis nawil ze, ewoda `ZiriTadi kanoni~.

mokavSireebi Tavidan ar eTanjmeboden miRebul i ZiriTadi kanonis yvel a debul ebas da mxol od cal keul i daTqmebis Semdeg moiwones igi. mokavSireebTan sabol oo SeTanjmeba moxda 1949 wl is 12 maiss.<sup>132</sup>

ZiriTadi kanonis Zal aSi Sesasvl el ad sawiro iyo miwebis ori mesamedis mier misi ratificireba, rac asec moxda: bavariis garda yvel a miwam cno ZiriTadi kanoni. unda aRiniSnos, rom sawinaarMdegos, al baT, arc aravin el oda im real obidan gamordinare, rodesac, saokupacio statutis Sesabamisad,<sup>133</sup> dasavl eT germaniaSi praqtikul ad umaRI esi

ni

yo misi uSual od ganxil visagan<sup>135</sup>. mokavSireTa mTavrobis meTaurebs `ar surdaT konstituciis ratificireba referendumis gzi T...<sup>136</sup> da maT amis sakmao safuZvel ic gaaCndaT. omis Semdgom qveynis federal urad mowyobis ideas dasavl eT germaniis mosaxl eoba ufro moTminebiT Sexvda, vidre aRfrTovanebiT.<sup>137</sup> federal uri marTvis axal i sistema Tavidan ar sargebl obda sayovel Tao mxardaweriT... sakmaod negatiurad yo ganwyobil i sazogadoebrivi azric.<sup>138</sup> germaniis federal izaciis winaaRmdeg gamodioda mralval i politikuri Zal a da maT Soris konrad adenaueric ki.<sup>139</sup>

swored aRniSnul i mizezebis gamo miuTi Teben avtorebi, rom meore msofi io omis Semdeg antifaSistur bl okSi Semaval ma wamyvanma qveynebma germanias Tavs moaxvies federaciul i mowyoba,<sup>140</sup> rom `Tanamedrove germanul i federal uri saxel mwifo saokupacio saxel mwifoebis politikis Sedegia da igi Seiqmna maTi imperatiul i miTi Tebebis Zal iT...<sup>141</sup> rom `germaniis federal izmi, rogorc Cven mas vicnobT dRes, \_ es umeteswil ad mokavSireTa omisSemdgomi Semoqmedebaa<sup>142</sup> da a.S.

Tumca es gasakviri arc aris. evropis centrSi Tavisi geografiul i mdebareobisa da geopolitikuri wonis gamo, germania misi mezobl ebis mier yovel Tvis ganxil eboda potenciur saSiSroebad; amitomac maT saerTo interesebSi yo ar daeSvaT Zi ieri germanul i saxel mwifos Seqmna.<sup>143</sup> cxadia, es interesi gansakuTrebiT gamZafraDa meore msofi io omis Semdeg. aqedan gamomdinare, axal i `germanul i saSiSroebis- Tavidan asacil ebl ad saokupacio xel isufal Ta mier SeiZI eboda ganxil ul yo qveynis an danawil eba, an rac SeiZI eba maqsimal uri decentralizacia... amgvarad, federal izmi gaxda qveynis

<sup>135</sup> iqve, . 110, aseve ix. <sup>135</sup>

, . 51.

<sup>136</sup> g. xubua, federal izmi rogorc normatiul i principi ..., gv. 304.

<sup>137</sup> . . . :

dasavl eT nawil Si Sesustebul i, `usafrTxo- germanul i saxel mwifos Seqmnis iaraRi.<sup>144</sup>

miuxedavad imisa, rom federal uri mowyobis ideas cal keul i momxreebi mainc hyavda Tavad germaniaSiC, unda daveTanxmoT abromaits, roml is mosazrebi Tac, dasavl eTgermanul i federaciul i saxel mwifo warmoiSva `zevidan~, saokupacio saxel mwifoTa karnaxiT.<sup>145</sup> Sesabamisad, Seizi eba iTqvas, rom konstitucia, romel sac saxel mwifoSi arsebul Zal ebs Soris miRweul kompromiss, zogjer ki `kompl eqsur garigebasac~<sup>146</sup> uwodeben, germaniis sinamdvil eSi iqca `garigebad-, erTi mxriv, saokupacio saxel mwifoTa Soris da, meore mxriv, saokupacio saxel mwifoTa da germaniaSi arsebul politikur Zal ebs Soris.

1949 wl is germaniis federaciul i sistema efuzneboda federal izmis `kl asikur- amerikul e.w. dual isturi federacil izmis model s,<sup>147</sup> Tumca federal uri konstituciis miRebis Semdeg warmoSobi ma procedurul ma sirTul eebma, gaugebarma gansazRvrebebma, axal i teritoriul i mowyobis cal keul ma winaRmdegobebma gamoiwwies is, rom igi Sedarebit araeftiani gamodga.<sup>148</sup> ami tomac gfr-is Seqmnis pirvel ive wl ebidan farTod gaiSal a diskusia federaciisa da miwebis samarTI ebrivi statusis, maTi kompetenciis, miwebis damoukidebl obis fargl ebis Sesaxeb. amasTan es diskusia mimdinareobda qveynis unitarizaciis fonze.

j er kidev 60-ianl wl ebis dasawyissi cnobil i germanel i mecnieri

mecnieri greceri dasavI eT germaniis teritoriul mowyobas  
axasiaTebda rogorc `federaciis agonias~<sup>150</sup>

aRsani Snavia, rom aseTi epiTetebi germanul i federal izmis mimarT  
gamoiTqva jer ki dev manamde, sanam

sayuradReboa, rom gfr-is Camoyal ibebidan 20 wl is ganmavl obaSi ZiriTad kanonSi ukve 21 Sesworeba iqna Setanil i, romel Ta didi umravl esoba pirdapir Tu arapi rdapir dakavSirebul i iyo teritoriul i mowyobis saki TxebTan. pirvel i 35 sakonstitucio cvl il ebidan 25 ki uSual od exeboda federal izmis probl emebs da afarTovebda federaciis ufl ebamosil ebebs.<sup>154</sup>

federaluri xel isufl eba ara marto amomwuravad iyenebda gansakuTrebula sakanonmdebl o kompetencias, aramed ifarTovebda ki dec Tavis ufl ebamosil ebebs miwebis xarj ze. ZiriTadi kanonis 72-e muxl is me-2 abzacis moTxovna, rom federacias SeuZl ia gamoiyenos sakanonmdebl o ufl eba, Tu arsebobs konkurenciul i sakanonmdebl o regul irebis saWiroeba, yovel Tvis, maT Soris federaluri sakonstitucio sasamarTI os gadawyvetil ebebi Tac, gani marteboda federaciis sasargebl od.<sup>155</sup>

praqtika aCvenebs, rom konkurenciul i kompetenciis marekul irebel i konstituciuri normebis, agreTve zogadi miTiTebebis gamocemis Sesazi ebl obis gamoyenebiT federaciam mniSvnel ovnad gai farTova Tavisi sakanonmdebl o ufl ebamosil ebani miwebis xarj ze.<sup>156</sup> miuxedavad imisa, rom konkurenciul i kanonmdebl oba moicavs mraval sferos, maT Soris, sisxl is, saproceso, ekonomikur, Sromis samarTI is, sazogadoebrivi transportisa da sayofacxovrebo meurneobis, naosnobisa da sxva sferoebs, praqtikul ad federaciam miwebs TiTqmis ar dautova konkurenciis adgil i.<sup>157</sup> umravl es saki Txebze federacia gamoscems saerTo miTiTebebs, roml iTac sazRvrav s miwebis kanonSemoqmedebis ZiriTad Sinaarssa da mimarTul ebis konturebs. miwebis TiTqmis srul kompetencias (anu federaciis Sesabamisi miTiTiTebebisagan damouki debl ad) ganekuTvneba mxol od ramdenime saki Txi: kul tura, upirvel esad ganaTI eba, radio da tel evizia, komunal uri sferos ganviTareba, saxel mwifoebri da sazogadoebrivi

154 iqve, . 13.

<sup>155</sup> i que, . 13.

156

157

1996

151

wesrigis dacva.<sup>158</sup> Tumca ganaTI ebis sferoSi miwebis kompetenciasTan dakavSirebiT oeteri ambobs, rom germania sakutari gadaxl arTul i ganaTI ebis sistemiT scodavs Tavisi federal uri principebis mimarT.<sup>159</sup>

konkurenciul kanonmdebl obaze msj el obisas batoni zaza ruxaze aRni Snavs, rom konkurirebadi ufl ebamosil ebebis mniSvnel ovani nawil i praqtikul ad gamodis I andebis ufl ebamosil ebebi dan.<sup>160</sup>

exeba ra germanul federal izms, kote kUBL aSvIL i ambobs, rom germaniis federaciul i respublikis federal izmis model Si SeimCneva general uri Semobruneba unitarizmisaken, rac 1949 wl idan dRemde sul ufro ganmtkicda. avtoris azriT, dRes germaniis federaciul i respubli ika imdenad unitarul ia, rom mecnierebs gauCndaT samarTI iani kiTxva: formal uri struqturis garda raSi gamoixateba germaniis federaciul i model i?<sup>161</sup>

**frankfurtis universitetis profesori ingver ebseni (Ingwer Ebsen**



kanonis dafinansebaze. anu is, vinc axorciel ebs kanons, ar aris  
pasuxismgebel i am kanonze, xol o vinc ka

real urad emsaxureba ufl ebamosil ebaTa gamij vnas federaciis sasargebl od.<sup>171</sup>

germaniis fedarcii central izaciis tendenciaze saubrobs fil ip i ovoc Tavis cnobil naSromSi `Tanamedrove didi demokratiebi-misi azriT, es tendencia ZiriTadarakanonmdebl o da ekonomikur sferoebSi gamomJRavnda. kanonmdebl obaSi konstituciuri reviziebis Sedegad gafarTovda konkurenciul i kanonmdebl obis saki Txebi. praqtikaSi federaluri kanonis pirvel obis principze dayrdnobiT federaluri kanonmdebl obis monawil eoba yvel gan igrznoba. ekonomikasa da finansebis sferoSi federaluri saxel mwifo axal rol s asrul ebs, romel ic 1949 wl is konstituciiT gaTval iswinebul i ar aris. 60-iani wl ebidan federaluri Zal ebis mier ekonomikuri politikis marTvis aucil ebl oba gamoikveTa. finansur sferoSi federalurma saxel mwifom miwebTan erTad erTobl ivad miRebul i mogebis ganawil ebis ufl eba miRo: mogeba saSemosavl o gadasaxadebidan da kompaniebidan amoRebul i damatebiTi Rirebul ebis gadasaxadebidan. 1969 wels ZiriTadi kanonis reviziis Semdeg mas sabiuj eto kanonebis koordinirebis da finansuri dagegmvis ufl ebac misces, gl obaluri ekonomikuri gawonasworebis gaTval iswinebis garantiiT.<sup>172</sup>

gardaakanonmdebl o da ekonomikuri sferoebis central izaciisa, I ovo aseve miutiTebs, rom `miwebis kompetenciebi TandaTan SeizRuda TviT sazogadoebrivi wesrigisa da ganaTI ebis sakiTxebSi.<sup>173</sup> miuxedavad germanul i federalizmis amgvari central izaciisa, avtors miaCnia, rom es tendencia kompensirebul ia bundesratis rol is gazrdiT. `central izaciis tendencia mniSvnel ovania, magram bundesratis gazrdil i rol i imis garantiaa, rom miwebi amas mTI ianad eTanjmebian, oRond federaciasTan mWidro TanamSroml obis fargl ebSi- dasZens avtori.<sup>174</sup>

mecnierTa erTi nawil i skeptikurad uyurebs bundesratis rol is gazrdiT miwebis kompetenciaTa Sesustebis kompensirebis sakiTx. isini miicneven, rom federaluri mTavroba da bundesTagi ufro federaciis

<sup>171</sup> Haungs P., Kooperativer Föderalismus in Deutschland und Europa. \_ The Federalism Debate in Britain and Germany. München. 1993. St. 122. wi gni dan: . ., ., 2000, . 31.

<sup>172</sup> f. I ovo, Tanamedrove didi demokratiebi, Tb., 2002, gv. 431.

<sup>173</sup> iqve, gv. 431.

<sup>174</sup> iqve, gv. 431.

ufI ebamosil ebaTa gafarToebis da ara Semcirebisaken miiswrafvian. bUndesrati am tendenciebs mxars uwers, riTac ugul ebel yofs federaciis subieqtTa konstituciur-pol itikur funcciebs (anu miwebis kompetenciebis real izaciasa da dacvas).<sup>175</sup> avtorebi aRni Snaven, rom federaciis mier miwebis kompetenciebSi `SeWris- dros bUndesratis araters kargaven.”

“vinaidan \_ wers uve miul eri, \_ keTil dReobis saxel mwifo Tavisufl ebasa da Tanasworobas Soris upiratesobas am ukanknel s aniWebs, germaniaSi ZiriTad Zal ad yal ibdeboda central uri xel isufl eba, xol o federal uri debul ebebi gamoiyeneboda kanonmdebl obis gaTanabrebisaTvis. amis gamo miwebma uari ganacxades TavisanT-6.2( )vtornoiul obaszeda viriTad d ydaargas

prudonis `integral uri federal izmidan- iRebs, ixil eboda 1990-iani wl ebis dasawyisiSi. am model is mixedviT evrokavSiri unda gaerTianebul iyo samsafexurovani sistemiT: regioni \_ saxel mwifo \_ evrokavSiri. gamoiTqmoda mosazrebebi, rom am kavSiri dan samomavl od unda gamoricxul iyo Sua safexuri anu saxel mwifo da darCeboda mxol od regionTa gaerTianeba.<sup>178</sup> arsebobda evropul i saxel mwifoebis regional izaciis proeqtebi, roml ebic eZRvneboda arsebul saxel mwifoTa cal keul i regionebis gaerTanebis (ekonomikuri mizanSewoniI obis mixedviT) perspeqtivebs.<sup>179</sup>

mogvianebiT `regionTa evropis- model i de goliseul i `saxel mwifoTa evropis- (~) model ma Secval a. amas adasturebs Tavad evrokavSiriSi mimdinare politikuri procesebic. dRes aqturad saubroben imaze, rom evrokavSiris Semdgomi integraciis miznad unda iqces evropis saxel mwifoTa da regionTa kavSiri arsebul saxel mwifoTa gaerTanebis safuzvel ze da evropul ma integraciam ar unda daarRvciaxel mwi

garda amisa, SesameCnevia sapiri spiro tendenciebi. avtorebi germanul i miwebis Sesustebis erT-erT faqtorad swored evrokavSirs asaxel eben. sul ufro mWidro integraciis fonze evrokavSiri iWreba miwebis kompetenciaSi, upirvel es yovl isa kul turisa da masmediis sferoebSi.<sup>183</sup> Stoiberi aRni Snavs, rom ukve dRes gadawyvetil ebaTa 50%, romel ic exeba bavariis mosaxl eobis interesebs, mi Reba ara mi unxenSi an berl inSi, aramed briusel Si. evrokavSiris kompetenciebi vrcel deba im sferoebzec, roml ebic xel Sekrul ebebis Tanaxmad mas ar gaaCnia. magal iTad, aseTebia kul turul i, saganmanaTI ebl o da social uri politika.<sup>184</sup> rogorc k. korkel ia ambobs, ukve evropis kavSirSi saxel mwifoTa iseTi suverenul i funqciebis ganxorciel ebac ki, rogoricaa qveynis ekonomikuri politikis marTva, nawil obriv gadacemul i aqvs zesaxel mwifoebrev warmonaqmns.<sup>185</sup> aqedan gamoddinare, Seizi eba iTqvas, rom evrokavSiris mier TandaTan xdeba im kompetenciebis `gawova~, roml ebic jer kidev miwebis gamgebl obaSi imyofeba. garda amisa, savaraudioa, rom evrokavSiri Camoyal ibdeba erTian federal ur saxel mwifoebrev warmonaqmnad, roml is subiqtebad moiazreba wevri saxel mwifoebi (da ara saxel mwifoTa SigniT arsebul i regionebi Tu miwebi). aseT SemTxvevaSi ki, vfiqrobT, federal izmi federal izmSi nakl ebad ganxil vadi sakiTxi iqneba da wina pl anze wamoiwevs federal izmis, rogorc saxel mwifoTa gaertianebis da, Sesabamisad, evrokavSirsa da mis wevr saxel mwifoTa Soris kompetenciaTa gamij vnis probl emebi.<sup>186</sup>

am etapze ki germaniis unitarizacia, germanul i federal izmis kritika da teritoriul i mowyobis reforma mecnierTa aqtiori msj el obis sagnad aris qceul i. bevri maTgani germanul i federal izmis

aRni Snabs, rom es model i ewinaaRmdegeba federaciul i saxel mwifos princips, radgan aq parlamenti dakninebul ia (igul isxmeba miwebis sakanonmdebl o organoebi \_ g.g). kirxofi aseve federal izmis principis sawinaaRmdego movl enad miicnevs miwebis gamsxvil ebas da federaciul saxel mwifosi mcire zomis subieqtebis arsebabis momxrea.<sup>187</sup> avtori svams ki Txvas, saerTod SesaZI ebel i iqneboda Tu ara gfr-Si SeCerebul iyo unitarul i tendencia, romel sac igi garkveul i msj el obis Semdeg Tavadve pasuxobs, rom `ki Txva unda daisvas ara ase, vfl obT Tu ara Cven iuridiul teqnikas am tendenciis SesaCerebl ad, aramed saerTod surT ki es am urTierTobis monawil eebs~.<sup>188</sup>

Sarfis azriT, konstituciuri reformebis gareSe, im reformebis gareSe, romel ic miwebs daubrunebs sakanonmdebl o da fiskal ur



1929 wel s konstituciaSi Setanil i cvl il ebebis Sedegad avstriis miwebis ufl ebebi TandaTanobiT Seikveca. amas mohyva 1948 wl idan e.w. `finansuri konstituciis Semdgomi unitarizacia da miwebis interesebis sawinaaRmdegod mral i kompetenciis federal ur doneze gadatana. Sedegad mTavaris saxel mwifoebrivi funciebi sabol ood federacias daeqvemdebara. yovel ive aman SemdgomSi gamoiwwia e.w. `Sual eduri federal uri mmarTvel obis arseboba, raSic is igul isxmeba, rom miwebis mmarTvel obas is saqmeebi aqvs aRsasrul ebel i, rac federaciis kompetenciebSi Sedis. amas Tan federaciis meTaurs aqvs ori funcia, erTi mxriv, is aris federaciul i mTavrobis Tavmj domare da amavdroul ad federaciis `nacval i.<sup>198</sup> amiT, cxadia, erTi mxriv, Zal ian didi pasuxismgebl oba da pol itikuri Zal aufl eba gadadis miwebis administraciul i aparatis xel Si, magram, meore mxriv, gansakuTrebit I andtagebs mmarTvel obis am vrcel sferoSi TiTqmis ara aqvT gavl ena da gakontrol ebis Sesazi ebl oba.

federacia komunebamde akontrol ebs saxel mwifoebrivi saqmianobis mimdinareobas. federal ur presidents ufl eba aqvs, Tu saWirod miicnevs, federal uri mTavrobis wardginebiTa da federal uri sablos TanxmobiT daiTxovos miwebisakanonmdebl o organo – I andtagi. g. gogiaSvil is Sefasebit, es srul iad akninebs miwebis central uri xel isufl ebisagan damouki debel i organizebis principesb.<sup>199</sup>

miwebisa da I andtagebis uufl ebobaze amaxviI ebs yuradRebas esterbaueriC. mas miaCnia, rom federal izmi avstriaSi arasrul fasovania, ris gamoc saWiroa garkveul i reformebi, upirvel es yovl isa, miwebis gamsxviI ebs Tval sazrisiT. avtori avstrias unitarul federaciul saxel mwifos uwodebs.<sup>200</sup>

I andtagebTan erTad metad dakninebul ia federal ur doneze federaciis subieqtebis interesebis gamomxatvel i organos – federal uri sablos rol ic, romel ic real urad avstriis parlamentis qveda pal atas warroadgens. es organo savsebit uufl eboa da ara aqvs

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<sup>198</sup> iqve, St. 32-47.

