Introduction

Both the general public and experts traditionally interpret problems of the consolidation of de facto states through the lens of their international recognition rather than from the point of view of constructing a demos (corps of citizens) that can provide legitimacy and
regime support in the countries in question. The leaders of secessionist movements, however, usually claim to speak in the name of ‘their’ nation. This in turn complicates the issue of national self-determination. As a norm, the right of national self-determination with full independence as the best way to obtain self-government today applies only to overseas colonies. In the case of serious injustices, international law may recognize a remedial right to secede but at the same time forbids de jure recognition of those territorial units whose political leadership has been successfully resisted by parent states. More often than not this normative state sovereignty overrules the rights of people to challenge their governments. In a similar manner, fundamental preoccupations of geopolitical order and stability underpin the international community’s resistance to secession.

Here, as the argument follows, potentially conflicting parties with mutually opposing claims (self-determination vs. territorial integrity) cling to territorial self-rule in the ethnic homeland/parent state. International reaction to these claims has been more often dictated by the territoriality calculus than the support of the people that would make sovereignty legitimate. Indeed, claims to statehood persist unabated in all corners of the globe. In June 2006 the state of Montenegro was established and recognized after its successful referendum on independence in May the same year. This encouraged other non-recognized entities to pursue their claims to recognition. Already in October 2006, the parliament of Abkhazia issued a resolution asking for Russia’s recognition of its independence and associated membership, and Nagorno-Karabakh adopted a new constitution affirming its independence in December 2006. Unlike the case of Montenegro, however, the results of these self-determination acts were considered null and void by the international community. Nevertheless, a counter argument may apply: these secessionist entities have proven their viability by representing ‘rightful authorities’ and with that ‘have earned their sovereignty’.

After Kosovo’s unilateral declaration of independence (2008) and its subsequent recognition by Western powers, one may notice a shift in the traditional view of dealing with secessionist claims. But a trend towards an increasing focus on democratization and universal values in self-determination claims was set off even before that formative moment. According to Caspersen (2007; 2011), both Abkhazia and Nagorno-Karabakh
along with other de facto states have now realized that recognition bids, which are based only on the right of self-determination, remain powerless – what is actually needed is a strong conviction on part of the other relevant parties that ‘not only are we the victims, we share the same (democratic) values, hence we deserve recognition’. Similar views are also expressed by Scharf (2004: 382, quoted in Caspersen 2007) in more general terms: “They consequently combine self-determination arguments, focused on groupness and historic continuity, with a claim to a ‘remedial’ right to secession, arguing that the parent state denied them civil and political rights and that they were subjected to egregious abuses”. Other facts on the ground such as efficiency and viability of the state may also integrate the aspect of functionality to the set of legitimacy criteria. For instance, Pal Kolstoe and Helge Blakkisrud (2008: 506) have found that “whereas Abkhazia exhibits openly expressed political diversity, yet in a state-building perspective the strength of the Abkhazia’s democratic institutions cannot make up for the lack of the economic dynamism and ethnically-based unity shown by Nagorno-Karabakh”.

Whereas de facto states usually enjoy regime support on part of the population and presumably can even report about people with a shared identity, they often fail to meet democratic procedures, which may put the overall legitimacy of their independence bids in question. At the same time they do not receive any attention through electoral monitoring and assessments of civil society developments due to their non-recognition by the international community. Symbolic attributes of statehood and the provision of basic public services are not enough to decide upon who is entitled to ‘earn sovereignty’. The purpose of this study is to examine self-determination claims in Abkhazia and Nagorno-Karabakh based on legitimacy criteria widely accepted for liberal democratic societies. To be more specific, this research attempts to address the following external/internal legitimacy issues: To what extent do the regimes of these de facto states correspond to the criteria of liberal democratic legitimacy (can they be regarded as being democratic, having a demos, and performing effectively)? Do the inhabitants of these political entities perceive the regimes as ‘democratic’ and capable to provide basic security? Do they believe that these states have a demos, i.e. a population with a shared identity? Are they satisfied with the political and economic performance of the regimes?
The article begins with a general elaboration of the framework of legitimacy and its significant components for the purposes of this analysis: political community, threats to the political community, perceptions of ideal regime principles and the evaluation of the performance of the regime. Thereafter, the methodological procedures and general principles regarding the focus group discussions, which were the basis of this research, are brought forth. The sections which follow on the four aspects of legitimacy all begin with an explanation of the corresponding general contexts for both of the cases under observation, which constitute the conditions of possibility for the aspects of legitimacy that are of concern to us, and end with an analysis of the respective issues as they were represented in the focus group discussions.

Theoretical framework

Legitimacy, unfortunately, is a complex and contested notion. The Weberian conceptualization reduces legitimacy to public support (Easton 1965, 1975; Weber 1978) without guaranteeing that individual assessments about the governing regime necessarily reflect the regime’s record on freedom, democracy, justice, equality, protection of human rights or civil liberties (Grafstein 1981; Schaar 1981; Habermas 1996; Coicaud 2002). As Gilley (2006: 500) notes “a state is [internally] more legitimate the more that it is treated by its citizens as rightfully holding and exercising political power”. An alternative way would be establishing normative criteria that political authority must meet in order to be considered legitimate from the outside perspective. Accordingly, to be legitimate, liberal-democratic societies should include (a) democratic procedures, involving, at the minimum, public control and political equality, (b) the existence of a demos with a shared identity, without which the obligation to accept collective decisions will be contested, and (c) performance, understood as satisfaction with both the ends and outcomes of governance (Beetham 1991, 1998). Thus, a rightful authority should not only reflect the acts of consent but also conformity to shared principles, ideas and values.

People may evaluate governmental authority by demonstrating political interest and involvement, or by expressing optimism about the responsiveness of the political
system based on citizens’ perceptions of procedural and distributive fairness (Weatherford 1992). They may be far more prone to “attach their identity and loyalty to the state if they feel that they get something in return – in security and other benefits and goods” (Kolstoe and Blakkisrud 2008: 485). The idea of legitimacy is first of all defined in connection with the notions of consent – a right to govern (Coicaud 2002: 2). At the same time, the granting of consent is not enough – genuine internal legitimacy is built over time by the discursive, critical examination of institutions and their actions such that “people actually consider institutional arrangements to be in their interest” and such that “institutional arrangements actually are in everyone’s interest” (Chambers 1996: 194, cited in Parkinson 2003).

The starting point for this study of legitimacy is an acknowledgement of possible causal factors that might contribute to making political authority rightful. We focus on the following four elements – the political community, threats to the political community, perceptions of ideal regime principles, and finally, evaluations of the performance of the current regime in order to figure out whether de facto regimes in Abkhazia and Nagorno-Karabakh enjoy internal legitimacy and therefore can use this legitimacy in their self-determination claims and expect the recognition from the international community. We argue that there is not enough emphasis placed on the domestic legitimacy of the political entities in question. The international community does not seem to be interested in a failed state’s durability and the internal legitimacy of the secessionist entity’s claim to sovereignty (is there shared identity and popular support among the population?). Indeed, how does power derive from rightful sources of authority and should recognition follow the course?

A political community or demos is characterized by cohesiveness. It is usually understood as a “basic attachment to the nation beyond the present institutions of government and a general willingness to cooperate together politically” (Norris 1999: 10). Popular sovereignty provides that “any political conception of the general interest becomes confined to the boundaries of the ethnic entity” (Obradovic 1996: 194-195). Governance is a legitimate act only after those who command and those who obey express the identity of society and have agreed with one another about those values that politics makes its objective to promote.
Security is the level of protection against supposed danger. That condition derives from the structural relationship (vulnerability, distance, insulation, protection) to threats in its environment. The defence of community interests ensures that the general conditions for group survival will prevail over the right to govern (Coicaud 2002). Presumably, people belonging to a group are expected to trust each other and their neighbouring communities. They would be willing to fight for their country, if needed, while maintaining high confidence in armed forces and the police. If this is not the case, we can talk about vulnerability and insecurity, which affects the way the political community/demos constitutes and prefers to govern itself.

Regime principles represent the values of the political system and reflect justifications grounded in beliefs (Beetham and Lord 1998). The basic principles of democratic regimes are commonly understood to include such values as freedom, participation, tolerance and moderation, respect for legal-institutional rights, and the rule of law (Beetham 1994, Simon 1996). Dalton (2004: 7) is convinced that a decline in regime support might provoke a basic challenge to conditional structures or calls for a reform in the procedures of government: “Weakening ties to the political community in a democratic system might foretell eventual revolution, civil war, or the loss of democracy”.

Regime performance is reflected in acts of consent or recognition, meaning support for how authoritarian or democratic political systems function in practice (as opposed to the ideal) (Fuchs 1995). “It grounds the feeling of obligation and makes of political life a search for the rules and procedures through which the members of a community come to an understanding in order to be obligated” (Coicaud 2002: 13). Every political regime, which seeks to prove the right to govern, has to satisfy the needs of the members of the community: moral, efficient and just governance; economic development; education and health services. “If people become disillusioned with the perceived performance of democratic governments then this might erode their belief in democracy itself” (Norris 1999: 2). It has to show up in confidence ratings which characterize people’s consent of authorities and institutions. Again, the opposite case would point to delegitimization or withdrawal of consent and recognition.
Methodology

This paper intends to primarily study the issues and conditions of internal legitimacy in Abkhazia and Nagorno-Karabakh and the possible evaluations of external legitimacy that might follow. The selection of these cases is justified for a number of reasons. They both emerged as \textit{de facto} states in the aftermath of civil wars in the post-Soviet space. Their political regimes have not been recognized by the international community nor have there been any achievements in terms of reconciliation and reintegration. Moreover, these frozen conflicts involve external players: Abkhazia relies on Russia and Nagorno-Karabakh is supported by Armenia. Yet, what we do not know is the way how the socio-demographic features of the political community, perceived insecurity as well as democratic credentials and regime performance all in all affect the internal legitimacy and its conditions in the two Caucasian \textit{de facto} states.