<sup>199</sup> g. gogiaSvil i, Sedarebiti federal izmi, Tbilisi, 2000, gv. 58.

<sup>200</sup> Fried Esterbauer, Demokratische Leistungsfähigkeit des Föderalismus, (Veröffentlichungen der Österreichischen Sektion des CIFE, Bd. 14), Wien: Braumüller 2000, VI, S 78.

aranairi SesaZI ebl obaakanonmdebl o procesSi daicvas miwebis interesebi. yvel a kanonproeqtis Setana xdeba erovnul sabWos, xol o federal ur sabWos kanonproeqtis wardgena SeuZI ia mxol od federal uri mTavrobis meSveobiT. erovnul sabWos mier miRebul kanonebze federal ur sabWos aqvs ara vetos, aramed mxol od azris gamoxatvis ufl eba, rac erovnul i sabWosaTvis advil ad daZI evadia.<sup>201</sup>

gansakuTrebiT central isturad aris Sedgenil i avstriis finansuri sistemac, radgan erTobl ivad Semosul i sagadasaxado Semosavl ebi Cveul ebrivi kanonebis safuzvel ze mraval wl iani vadit nawil deba, riTac federaciul i sabWos Semaferxebel i potencial i finansebis gadanawil ebis sakiTxSi minimal uri xdeba. konstituciis Tanaxmad, federaciul ma sabWom finansuri kanonebi mxedvel obaSi unda miros da mas xangrZI ivi vadit veto ar unda daados.<sup>202</sup> federal uri xarj ebis proeqtebis damtkiceba, biuj etis Sesrul ebis angaris damtkiceba, federaciis mier val is aReba da konversia da a.S. erovnul i sabWos erTpironvul i gamgebl obis sferos ganekutvneba.<sup>203</sup>

mecnierebi miutiTeben ra avstriis meore pal atis \_ federaciul i sabWos pol itikur sisusteze, federal uri xel isufl ebis mier miwebis xSir kontrol ze, finansuri sakiTxebis federaciis mxridan monopol izirebasa da sxva probl emebze, avstrias yvel aze central izebul federaciul saxel mwifos uwodeben.<sup>204</sup>

rogorc vxedavT, avstriaSi germaniis msgavsad e.w. aRmasrul ebel i federal izmia. Cven zemoT ukve visaubreT germaniis federal izmis unitarul obaze, rac avstriaSic Tval Sisacemia. amdenad, unda daveTanxmoT mecnierTa im nawil s, romel ic aRmasrul ebel i federal izmis pirobebSi federal izmis principebis darRevaze saubrobs. `aRmasrul ebel i federal izmi- saukeTeso SemTxvevaSi warroadgens gardamaval stadias, romel sac SeuZI ia, rogorc ganavitaros federaciul i sawyisebi, ise samudamod Cakl as igi. yovel i gardamaval i formis msgavsad, `aRmasrul ebel i federal izmi-

<sup>201</sup> iqve, gv. 56-57.

<sup>202</sup> Herbert Dachs. Struktur und aktuelle Fragen des Föderalismus in Österreich. Föderalismusreform: Föderalismus in Europa I. Zukunftsforum Politik Broschürenreihe. herausgegeben von der Konrad-Adenauer-Stiftung e.V. Nr. 50. Udo Margedant (Hrsg.). Redaktionelle Betreuung: Udo Margedant / Gisela Reuter Dezember 2002. St. 32-47.

<sup>203</sup> g. gogiaSvili i, Sedarebiti federal izmi, Tbilisi, 2000, gv. 57.

<sup>204</sup> Herbert Dachs, dasaxel ebul i naSromi, St. 32-47.



## evrokavSiri

evrokavSiri aris suverenul saxel mwifoTa gaerTianebit Seqmnii i warmonaqmni, roml is raobaze didi azrTa sxdadasxvaoba da kamaTia mecnierTa Soris. bevri evrokavSirs ar miicnevs erTian federaciul saxel mwifod, zogs miaCnia, rom es kavSiri aris saxel mwifoTa gaerTianebis srul iad axal i forma, romel ic Seicavs, rogorc saerTaSoriso organizaciis, aseve konfederaciisa da federaciis ni Snebs;<sup>207</sup> zogi mas saerTaSoriso organizaciad Tvl is;<sup>208</sup> zogic saxel mwifoTa kavSirad moixseniebs;<sup>209</sup> zogj er mas `supranacional uran` prefederaciul warmonaqmns- uwodeben,<sup>210</sup> zogiertis azriT ki, `evrokavSiri, arsebiTad, aris ekonomikuri gaerTianeba<sup>211</sup> da a.S., magram, rac mTavaria, yvel a erTxmad aRniSnabs, am kavSirSi mimdinare sul ufro mzard integraciul procesebs.

evrokavSiris integraciul procesebTan dakavSirebul statiaSi germanel i avtorebi e. bil eri, s. kopli ini, T. rafi da o. varenhol ti amboben, rom meore msofl io omis Semdeg dawyebul i evropis integraciis procesis mimart mis avtorebs ar hqondaT naTel i warmodgena kavSiris sabol oo mizanke, miuxedavad imisa, rom uinston Cercil i Tavidanve axsenebda `evropis SeerTebul Statebs-. Tumca mogvianebit evropis kavSiris sabol oo mizanke msj el obebi farTod gaiSal a. dReisaTvis central ur probl emas warmoadgens ki Txva: evrokavSiri unda ganviTardes federaciul saxel mwifomde, Tu darces saxel mwifoTa kavSirad. mosazrebani am sakiTxze principul ad gansxvavdeba erTmaneTisagan:

erTi mxriv, arsebobs safrangeTis presidentis Sarl de gol is `saxel mwifoTa evropis- idea, romel ic gul isxmobs wevri saxel mwifoebis TanamSroml obas sxdadasxva sakiTxebSi da sagareo suverenitetis Senarcunebas rigi umniSvnel o sferoebis gamokl ebiT.

<sup>207</sup> ix. . . , .. 1998.

<sup>208</sup> ix. al eqsiZe I ., Tanamedrove saerTaSoriso samarTal i, Tb., 1998. Tumca avtori erTgan aRniSnabs, rom maastrichtis xel Sekrul eba `aZI ierebs federal ur sawyisebs saerTaSoriso urTierTobaTa, Tavdacvisa da uSiSroebis sferoSi.- (gv. 122).daiT ki,

meore Sexedul eba momdinareobs germani idan da ital i idan da sabol oo miznad federal izms isaxavs.<sup>212</sup>

avtorebi aRni Snaven, rom Tavad saki Txis ganxil va, \_ federacia, Tu konfederacia, aCvenebs, rom evrokavSiris federaciad Camoyal ibeba savsebiT Sesazi ebel ia. dRes ukve msj el obis sagania is, Tu rogori iqneba es federacia. zogiertma ukve gamoTqva SiSi imis Taobaze, rom es federacia Seizi eba central isturic ki gaxdes, anu yvel a gadawyvetil eba centris, federaciis doneze iqnes miRebul i. sxwebs miaCniaT, rom aseTi SeSfoTebis mizezi ar arsebobs, vinaidan es aravis sur; regionebsa da miwebs sakmarisi ufl ebebi darCebaT.

avtorTa azriT, bol o ormocdaaTi wl is ganmavl obaSi mimdinare evropul integracias Tavisufl ad Seizi eba vuwodoT federal izmi. federal izmis pozici idan mTI ianad misaRebia, ufro metic, rekomendebul ic ki aris iseTi nel i evol uciuri procesi, rac evrokavSirSi xdeba. evrokavSiris Semdgomi ganviTarebis Tanamdevi, ZiriTadi xazi yovel Tvis iqneba federal izmi, \_ daaskvni an germanel i mecnierobi.<sup>213</sup>

unda aRvnisnoT, rom evrokavSiris ukve gaaCnia erTiani sakanonmdebli o, aRmasrul ebel i da sasamarTI o organoebi, erTiani ful ad-sakredito, Tavdacvisa da sabajo sistemebi, erTiani saxel mwifoebrixi simbol oebi.

urTierTSerwymasa da germaniis gaerTianebas Soris da, miicnevs, rom swored germanul i federal izmi warroadgens evrokavSiris mowyobis model s.<sup>217</sup> il ini evrokavSirs federal izirebad sistemas ( ) uwodebs.<sup>218</sup>

karga xania iuridiul I eqsikaSi damkvidrda termini evropul i (evrokavSiris) samarTal i, romel ic ukve cal ke disciplinadac ki iswavl eba mTel rig umARI es saswavl ebl ebSi. vinaidan evropul i samarTal i ukve real urad moqmedi samarTal ia, rogorc profesori p. kirxofi (Kirchhof) aRniSnabs, am samarTal sa da wevri saxel mwifoebis sakonstitucio samarTals Soris Sesazi oa warmoisvas konfl iqt. amasTanave, rogorc avtori varaudobs, konfl iqt am or samarTal s Soris iSviaTi ar iqneba manam, sanam ar aixsneba romel i samarTI ebrivi wyobaa samarTI iani da romel i usamartI o.<sup>219</sup>

unda aRiniSnos, rom kirxofis es mosazreba emyareba evrokavSiris, rogorc federaciul i saxel mwifos uryev rwmenas da zemoaRniSnul konfl iqtebsac igi xedavs, rogorc centrsa da regions (Stats) Soris urTierTobis Sedegad warmoSobil konfl iqtebs. igi ambobs: miuxedavad imisa, rom Tavidan wevri saxel mwifoebis survil i ar iyo federal uri kavSiris Seqmna, evrokavSiri aris federaciul i saxel mwifo, romel ic daafuznes wevrma saxel mwifoebma, raTa erTad gadaWran maT winase mdgari amocanebi da erTad ganaxorciel on TavianTi suvereniteti. amasTanave, ambobs mecnieri, Tanamedrove etapze evropul i sazogadoebis, rogorc didi geografiul i erTobis, Sinagani moTxovnaa federaciis central ur xel isufi ebasTan kidev ufro meti daaxl oveba, sadac wevri saxel mwifoebi aRiWurvebian federaciis miwebis (Statebis) ufl ebebiT. swored evrokavSiris centrsa (federaciasa) da wevr saxel mwifoTa (Statebs) Soris Seizi eba warmoisvas konfl iqt kompetenciis Taobaze,<sup>220</sup> rac federaciul saxel mwifoSi Cveul ebrivi movl enaa.

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<sup>217</sup> Georg-Berndt Oschatz, Föderalismus in Deutschland, Politik und Gesellschaft in Deutschland: Grundlagen – Zusammenhänge – Herausforderungen, 1994, Köln, St.109-119.

<sup>218</sup> . . . ( ). ~, 2001, 1, . 12-15.

<sup>219</sup> P. Kirchhof, Die Gewaltenbalance Zwischen Staatlichen und Europäischen Organen. Vortrag im Rahmen des Forum Constitutionis Europae des Walter Hallstein-Institutes der Humboldt-Universität zu Berlin, gehalten am 25. Mai 1998. FCE 2/98. <http://www.rewi.hu-berlin.de/WHI/> St. 2.

<sup>220</sup> ique. St. 7-8.

kirxofi exeba im sakiTxac, Tu romel ma organom unda gadawyvitos dava evrokavSirsa da wevr saxel mwifoebs Soris. igi ambobs, rom iuridiul i I ogikit evropis sasamarTI om unda daadginos wevri saxel mwifos mier evrokavSiris xel Sekrul ebis (romel ic warroadgens evrokavSiris sasamarTI is ZiriTad wyaros) darRvevis momenti, xol o erovnul ma sakonstitucio sasamarTI om erovnul konstituciasTan winaRmdegoba. evropis sasamarTI o gadawyvetil ebas iRebs saerTo sasamarTI is fargl ebSi, xol o wevri saxel mwifos sakonstitucio sasamarTI o \_ konstituciuri sasamarTI is fargl ebSi. aqedan gamodinare, evropis sasamarTI os gadawyvetil eba saval debul oa Sesasrul ebl ad yvel a wevri saxel mwifosaTvis, xol o sakonstitucio sasamarTI os gadawyvetil eba saval debul oa Sesabamisi wevri saxel mwifosaTvis.<sup>221</sup>

kompetenciebi T aris aRwurvil i... evrokavSirsI saxezea federal isturi  
saxel mwifos politikuri dinamika.<sup>225</sup>

daniel el azaris azriT, `evrokavSiri Tanamedrove konfederaciis  
saukeTeso magal iTs warmoadgens<sup>226</sup>, Tumca perspeqtivaSi `evropa mal e  
gadaiqceva saxel mwifod, decentral izebul saxel mwifodac ki. Cven ukve  
vxedavT evrokavSiris biurokratiis ZI ier Carevas wevr saxel mwifoTa  
saqmeebSi j andacvis, usafrTxoebisa da keTiI dReobis uzrunvel yofis  
ni Rbi T~.<sup>227</sup>

aSorebs saxel mwifosagan, aris suvereniteti. saxel mwifos sxva ni Snebi, Seizi eba iTqvas, mas ukve gaaCnia. magram, rogorc Cans, suverenitetis daTmobas wevri saxel mwifoebi j erj erobiT ar Cqaroben.

### daskvna

yovel i ve zemoaRniSnul idan gamodinare, gvinda gavakeToT mocemul i Tavis erTgvari rezumi reba.

xSirad, imisaTvis rom STambewdavi gaxadon federal izmis mniSnel oba, miuTiTeben mis gavrcel ebul obaze mTel s msofl ioSi da mimarTaven statistikur monacemebs.<sup>231</sup> magal iTad: `dReisaTvis federal uradaa organizebul i dedamiwis 25 % da msofl ios mosaxl eobis 40 %.<sup>232</sup> Tu frenkel i aq saubrobs mTel i dedamiwis 25 procentze, vedenski da goroxovi meti Stabewdil ebis mosaxdenad

Tanamedrove msoflios 170 politikuri sistemidan 25 federaciul ia,<sup>234</sup> xol o k. yuraSvilisa<sup>235</sup> da i. goptarevas<sup>236</sup> mixedviT, dedamiwaze daaxloebiT ocamde federaciul i saxel mwifo arsebobs. profesori edvard gibsoni kidev ufro amcirebs federaciul saxel mwifota raodenobas da aseTad mxol od TerTmet saxl wifos moixseniebs.<sup>237</sup>

rogorc qarTvel i mecnieri I. mataraZe ambobs, dasafasebel ia saerTaSoriso masStabiT federaciul i model is gavrcel ebis miRwevebi. magram, unda iTqvas, rom saerTod, saxel mwifoebi didad ar Cqaroben teritoriul i mowyobis unitarul i formis Secvl as federaciul iT, Tu, rasakvirvel ia, ar gavasaRebT sasurvel s sinamdvil ed. dResdReobiT msoflioSi aris sul 23 federaciul i saxel mwifo, maSin rodesac saxel mwifoebis saerTo ricxvi 200-amdea.<sup>238</sup>

maSasadame, federaciul saxel mwifota didi wil i teritoriul i da mosaxl eobis Taval sazrisiT msxvil saxel mwifoebze modis, didi teritoria ki obieqturad iTxovs teritoriul decentralizacias.<sup>239</sup>

rac SeexebaT mcire federaciul saxel mwifoebis, maTi am formiT Camoyal ibeba ganapiroba an gansakuTrebula istoriul ma da politikurma faqtorebmada federaciul i model is gareSe isini saxel mwifod ver Sedgeboden (magal iTad, Sveicaria<sup>240</sup>), an es iyo izul ebiti nabij i qveynis arsebabis Sesanarcunebl ad (magal iTad, belgia).

aqve aRsaniSnavia is garemoebac, rom saxel mwifoebi, romi ebic federal urad iwodebian, xSir SemTxvevaSi Tavisi arsiT aseTebs ar warmoadgenen. amis dasturia Tundac is, rom miRebul ia federaciul i saxel mwifoebis dayofa srul fasovan, gardamaval (naxevradunitarul i) da fsevdofederaciul (kvazifederaciul) saxel mwifoebad. profesori

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<sup>234</sup> g. xubua, federal izmi rogorc normatiul i principi ..., gv. 1-2.

<sup>235</sup> k. yuraSvil i, federal izmis cneba da arsi, Jurn. `politika~, 1998, #1-3, gv. 15-20.

<sup>236</sup> . . .

v. I isenkos mixedviT, pirvel Ta rigs miekuTvnebian aSS, Sveicaria, gfr, kanada, avstral ia, avstria, belgia, indeTi, brazil ia, mal aizia da meqsika; naxevradunitarul i saxel mwifoebia ruseTis federaciul i respublika, argentina, venesuel a, bosnia-hercogovina, eTiopia, nigeria, mikronezia, sent-kitsi da nevisi; dabol os, fsevdo-federaciul i saxel mwifoebia pakistani, sudani, arabeTis gaerTianebul i saemiroebi, komoris kunZul ebi. adre maT rigs miekuTvneboda sabWoTa kavSiric.<sup>241</sup>

I isenkos am CamonaTval s srul ad ver daveTanxmebiT, vnaid an ramdenad `srul fasovani- federaciebia ige germaniis federaciul i respublika da avstria, Cven ukve detal urad visaubreT.

tadevosiani saerTod winaRmdegia imisa, rom sxvadasxva saxis `naxevradfederaciebi~, `kvazifederaciebi~, `avtonomiebis saxel mwifoebi~, `regional isturi saxel mwifoebi~ da a.S. miCneul iqnen federaciebad, vnaid an isini, Tumca Seicaven federaciul obis cal keul el ementebs, magram ZiriTadar TavianT safuZvel Si warmoadgenen unitarul i saxel mwifos nairaxeobas.<sup>242</sup>

msgavs azrs aviTarebs cnobil i rusi mecnieri Cirkinic. igi ambobs, rom qveynis decentral izacia, regional izacia an avtomizacia xSirad federal izaciad iwodeba. arcTu iSviaTad mecnierebi da politikosebi federal izmis cal keul el ementebs ganixil aven, rogorc federal izms. am Tval sazrisiT federaciaTa rigebs akuTvneben espaneTsa da italias, roml ebic TavianTi teritoriul i mowyobis formis mixedviT warmoadgenen decentral izebul unitarul i saxel mwifoebi.<sup>243244</sup>

mocemul sakiTxs exmianeba batoni I. mataraZec, roml is azriT, dasanania, rom federal izmis adaptebma moufiqrebel i aCqarebit federaciul ad gamoacxades decentral izebul i unitarul i

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<sup>241</sup>

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<http://www.kazanfed.ru/actions/konfer12/3/>

<sup>242</sup>

“ 2002. 3. 17.

<sup>243</sup>

“ . . . . . !

saxel mwifoebi, miuxedavad imisa, rom Sesabamis konstituciebSi es  
saxel mwifoebi cal saxad unitarul ebad aris gamocxadebul i.<sup>245</sup>

mocemul saki TxTan dakavSirebiT oriode si tyviT gvinda SevexoT  
espaneTs, romel sac arcTu i SviaTad federaciul saxel mwifod

ar emyareba aucil ebel SeTanxmebul obas, racional urobasa da transparentul obas; avtonomiebis umniSvnel o monawil eoba mTavrobis federal ur politikaSi. am da sxva argumentebiT xenkini asabuTebs, rom espaneTi ar aris federaciul i saxel mwifo.<sup>248</sup>

zogj er federal izmis konteqstSi saubaria did britaneTzec, Tumca mecnierTa didi nawil i aseve ar iziarebs am mosazrebas. batoni o. mel qaZe wers, rom didi britaneTi ingl istan erTad aerTianebs SotI andias, uel ss da Crdil oeT irl andias, roml ebic am qveynis Semadgenl obaSi ssvadasxva droidan arian gaerTianebul ni da gansxvavdebi an erTmaneTisagan adgil obrivi organizaciisa da ufl ebamosil ebebis Tval sazrisiT. miuxedavad qveynis aseTi danawevrebisa, didi britaneTi mainc warmoadgens unitarul saxel mwifos, misTvis damaxasiaTebel i mTel i rigi TaviseburebebiT.<sup>249</sup>

erTmnisvnel ovnad unda iTqvas, rom dReisaTvis unitarizmi aris saxel mwifoebri mowyobis yvel aze ufro gavrcel ebul i forma.<sup>250</sup>

dRes mraval i mecnieri saubrobs msofl i oSi federal izmis `bumze~. Cven ar uarvyoft am Sexedul ebas, magram sxva konteqstSi. erTi mxriv, gadawarbebul ad gveCveneba im mecnierTa Sexedul eba, roml ebic unitarul saxel mwifoebSi decentral izaciis yovel gamovl inebas federal izmTan aigiveben. aq unda daveTanxmoT Cirkins da aRviSnoT, rom, marTal ia, mraval unitarul saxel mwifoSi garkveul i nabij ebi gadaidga decentral izaciis mimartul ebiT, magram aseTi aqtebis federal izaciad moxsenieba mcdaria.

meore mxriv, vfiqrobT, didia daintereseba saxel mwifoTaSorisi federal izmisadmi. migvachnia, rom mmdinare gl obal izaciis fonze wina planze wamoiwevs federal izmis, rogorc saxel mwifoTaSorisi urTierTobis formis sakiTxi. aqcentebi gakeTdeba federal izmze, rogorc saxel mwifoTa damakavSirebel meqanizmze, principebis erTian sistemaze, rac gamoiwevs nacional uri federaciul i saxel mwifoebis

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<sup>248</sup> . . . , : . .

subieqtebis mnisvnel obisa da funqciebis Sesustebas. swored am azrs



Tavi 3. federal i zmi s per speqt i vebi saqar Tvel oSi

\$1. saqarTvel os federal i zaci is koncefciebis mimoxi l va

karaga xania cal keul samecni

Tbil issa da soxums Soris ufl ebamosil ebaTa gamij vnis ZiriTadi principebi, romel ic ufro `bodenis dokumentis~ saxel wodebiT aris cnobil i. rogorc mecnierebi miutiTeben, mocemul i dokumenti warmoadgenda kompromisul variants ara konfl iqtis monawile mxareebs,<sup>255</sup> aramed, erTi mxriv, ruseTsa da, meore mxriv, dasavl eTis qveynebs Soris. amitomac aris, rom teqstSi ar aris dasmul i maval i mniSvnel ovani saki Txi, ZiriTadi formul irebebi ki bundovani da zogj er winaaRmdegobrivic ki aris.<sup>256</sup>

bodenis dokumenti sul rva punqtisagan Sedgeba da Seicavs saqarTvel os momaval i teritoriuI i mowyobis principebsac. warmovadgenT am dokumentis srul versias:

`Tbil issa da soxums Soris ufl ebamosil ebaTa gamij vnis  
ZiriTadi principebi<sup>257</sup>

1. saqarTvel o warmoadgens suverenul saxel mwifos, dafuznebul s samarTI ebriv normebze. saqarTvel os saxel mwifos sazRvrebi, damtkicebul i 1991 wl is 21 dekembers, ar eqvemdebareba cvl il ebas saqarTvel os saxel mwifos konstituciasTan Sesabamisobis gareSe.

2. afxazeTi aris samarTI ebriv normebze dafuznebul i suverenul i warmonaqmni saqarTvel os saxel mwifos SigniT. afxazeTs aqvs gansakuTrebui statusi saxel mwifos SigniT, romel ic eyrdnoba federaciul SeTanxmebas da gansazRvravz zogad ufl ebamosil ebebs da saerTo kompetenciis sferoebs da del egirebul ufl ebamosil ebebs, amasTan warmoadgens afxazeTis maval erovani mosaxl eobis ufl ebebisa da interesebis garants.

3. ufl ebamosil ebaTa gamij vna Tbil issa da soxums Soris unda eyrdnobodes sakonstitucio kanonis Zal is mqone federaciul SeTanxmebas. afxazeTi da saqarTvel os saxel mwifo ketil sindisierad unda asrul ebdnen federaciul i SeTanxmebis debul ebebs. federaciul i

<sup>255</sup> aq gul isxmoben qarTul da afxazur mxareebs.

<sup>256</sup>

<sup>257</sup> araoificial uri Targmani.



@Tbil issa da soxums Soris ufl ebamosil ebaTa gamij vnis Ziri Tadi saki Txebis Sesaxeb.<sup>258</sup>

mocemul i dokumentis me-5 punqti Seicavs miTiTebas `qarTul - afxazuri konfl iqtis pol itikuri mowesrigebis RonisZiebaTa Sesaxeb- 1994 wl is 4 april is dekl araciis<sup>259</sup> me-7 paragrafze (punqte), romel Sic naTqvamia:

mxareebma gamartes konsul taciebi ufl ebamosil ebaTa gamij vnis Sesaxeb imis gaTval iswinebiT, rom am sakiTxTan dakavSirebul i nebisnieri sakiTxni aris saerTo daregul irebis nawili da Seizi eba miRweul iqnas mxol od maSin, rodesac moiZebneba konfl iqtis sabol oo gadawyvetil eba.

am etapze mxareebma mi aRwies srul urTierTgagebas ufl ebamosil ebaTa Sesaxeb Semdeg sferoebSi erTobl ivi saqmianobi saTvis:

- a) sagareo pol itika da sagareo ekonomikuri kavSirebi;
- b) sasazRvro samsaxuri;
- c) sabajo samsaxuri;
- d) energetika, transporti, kavSirgabmul oba;
- e) ekologija da stiqiuri ubedurebebis Sedegebis I ikvidacia;
- f) adamianisa da moqal aqis ufl ebebisa da Tavisufl ebebisa, erovnul i umciresobebis ufl ebaTa uzrunvel yofa.<sup>260</sup>

gaugebaria dekl araciaSi miTiTebul i erTobl ivi gamgebl obis sferoebi gul isxmobda im etapisatvis separatistul xel isufl ebasa da saqarTvel os mTavrobas Soris erTobl ivad TanamSroml obas miTiTebul sferoebSi, Tu saubaria momaval Si erTiani saxel mwifos fargl ebSi erTobl iv gamgebl obaze. Tumca bodenis dokumentisatvis es sakiTxni nakl eb mniSven ovania. misTvis mTavarria dekl araciaSi miTiTebul i

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<sup>258</sup> [http://smr.gov.ge/ge/abkhazia/documents/bodens\\_document](http://smr.gov.ge/ge/abkhazia/documents/bodens_document)

<sup>259</sup> dekl aracia miRebul iqna q. JenevaSi 1994 wl is 22-25 Teberval s `qarTul -afxazuri konfl iqtis farTomasStabiani daregul irebis Sesaxeb- gaeros egidiT gamartul i mol aparakebebis mesame raundis Sedegad. mol aparakebebSi monawili eobdnien saqarTvel osa da afxazeTis (separatistul i mTavroba) mxareebi, agreTve ruseTis federaciis, evropis uSiSroebisa da TanamSroml obis sabWosa (euTo) da gaeros I tol vil Ta umaRI esi komisris oficial uri warmomadgeni ebi.

<sup>260</sup> aroficial uri Targmani. [http://smr.gov.ge/en/abkhazia/documents/bilateral\\_documents/geneve\\_treaty](http://smr.gov.ge/en/abkhazia/documents/bilateral_documents/geneve_treaty)

erTobl ivi gamgebl obis sferoebi da esec ar aris saval debul o, aramed mxol od miTiTebul ia misi gamoyenebis SesaZI ebl obaze.

zemoaRniSnul i dokumentebis safuzvel ze mokl ed Camovayal ibot bodenis dokumentis principebi:

saqarTvel o aris suverenul i saxel mwifo, roml is Semadgenl obaSic Sedis suverenul i warmonaqmni \_ afxazeTi; afxazeTs aqvs gansakuTrebil i statusi saqarTvel os saxel mwifoSi; Tbil issa da soxums Soris urTierToba regul irdeba federal uri konstituciuri SeTanxmebiT, romel ic aris saqarTvel os konstituciuri kanonis Zal is mqone da roml is Secvl a an gauqmeba dasaSvebia mxol od ormrxivi SeTanxmebiT; saqarTvel osa da afxazeTis konstituciebi unda Seicval os konstituciuri SeTanxmebis Sesabamisad; Tbil issa da soxums Soris urTierToba emyareba ubl ebamosil ebaTa gamij vnis princips; saqarTvel osa da afxazeTis konstituciebiT Tanabrad unda iyos aRiarebul i da dacul i adamianisa da erovnul umciresobaTa ufl ebebi, xol o afxazeTis konstitucia unda Seicavdes garantiebs devnil Ta da adgil nacval pirTa sacxovrebel adgil ebSi dabrunebis ufl ebis dacvis Taobaze; saqarTvel os saxel mwifo da afxazeTi unda SeTanxmdnen saqarTvel os sakonstitucio sasamarTI os dakompl eqtebis Taobaze, rac, savaraudod, gul isxmobs sakonstitucio sasamarTI os erTobl ivad dakompl eqtebas.

bodenis dokumentSi yuradRebas iqcevs miTiTeba `suverenul afxazeTze~ amasTan dakavSirebiT briusel is universitetis profesori bruno kopi tersi ganmartavs, rom es

kompetenciebze, maTTvis mni Svnel ovani ufl ebamosil ebebis miniWebaze da a.S., magram, migvaCnia, rom afxazeTi ver iqneba iuridiul i gagebiT suverenul i. vfigrobT, mocemul SemTxvevaSic adgil i aqvs suverenitetisa da ufl ebamosil ebebis erTmaneTSi aRrevas. amdenad, Cven ver gaviziarebT profesor kopitersis mosazrebas da migvaCnia, rom afxazeTis suverenul obaze saubari ar SeiZI eba.

ufro sainteresoa profesor bruno kopitersis Semdegi mosazreba bodenis dokumentTan dakavSirebit: kopitersi yuradRebas aqcevs im faqts, rom dokumentSi arsad aris miTiTeba federal izmis koncefciaze, aramed masSi mxol od naxsenebia `federal uri SeTanxmeba~, romel ic, Cveul ebri, aregul irebs urTierTobas federaciasa da federaciis subieqts Soris. amIT bodenis dokumenti, miaCnia avtors, gamoricxavs konfederacias da Tavisufl ad asocirebul saxel mwifos (magal iTad, rogoricaa marSal is kunzul ebi), sadac urTierTobebi wevrebs Soris regul irdeba saerTaSoriso SeTanxmebebiT da romel Sic saxel mwifoebi fl oben suverenitets, maSasadame fl oben ufl ebasac gavidnen asociaciidan. magram bodenis dokumenti uSvebs sxva or variants: saqarTvel osa da afxazeTis erTian federaciad gaertianebas, an saqarTvel osTan afxazeTis asocirebul saxel mwifod gardaqmnas.<sup>262</sup>

gansxvaveba federaciis subieqtisa da asocirebul saxel mwifos Soris maTi statusis xarisxSia. federaciis subieqtisagan gansxvavebiT, asocirebul i saxel mwifo ufro Tavisufl ad aris integrirebul i im saxel mwifos gadawyvetil ebis mimReb struqturebSi (sakanonmdebl o, aRmasrul ebel i da sasamarTI o saxel isufl ebo struqturebSi), romel Tanac is aris asocirebul i. rogorc mcire erTeul i, igi aranair pol itikur rol s ar TamaSobs didi erTeul is mTavrobaSi. Tavisufl ad asocirebul i saxel mwifosagan gansxvavebiT, asocirebul i saxel mwifo saerTaSoriso masStabit ar aris aRiarebul i suverenul ad da ar aqvs cal mxrivad erTiani saxel mwifodan gamoyofis ufl eba.<sup>263</sup>

asocirebul i saxel mwifos kopitersiseul i ganmarkeba ewinaaRmdegeba sxva mecnierTa Sexedul ebebs. kerZod, stivensis ganmarkebiT, federal uri kavSirisagan unda ganvasxvaoT asocirebul i

<sup>262</sup> iqve, C . 8. aseTi asocirebul i saxel mwifos magal iTad b. kopiterss mohyav puerto rikos urTierToba aSS-Tan.

<sup>263</sup> iqve, C . 8.

saxel mwifo. asocirebul i saxel mwifo, saerTaSoriso-samartI ebrivi Tval sazrisiT, warmoadgens met-nakl ebad damouki debel qveyanas, romel ic ama Tu im saxel mwifosTan dakavSirebul ia gansakuTrebui xel Sekrul ebiT da masTan erTad ayal ibebs sabajo da ful ad kavSirs.<sup>264</sup> rac Seexeba Puerto rikos, misi statusic erTgvarad meryeobs aSS-is kol oniasa da federal ur Stats Soris. 1952 wl idan puerto rikos Ti Tqmis srul i TviTmmarTvel oba aqvs, magram amave dros igi eqvemdebareba aSS-is kongresis mier miRebul im kanonebs, romel Ta moqmedeba puerto rikozec vrcel deba. aSS-is kongresSi puerto riko warmodgenil ia erTi warmomadgenl iT – „resident commissioner“, romel sac gaaCnia saTaTbiro xmis ufl eba.<sup>265</sup>

saqarTvel o ar aris amerikis SeerTebul i Statebi, rom mas naxevradkol oniuri teritoriebi gaaCndes. garda amisa, vfiqrobT, rom

Tumca, unda iTqvas, rom bodenis dokumenti mainc Zal ian zogadia, Seicavs zogad principebs, rac iZI eva sxvadasxva interpretaciis saSual ebas. dokumentSi detal urad ar aris gaweril i saqarTvel os teritoriul i mowyobis sakiTxi, Tumca es gasagebiccaa, vinaidan bodenis mizani iyo ara mTI ianad saqarTvel os teritoriul i mowyobis sakiTxis gadaWra, aramed e.w. qarTul -afxazuri konfl iqtis mogvarebis saerTo principebis Camoyal ibeba.