The following analysis is based on information gathered in 8 focus group discussions (4 in Abkhazia and 4 in Nagorno-Karabakh) in April 2010. According to the classification of Morgan and Fellows (2008: 343-347), it could be said that the focus groups were a mix between discovery, development and definition oriented focus groups: on the one hand the subject area was something, which was sparsely covered by previous research (discovery), but on the other hand the project had a clear set of questions and issues and the focus was on how the discussants understood and interpreted them (development). Furthermore, they were definition oriented in the sense that the framework of the interviews, although broad, was strictly defined with the goal of producing as detailed information as possible. The interviews were conducted following the general requirements of focus group research (see Krueger and Casey 2000; Greenbaum 1998; Litosseliti 2003) in terms of composition and procedure. The size of the groups ranged from 4 to 6 people and the duration from roughly 1.5 to 2 hours. The participants were recruited among the local elites and were divided in each case into four categories (which were the basis for the four discussion groups) – civil society/media, intellectuals, business, public sphere. The logic of selecting among the elites was the assumption that they most clearly reflect the dominant and influential ideas in these
societies. In Abkhazia most of the discussants were ethnic Abkhazi and in Nagorno-Karabakh all of the discussants were ethnic Armenians. All the discussions were moderated by the same moderator (in the case of Nagorno-Karabakh an assistant moderator was also present) applying the same interview guide throughout with only slight variations across the interviews. Since a focus group discussion is a context where the interviewees express information in interaction (unlike e.g. group interviews), the following analysis does not explicitly discriminate between different participants – a designation is used only to refer to the location and the category of participants.

The initial aim in both cases was first of all to look for the most important issues and topics, which were recurrent across the discussions (Litosseliti 2003: 92-93). These were interpreted in the light of the research objectives of this analysis. Most emphasis was put on charting the general content of discourse and not the micro dynamics of the discussions. We assumed that that those topics, issues and concerns, which were more recurrent across the groups and which were more consensual in both cases, were also more widely spread among the elites in those two societies and thus reflected more the shared beliefs about the respective topics in Abkhazia and Nagorno-Karabakh. A significant and probable convergence between focus group and survey data (Morgan 1996: 137) supports this assumption.

Following the general objectives of this analysis, the interpretation of the focus group discussions will focus on the following four elements – the political community, threats to the political community, perceptions of ideal regime principles, and evaluations of the performance of the current regime. These four elements were also the basis for the interview guide.

**Demarcating peoples and territories**

A necessary precondition for the existence of a political community in the context of modern states is uncontested territoriality. Whereas in the case of ‘normal’ states this is

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1 ABK or NKR designates the country and the subscripts MC (media/civil society), B (business), P (public sector), I (intelligentsia) stand for the category of discussants.
usually not an issue, problems of territoriality not only in the sense of secession as such but also concerning the subject of secession are often in the heart of the matter in such *de facto* states. Abkhazia and the Nagorno-Karabakh Republic (NK) in this sense differ considerably. Despite the fact that the Kodori gorge had been for years (until 2008) under Georgian control and the Gali region next to the border with Georgia and almost completely populated by Georgians (Yamskov 2009: 171) has constantly been (and to a significant extent still is) an issue of concern, Abkhazia has gained control over all of its claimed territory stipulated in the 1990 declaration of sovereignty, the 1994 constitution and the 1999 declaration of independence. The situation in NK differs radically. The war between the NK and Azerbaijan led to a situation, where some of the territories claimed by NK (in Shahumian region) are under the control of Azerbaijan and several districts of Azerbaijan proper (Kelbajar, Lachin, Kubatli, Jebrayil, Zangelan, Aghdam and Fizuli) are under total or partial occupation of the NK, with apparently no intention of being returned to Azerbaijan (International Crisis Group 2005). Thus, whereas the territory of Abkhazia is virtually uncontested, the case of NK in terms of the basic feature of territoriality remains a significant concern.

The demographic situations in Abkhazia and NK, however, are somewhat of a mirror image in terms of ethnic composition, although both share a traumatic and violent recent history. This is revealed if we look at population statistics from the end of the Soviet Union in comparison with the current situation. In both cases the balance or composition of populations has crucially shifted. In Abkhazia the total population in 1989 was approximately 525 000 (46% Georgian, 18% Abkhaz), which was reduced to 214 000 (44% Abkhaz, 19% Georgian) in 2003 (Clogg 2008: 308) with roughly 200 000 Georgians having left the country. According to the estimates, only 40 to 60 thousand Georgians returned to the Gali region after 1998 (UNHCR 2004). Thus it is not wonder that the ethnic situation in the country, even without references to the past, has been considered a source of possible tension (e.g. Clogg 2008; International Crisis Group 2010; Yamskov 2009). The situation in the NK is remarkably different. The NK at the end of the Soviet period (1987) was 74% Armenian (133 200) and 24% Azeri (43 900) (Yamskov 1991: 645), which had changed to 99% Armenian (total population 137 737) in 2005 (National Statistical Service of NK). The ethnic diversity and the situation
of “multiple minority relations” (Clogg 2008) in Abkhazia is obviously more problematic for the construction of a coherent political community than the completely mono-ethnic situation in the NKR.