## 2. koncefcia `saqarTvel os saxel mwifoSi afxazeTis gansakuTrebui i statusis Sesaxeb~

koncefcia `saqarTvel os saxel mwifoSi afxazeTis gansakuTrebui i statusis Sesaxeb~ (Semdgom teqstSi \_ `koncefcia~) SemuSavda 2004 wel s. igi gamoqveynda gazeT `24 saaTSi~ da aseve bukl etis saxiT gamoica 1000-iani tirajiT. koncefcia momzadebul i iyo qarTvel eqspertTa j gufis mier, roml is Semadgenl obaSic Sediodnen konstantine kubl aSvi l i, arCil gegeSiZe, ivl iane xaindrava da paata zaqareiSvi l i. mogvianebiT, 2007 wel s I oreNS brouersis, nino kal andaZisa da paata zaqareiSvi l is redaqtorobiT gamoica bukl eti saTauriT `pasuxebi xSirad dasmul Seki Txvebze, saqarTvel os saxel mwifoSi afxazeTis gansakuTrebui i statusis Sesaxeb koncefciasTan dakavSirebiT~, romel ic kiTxva-pasuxis formatSi Seicavda garkveul ganmarterebebs koncefciiS Taobaze. mocemul i bukl etidan vigebt, rom koncefciiS momzadebaSi argumentirebul i Seni SvnebiT mni Svnel ovani wvl il i Seitanes daviT baqraZem, TinaTin xidaSel ma, daviT darciaSvi l ma, Sveicarel ma mecnierma Tomas fl ainerma da germanel ma profesorma al eqsandre bl ankenagel ma.<sup>267</sup>

dokumentis mixedviT, saqarTvel os momaval i teritoriul - saxel mwifoebri mowyobis koncefcia decentral izaciis princips unda

<sup>267</sup> pasuxebi xSirad dasmul Seki Txvebze, saqarTvel os saxel mwifoSi afxazeTis gansakuTrebui i statusis Sesaxeb koncefciasTan dakavSirebiT. red.: I oreNS brouersi, nino kal andaZe da paata zaqareiSvi l i. Conciliation Resources. Tbili si, 2007. gv. 15.



Zal aufl eba da, maSasadame, misi `saxel mwifoebrioba~ ar aris warmoebul i saqarTvel os saxel mwifos nebisagan. afxazeTis xel isufl eba efuzneba I egitimaciis damoukidebel wyaros \_ misi saxel mwifo struqturebi airCeva da kompl eqtdeba afxazeTis mosaxl eobis mier. swored `saxel mwifoebriobis~, anu saxel mwifos xarisxis gamo aqvs afxazeTs ara vinmesagan minWebul i, aramed sakuTari (Tumca SezRudul i) suvereniteti. imavdroul ad afxazeTi aris federal uri qarTul i saxel mwifos wevri (wevri-saxel mwifo) da ara nawil i. isini \_ federal uri saxel mwifo da mis Semadgeni obaSi myofi saxel mwifoebriivi erTeul i Seadgenen qveynis pol itikur sistemas, \_ naTqvamia koncefciaSi.<sup>270</sup>

unda aRiniSnos, rom afxazeTis, rogorc saqarTvel os wevri-saxel mwifos koncefciasTan dakavSirebit safuZvl ian SeSfoTebas gamoxatavs zogierti mecnieri. magal iTad, zurab papaskirs miaCnia, rom es aris germaniis federaciul respublikaSi arsebul i teritoriu-saxel mwifoebriivi mowyobis praqtkis ucvl el ad gadmotana, rac mTI ad gaumarTI ebl i ar aris. misi azriT, germaniis federaciul saxel mwifosi Semaval i e.w. `wevri-saxel mwifoebi~ \_ `Land~ebi erTi eTnostiT (germanel ebiT) dasaxl ebul i mxareebia, roml ebic miuxedavad eTnooss SigniT arsebul i tomobrivi Taviseburebebisa (bavariel ebi, saqsonel ebi da a.S.) istoriul ad yovel Tvis qmnidnen erTian germanul eTno-pol itikur da kul turul samyaros. saqarTvel os SemTxvevaSi ki viTareba garkveul wil ad gansxvavebul ia. marTal ia, afxazoba miuxedavad Tavisi eTno-tomobrivi individual obisa, istoriul ad aseve iyo saerTo-qarTul i kul turul -pol itikuri da saxel mwifoebriivi organizmis nawil i, magram ukansknel i 100 wl is manZil ze rusul ma imperiul ma manqanam igi mowyvita saerTo-qarTul samyaros da rusul kul turul -pol itikur sivrcesi moaqcia. Sedegad dRevandel afxazobas Camouyal ibda sakuTari erovnul -saxel mwifoebriivi mental iteti da is miiswrafvis saxel mwifoebriivi Tvi Tgamorkvevisaken. aseT SemTxvevaSi ki koncefciiis zemoaRniSnul i debul eba namdvil ad Seicavs garkveul saSiSroebas qveynis erTianobis Tval sazrisiT. imis dekl arireba, rom afxazeTi aris federal uri saqarTvel os wevri saxel mwifo da ara

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<sup>270</sup> iqve, gv. 9.

nawil i ideol ogiurad miuRebel ia. amiT Cven faqtobrivad vaRiarebT, rom afxazeTi ar aris saqarTvel o da is sxva qveyanaa. swored es iyo mTavari ideol ogiur-istoriografiul i postul ati afxazuri separatistul i moZraobisa.<sup>271</sup>

koncefciasi gaTval i swinebul ia garkveul i garantiebi afxazeTis. maT Soris, saqarTvel os parlamentis senatSi afxazeTis warmomadgenl obaSi Tavidanve uzrunvel yofil i iqneba afxazi erovnebis pirta garkveul i odenoba, xol o afxazeTis warmomadgenl obas eqneba afxazeTTan dakavSirebul i nebismieri saki Txis sadmi gansakuTrebui, gadamwyeti xmis ufl eba, Tanac ise, rom saki Txis gadasawyvetad dadgenil i maRal i kvorumis gamo aucil ebel i gaxdeba swored afxazeTis warmomadgenl obaSi afxazi erovnebis pirta Tanxmoba.<sup>272</sup> sxva garantiebs Soris dasaxel ebul ia agreTve afxazeTis parlamentSi maRal i kvorumebis sistema, afxazeTSi uZravi qonebis SezRudva garkveul i vadiT; erovnul val utasTan dakavSirebul i garantiebi;<sup>273</sup> samxedro samsaxurTan dakavSirebul i garantiebi da sxva.<sup>274</sup>

koncefciasi mocemul ia `afxazeTis gansakuTrebui statusis Sesaxeb- federal uri SeTanxmebis proeqtic, rac imas niSnabs, rom es koncefciatiVal i swinebs saxel Sekrul ebo federal izms.

rogorc davinaxeT, aRni Snul i koncefciac saubrobs suverenitetis orad gayofaze, rac CvenTvis miuRebel ia da amaze aRar SevcerdebiT.

orsubieqtiani federaciebis dezintegraciis maRal i riskis Semcvel obis gamo, Cven aseve ver gaviziarebT orsubieqtiani saxel Sekrul ebo federaciis ideas, razec dawrili ebit bol o TavSi visaubrebT.

<sup>271</sup> zurab papaskiri, zogierTi mosazreba saqarTvel os saxel mwifos Semadgenl obaSi afxazeTis statusis gansazRvris Sesaxeb. saqarTvel os saxel mwifo \_ unitarul i Tu federaciul i samecniero konferenciis masal ebi. `baTumis universiteti~, baTumi, 2005. gv. 127-143.

<sup>272</sup> koncefciia saqarTvel os saxel mwifoSi afxazeTis gansakuTrebui statusis Sesaxeb. (proeqti). Tbilisi, 2004. gv. 17.

<sup>273</sup> rac iTval i swinebs saqarTvel os erovnul i bankis kontrol iT saxel mwifos erovnul i val utis monetebisa da kupiurebis gamoSvebis ufl ebas.

<sup>274</sup> iqve, gv. 18-20.

vfigrobT, rogorc Tavad koncefciaSi, ise misi ganmarxebisaTvis gamocemul bukl etSi Riad aris darCenil i sakiTx, Tu ra mizans emsaxureba danarCeni saqarTvel os federal izacia. Tu afxazeTis probl ema gadawydeba da afxazeTTan gaformdeba `federal uri SeTanxmeba~, maSin ra daniSnul eba aqvs saqarTvel os teritoriul i mowyobis sxva etaps, romel Sic saqarTvel os regionebisTvis j er teritoriul i erTeul is, xol o Semdeg (unda vivraudot) federaciis subieqtis statusis miniWeba igul isxmeba. koncefciaSi amis Taobaze araferia naTqvami.

aseve koncefciaSi saubari ar aris yofil i samxreT oseTis avtonomiur ol qze, romel ic aseve saqarTvel os erT-erTi konfl iqturi regionia. koncefcia mimarTul i mxol od afxazeTis probl emis gadasawyvetad ver gadawyets zogedad probl emas. Tu koncefciiis avtorebis mizani iyo zogedad teritoriul i probl emebis mogvareba, maSin maT gverdi ar unda aevl oT yofil i samxreT oseTis avtonomiur ol qSi arsebul konfl iqtze da unda warmoedginaT TavianTi xedva am sakiTxTan dakavSi rebiT. vfigrobT, yo

federal izmze,<sup>276</sup> meore nawil s (d. berZenisVil i) mizanSewoni l ad miaCnia asimetriul i regional izmis terminis gamoyeneba.<sup>277</sup>

miuxedavad terminTa amgvari aRrevisa, Sinaarsobrivi Tval sazrisiT maT Soris gansxvaveba TiTqmis ar aris da igi SemdegSi mdgomareobs: saqarTvel os respubl ika da afxazeTis respubl ika qmnian saerTo saxel mwifos, xol o saqarTvel os respubl ika Tavad ewyoba asimetriul i regional izmis principiT.<sup>278</sup> (gavixsenoT, rom swored igeve midgoma aris koncefciaSic, Tumca afxazeTis garda danarCeni saqarTvel os regional izaciis nacvl ad saubaria mis federal izebaze, romel ic, meore etapze unda ganxorciel des.) mralval subieqtian federaciaSi subieqtis statusi ver moagvarebs afxazeTis probl emas.<sup>279</sup> d. berZenisVil is azriT, asimetriul i regional izmi, xel s Seuwyobda Wrel i saqarTvel os plural istur qveynad gadaqcevas.<sup>280</sup> am Tval sazrisiT mas espaneTis magal iTi metad gamoadgeboda.<sup>281</sup> d. berZenisVil s imedi aqvs, rom qarTvel ebisa da afxazebis orsubieqtiani, Tanasworufl ebiani, saerTo da erTiani saxel mwifos Seqmnis Sansi kidev aris.<sup>282</sup>

d. berZenisVil is msgav sad, or Tanabar subieqtze saubrobs TinaTin xidaSel ic, Tumca igi mas konfederacias uwodebs. xidaSel i ambobs, rom mniSvnel oba ara aqvs ras davarqmeyT Cven amas \_ asimetriul federacias, Tu konfederacias, mTavaria or Tanabar subieqts Soris gaimarTos mol aparakebebi. aqve xidaSel s warmatebul i konfederaciis magal iTad Sveicaria, xol o asimetriul i federaciis magal iTad kanada da bel gia mohyavs.<sup>283</sup>

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<sup>276</sup> ix. . , , , ( . ) . . . , .  
277 . , , , 1999. C . 352-364. :

respubl ikuri partiis kidev erTi cnobil i l ideri ivl iane xaindrava ufro azustebs Tavisi partiis gegmas. misi azriT, erT-erTi mTavari probl ema, rac xel s uSI is konfl iqtis gadawyvetas, aris demografiul i saki Tx. afxazebs eSiniat, rom devnil i qarTvel i mosaxl eobis srul ad dabrunebis SemTxvevaSi, srul iad demokratiul i meqani zmebis gamoyenebiT qarTvel ebma SesaZI oa maT daakargvinon avtonomiurobis is xarisxic ki, rac afxazeTs gaaCnda sabWoTa periodSi.<sup>284</sup>

am mdgomareobidan gamosavl ad i. xaindravas warmoudgenia qarTvel i da afxazi mosaxl eobis dasaxl ebis adgil ebis gayofa Semdegi sqemis mixedviT (ix. suraTi 1): unda gaivl os gamyofi zol i soxumi dan Crdil oeTiT \_ mdinareebis dasavl eTis da aRmosavl eTis gumisTis SesarTavamde, aqedan \_ mdinare aRmosavl eT gumisTis gaswvriv mdinare bzifamde, mdinare bzifiT gul rifsis raionis administraciul sazRvramde. aRniSnul i gamyofi zol is aRmosavl eTiT mdebare afxazeTis teritoria unda gamocxaddes umTavresad qarTvel ebiT dasaxl ebil teritoriad, xol o dasavl eTi nawil i \_ umetesad afxazebiT dasaxl ebil teritoriad da mieniWos afxazeTis respubl ikis

<sup>284</sup> . , , ( . )

statusi. qal aqi soxumi unda gaiyos daaxl oebiT or Tanabar nawil ad. gamyofi zol is aRmosavl eTi nawil i daeqvemdebareba danarCen saqarTvel oSi arsebul i administr

am mosazrebasa da zemomotanil sqemas Tu Sevaj erebT, Seizi eba vivaraudoT, rom respublikuri partiis warmomadgenl ebi uSveben afxazeTis damouki debel i saxel mwifos arsebobas da igi soxumis dasavl eT nawil idan mdinare fsoumde warmoudgeniaT.

orsubieqtiani federaciisa Tu konfederaciis gegma, mit umetes,

## \$2. argumentebi saqarTvel os federal i zaci i saTvis

qmnis, rasac al ternativa ar gaaCnia.<sup>291</sup> `federaciul i mowyoba aRadgens saqarTvel os teritoriul mTI ianobas \_ central uri xel isufl ebis iurisdiqrias afxazeTze (da ra Tqma unda, samxreT oseTze), rasac manamde \_ sabWoTA kavSirSi friad pirobiti xasiaTi hqonda,~ \_ ambobs avtori.<sup>292</sup>

2000 wel s saqarTvel os teritoriul i mowyobisadmi miZRvnili konferenciaSi monawil eTa erTi nawil isTvisac (v. keSel ava, v. Tordia, z. erqvania, z. papaskiri da sxva) federal izmi erTaderTi optimal uri model ia afxazuri probl emis mogvarebis Tval sazrisiT.<sup>293</sup>

batoni giorgi xubuac 2000 da 2003 wl ebSi gamarTul konferenciebze, marTal ia aRniSnavda, rom federal uri marTvvis sistema aris erTaderTi model i, romel ic uzrunvel yofs qarTvel Ta da afxazTa Tanacxovrebas erTian saqarTvel os saxel mwifosi, magram orive SemTxvevaSi avtori yuradRebas amaxvil ebda saqarTvel os federal izaciis negatiur Sedegebze,<sup>294</sup> rac arc erT zemOT dasaxel ebul avtorTan TiTqmis saerTod ar gvxvdeba.

pirdapir unda iTqvas, rom CvenTvvis gaugebari da miuRebel ia zemoaRniSnul i pozicia. Cven ar migvaCnia, rom saqarTvel os federal izacia aris raime gamosaval i qveynis teritoriul i mTI ianobis aRdgenasTan dakavSirebul i probl emidan. Tavad batoni g. xubuas sityvebiT rom vTqvaT, federal uri model i ar unda ganvixil oT, rogorc konfl iqtebis gadawyetis ideal uri forma. federal uri wesrigi avtomaturad ver gadawyets probl emas.<sup>295</sup>

mainc ra argumentacia arsebobs saqarTvel os federal izaciis sasargebl od da rogor aris Sesazi ebel i amiT afxazeTis probl emis mogvareba?

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<sup>291</sup>pi.7(seb865 TTJ16.99 0 T1-0.0002 420.0004 cimarTwo gvxTbrTiso)50004, g. 28azrisia? 291isav, gela33.areba? 291bs se



cxinval is regioni saqarTvel os Semadgenl obaSi. perspektivaSi romc davuSvaT aseTi dial ogis arseboba, afxazuri mxare argumentirebul ad ver wamoayenebs pirobas danarceni saqarTvel os federal izaciis SemTxvevaSi saqarTvel os Semadgenl obaSi Semosvl is Taobaze, vinal dan misTvis garantia ver iqneba danarceni saqarTvel os federireba. mas SeuZI ia mxol od saqarTvel os Semadgenl obaSi Tavisi garantiebis moTxovna da samomavl o kompetenciebze msj el oba.

vfigrobT, msgavsi tipis federal izmi ver Seuwyobs xel s afxazeTis probl emis mogvarebas. ufrro metic, ara Tu moagvarebs raime probl emas, aramed Seqmnis damatebiT winaaRmdegobebs, ramac SeiZI eba gamoiwwios xSiri krizisul i situ

bipol arul i federal izmis dros, federal ur xel isufl ebas Sesazl ebl oba ara aqvs gaawonasworos federaciis subieqtTa urTierTgansxvavebul i interesebi isev federaciis subieqtTa gansxvavebul interesTa koal iciis Camoyal ibebis gziT. bipol arul federacias ar Zal uzs daeyrdnos mzard interterritoriul koal icias, romel ic, Tavis mxriv, asrul ebs integraciul funqciast... bipol arul federaciul saxel mwifosi central uri xel isufl ebis mTel i saqmianoba mimarTul ia federaciis or subieqts Soris konsensusis miRwevisaken, rac, sabol ood, xel s ar uwyoobs integraciul i tendenciebis gaZl ierebas.<sup>299</sup>

vouter pasic ambobs, rom bipol arul i federal izmi saerTod Zal ian arastabil uria. zogierti mkvl evari miicnevs, rom aseTi federal izmi faqtobrivid SeuZl ebel ia, vinaidan Tavis TavSi mudmivad ifaravs mosaxl eobis orive j gufs Soris winaaRmdegobaTa gaRrmavebis safRTxes. es gamoxatul ia bel giis sinamdvil eSic.<sup>300</sup>

bipol arul i federaciul i saxel mwifos magal iTebia, rodeziisa da niasal endis kavSiri, Cexosl ovakia, serbeT-Cernogoriis kavSiri (e.w. mcire iugosl avia), kanada, bel gia da sxva. amatgan pirvel i sami

federaciaSi wamyvani adgil i ewira. marTal ia, erTiani federaciul i saxel mwifos Seqnnam droebiT SeaCera konfl iqtis serbebsa da Cernogoriel ebs Soris, magram mecnieribi imTavi Tve winaswarmetyvel ebdnen konfl iqtis ganaxl ebasa<sup>302</sup> da kavSiris daSI as.<sup>303</sup> asec moxda; mal e federacia daiSal a damouki debel saxel mwifoebad. 2006 wl is 3 ivniss Cernogoriam Catarebul i referendumis safuzvel ze gamoacxada damouki debel oba da montenegros saxel wodebiT imave wl is 28 ivniss gaxda gaeros wevri. zogierti mecnieri miicnevs, rom Cernogoriis mier damouki debel obis pirdapir gamocxadebis SemTxvevaSi, igi ver miirebda saerTaSoriso aRiarebas.<sup>304</sup>

zemoT dasaxel ebul i bipol arul i saxel mwifoebi dan danarCen orSi (kanada da belgia) aris mnisVnel ovani probl emebi. kanadaSi sxva federaciul saxel mwifoebTan SedarebiT, yvel aze ufro Zi ieria secessionisturi moZraoba. kanadis federaciis Camoyal ibebidane, secesiisadmi miswrafeba I atenturad yovel Tvis SeimCneoda da dResac gansakuTrebit Zi ieria kanadis frankofonur nawil Si \_ kvebekSi.<sup>305</sup> kanadis federaciidan kvebekis gamoyofa jer kidev inarcunebs Tavis aqtaul obas, aseve sakmaod saSiS konturebs izens saxel mwifos SesazI o dezintegraciis safRTxe.<sup>306</sup>

rac Seexeba bel gias, Tanamedrove iuridiul literaturasa da samecniero wrebsi xSiria saubari bel giis federal izaciis Taobaze, romelic bevr mkvl evars metad warmatebul magal iTad miaCnia.<sup>307</sup> zogiertis azriT, bel giuri federal izmis modelis cal keul i arsebiTi el ementi gamosadegia qarTul -afxazuri konfl iqtis

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<sup>302</sup> . . , . , . , . , . . .

<sup>303</sup>

mosagvarebl ad.<sup>308</sup> magal i Tad, v. Cirikba ambobs, rom `seriozul  
Seswavl as saWiroebs bel giis fe

SedarebiT mcire (daaxl oebiT samocdaaTi aTasi<sup>313</sup>) germanul enovani mosaxl eobac.

1830 wel s bel gia gamovi da niderl andebis samefos Semadgenl obidan da Seqmna damouki debel i saxel mwiffo. rogorc mecnierеби aRni Snaven, 1831 wel s miRebul ma konstituciam ar gai Tval i swina ra saxel mwifos nacional uri mral ferovneba, saxel mwifos mowyobis formad gansazRvra unitarizmi, ramac uaryofi Ti Sedegebi gamoiRo.<sup>314</sup>

rogorc Tavad bel giur I literaturaSic aRini Sneba, bel giis mTel i istoria gamoirCeva erovnebaTaSorisi konfl iqtebiT.<sup>315</sup> es konfl iqtebi gansakuTrebiT gamvvavda meore msofi io omis Semdeg. am periodSi moxda ekonomikuri aqtiurobis centris gadasvl a fl andriaSi, ramac gamoiwvia qveynis cxovrebaSi misi rol is gazrda. fl andriis aseT dawinaurebas ki Tan axl da moTxovnebi gauqmebul iyo diskriminacia hol andiurenovani mosaxl eobis enisa da kul turis mimarT. erovnul i moZraoba da gamosvl ebi msgavsi moTxovnebiT mkveTrad gaaqturda 60-ian wl ebSi. mral ricxovani mitingebi, demonstraciebi da msvl el obebi briusel isaken xSirad xel CarTul brZol aSi gadadioda. yovel ive es moiTxovda saxel mwifoebri erTianobis uzrunvel yofis axal i formebris Ziebas, saxel mwifoebri meqanizmis iseT formirebas, rom Sesazi ebel

mi uxedavad amgvari Tvisebri i cvl il ebisa, ramac, rogorc mecnierobi ganmartaven, bevri dadebi Ti Sedegi gamoRo, xSiria bel giis federal izaciis kritika. I literaturaSi aRiniSneba, rom bel giis federal izaciis Sedegad saxel mwifos teritoriul i mowyoba imdenad garTul da, rom xSirad TiTqmis gaurkvevel i xdeba, Tu vis (federaciis, regionis, I ingvisturi sazogadoebis) kompetencias ganekuTvneba esa Tu is sakiTxi.<sup>317</sup> cal keul i avtorebi miuTiTeben bel giis saxel mwifo institutebis dual izmze.<sup>318</sup> garda amisa, saxel mwifos teritoriul i mowyobis cvl il ebiT winaaRmdegoba val onel ebsa da fl amandiel ebs Soris ar moxsnil a. rogorc aRniSnaven, qveynis federal izaciam kidev ufro Seasusta val onel Ta politikuri poziciebi federal uri xel isufl ebis doneze, rac aZI ierebs winaaRmdegobas dapiriSpirebul I ingvistur j gufebs Soris. am dapiriSpirebas isic aZI ierebs, rom fl amandia val oniasTan SedarebiT ekonomikurad ufro ganviTarebul ia. amasTanave xel isufl ebis saerTobel giuri institutebis Zal a da avtoriteti sul ufro ecema. qristian-demokratiul i partiis SigniTac sul ufro izrdeba uTanzmoeba partiis fl amandiel da val onel wevrebs Soris.<sup>319</sup> garda amisa, federal urTan erTad eqvsi parlamentisa da mTavrobis arseboba Zviri uj deba aTmil ioniani bel giis gadasaxadis gadamxdel ebs, rac aratu amcirebs, aramed ufro amZafrebs centridanul tendenciebs ara mxol od eTno-enobrivi, aramed ekonomikuri niSniTac dayofil qveyanaSi.<sup>320</sup>

gorl evaia ambobs, rom bel gia aris evropul i Sidaxel mwifoebri regional izmis magal iTi, romel ic droadadro gadadis separatizmSi... federal izmi bel giSi ukve didi xania daemsgavsa CanTas ormagi ZiriT: erTni \_ umciresoba \_ masSi gul isxmobs separatizms, xol o meoreTaTvis es aris federal izmi bel giuri saxel mwifos fargl ebSi.<sup>321</sup>

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<sup>317</sup>

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FPQD-202629-03T11:11:11/TD5321.28b0.3800.20.16005603 TCD-060689/2026>0.2570

rogorc eqspertebi aRni Snaven, fl amandiel ebi didi xania iswrafvian konstituciis Zireul i cvl il ebebisa da val onel ebTan konfederalciul urTierTobebze gadasvl isaken, Tumca val onel ebi amis winaaRmdegni arian.<sup>322</sup> berge (Berge) da grase (Grasse) aRni Snaven, rom konfederal izmi bel giisTvis aris ara ubral od saWiroeba, aramed igi aseve warmoadgens bel giis mosaxl eobis umravl esobis moTxovnasac. konfederal izmi fl andriaSi didi xnis ganmavl obaSi ganixit eboda,, rogorc panacea yovel gvari politikuri da kul turul i ubedurebis winaaRmdeg. avtorebi miicneven, rom bel gia midis konfederalciis gziT.<sup>323</sup>

zogierTi avtori bel gias ukve konfederalciul warmonaqmnad miicnevs. magal iTad, vouter pasi ambobs, rom bel giis politikuri sistema absol uturad bipol arul ia. ar arsebobs aranairi federal uri politikuri partia, aramed aris mxol od fl amandiul i da frankofonuri partiebi, roml ebic TavianT mxareebs warmoadgenen. umaRI esi sasamartI oebi da administraciul i organoebi, agreTve sakonstitucio tribunal i paritetul sawyisebzae dakompl eqtebul i. bipol arul oba mkveTradaa gamoxatul i sazogadoebriv struqturebSic: oradaa gaxl eCil i rogorc presa da masobrivi informaciis saSual ebebi, aseve TiTqmis yvel a sportul i kavSiri da kul turul i dawesebul eba. rac Seexeba federal ur mTavrobas, igi moqmedebs rogorc garkveul i samTavrobo konferencia, roml is daniSnul ebac aris orive eris warmomadgenel Ta Soris urTierTTanxmobis miRweva. amitom avtori miicnevs, rom bel gia Tavisi arsiT aris konfederalciul i struqtura.<sup>324</sup>

2000 wel s moskovSi gamarTul konferenciaz e give vouter pasi aRni Snavda, rom `bel gias axasiaTebs Rrma bipol arul oba. SeimCneva qveynis enobrivi da kul turul i daxl eCa, rac aisaxeba rogorc ideol ogiaze, ise sameurneo cxovrebaSi... bel gia ufro konfederacias gvagonebs. federal uri xel isufl eba moqmedebs, rogorc Tavisburu konferencia, romel zec ori eris warmomadgenl ebi cdil oben SeimuSaon esa Tu is urTierTmisarebi gadawyvetil eba. Tumca aseT sistemas

<sup>322</sup> Marion Schmitz-Reiners. Die belgische Krise oder: Ein zerrissenes Land. EU-Office Brussels. Friedrich Ebert Stiftung. December 2007. <http://library.fes.de/pdf-files/bueros/bruessel/05054.pdf>.

<sup>323</sup> Frank Berge, Alexander Grasse, Föderalismus in Belgien: vom Bundesstaat zum Staatenbund?. KAS-Auslandsinfo 6/2004. S. 67–103.

<sup>324</sup> Wouter Pas. Der belgische Föderalismus. NEDWEB/Broschüren. Wiener Broschüren 10: Flandern. <http://www.ned.univie.ac.at/CMS/Brochueren/Flandern>

federal ur doneze mi vyavarT bl okirebamde, Znel i xdeba gadawyetyl ebebis mi Reba da saerTo pol itikis gatareba.<sup>325</sup>

2007 wl is bol os erT-erTma bel giurma satel evizio arxma ganacxada bel giis daSI is Sesaxeb, rac `warumatebel xumrobad-monaTI es, Tumca xumroba SesaZI oa real obad iqces.<sup>326</sup> zogierTi avtori winaswarmetyvel ebs bel giis daSI as da amas mxol od drois faqtors ukavSirebs. j er kidev 80-ian wl ebSi rene sveneni Tavis wignSi `reqviemi bel giurad- gamoTqvamda mosazrebas, rom mas Semdeg, rac gaqreba bel giuri franki, gawydeba samxreTisa da Crdil oeTis ukanknel i damakavSirebel i rgol i ekonomikis sferoSi. danarCeni `ganqorwinebis- procesSi teqnikis saqmea. Tuki Cexebma da sl ovakebma SeZI es mSvidobianad daSoreboden erTmaneTs, ratom ar SeuZI iaT igive gaakeTon fl amandiel ebma da val onel ebma?<sup>327</sup>

2007 wl is Semodgomaze fl andriis regionul parl amentSi daisva sakiTx i Catarebul iyo referendumi fl andriis damoukidebl obis Taobaze. maSin sakiTxze sabol oo gadawyetyl ebis mi Reba ar moxda da dokumentis teqsti gansaxil vel ad gadaegzavna erT-erT saparl amento komitets, magram varaudoben, rom igive sakiTx i momaval Si kidev dadgeba dRis wesrigSi.<sup>328</sup>

saubrobs ra bel giis momaval sa da fl andriis SesaZI o damoukidebl obaze, kris deshaueri ambobs, rom qonebis gayofisa da `ori eris bel giuri qorwinebis- Sewyvetis ideas sul ufro meti

fI andrias damouki debI oba ar surs. amdenad, deshaueri miiCnevs, rom bel giis momaval i briusel is poziciaze iqneba damoki debul i.<sup>329</sup>

bel giel i frankofonebis erT-erTi I ideri pol-anri gandebieni Tavis 2006 wel s gamocemul wignSi `bel gia: ukanasknel i 15 wuTi-gardauvl ad miiCnevs bel giis daSI as. amitom igi mouwodebs frangul enovan mosaxl eobas moemzados bel giis daSI isa da safrangeTis iurisdiqciis qveS gadasvl isaTvis.<sup>330</sup> bel giis daSI is safrTxes xedavs i. kuCukic, Tumca igi varaudobs, rom evrokavSiris Semdgomi regional izaciis SemTxvevaSi bel giis daSI is idea dakargavs aqtual obas.<sup>331</sup> zogierti avtori bel giis arseboba-ararsebabis saki Txis gadawyetas ukavSirebs 2009 wl is zafxul is arCevnebs.<sup>332</sup>

val onebisa da fI amandiel ebis dapiri spirebis fonze Cveul ebriv iviwyeben germanul enovan bel giel ebs. miuxedavad imisa, rom mTel i bel giis mosaxl eobis araumetes xuT procents Seadgenen, isini moiTxoven bel giis meoTxe Tanasworufl ebian regionad aRiarebas da amis gamo daZabul i urTierToba aqvT, rogorc fI amandiel ebTan, ise val onebTan.<sup>333</sup> aRsani Snavia, rom, zogierti mecnieris SefasebiT, bel giis germanul enovani mosaxl eoba erT-erTi yvel aze dacul i erovnul i umciresobaa mTel s evropaSi, romel ic sargebl obs avtonomi urobis garkveul i xarisxiT. maT gaaCniat Tavisi mTavroba da parlamenti, politikuri partiebi, saskol o swavl ebis sakuTari gegma, sakuTari germanul enovani sasamarTI o da warmomadgenel i europarl amentSi,<sup>334</sup> magram, rogorc ukve iTqva, germanul enovani mosaxl eoba eswrafvis meti ufl ebebis miRebisaken.

rogorc I literaturaSi aRini Sneba, evropis arc erT qveyanaSi araris iseTi mZime situacia separatizmis mxriv, rogorc bel giaSi.

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mosaxl eobis umravl esoba srul iad Sesazl ebl ad miicnevs qveynis  
daSI as.<sup>335</sup>

aRni Snul idan gamoddinare, Cven vfigrobT, rom bel giis magal iTi  
ar gamodgeba saqarTvel osaTvls. is

savaraudod, metad saval al o Sedegs gamoiRebs saqarTvel os SemTxvevaSi. garda bunebrivad arsebul i eTnikuri da ekonomikuri faqtoris, roml ebic, rogorc wesi, ZiriTadi safuZvel ia secesionisturi moZraobisa, aq mniSvnel ovan rol s iTamaSebs gare faqtori ruseTis saxiT. kreml i ara Tu abrkol ebs afxazeTis integracias saqarTvel oSi, aramed, rogorc 2008 wl is agvistos ruseTis samxedro agresiam da Semdgom ganviTarebul ma aseve agresiul ma movl enebma dagvanaxa, oficial urad da qmediTad adasturebs konfl iqturi teritoriebis saqarTvel odan gamoyofis miswrafebebs. ruseTis mier saqarTvel os konfl iqturi teritoriebis okupacia, maTi damoukidebel saxel mwifoebad aRiareba, am teritoriebze ganxorciel ebul i eTnowmenda amis naTel i dadasturebaa.

saqarTvel os mier afxazeTis nawil obrivi suverenitetis aRiarebam da masTan, rogorc partniorTan, xel Sekrul ebis dadebam SesaZI oa momaval Si ufro didi probl emebi gamoiwwios. xel Sekrul ebis gaformeba SesaZI oa iqces afxazeTis ara mxol od de faqto, aramed de jure damoukidebl obis erT-erT etapad da xel Semwyob mniSvnel ovan faqtorad. es ruseTisaTvis iqneboda uaRresad xel sayrel i, vinaidan am moments gamoiyenebda afxazeTisa da yofil i samxreT oseTis avtonomiuri ol qis damoukidebl obis aRairebis gamarTI ebis bazisad.

mel kumovi ambobs, rom saxel Sekrul ebo federal izmis dros central ur xel isufl ebas ar SeuZI ia raime cvl il eba Seitano konstituciur SeTanxmebaSi, xol o yovel wevrs SeuZI ia gaauqmos SeTanxmeba da gavides kidec federaciidan sxva wevrebis Tanxmobis gareSe. rogorc istoriul i gamocdil eba gviCvenebs, saxel Sekrul ebo federaciebSi arsebobs federaciis subieqtebis federaciidan Tavisufal i gasvl is SesaZI ebl oba. amitomac isini adre Tu gvian iSI ebian an gadaizrdebian konstituciur federaciaSi. istoriaSi iyo federaciidan gasvl is magal iTebi: 1965 wel s mal aiziis federaciidan gamovida singapuri, daiSal a mal is federacia da sxva.<sup>341</sup>



saerTaSori so organizaciebis ar aerTi moTxovnisa da rezol uciis

5. federal izmi ara marto saxel mwifos mowyobis principia, aramed qveynis erTian federal ur organizmad Camoyal iebis procesi;
  6. federal izmi eTnokomfl iqtebis gadawyetis saukeTeso saSual ebba;
  7. federal izmi saxel mwifo mowyobis bunebrivi forma;
  8. federal izmi diqtaturisa da total itarizmis winaaRmdeg brZol is saukeTeso saSual ebba;
  9. federal izmi SeuTavsebel ia central izaciasTan;
  10. federaciul i wyoba ara mxol od pol itikuri, aramed social uri sistemaa da mis safuZvel s warmoadgens Tavisufal i pirovneba da Tavisufal i sazogadoeba;
  11. federal izmi probl emebis gadawyetis gzacaa da cxovreibis wesic;
  12. federal izmi gansxvavebul Ta erTobaa;
  13. federal izmi mSvidobis SenarCunebis umni Svnel ovanesi institutia;
  14. federal izmi savsebiT miesadageba qarTul cnobierebas da misgan gamomdinareobs;
  15. federaciul ad mowyoba saqarTvel os demokratiul ad mowyobaa.<sup>346</sup>
- aq Cven detal urad ar SevudgebiT TiToeul i argumentis ganxiI vas, vinaidan vfiqrobT, rom batoni v. I orTqifaniZis mocemul i argumentebi zogj er nakl ebad damaj erebel ia da moiTxovs ufro

aseve, mi Ti Teba federal izmis demokratiul obaze, central izaciasTan da diqtaturasTan SeuTavsebl obaze ar efuzneba saTanado msj el obas. Cven zemoT ukve visaubreT federal izmisa da demokratiis urTierTmimarTebaze da aRvniSneT, rom federaciul i saxel mwifo SeiZI eba iyos demokratiul ic da arademokratiul ic. arsebobs magal iTebi, rodesac federaciul saxel mwifo ebs marTavda samxedro xunta da a.S. rac Seexeba central izmisa da federal izmis SeuTavsebl obas, unda aRvniSnoT, rom mecnierеби cal ke gamohyofen central izebul i federaciul i saxel mwifos saxes. magal iTad, g. xubus mixedviT, central isturi federaciul i saxel mwifos kl asikur magal iTad miCneul ia Tanamedrove avstria da nawil obriv germania.<sup>347</sup> amdenad, central izebul i federaciul i saxel mwifo iseTive Tavsebadi cnebebia, rogorc unitarul i decentral izebul i saxel mwifo.