The link between the possible political community and the political regime is, as expected, reflected more in actual practice than the underlying formal documents and declarations. While the declaration of sovereignty of 1990 emphasizes the Abkhaz ethnicity against the background of a multicultural civic nation, the declaration of independence of 1999 is written exclusively in the language of citizenship. The constitution of Abkhazia adopted in 1994 brings in the ethnic dimension most significantly by requiring the president of the republic to be ethnic Abkhaz (Article 49). The citizenship law of 2005 defines three ways of being/becoming a citizen: those of Abkhaz ethnicity, those who had by 1999 lived for 5 years in Abkhazia and those, who have been naturalized according to the law. Dual citizenship is only allowed in the case of Russia – a possibility, which most of the people (reportedly 80%) have exploited (International Crisis Group 2010), but which is problematic for the Georgians in the Gali region, because they would have to thus give up their Georgian passports. The formal conditions of the political community, i.e. citizenship, in the NKR are at once more straightforward and problematic. On the one hand there is no division in citizenship, but on the other there is no such thing as separate NKR citizenship – the people of NKR are citizens of Armenia and hold Armenian passports (with a special designation) and there is no law stipulating the conditions of citizenship of the NKR (although one has been supposedly under development for years). This unity between Armenia and the NKR is also reflected in the preamble of the constitution adopted in 2006, which stresses the unity of all Armenian people.

Such issues are also reflected in public opinion as much as there is relevant data – aside from a few examples (most recently O’Loughlin et al 2010; European Friends of Armenia 2010), the public opinion in these regions has been virtually unresearched. Polls in Abkhazia shows a country internally divided with respect to the attitudes towards the regime (O’Loughlin et al 2010). On the one hand the Abkhaz people, Armenians and Russians in the country show support for the current republic, on the other hand the Georgians mostly concentrated in the Gali region next to the border with Georgia tend to
be distrustful of the regime. There is no indication of such internal division in the NKR (European Friends of Armenia 2010).

These conditions of possibility for a viable political community thus represent two crucially divergent cases. There is Abkhazia with an undisputed territory\(^2\) and a multi-ethnic population, which is ethnically divided and politically biased towards the ethnic Abkhaz, who constitute the largest ethnic group on the territory, but not a majority. And then there is the NKR, which is ethnically almost completely homogenous but inherently part of the greater Armenian nation on a territory, which remains contested and under reciprocal occupation. Both Abkhazia and Nagorno-Karabakh have somewhat problematic foundations as far as the political community is concerned – there is no easy and one-to-one fit between the territory (homeland/motherland) and its people (ethnic kin-group and ‘others’). These aspects are also reflected in the perceptions of political community to which we turn next.

The focus group discussions indicate that the Abkhaz people perceive themselves to have a special relationship to the territory and thus the state and therefore seem to expect that all other inhabitants from other ethnic groups share their connection and commitment. For instance, it was a recurrent position that the other ethnic groups or inhabitants of the country cannot just be considered (\textit{a priori}, without qualifications) as parts of the multi-ethnic nation of Abkhazia: \textit{...if they don’t share our value system, they remain strangers despite of their citizenship} (ABK\textsubscript{MC}). It was clear that for being considered full members of the political community they had to share certain values and priorities with the ethnic Abkhaz, they had to share their goals with regard to the fate of the country, share at least in part the unique attachment to the country: \textit{those living in Abkhazia, but think of themselves as being part of another country, let’s say Russia, or Georgia, I don’t consider them Abkhazian people...} (ABK\textsubscript{R}). Support or loyalty for the Abkhaz cause and the adoption of certain Abkhaz values (\textit{apsuara}) seemed to be the criteria for being considered a subject and a full citizen of the Abkhazian state. Thus, although it was acknowledged that Abkhazia was a multi-ethnic country, this was not seen as without complications and the total population of the area was not necessarily

\(^2\) The territory is undisputed in the sense that it is clear what territories should belong under the label “Abkhazia”, even though the status of the country itself is internationally contested.
considered a single and coherent political community. For this, the attitudes of the ‘others’ should be aligned with the ethnic Abkhaz. A shared set of values and a shared commitment with the objectives of the ethnic Abkhaz seemed to be a precondition for a shared political identity.