rac Seexeba federal izms, rogorc eTnokonfl iqtebis gadaWris saukeTeso saSual ebas, cal saxad arc amis Tqma SeiZI eba. Cven vxedavT bel giasa da kanadaSi mimdinare movl enebs, sadac federal izmma ver daZI ia eTnikuri konfl iqtebi da am qveynebSi didia separatistul i moZraobis tal Ra. kidev erTxel unda aRiniSnos, rom federal izmi ar aris panacea.

dausabuTebl ad da cal mxrivad gveCveneba batoni I orTqifaniZis mosazreba, rom federal izacia Seuqcevadi procesi gaxda da yovel wl iurad izrdeba federaciul ad mowyobil i saxel mwifo ebs ricxvi. aqedan gamodinare, avtori daaskvnis, rom unitarizmi \_ qveynis warsul ia, federal izmi \_ momaval i.<sup>348</sup> CvenTvis ucnobia yovel wl iurad axal i federaciul i saxel mwifos Seqmnis faqtebi. esec ar iyos, avtoris mier srul iad uyuradRebod aris darcenil i sapiri spiro tendencia \_ federaciul i saxel mwifo ebs unitarizacia.

avtoris cal mxrivoba imasic gamoixateba, rom unitarul saxel mwifo ze saubrisas mas xSirad magal iTad sabWoTa kavSiri mohyav da akeTebs Sesabamis daskvnebs maSin, rodesac arsebobs maval i maRaI ganiTarebul i da demokratiul i unitarul i saxel mwifo, xol o sabWoTa kavSiri formal urad mainc federaciul i iyo.

<sup>347</sup> g. xubua, federal izmi rogorc normatiul i principi... Tb., 2000, gv. 337.

<sup>348</sup> viqtor I orTqifaniZe, dasaxel ebul i naSromi. gv. 16.

ki dev erTi argumenti, roml is Sesaxebac sakmaod vrcl ad msj el obs v. I orTqifaniZe, aris saqarTvel os federal izmis istoriul i ganpirobekl oba. avtori miCnevs, rom federal izmi savsebiT miesadageba qarTul cnobierebas da misgan gamodinareobs.<sup>349</sup> misi azriT: `Zvel i wel TaRricxvis me-3 saukuni dan, anu qarTul i saxel mwifos Seqmni dan, roca saqarTvel os pirvel ma mefem farnavazma `ganawesa erisTavni rvani da spaspeti- saerisTaoebs, saspaspetoebs, mxareebs, kuTxeebs, saaTabagoebs da sxva regional ur erTeul ebs miecat srul i damouki debi oba (avtonomia) Sida saqmeebis warmarTvaSi, im pirobit, rom yvel aferi zogadsaxel mwifoebri marTul i iqneboda saxel mwifo xel isufl ebisagan... aseTive federaciul i mowyoba advil ad amoiki Txeba saqarTvel os udidesi mefis, daviT aRmaSenebl isakanonmdebl o xasiatIs naSromSi `gal obani sinanul isani- aRsani Snavia, rom mefe daviTi Tavisi vasal ebis erT j gufs moixseniebs mefeebad. adgil obriv sakiTxebSi maT rCebodaT xel isufl ebis garkeul i, kanoniT dadgenil i sferoebi, avtonomiur gankargvaSi. ~`xel isufl ebis sferoebis gamij vnis principi, \_ ganagrZobs v. I orTqifaniZe \_ wiTel zol ad gasdevs feodal uri saqarTvel os mowyobis mTel istorias... marTal ia saqarTvel oSi xSirad hqonda adgil i erisTavebis da mTavrebis brZol as mefesTan da SinaaSI il obas mTavrebs Soris, magram amas arasodes ar hqonia miznad arc saqarTvel os daSI a, arc misi romel ime mxaris separatistul i gandgoma.<sup>350</sup>

msj el obis dasrul s, Tavisi argumentebis gasamyarebl ad v. I orTqifaniZes mohyavs arcil j orjazis sityvebi, rom `momaval i sazogadoeba avtonomiisa da federaciis safuzvel ze iqnebadamyarebul i.<sup>351</sup>

batoni v. I orTqifaniZe ar aris erTaderTi gamonakl isi, romel ic saqarTvel os federal izaciis argumentad istoriul moments iSvel iebs. saqarTvel os federal izaciis momxreTa sxva warmomadgenl ebic aseve iyeneben mocemul arguments. magal iTad, giorgi gogsazis mosazrebiT, saqarTvel os federal uri mowyobis istoria iwyeba Cvens

<sup>349</sup> iqve, gv. 24.

<sup>350</sup> iqve, gv. 24-28.

<sup>351</sup> iqve, gv. 28.



federaciul i wyobil eba maval erovani saxel mwifos (kavkasiis da ruseTis \_ g.g.) mowyobis erTaderT misaReb formad aRiara. gazeTma momaval i saqarTvel o pol itikur administraciul i triadis fargI ebSi warmoidgina \_ saqarTvel os avtonomia

rac Seexeba mixako wereTel s, unda gavi Tval i swinot, rom igi Tavisi msofl mxedvel obiT anarqisti iyo.

anarqizmis mamamTavari \_ prudoni winaaRmdegi iyo demokratiis da misi institutebis. g. Toize me-19 saukunis bol os werda, rom `ar darCa arc erTi demokratiul i hazri, rom amas ar egmo da ar emxil ebina. 1857 wel s prudonma Tavis Tavi dauZinebel mtraT aRiara demokratebis, radganac aman es demokratebi dainaxa marTal progressa winaaRmdeg.<sup>359</sup> prudoni aseve winaaRmdegi iyo Tavisufal i valrobisa da amtkicebda, rom `Tavisufal i valroba aris ekonomikuri simtyuneo.<sup>360</sup> prudonma brZol a gamoucxada kerzo sakuTrebias da mas qurdobas uwodebda.<sup>361</sup> aseTi social uri saki Txebis radikal uri gadawyeta moi Txovda saxel mwifosa da xel isufl ebasTan damoki debul ebis garkvevas da mis modernizaci asac. amitom nacvl ad central izebul i saxel mwifosi, romel ic anarqistebisaTvis borotebis saTaves warroadgens, prudonma wamoayena `federal izmis principi~, romel ic gadaizrdeboda anarqiaSi anu saxel mwifos gaqrobaSi. prudonisaTvis federal izmi warroadgenda gardamaval etaps, romel ic sazogadoebas mi iyvanda saxel mwifos I ikvidaci amde da srul anarqiamde.<sup>362</sup>

e. kodua aRni Snavs, rom m. wereTI isTvis mTavari iyo anarqizmis

mZvinvarebda sabWoTa terori. Sesabamisad, decentralizacia  
mni Svnel ovani Sveba iqneboda qarTvel i xal xisaTvis.<sup>365</sup>

amdenad, vfiqrobT, arCil j orj aZisa da mixako wereTI is  
damowmeba gansxvavebul i mizezebis gamo argumentad ver gamoadgebaT  
saqarTvel os federal izaciis momxreebs.

despotia iyo. rogorc Cernil ovski ambobs, roca aRmosavl eTis despotiaze I aparakoben, mxedvel obaSi aqvT saxel mwifo xel isufl ebis iseTi forma da masTan erTad iseTi pol itikuri reJimi, roca saxel mwifos meTauri srul ad fI obsakanonmdebl o, aRmasrul ebel da sasamarTI o xel isufl ebas, aravin ar akontrol ebs da arc agebs pasuxs. niSnabs da xsnis moxel eebs, acxadebs oms da debs zavs, axorciel ebs armiis umaRI esi sardl is, umaRI esi mosamarTI is funqciebs, rogorc kanonis moTxovniT, aseve Tvi Tneburad.<sup>369</sup> cxadia, rom aseTi tipis saxel mwifoSi yovel gvar avtonomiurobasa da ufl ebamosil ebaTa gamij vnaze saubari zedmetia.

Cven aseve ver daveTanxmebiT mosazrebebs, romel Ta mizanic Suasaukuneebis saqarTvel os federaciul ad warmosaxvas emsaxureba. rogorc profesori giorgi mWedl iZe aRni Snabs, aseTi mtkiceba sinamdvil es ar Seesabameba. misi argumentirebul i daskvnis Tanaxmad, feodal ur xanaSi (arc sxva dros) qarTul i saxel mwifoebi federal urad mowyobil i arasodes yofil a.<sup>370</sup> faqtobrivad igives ambobs profesori dimitri Svel iZec, roml is azriT, saqarTvel o warmoqmndan gauqmebamde unitarul i qveyana iyo.<sup>371</sup>

Cveni mxriv gvinda aRvni SnoT, rom mocemul saki TxTan dakavSirebiT imdenad aucil ebel i ar aris istoriis codna, ramdenadac federal izmis amosaval debul ebebsa da principebze el ementarul i warmodgenis arseboba, romel Tagan erT-erTi mTavaria kompetenciebis gamij vnis principi centrsa da federaciis subieqts Soris, Tan i se, rom federaciis subieqts gaaCndes gansakuTrebui kompetenciebi anu sabol oo gadawyvetil ebis miRebis ufl eba. maSasadame, is vinc saqarTvel os federal izaciis argumentad istorias iSvel iebs, unda daasabuTos, rom mefesa da saerisTavos Soris gamij nul i iyo kompetenciebi zemoaRniSnul i principebis dacvit. es ki SeuZl ebel ia, vinaidan msgavsi ram ar arsebobda. piriqiT, rogorc didi ivane

<sup>369</sup> Z. m. Cernil ovski, saxel mwifosa da samarTI is msolfio istoria, me-2 gadamuSavebul i da Sevsebul i gamocema, tomi I. Tsu, Tbilisi, 1992. gv. 27.

<sup>370</sup> dawril ebiT ix. giorgi mWedl iZe, federaluri wyobis Sesaxeb Sua saukuneebis saqarTvel oSi. saqarTvel os saxel mwifo \_ unitarul i Tu federaciul i. samecniero konferenciis masal ebi. `baTumis universiteti~, baTumi, 2005. gv. 25-32.

<sup>371</sup> dimitri Svel iZec, qarTul i pol itikuri azri unitarizmisa da federal izmis Sesaxeb. saqarTvel os saxel mwifo \_ unitarul i Tu federaciul i. samecniero konferenciis masal ebi. `baTumis universiteti~, baTumi, 2005. gv. 21.

j avaxi Svi l i aRni Snavs, davi T aRmaSenebl i s droidan moyol ebul i Tamaris sikvdil amde, e.i. Cveni samSobl os erTobisa da ZI ierebis umwerval es xanaSi, saqarTvel os TviTeul `samefSi~ cal -cal ke ganagebdnen xol me saqmeebs da ara erTad, e.i. marTva-gamgeoba sauwyebi principze ki ar iyo damyarebul i, aramed saTemo principze. mefe erT `samefodan~ meore `samefSi~, anu axl omaxl o adgil as gadadioda xol me da yvel a saqmeebs adgil obriv ismenda da ganagebda xol me. magal iTad, davi T aRmaSenebel i `Cavida afxazeTs biWintamde da ganagna

dadebi Ti movl enaa, Tu maTSi aris WeSmaritebis marcval i, rasac ver vxedavT zemoaRni Snul mosazrebaSi.

rac Seexeba 1918-1921 wl ebis saqarTvel os demokratiul respublikas, esec argumentad ver gamodgeba, vinaidan igi federaluri ar yofil a. saxel mwifoSi ramdenime avtonomiis arseboba ar niSnaws, rom igi federaciul ia.<sup>376</sup> mralval i Tanamedrove unitarul i saxel mwifos

### \$3. federal izmis Sedegebi qarTul real obaSi

mecnieriеби miutiTeben zogadad federal izmis dadebiT mxareebze, Tumca isic aRiniSneba, rom mas aseve gaačnia mraval i `ukučveneba-batoni g. xubua dadebiTTan erTad yuradRebas amaxvi l ebs federal izmis uaryofiT momentebzec. mocemul paragrafSi gvinda swored aRniSnul i (dadebiTi da uaryofiTi) aspeqtebis gaTval iswinebiT vimsj el oT saqarTvel os federal izaciis perspektivebze, im Sedegebze, Tu, savaraudod, rogor aisaxebe saqarTvel os federaciul i wyoba qveynis momaval ze.

#### aspekti 1. adgil obrivi probl ematika

federaciul i saxel mwifos erT-erTi mniSvnel ovani upiratesoba, razec federal izmis mkvl evarebi miutiTeben aris is, rom federaciul i saxel mwifo xel s uwyoobs saqmian, adgil obriv moTxovnebze orientirebul i gadawyvetil ebebis miRebas. federal uri wesrigis pirobebSi moqal aqeebs aqvT pol itikur procesSi aqturi monawil eobis meti Sesazi ebl oba. adgil obrivi probl ematika maTTvis ufro axl obel i da nacnobia, vidre central ur doneze gadasawyveti sakiTxebi. federal izmi xel s uwyoobs pol itikuri sistemis demokratiul i safuzvl ebis formirebas. marTvis federal uri sistemis dros saxel mwifo xel isufl eba, ase vTqvaT, geografiul ad uaxl ovdeba xal xs. federaciul saxel mwifoSi ufro nakl ebad dgas pol itikuri xel isufl ebis anonimurobis probl ema, xol o individs saSual eba aqvs miiros Segnebul i monawil eoba pol itikur procesSi. federal izmi xel s uwyoobs saxel mwifo saqmianobis sferoebis optimal ur danawil ebas, agreTve, qmnis damatebit Sesazi ebl obebs xel isufl ebis mimarT demokratiul i kontrol is ganxorciel ebisTvis.<sup>378</sup>

zemoaRniSnul mosazrebebSi ramdenime momenti unda gamoiyos. pirvel i es aris `adgil obrivi probl ematika-. davsvaT kitxva, ras niSnabs `adgil obrivi probl ematika-?

saqarTvel os saerTo farTobi Seadgens 69711,8 km<sup>2</sup>-s, xol o mosaxl eobis saerTo raodenoba saqarTvel os mosaxl eobis 2002 wl is

<sup>378</sup> g. xubua, federal izmi rogorc normatiul i principi..., Tbilisi, 2000, gv. 34.

pirvel i sayovel Tao erovnul i aRweris mixedviT, \_ 4 371 535 adamians. farTobis mixedviT, saqarTvel os yvel aze didi mxare aris kaxeti (11310,9 km<sup>2</sup>-s<sup>379</sup>), xol o mosaxl eobis raodenobis mixedviT pirvel adgil zea imereTi (699 666 adamiani).<sup>380</sup> paral el i rom gavavl oT, magal iTad, germaniis federaciul i respublikiis mosaxl eoba aris 82,244 mil ioni, xol o farTobi \_ 357,027 km<sup>2</sup>.<sup>381</sup> gfr-is erT-erTi miwis bavariis farTobi Seadgens 70547 km<sup>2</sup>-s, xol o mosaxl eoba 12 millions.<sup>382</sup> maSasadame, bavaria farTobi TiTqmis saqarTvel os tol ia, xol o mosaxl eobis raodenobit TiTqmis samj er aRemateba mas. da Tu iTvl eba, rom saqarTvel oze didi, 12 mil ioniani bavariis xel isufl ebisTvis axl obel i da nacnobia adgil obrivi probl ematika, ratom ver iqneba aseTi probl ematika axl obel i da nacnobi 4,5 mil ioniani saqarTvel os xel isufl ebisTvis. vfiqrobT, aseTi patara qveynisTvis `axl obel i- da `Soreul i- probl ema nakl ebad arsebobs.

sakiTx i Seizi eba sxvagvaradac daisvas. adgil obrivi probl ematika kidev ufro axl obel i da nacnobia municipal itetis doneze (federaciis subieqtis doneSTan SedarebiT). aqedan gamoddinare, vfiqrobT, rom ufro mizanSewonil i iqneboda saqarTvel os SemTxvevaSi swored municipal itetebs miecet meti ufl ebamosil eba, gaezardot dafinanseba da TviTmmarTvel obis fargl ebi. aseT SemTxvevaSi ufro operatiul ad moxdeba nebismieri adgil obrivi mniSnel obis probl emis gadawyeta, xol o Tu sakiTx i scdeba municipal itetis fargl ebs, mas qveynis central uri xel isufl eba gadawyets.

rac Seexeba `xel isufl ebis xal xTan miaxl oebas-, vfiqrobT, real uri TviTmmarTvel obis arsebobiT xel isufl eba ufro metad `miuaxl ovdeba- xal xs, vidre kidev erTi Sual eduri damatebiTi rgol is SemoRebiT. al baT, sakamaTo ar unda iyos, rom adgil obriv TviTmmarTvel obaze (municipal itetze) ufro axl os federaciis subieqtis \_ Statis xel isufl eba xal xTan ver iqneba verc

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<sup>379</sup> saqarTvel o. administraciul -teritoriul i dayofa. saqarTvel os statistikis

geografiul ad da verc pol itikurad da SeiZI eba iqces damatebiT biurokraziul struqturadac ki, rasac eqneba uaryofiTi efeqti.