Although representing a coherent and unified political community, one might still find it questionable to consider Nagorno-Karabakh separately from Armenia-proper and to tackle its strives for self-determination through independence as an utmost goal: *We are no different from the Armenians of the entire world* (NKR<sub>p</sub>); *Karabakh people, they are the same Armenians, just historically they lived in the territory of the ancient Artsakh* (NKR<sub>B</sub>). Furthermore, if one takes into account the fact that at least a significant part of the population sees the future of the country as strictly part of Armenia (which can be safely assumed on the basis of the very same focus group discussions), then the issue of the existence of a distinctly Nagorno-Karabakh political community becomes somewhat dubious. Although some would even have a strong claim saying that “we have decided about our territorial issue a long time ago”, this still seems to be a somewhat contested dream given that counter claims exist in parallel: *In this way our flag and our coat of arms, it all presupposes that eventually we will become a part of Armenia. But at this stage, taking into account these political complications, one has so far to talk about the recognition of the NKR, about the existence of two Armenian states, keeping in mind, that we will be represented also in other Euro-structures, parliaments, in the UN as two states...* (NKR<sub>MC</sub>). Even if the proclamation of independent statehood in Nagorno-Karabakh is a tactical manoeuvring and a step before the final reunification with Armenia, it expresses the political will of the community.

**Quest for survival and perpetual threat of war**

Just as the conditions of possibility of a demos (in terms of territory and especially ethnic composition) and the resulting perceptions of the political community were different in these two cases, so are the threats which might be said to exist (objectively) and which
are interpreted by the inhabitants of these two regions. The conditions and context of the political community carry over into and shape the threats, which are perceived.

As was brought out in the previous section, the core of the political community in Abkhazia is the Abkhaz ethnicity, which, compared to the total number of other ethnic groups in the country, is in a minority position. As previous research has shown, this has led to the condition where the ethnic Abkhaz are in the current (post 2008) situation concerned most of all about demographic survival (O’Loughlin et al 2010) and questions of culture and language (Clogg 2008: 310), with the Abkhaz language becoming next to Russian (the lingua franca in the country) the language of rural areas and the elderly. Russia does not pose only a linguistic influence – the problem of Abkhazia becoming increasingly dependent on Russia in terms of military protection, investments and financial support has become a significant issue of concern since the conflict in 2008 at least from the outside perspective (International Crisis Group 2010). There is a significant number of Russian troops in Abkhazia (it is estimated that at least 4,000), a military base has been established in Gudauta and another one is planned in Ochamchire, Russia is gaining control over the strategic infrastructure (railways and airport) in Abkhazia and approximately half of the state budget is provided by Russia (International Crisis Group 2010). When Clogg writing in 2008 could report that a possible “resumption of hostilities” (2008: 311) was still a very significant perceived threat, then public opinion research after the Russian recognition and increased economic and military support indicated that a possible war with Georgia was no longer a significant issue (O’Loughlin 2010: 20). Although the Abkhaz are concerned over their cultural survival, as the analysis below also indicates, they do not see Russia as a threat – on the contrary the attitudes towards Russia seem to be very favourable as Russia is seen as a significant guarantee of security and independence.

The Nagorno-Karabakh Republic on the other hand presents a completely different context for possible threat perceptions. While the situation of concern in Abkhazia was internal – cultural and demographic – the major determinant of security in the NKR is Azerbaijan. Although Armenian military assistance in terms of equipment and personnel to the NKR is considerable (International Crisis Group 2005), this has not been enough to remove the Azerbaijani factor as Russian support was to eliminate the
perceived Georgian threat. The region, in terms of the proportion of the military to the civilian population, is one of the most militarized in the world (International Crisis Group 2005) and reciprocal exchange of gunfire across the border with Azerbaijan is still the norm (Дженполадян 2009). The NKR depends on Armenia also in terms of its state finances, the latter having provided essentially non-repayable loans since 1993 (International Crisis Group 2005: 12-13). The US has also provided significant contributions to the NGOs in the country, as has the Armenian diaspora.

This difference, again, can be seen in the ideas expressed across the focus group discussions. Although tensions and concerns over the relationship with Georgia are expressed now and again among the Abkhazian discussants, this issue does not receive much attention. It is clearly evident that the Russian factor is perceived as a significant guarantee of security against Georgia. At the same time, the single overarching threat for Nagorno-Karabakh is Azerbaijan and partly constitutive of this threat (by preventing its resolution) is the wider process of conflict resolution.

Abkhazia should first of all be considered against the backdrop of recent events in the area. After a long period of struggle (so-called “15 years of distress”) following the war with Georgia in the first half of the 1990s, the conflict in 2008 and the subsequent recognition from Russia, the Abkhazians tend to perceive their geopolitical situation as existentially secure. The problem of statehood and independence seems to be resolved to a significant extent. The current moment is seen as hopeful with regard to the future and the biggest problem to be solved seems to be the future cultural viability of the ethnic Abkhaz, in which the Abkhazian state should play a protective and prominent role: we have created such a state where we are going to preserve ourselves as an ethnic group, where we could keep our customs, which our ancestors used to have. If this doesn’t happen, then there is no sense to call ourselves a state and make some state at all. (ABK8)

In comparison, the perception of the situation in Nagorno-Karabakh can only be described as existentially insecure. The condition of ‘no war, no peace’ and no satisfactory way out of the problem, as far as the conflict resolution process is concerned, seems to engender a feeling of insecurity: we are building our state, develop the economy, hold our classes and at the same time we always know that the situation around
our country is tense (ABKMC). There is no question about the fact that the most important perceived threat is the threat of hostility or war on part of Azerbaijan, which is part of the wider issue of the unresolved status of the territory. Although Azerbaijan being certainly the most important perceived threat, other threats to Nagorno-Karabakh emanated from the wider context of the region: *I believe one of the biggest threats is Muslim religion and the new pan-Turkic ideology, until the present day (ABKMC).*

The question of a different source of threats – internal versus external – might also have implications on where the people put their hopes and responsibilities for safety. In Abkhazia, the most significant threat or threats all had in one way or another to do with the survival of ethnic Abkhazians and their distinct identity. This concern found its expression in many different ways, starting from the mere physical survival of the people (demographics) to the issues of global cultural influence and the disruptive effects of foreign capital: *A minimum number of people who must speak this language in order for this language to be preserved for us – this is the most important problem, you see, many Abkhaz today don’t speak their native language. (ABKb)* A peculiar internal threat is closely related to the question of political leadership, ideas and political will, integrity and the problem of corruption: *We unfortunately don’t have ideas now... (ABKMC); ...we need professional people, who could see that there are some empty gaps (ABKMC); ...if we don’t have normal managerial elites, the threats will simply puff up exponentially. (ABKMC)* This lack of leadership as a possible threat can be interpreted in the light of the responsibility of the Abkhazian state to ensure the survival of the ethnic Abkhaz people. The preference for clear and strong leadership ties closely in with this issue.

In Nagorno-Karabakh, the picture is just the opposite. There exists a sharp dichotomy between the internal situation of certain perceived stability and development, and the hostile international or geopolitical context of the region. In such an insecure cultural/geopolitical environment, where peace is uncertain and war a possibility, it is natural that the question of security is highly valued and that internal problems and difficulties are perceived as inextricable from the wider context: *all problems in the economy and generally in the social life, they are connected with the external threat (NKRf).* In that case, securitization might easily affect those preaching Jehovah’s Witnesses, which illustrates how sensitive the situation is to anything, which would
potentially undermine the question of security against the external threat. The problem at its core is simple: because the sect advocates non-violence, it undermines people’s capacity to protect themselves and their land against aggression.

Thus, if one would imagine these two cases being on the same continuum with completely unsatisfied claims for self-determination within the bounds of a hostile parent state on the one end and the fulfilment of self-determination on the other end, then their position and the corresponding threats and problems differ considerably. While Abkhazia seems to be placed towards the latter end of the continuum, where understandably internal problems might dominate, Nagorno-Karabakh seems to be located more towards the former end, where external hostility on part of the parent state is the most significant concern.

“We want to have a genuine democratic state…”

Although one of the attitudes usually taken towards de facto states is that speaking of their democratization would be contradiction in terms, because of their unrecognized status (Caspersen 2011: 3), the actual picture is a bit more complicated. Both the Republic of Abkhazia and the Nagorno-Karabakh Republic have declared and formally established themselves as democracies. The Abkhazian declaration of independence of 1999 and the constitution of 1994 underscore the democratic nature of the country as do the declaration of independence and constitution of Nagorno-Karabakh. The actual existence and functioning of the regimes partially confirms the democratic nature of the two states, although it also brings out serious problems and deficiencies.

The international monitoring organization Freedom House has (2010) classified both states as ‘partially free’ and during the last decade this rating has remained relatively stable. The most important problems with regard to democracy, which are brought out, are the large number of displaced persons, the excessive dominance of the president, problems with corruption and the justice system in the case of Abkhazia and problems with the judiciary, corruption, violence and the existence of martial law (although not supposedly enforced) in the case of Nagorno-Karabakh. The status quo political process,
its domestic context and acceptance by all parties as ‘the only game in town’ can in essence be considered democratic (as is also suggested by Fisher (2009), Popescu (2006: 18) and Kolstoe and Blakkisrud (2008)) although with significant problems and definite room for improvement. High profile assassinations (International Crisis Group 2010: 12-12), exclusion of Georgians in the Gali region (Fisher 2009: 3) and the resulting ethnocratic character of the regime in Abkhazia (Popescu 2006: 18-20) and tendencies towards delegative democracy in both cases (Matsuzato 2008: 116) are additional problems with regard to the democratic character of the regimes. It is next to impossible to assess the conditions of democracy in these two cases without taking into account their geopolitical context and history and it is clear that the unresolved nature of the conflict and the resulting tensions and international isolation is something, which contributes to the lack of effective democracy. Indeed, in a recent article, Caspersen (2011) furthermore suggests that in recent years the predicament of such countries, including Nagorno-Karabakh (where the drive towards democratization has perhaps somewhat cooled off) and Abkhazia (where elements of democracy are relatively vibrant), has even furthered some of their strides towards and emphasis on democratization, although with a strong ethnic bias in a severely constrained environment.