### **aspeqt 2. pol icentrizmi**

federal izmisaTvis damaxasiaTebel ia pol icentrizmi da miCneul ia, rom es xel s uwyoobs pol itikuri procesebis ganviTarebis Tanabrobas qveynis mTel teritoriaze. aseve upiratesobad aris miCneul i is, rom, vinaidan federaciul saxel mwifoSi arsebul i pol itikuri centrebi, rogorc wesi, ar warmodoadgenen erTian pol itikur Zal as, gansxvavebul i pol itikuri ideol ogiisa da orientaciis mqone

xel isufl ebaTa gansxvavebul i doneebi ufro metad orientirebul ia politikur kompromisebze da nakl ebad iTval iswinebs marTvis wmindaracional ur, teqnokratiul moTxovnebs.<sup>385</sup>

පසи ጥስ ይርጋል

avtonomiuri respubl iki s xel mZRvan el obas. saqme iqamdec ki iyo misul i, rom aWaris avtonomiuri respubl iki s xel mZRvan el oba i Rebda normatiul aqtebs, romel ic pirdapir ewinaaRmdegeboda saqarTvel os konstitucias da sxva kanonebs. magal iTisTvis gamodgeba aWaris avtonomiur respubl ikaSi sakonstitucio sasamarTI os Seqmna, rac pirdapir ewinaaRmdegeboda, rogorc saqarTvel os konstitucias, ise organul kanons `saqarTvel os sakonstitucio sasamarTI os SesaxebamasTana erTad, aWaris avtonomiaSi arsebul i samxedro struqturebi ar eqvemdebareboden qveynis umaRI es mTavarsardal s da, faqtobrivad, asl an abaSizis gamgebl obaSi imyofeboden, rac kargad gamoCnda 2004 wl is april -maisi.

aWaris magal iTid an kargad Cans ramdenad uaryofiTad moqmedebs gare faqtori unitarul i saxel mwifos SemTxvevaSi da maSin raRa iqneba federal izmis SemTxvevaSi?

Tu Cveni qveynis uaxl esi warsul is zemoaRniSnul magal iTebTan erTad gaviTval iswinebT saqarTvel os winaSe arsebul safrTxeebsac, ruseTis saxiT mtrul ad ganwyobil i mezobl is arsebobas, aris didi al baToba imisa, rom federaciis subieqtebis xel isufl ebaTa saxiT qveyana mi iRebs ramdenime ukontrol o xel isufl ebas da, Sesabamisad, ramdenime daZabul obis keras. arsebobs al baToba, rom aseTi daZabul obis kerebi Seiqmnas saqarTvel os im mxareebSi, sadac eTnikurad qarTvel i mosaxl eoba umciresobas warmoadgens. magal iTad, samcxe-j avaxeTSi mcxovrebi 207598 adamiani dan qarTvel ebi Seadgenen 89995-s da, Sesabamisad, 43,35 %-s maSin, rodesac eTnikurad somexi mosaxl eoba 113347 adamiani T umravl esobas warmoadgens (54,59 %).<sup>387</sup> 388 qvemo qarTI is mxaresic eTnikuri qarTvel ebi (222450 adamiani) Seadgenen am mxaris mosaxl eobis (497530 adamiani) 44,71 %-s.<sup>389</sup>

saqarTvel os federal izaciis SemTxvevaSi swored dezintegraciis safrTxzeze amaxvil ebs yuradRebas batoni g. xubua. igi ambobs, rom

<sup>387</sup> ix. saqarTvel os mosaxl eobis 2002 wl is pirvel i sayovel Tao erovnul i aRweris ZiriTadi Sedegebi. statistikuri krebul i. saqarTvel os statistikis saxel mwifo departamenti. Tbil isi, 2004. gv. 62.

<sup>388</sup> gavixsenoT, rom samcxe-j avaxeTSi garkveul i separatistul i moZraobebi arsebobda uaxl oes warsul Si da es i dea dRemde cocxl obs.

<sup>389</sup> ix. saqarTvel os mosaxl eobis 2002 wl is pirvel i sayovel Tao erovnul i aRweris ZiriTadi Sedegebi. statistikuri krebul i. saqarTvel os statistikis saxel mwifo departamenti. Tbil isi, 2004. gv. 63.

araswori pol itikis gavl eniT saqarTvel oSi SesazI ebel ia Camoyal ibdes partikul arul i federal izmi, rodesac mniSvnel ovnad gaZI ierdeba federaciis subieqtebis pol itikuri wona, xol o federal ur centrs mieniWeba mxol od da mxol od simbol uri ufl ebamosil ebebi. am SemTxvevaSi, sakuTari avtonomiis uzrunvel yofas Seizi eba meti mniSvnel oba mieniWos, vidre erTianobisaken swrafvas, xol o federaciis subieqtebis gaZI iereba gaxdes erTiani saxel mwifos sisustis mizezi. partikul arul ma federal izmma Seizi eba ukana pl anze gadaswi os da Cakl as gaerTianebsa da mTI ianobis idea. partikul arul i, regional uri egoizmisaTvis damaxasiaTebel i miswrafeba piradi sargebl obisa da gamorCenisadmi sakmaod saSiSi dezintegraciul i muxtis Semcvel ia. federal izmi xel s uwyo bs erTmaneTis gverdiT cxovrebas, magram igi aseve aadvil ebs arsebul i kavSi rebis rRvevasac, gansakuTrebit maSin, rodesac Sinateritoriul i sazRvrebi daemTxveva eTnikur da enobriv sazRvrebs.<sup>390</sup>

sxva adgil as federal izmis negatiur aspeqtebze saubrisas batoni g. xubua aRniSnava, rom federaciul saxel mwifoSi arsebul i, Tundac administraciul i xasiaTis sazRvrebi xel s uSI is koordinirebul marTvas da abrkol ebs kooperaciul TanamSromi obas;<sup>391</sup> teritoriul i mowyobis federal uri model i Seicavs separatistul i tendenciebis waxal isebris I atentur safRTxes.<sup>392</sup>

aRniSnul idan gamomdinare, vfiqrobT, rom saqarTvel os federal izacia damatebiT stimul s miscems separatistul tendenciebs da axal i daZabul obis kerebis Seqmnas. aseT SemTxvevaSi saqarTvel os central uri xel isufl eba izul ebul i iqneba mudmivad dakavebul i iyos am kerebis CaqrobiT da ar wamoegos sxvadasxva saxis pol itikur provokaciebze.

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<sup>390</sup> g. xubua. federirebul i saqarTvel o? saqarTvel os federal izaciis perspektivebi: , konferenciis masalebis krebuli, re d. v. keSelava da v lorTqifaniZe,

Tbilisi, 2000. gv. 132-153.

<sup>391</sup> g. xubua, federal izmi rogorc normatiul i principi da..., gv. 38.

<sup>392</sup> ique, gv. 146. amave naSromSi avtori aRniSnava, rom federal izmi pol itikuri erTianobis Camoyal ibebasTan erTad axorciel ebs `pol itikur gadawyvetil ebaTa miRebis ufl ebamosil ebaTa separirebas (xazgasma Cvenia \_ g.g.) ramdenime centrs Soris. ique, gv. 141.

#### **aspeqt 4. pol itikuri ambiciis adgil ze dakmayofil eba**

federal izmis erT-erT upiratesobad miCneul ia, rom igi iZI eva pol itikuri ambiciis adgil ze dakmayofil ebis saSual ebas da, rom mniSvnel ovania misi rol i adgil ze pol itikuri I ideris momzadebis procesSi.<sup>393</sup> aseTi probl ema SeiZI eba martI ac mniSvnel ovani iyos didi masStabis qveynebSi, magram ara iseT patara qveyanaSi, rogoric saqarTvel oa.

esec rom ar iyos, pol itikuri ambiciis dakmayofil ebisa da pol itikuri I ideris Camoyal ibebis Tval sazrisiT adgil obri TiTmarTvel obis fargl ebic sakmarisad migvaCnia. amis magal iTia Tundac safrangeTis dRevandel i prezidenti nikol a sarkozi, romel ic pol itikur I iderad swored safrangeTis erT-erTi patara qal aqis noi-sur-senis (Neuilly-sur-Seine) merobis dros Camoyal ibda.

garda amisa, Tanamedrove saxel mwifoebSi (da maT Soris saqarTvel oSi) pol itikur procesebSi metad aqtur rol s TamaSoben pol itikuri partiebi. pol itikur mecnierebaSi gamoyofen pol itikuri partiis ramdenime funcias, romel Tagan erT-erT yvel aze mniSvnel ovan mimarTul ebas warmoadgens pol itikuri social izacia da pol itikuri rekrutireba. am ukanasknel Si igul isxmeba kadrebis SerCeva da Tanamdebobaze wamoyeneba, rogorc Tavad partiisTvis, ise pol itikuri sistemis sxva organizaciebisaTvis.<sup>394</sup> rusi politologi gajievi, saubrobs ra pol itikuri partiebis funciebsa da rol ze, aRniSnavs, rom Tanamedrove civil izebul saxel mwifoebSi pol itikuri karieriT dainteresebul i pirebi, rogorc wesi, jer kidev studentobis periodSi ebmebian ama Tu im partiis axal gazrdul organizaciebSi da maT Soris warCinebul ni TandaTanobiT miiweven win Tanamdebobriv kibeze.<sup>395</sup>

rogorc vxedavT, didia pol itikuri partiebis mniSvnel oba da rol i pol itikuri ambiciebis dakmayofil ebisa Tu pol itikuri I ideris Camoyal ibebis saqmeSi; da am mxriv gamonakl iss arc saqarTvel o warmoadgens. saqarTvel oSi arsebul pol itikur partiaTa nawil s aseve gaaCniaT axal gazrdul i organizaciebi da Cven sul ufro metad vxedavT maT monawil eobas pol itikur procesebSi. saqarTvel os

<sup>393</sup> g. xubua, federal izmi rogorc normatiul i principi... Tbilisi, 2000, gv. 53.

<sup>394</sup> . . . . . 1998. . 37.

<sup>395</sup> . . . . . <http://lib.socio.msu.ru/l/library>

xel isufl ebis mier ukanknel periodSi ganxorciel ebul i rigi sakanonmdebl o iniciativebis Semdeg, rac gamoixateboda saxel mwifos mier partiebis dafinansebis gazarSi, vfigrobT, pol itikuri partiebis rol i da mnisvnel oba kidev ufro gaizrdeba.

aqve, gasaTval iswinebel ia pol itikur partiaTa raodenobac. dReisaTvis saqarTvel os iusticiis saministroSi oficial urad registrirebul ia 206 pol itikuri partia<sup>396</sup>, xol o amatgan saqarTvel os parlamentSi 8 pol itikur partias yavs warmomadgenel i (erTiani nacional uri moZraoba, qristian-demokratiul i moZraoba, Ieiboristul i partia, erovnul -demokratiul i partia, respublikuri partia, qartul i dasi, saqarTvel os demokratiul i partia da pol itikuri gaerTianebe `Cven Tvi Ton-).<sup>397</sup> SedarebisTvis aRvnisnavT, rom germaniis federaciul respublikaSi samocamde pol itikuri partia arsebobs,

saxel isufl ebo struqturebi da gadawyvetil ebaTa miRebis gacil ebiT ufro gamartivebul i procedura.<sup>400</sup>

aWaris avtonomiuri respubl ikis 2008 wl is respubl ikuri biuj etis Sesaxeb kanonis me-7 muxl is mixedviT, aWaris avtonomiuri respubl ikis respubl ikuri biuj etis xarj ebi adgil obriv Tvi TmarTvel erTeul ebze gadasacemi saksrebis CaTvl iT Seadgenda 104 267,4 (as oTxi mil ion oras samocdaSvidi aTas oTxasi) aTas I ars. aqedan adgil obriv Tvi TmarTvel erTeul ebisaTvis gadasacemi Tanxa iyo 36 098,8 (ocdaTeqvsмети mil ion oTxmocdaTvrامети aTas rvaasi) aTasi I ari, xol o danarCeni 68 168,6 (samocdarva mil ion as samocdarva aTas eqvsasi) I ari mimarTul i iyo avtonomiuri respubl ikis umaRI esi organoebis (umaRI esi sabWo, saministroebi da sxva uwyebebi) dasafinansebl ad. saqarTvel os 2008 wl is saxel mwifo biuj etis Sesaxeb kanonis 38-e muxl is me-3 punqtis mixedviT, aWaris avtonomiuri respubl ikisaTvis<sup>401</sup> gaTval iswinebul i iyo finansuri daxmareba 499 (oTxas oTxmocdacxrameti) aTasi I aris odenobiT. kanoni cal ke iTval iswinebda finansur daxmarebebs aWaris avtonomiuri respubl ikis administraciul i erTeul ebisaTvis (q. baTumi, qobul eTis, xel vaCauris, qedis, Suaxevisa da xul os municipal itetebi).

arsebul i monacemebis safuzvel ze SesaZI ebel ia daaxl oebiT mainc warmovidginoT ra damatebiti finansuri xarj ebi iqneboda sawiro



rogorc cnobil ia, saxel mwifo xel isufl ebis ganxorciel ebis baza swored finansebia da, Sesabamisad, finansuri saksrebis mopovebas, mocul obasa da xarj vazea damokidebul i teritoriul i erTeul ebis xel isufl ebaTa mdgomareoba, radgan maTTvis miniWebul i ufl ebamosil ebebis ganxorciel ebas swored finansebi uzrunvel yofen.<sup>405</sup>

magram asimetriul i federal izmis sistema, rasac ver avcdebiT saqarTvel os federirebis SemTxvevaSi, garkveul sirTul eebs warmoSobs politikur-ekonomikuri Tval sazrisiT. konkurenciaze orientirebul i federal izmis dros federaciis subieqtebi TavianTi saqmianobis procesSi SeiZI eba mTI ianad Semoifargl on e. w. „negatiuri integraciiT,” rac imas gul isxmobs, rom resursebiT mdidari da maRaL ganviTarebul i federaciis subieqtebi SedarebiT dabali gadasaxadebis SemoRebis an sxva, investiciisaTvis xel sayrel i pirobebis SeqmnIT cdil oben kidev ufro gazardon TavianTi upiratesoba. Sesabamisad, Rarib da nakl ebganviTarebul i infrastrukturis mqone federaciis subieqtebs emuqrebaT isedac arasaxarbiel o safinanso-ekonomikuri mdgomareobis gauaresebis safrTxe.<sup>406</sup> rogorc batoni g. xubua ambobs, SeRavaTebis, upiratesobebisa da sxvadasxva saxis regional uri barieris Seqmna aramto abrkol ebs Sinasistemuri, aqturi gacvl a-gamocvl is process, aramed moicavs centrTan, aseve federaciis sxva subieqtebTan Semosavl ebis gadanawil ebis gamo konfl iqtebis warmoSobis safrTxesac. janmrTel i, federal uri konkurencia SeiZI eba gadaiardos destruqciul, Tavisi arsiT damangrevel partikul arul konkurenciasi.<sup>407</sup>

aRniSnul Tan dakavSirebiT batoni z. ruxaze ambobs, rom xel isufl ebaTa doneebis mier sakuTari safinanso ufl ebamosil ebebis arsebobis pirobebSi qveynis cal keul i nawil ebi ekonomikurad aratAnabrad ganviTardebian, anu am dros SesazI ebel ia qveynis cal keul i nawil ebi ufro swrafad ganviTardes, vidre sxva. aseTi

<sup>405</sup> z. ruxaze, xel isufl eba da kanonmdebli oba. sadisertacio naSromi iuridiul mecnierebaTa kandidatis samecniero xarisxis mosapovebl ad. Tbilisi, 2003. gv. 86.

<sup>406</sup> g. xubua, federal izmi rogorc normatiul i principi... Tbilisi, 2000, gv. 344-345.

<sup>407</sup> ique, gv. 345

ganvi Tarebis uaryofiT i Sedegi ki SeIZI eba gamoixatos ara mxol od qveynis ekonomikuri ganvi Tarebi sadmi xel is SeSI aSi, aramed am garemoebam Sesazi ebel ia realuri safrTxe Seuqmnas qveynis erTianobasac, risi magal iTebic am mimarTebiT ukve mogvca msofl io konstitucional izmis praqtikam.<sup>408</sup>

saqarTvel os federal izacis SemTxvevaSi ekonomikur partikul arizmze saubrobs qarTvel i ekonomisti d. mouravize, romel ic aRni Snavs, rom federal izmis principebi ver uwyobs xel s ekonomikur integracias. misi azriT, marTal ia, arseboden ekonomikurad maRaL ganvi Tarebul i federaciul i saxel mwifoebi, magram saqarTvel o Zal ian gansxvavebul i da Taviseburi qveyanaa da sxva qveynebisa Tu istoriul i paral el ebis imedze ar unda viyoT. federal izmis SemTxvevaSi Cveni kuTxeebi erTgvarad Caiketeba. garkveul i urTierTobebi, marTal ia, maT Soris iqneba, magram is mraval mxrivi urTierTobani, rac iyo unitarul i sistemis dros da jer kidev aris, daiRveva, Sei zRudeba.<sup>409</sup>

Cven zemoT ukve visaubreT adgil obrivi politikuri el itis kontrol is probl emaze da amis gamovl inebaze saqarTvel os uaxl oes warsul Si. asl an abaSizis reJimi ara marto politikurad da samarTI ebriavad, aramed ekonomikuri Tval sazrisiTAC iyo destruqciul i. faqtobriavad, igi srul ad akontrol ebda rogorc baTumis portis, aseve aWaris teritoriaze ganl agebul i qveynis sabajo punqtebis Semosavl ebs. mudmivi probl ema iyo saqarTvel os central ur biuj etSi aWaris avtonomiidan Tanxebis gadaricxva da es sakiTxi mudmivi davis sagans warroadgenda saqarTvel os central ur da aWaris avtonomiuri respublikis xel isufl ebebs Soris. Tu am gamocdil ebasTan erTad gaviTval iswinebT axal i daZabul obis kerebis Seqmnis safrTxesac, razec zemoT ukve visaubreT, advil i Sesazi ebel ia, rom saqarTvel os federal izacias mohyves federaciis cal keul i subieqtebis ekonomikuri Caketil oba, xol o qveynis central uri

<sup>408</sup> Z. ruxaze, xel isufl eba da kanonmdebli oba. sadisertacio naSromi iuridiul mecnierebaTa kandidatis samecnieroxarisxis mosapovebl ad. Tbilisi, 2003. gv. 88.

<sup>409</sup> saqarTvel os federal izacis perspectivebi PRO ET CONTRA, konferenciis masal ebis krebul i, Tbilisi, 2000. d. mouravizis moxseneba. gv. 108.

biuj eti xSirad aRmoCndes adgi da.l >vi pol itikuri el i tebis  
`tyveoba<5>~.



model i Tavisi kompaqturi, magram qmediTi mTavrobiTa da gacil ebiT nakl ebi xarj ebiT ufro momgebiani iqneba saqarTvel osTvis, vidre federal uri model i.

vfigrobT, zemoaRniSnul i upiratesobebi gansakuTrebiT mniSvnel ovani, gadamwyvetia saqarTvel osTvis, rogorc zogadad misi rTul i geopolitikuri mdgomareobis gamo, ise konkretul ad mocemul etapze, rodesac umZimesi pol itikuri da ekonomikuri sirTul eebis fonze mimdinareobs mniSvnel ovani saxel mwifoebri reformebi.

aqve unda SevexoT eTnikur sakiTx. vfigrobT, SiSi, romel sac gamoTqvamen cal keul i pirebi unitarul i saqarTvel os pirobebSi eTnikur umciresobaTa dacvis Tval sazrisiT, gaumarTI ebel ia. rogorc g. xubua ambobs, avtonomias, rogorc umciresobaTa ufl ebabis dacvis erT-erT iuridiul formas, SeuZI ia Seasrul os konfl iqtebis gadawris funqciac da uSual od adgil ebze moawesrigos arsebul i uTanzmoebebi.<sup>414</sup>

msoflioSsi arsebobs mraval i warmatebul i unitarul i saxel mwifo, sadac kompaqturad cxovroben eTnikuri umciresobani da maTi ufl ebibi dacul ia avtonomiiT. vfigrobT, Cven teritoriul i mowyobis sakiTxis gadawyvetisas, upirvel es yovl isa, magal iTi unda avRoT iseTi unitarul i saxel mwifoebisagan, romel Tac gaaCniat kompaqturad dasaxl ebul i eTnikuri umciresobani da sididiT metnakl ebad Seesabamebian saqarTvel os. am Tval sazrisiT yuradRebas ipyrobs daniis saxel mwifo, romel ic aris maral ganvitarebul i samrewvel o qveyana da roml is mosaxl eobis cxovrebis done erT-erTi yvel aze maral ia msofli ioSi.<sup>415</sup>

daniis farTobi aris 43094 kv.km. (fareris kunzul ebisa da grenl andiis garda). 2003 wl is ivl isis mdgomareobiT, am qveynis mosaxl eoba Seadgens 5384384 adamians.<sup>416</sup> dania aris unitarul i saxel mwifo, romel sac gaaCnia ori avtonomia (TviTmarTvel i teritoria) grenl andiisa da fareris kunzul ebis saxiT, sadac Sesabamisad cxovroben daaxl oebiT 55 aTasi (maT Soris eTnikuri

<sup>414</sup> g. xubua, federal izmi rogorc normatiul i principi..., gv. 93.

<sup>415</sup> dania. zogadi cnobari. sazRvargareTis qveynebis konstituciebi. nawili I. pasuxismgebel i redaktori v. gonaSvili. `qronografi~, Tbilisi, 2004. gv.103.

<sup>416</sup> i que, gv.100.

daniel ebi mxol od 5 aTasia) da 43 aTasi adamiani. mTel i qveynis teritoriaze saxel mwifo ena aris daniuri, xol o avtonomiebSi aseve aborigenul i enebi.

avtonomiebs gaaCniaT TavianTi xel isufl ebis organoebi, xol o daniis erTpal atian parl amentSi warmodgenil ni arian 2-2 deputatiT, rac garantirebul ia konstituciis me-4 nawil iT. avtonomiebSi daniis samefos warmoadgenen da interesebs icaven umaRI esi komisrebi.

miuxedavad imisa, rom orive avtonomiuri teritoria maTTvis avtonomiis miniWebamde iyo daniis kol onia (fareris kunZul ebma TviTmarTvel i erTeul is statusi miRo 1948 wel s, xol o grenl andiam \_ 1979 wel s); orive warmoadgens kunZul s da sakmaod daSorebul ia daniis kontinenturi nawil isagan,<sup>417</sup> rac arTul ebs am teritoriebis marTvas, daniis samefo erT-erTi yvel aze stabil uri saxel mwifoa evropis kontinentze.

2008 wl is noemberSi daniisa da grenl andiis erTobl ivi samTavrobo komisiis rekomenaciiT grenl andiasSi Catarda referendumi, roml iTac grenl andias gaufarTovda avtonomiuri ufl ebamosil ebani.

saqarTvel om Seizi eba gamoiyenos daniis magal iTi, raSic vgul isxmobT separatistul i teritoriebisaTvis avtonomiis (TviTmarTvel obis) miniWebas. saqarTvel osTvis arsebul i rTul i situaciis (okupirebul i teritoriebi, agresiul i mezobel i saxel mwifo ruseTis saxiT, qarTul -afxazuri da qarTul -osuri urTierTobis TiTqmis bol o oci wl is konfl iqt) miuxedavad, gaaCnia cal keul i upiratesobebi c daniastan SedarebiT:

- grenl andia (iseve, rogorc farerebi) iyo daniis kol onia da mxol od me-20 saukunis meore naxevarSi miRo avtonomiis statusi. amisan gansxvavebiT, afxazeTi, rom aRaraferi vTqaT yofil i samxret oseTis avtonomiur ol qze, yovel Tvis iyo saqarTvel os Semadgenel i nawil i. qarTvel da afxaz, aseve qarTvel da os erebs Soris arsebobs Tanacxovrebisa da TanamSroml obis mraval saukunovani tradicia. amas adasturebs Tundac is faqt, rom 1992 wl is konfl iqtamde afxazeTSi dafiqsirebul i oj axebis 40% Sereul i qarTul -afxazuri oj axi iyo;

<sup>417</sup> fareris kunZul ebi daSorebul ia daniis kontinenturi nawil isagan 375 km-iT. gacil ebiT Sors mdebareobs grenl andia.

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mTI ianobis aRdgenis Semdeg mis



kviprosis varianti Sesazl oa ganxorciel des mxol od saqarTvel os orsubieqtian federaciul saxel mwifod Camoyal i bebis SemTxvevaSi da ara unitarul i saxel mwifos pirobebSi.

vfigrobT, afxazeTTan dakavSirebiT aseve uadgil oa kosovos anal ogiis motana. kosovoSi arsebul i real oba absol uturad gansxvavdeba afxazeTSi ganvi Tarebul i movl enebisagan.<sup>421</sup> amis dasturad

reziume

warmogenili sadisertacio naSromi aris mcdel oba

obieqturad iTxovs teritoriul decentral izacias. aqve aRsani Snavia isic, rom saxel mwifoebi, roml ebic federal urad iwodebian, xSir SemTxvevaSi Tavisi arsiT aseTebs ar warmoadgenen.

erTmnisvnel ovnad unda iTqvas, rom dReisaTvis unitarizmi aris saxel mwifoebri i mowyobis yvel aze ufro gavrcel ebul i forma marTal ia, bevri unitarul i saxel mwifo ganicdis garkveul decentral izacias, magram am procesisaTvis federal izaciis kval ifikaciis miniWeba gamarTI ebul ad ar migvaCnia. saxel mwifoebi didad ar Cqaroben teritoriul i mowyobis unitarul i formis Secvl as federaciul iT.<sup>423</sup>

arsebobs sapiri spiro tendenciebic, mral i federaciul i saxel mwifo ganicdis unitarizacias. rom aRaraferi vTqvaT ruseTis, I aTinuri amerikis qveynebis, aziisa da afrikis cal keul federaciul saxel mwifoebze, amis magal iTebi arsebobs Tundac germaniisa da avstriis saxel mwifoebis saxiT, roml ebic oficial urad federaciul ad iwodebian, magram real urad es ase ar aris da maTi federaciis subieqtebi, faqtobrivid, uufl ebo rgol ebs warmoadgenen.

meore mxriv, vfiqrobT, didia daintereseba saxel mwifoTaSorisi federal izmisadmi. mimdinare gl obal izaciis fonze wina pl anze wamoiwebs federal izmis, rogorc saxel mwifoTaSorisi urTierTobis formis sakiTxi. amis niSnebi arsebobs rogorc evropis, ise amerikis kontinentze. savraudod, saxel mwifoTa daaxl oebas kidev ufro did stimul s miscems msofl ioSi mimdinare ekonomikuri da safinanso krisi.

arsebobs mral i mosazreba, rom saqarTvel o unda gaxdes federaciul i saxel mwifo. am mosazrebis avtorTa upirvel esi argumenti teritoriul i mTI ianobis aRdgenaa, Tumca gaugebaria, rogor Seuwyobs xel s saqarTvel os cal keul i istoriul i kuTxeebis saxiT federaciis subieqtebis Seqmna, vTqvaT, afxazeTis konfl iqtis gadawyetas?

Tu saubaria orsubieqtian, bipol arul federaciaze saqarTvel osa da afxazeTis kavSiris saxiT, mas didi xnis perspektiva ar uweria. aseTi federaciis Seqmna romc davuSvaT, is did xans ver iarsebebs da

<sup>423</sup> saqarTvel os federal izaciis perspektivebi PRO ET CONTRA, konferenciis masal ebis krebul i, Tbilisi, 2000. I. mataraZis moxseneba. gv. 30.

iqneba erT-erTi etapi afxazeTis ara mxol od de facto, aramed de jure damouki debi obis mopovebisa. amis magal iTebi mraavl ad i cnobs msofl ios uaxl esi istoria. evropis erT-erT yvel aze ganviTarebul qveyanaSi \_ bel giasic ki, romel ic bevrs devol uciuri da bipol arul i saxel mwifos warmatebul magal iTad warmoudgenia, imdenad didia dezintegraciul i procesi, rom zogierTi mecnieri uaxl oes momaval Si am qveynis daSi as winaswarmetyvel ebs.

saqarTvel os federal izaciis momxreTa mraaval i sxva argumenti ar aris saTanadod dasabuTebul i da nakl ebad Seesabameba saqarTvel os sinamdvil es.

rac Seexeba iseT arguments, rogoricaa xel isufl ebis geografiul ad xal xTan miaxl oveba da adgil obrivi probl ematikis ukeT codna, saqarTvel os SemTxvevaSi uadgil od gveCveneba misi masStabebis gamo. am Tval sazrisiT, ra funqciac akisriaT federaciis subieqtebs did saxel mwifoebSi, igive funqrias warmatebiT Seasrul eben municipal itetebi saqarTvel os pirobebSi. isini ufro axl os iqnebian mosaxl eobasTan da ukeT ecodinebaT adgil obrivi probl ematika, vidre maTze maRI a mdgom kidev erT damatebiT rgol s federaciis subieqtis saxiT.

Cven migvachnia, rom bevr upiratesobas, rac zogadad gaachnia federal izms, saqarTvel os sinamdvil eSi daCrdil avs federal izmisaTvis damaxasiaTebel i negatiuri gamovl inebebi da eqneba uaryofiT efeqt. magal iTad, pol icentrizmma, romel ic xel s uwyoobs politikuri procesebis ganviTarebis Tanabrobas qveynis mTel teritoriae da ayal ibebs politikuri dial ogis kul turas, saqarTvel oSi Sesazi oa uaryofiT aspeqtebiT icinos Tavi. kerZod, Sesazi ebel ia federal izmma ufro ganamtkicos biurokratiul i el ementebi saxel mwifo marTvaSi, Seqmnas mTel i rigi probl emebi federaciis subieqtis doneze warmoadgeni obiTi demokratiis institutebis saqmianobis Tval sazrisiT. kidev ufro garTul deba politikuri gadawyvetil ebebis miRebis procesi, rac isedac warmoadgens federal izmis erT-erT nakl s, vinaidan xSiri damatebiTi politikuri dial ogis aucil ebl oba arTul ebs politikuri gadawyvetil ebebis miRebis process. saqarTvel osTvis, romel ic

gansakuTreibiT Tanamedrove etapze dgas udidesi safrTxeebis winaSe, politikuri gadawyetil ebebis droul i miuRebl oba SeiZI eba fatal uric ki aRmoCndes.

aseve, federaciul saxel mwifoSi metad mwwaved dgas adgil obrivi politikuri el itis kontrol is probl ema, rac, savaraudod, Cveni qveynis geopolitikuri mdgomareobidan, aseve saqarTvel os cal keul i kuTxeebis specifikidan gamomdinare, mTel i simwwavit iCens Tavs. Sedegad Camoyal ibdeba partikul arul i federal izmi, rac iqneba qveynis sisustis mizezi. saqarTvel os federal izacia damatebiT stimul s miscems separatistul tendenciebs da axal i daZabul obis kerebis Seqmnas. aseT SemTxvevaSi saqarTvel os central uri xel isufl eba izul ebul i iqneba mudmivad dakavebul i iyos am kerebis CaqrobiT da ar wamoegos sxvadasxva saxis politikur provokaciebze.

politikuri el itis kontrol is probl emis mware gakveTi i saqarTvel om ukve gamoscada uaxl oes warsul Si aWaris avtonomiuri respublikis xel isufl ebis saxiT da uk an dabrunebis survil i aravis ar unda amoZravebdes.

federal izmisatvis damaxasiaTebel i upiratesoba politikuri ambiciis dakmayofil ebisa da politikuri I ideris Camoyal ibebis Tval sazrisiT saqarTvel os federal izaciisaTvis raime argumentad ar migvaCnia. politikuri ambiciis dakmayofil ebisa da politikuri I ideris Camoyal ibebis probl ema SeiZI eba idges did saxel mwifoebSi, magram ara saqarTvel oSi. esec rom ar iyos, politikuri ambiciis dakmayofil ebisa da politikuri I ideris Camoyal ibebis Tval sazrisiT mniSvnel ovan rol s TamaSobs adgil obrivi TviTmmarTvel oba da politikuri partia, ris gamoc damatebiTi saxel mwifo institutebis SemoReba gamarTI ebul ad ar migvaCnia.

federal izmi didi ful i Rirs da, amdenad, federal izaciis SemTxvevaSi saqarTvel os xel isufl ebis danaxarj ebi kol osal urad gaiZrdeba.

garda amisa, rogorc zogierTi ekonomisti fiqrobs, federal izmis principebi ver uwyoobs xel s ekonomikur integracias. federal izmis SemTxvevaSi saqarTvel os kuTxeebi erTgvarad Caiketeba. Sesazi ebel ia, federal izmis pirobebSi qveynis cal keul i nawil ebi ufro swrafad

ganviTardes, vidre sxva. aseTi ganviTarebis uaryofiTi Sedegi ki SeIZI eba gamoixatos ara mxol od qveynis ekonomikuri ganviTarebisadmi xel is SeSI aSi, aramed am garemoebam SesAZI ebel ia real uri safrTxe Seuqm̄nas qveynis erTianobasac. federal uri konkurencia SeIZI eba gadaizardos destruqciul, Tavisi arsiT damangrevel partikul arul konkurenciаSi.

Tu saqarTvel os uaxl oes gamocdil ebas da arsebul safrTxeebs gaviTval i swinebT, advil i SesAZI ebel ia, rom saqarTvel os federal izacias moyves federaciis cal keul i subieqtebis ekonomikuri Caket -i

adg -i rivi pol itikuri el itebis `tye~.

saqarTvel os federal izacia ver daaregul irebs verc teritoriuL da verc sxva probl emebs. ufro met c, vfiqrobT, ig uaryofiTad imoqmedebs qveynis momaval ganviTarebaze. saqarTvel os federal izacia da federaciis subieqtis donis SemoReba iqneba zedmet rgol i central ur xel isufl ebasa da municipal itets Soris, romel ic did tvirtad daawveba qveyanas, rogorc finansuri, ise pol itikuri da samarTI ebrivi Tval sazrisiT.

amasTanave, Tanamedrove federaciul saxel mwifota did umravl esi arizacias ganicdis . da, Tu es asea, ra saWiroa saqarTvel oSi, faqtı rivad unitarul qveyanaSi, saxel mwifos mowyobis ufro rTul i model i davnergoT, raTa Semdeg kvl av sawyis mdgomareobas davubrundeT?

amitom migvachnia, rom saqarTvel o unda iyos unitarul i saxel mwifo ramdenime avtonomiiT, romel Ta Soris afxazeTis avtonomiurobis xarisxi iqneba gacil ebiT maRaL i da igi iqneba aRwurvil i mniSven ovani kompetenciebiT. am Tval sazrisiT erT-erT misabaZ magal iTad daniis saxel mwifo migvachnia, romel ic aris unitarul i saxel mwifo ori avtonomiiT.



There are opposite tendencies as well; many federal states undergo Unitarianism, we have lots of examples proving this fact; for example, Germany and Austrian



Federalization of Georgia won't be able to regulate either territorial or any other problems. Moreover, we consider that it will have negative impact on the future of the country. Introduction of federalization and the level of constituent of federation will be extra unit between government and municipality that will be burdensome for the country from financial, political and legal points of view.

At the same time, most of modern federal states undergo the process of Unitarization and if it is so, what is the need for introduction of considerably complicated model of government organization of we arrive to the initial position again?

Therefore we assume that Georgia must be Unitarian country with several autonomies among which the quality of Abkhazian autonomy will be considerable high and will be equipped with important competences. Danish state which is Unitarian country with two autonomies might be a good example for this.

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