The focus group discussions open up a somewhat more optimistic and positive picture of democracy, which leaves no doubt that in the minds of people in those regions democracy in the broadest terms (however that might be defined) is the desired goal. With regard to the principles of an ideal political regime, both Abkhazia and Nagorno-Karabakh are similar. In both cases democracy is preferred and in both cases preferences for a strong presidential power stand out. What this democracy should entail and how it should be arranged in practice is, however, often left unspecified.

In the Abkhazian case it was often stressed across the discussion groups that, first of all, democracy is something that is inherent to the Abkhazian culture and way of life already for a long time: traditionally our society has been like the basis for democracy – its private property and personal freedom of each individual... (ABKb). Through this it is emphasised that democracy is not something, which is inherently alien to Abkhazia. Additionally the existence of a significant level of democracy in the country is usually implied by indicating that Abkhazia is more democratic than some of its neighbours, like
Georgia and Russia: after South Ossetia I decided by and large, that we have an almost perfect democracy (ABK₁). Secondly, it is often stressed that Western liberal democracy should not be applied to the Abkhazian case without modifications: as long as the ethno-demographic problem of the Abkhaz as an ethnic group is not solved, when we manage to overcome the difficulties of the negative dynamics of nativity and mortality, then this ideal textbook democracy, it is simply not realistic here (ABK₁). What these modifications entailed was left unspecified, but it might be concluded that it at least partly relates to the ethnic situation in the country.

With regard to specific regime principles, both presidential and parliamentary systems of government are usually brought out, with perhaps the former being dominant (which ties in with strong support for the institution of the president): The Abkhazian has always respected, obeyed the sympathy of a good, strong, powerful figure... (ABKₚ). Presumably, the presidential form of government ties in with more of the other elements like the traditional need for strong leadership and essentially consensual trust for the presidential institution. The view that the presidential system of government should be stronger may also resonate in the societal debates: we all want our state to be democratic, it goes without saying, with a strong presidential power and that all three branches of power were balanced (ABK₃). Likewise, Nagorno-Karabakh is perceived as a democracy either independently or incorporated into a democratic Armenia: democracy for us is a natural condition (NKRₚ). Furthermore, it is often mentioned that Nagorno-Karabakh (together with Armenia) should integrate towards the European Union and many see their country as part of the EU in the future: In this respect of course the striving for democracy is omnipresent, we really want to have a genuine democratic state (NKR₃). With regard to the current situation, however, it is often stressed that the condition of ‘no war, no peace’ has its implications on the possibility of democracy, with the latter possibly and justifiably being compromised by the insecurity of the situation: To talk about democracy in a geopolitical situation as Nagorno-Karabakh finds itself, I would say this would be stupid of us (NKRₚ); We are talking about democracy in the framework of a martial law! (NKR₃). Democratic governance and performance of a normal democratic regime is possible only after the conflict is resolved and the external threats have withered away.
This is equally true with the question of a presidential or parliamentary system: We need presidential rule and centralisation of power that should come from one source (NKRp).

It is clear that the idea of democracy in Abkhazia and the idea of European liberal democracy do not fully overlap and that for example the situation of ethnic Abkhaz and their interest is to have priority over the standard values of democracy should they ever come into conflict. Just as in Abkhazia the internal threat of the insecure situation of the ethnic group (in terms of its survival as a distinct ethnicity) put pressure on the possibility of a full democracy, so it is the external threat of war in the case of Nagorno-Karabakh, which has to be taken into account in thinking about the possibility of full democracy there. What is at stake is the survival and viability of the regime as a whole, which has to begin with the establishment of Nagorno-Karabakh as an independent actor as such and then move on to closer relationships and some kind of unification with Armenia and with the European Union in the more distant future.

‘Independent’ but not quite performing

The performance of the regime is perhaps the most difficult dimension of the four that are considered here to give an external evaluation to, since this essentially relates to the conditions and evaluations of the local population. The internationally unrecognized status of the countries has also left them out sight of international evaluators, thus making a comparative assessment difficult. In terms of the general socioeconomic indicators in the regions, the picture is certainly not rosy. The GDP per capita in Abkhazia (2009) is roughly 2400 USD (Office of the President of the Republic of Abkhazia 2010) and 1700 USD in the NKR (2008) (The National Statistical Service of the NKR), thus being significantly lower than in other countries in the region. This is also reflected in both countries’ ability to function and provide essential public goods on their own. The devastation of the war in both cases was enormous and only with the help of patron states (Russia and Armenia) and the international community (humanitarian organizations in both cases and additionally the Armenian diaspora in the case of the NKR) are they able
to provide social security services and rebuild essential infrastructure (Kolstoe and Blakkisrud 2008: 494-496).

As previous public opinion research shows, the attitudes of the people on the ground might not necessarily reflect the urgency and seriousness of the conditions, especially in their attitudes towards the state. The Abkhazians (except for the Georgian minority) perceive their economic situation to be better than in Georgia and an overwhelming majority think that the country is generally heading in the right direction (again except for the Georgian minority) (O’Loughlin 2010). The same attitude towards the direction of the country is also true for the NKR and 40% of the population thinks that the government represents their interests very well or fairly well, although people perceive unemployment, housing and poor social conditions as the most significant domestic problems (European Friends of Armenia 2010). This reflects a general approval of the regimes in both cases, which might seem somewhat surprising given the relatively poor independent performance of the regimes themselves. At this point it is important to keep in mind one of the remarks made by Kolstoe and Blakkisrud (2008: 500) – during the interviews with the locals in Abkhazia, the interviewees did not understand a suggested connection between welfare and loyalty to the state, the two were not related. At minimum, this suggests that the relationship between performance and legitimacy should not be taken for granted.

In the general picture of these two cases, similarities with regard to the performance of the regime stand out. People in Abkhazia and Nagorno-Karabakh highly value the existence of the regime as such. The fact that they have an independently functioning political system is beyond question in terms of its value: ...practically speaking, all institutions work, and this is the most important thing. The people do not feel pressure from this system in a negative way. (ABK). With regard to the day-to-day performance of the regime, however, the discussants in both cases are significantly more critical. The difference between the two cases lies in the position of where the discussants perceive their country to be at the moment, one still struggling to find recognition and achieve external security, the other already having achieved that to a significant extent.

For instance, the current moment is seen as a watershed between a difficult past and a more hopeful future in Abkhazia: Abkhazia today is like a sportsman before the
start, we have become a state, now it’s the recognition stage, some treaties with Russia are being concluded, but it takes time, one cannot at once, say, raise the economy, well, this takes time, this is not done at once (ABKMC). It is acknowledged that changes and development take time and that everything is not possible at once: Abkhazia will take its due place in order for a small people’s problem to be solved, and that it’s going to be well with Abkhazia for me there’s no question about that (ABKP). This seems to be one of the reasons that allows for praise for the system as such and condemnation of its current performance at the same time. Shortcomings in daily regime performance such as corruption, oversized bureaucracy and mistrust of the judicial and law enforcement structures come often under severe criticism. Expressing trust in institutions seemed to be more seldom than expressing mistrust, however, there were some significant and recurring examples. Civil society, the media and the army were some of the examples of trusted institutions. Trust in the institutionalized ethnicity (apsuara) was also mentioned at times. This, again, underlines the ethnic dimensions of the situation in Abkhazia (I only believe in the Abkhaz people, I don’t trust anyone else) and demonstrates a direct relationship to the institution of the president with the direct election by the people as the necessary link between them (our people go to vote, our people trust this institution).

It seems that the situation of Nagorno-Karabakh and the perpetual threat of war and conflict are the primary things one should consider in interpreting the perceptions of the performance of the political regime: I think we are on the way of transition, and today to talk about full trust or full mistrust is difficult for me (NKRMC). People do acknowledge that they are in a difficult situation and that the political system is not perfect, that there are problems of state building, but they seem to agree to a significant extent that given the circumstances the situation is as good as they can hope for: We live in our homeland and we live quite freely in the state that we have built ourselves and that we have wanted to build ourselves (NKRb). A system of government has been established, institutions are in place and now it seems to be a question of time and development, before they start functioning better. A recurring element with regard to this issue is the emphasis that Nagorno-Karabakh has all the elements of a state, which ties in with the issue of recognition and resolution of the conflict. Thus the first moment in the evaluation of the regime is the existence of the regime as such and the problems of
building a functional state apparatus come only thereafter: *The main plus is that we as a state operate as a fully-fledged state (NKR_B)*.

Although the existence of an independent regime as such is highly valued and beyond criticism, there are many aspects of the political system and its performance that the discussants find either more or less adequate. The central institution, which enjoys the trust of the discussants, is the presidency. Other institutions, which are mentioned as trustworthy, are the army, the ministry of defence, the nation, and democratic elections. It seems clear that the presidency is the central institution, which to a significant extent legitimates the whole regime. While the institution of the president enjoys the full support of the discussants, the opinions about the parliament are somewhat more ambivalent. Some people explicitly express trust in the parliament, while others point out a lack of professionalism or agency, the former being repeatedly seen as an issue throughout state structures. Most likely related to the decreased level of trust in the parliament is a lack of trust in political parties. Other aspects of regime performance, which receive repeated attention, are the questions of the quality of various public services. The question of social justice also seems to be often on people’s minds.

Thus to sum up, the existence of an independent political system and the institution of the presidency (which can be assumed is seen as the embodiment of the will of the nation, which in turn is highly trusted) are held in very high regard, whereas much of the rest of the political system (with perhaps only the exceptions of the army, media and civil society) is seen in much more critical terms. In a sense this should not be surprising, since institutions such as political parties and the parliament for example, enjoy a comparatively low level of trust also in European democracies.

**Conclusions**

Both Abkhazia and Nagorno-Karabakh may have difficulties in finding accommodation for their self-determination calls given that these entities are perceived as merely rebellious provinces of their respective parent states and not overseas territories subject to decolonization in the eyes of international community. Yet, one may equally raise a
counter argument, which refers to the necessity of test their regimes’ viability as representing ‘rightful authorities’. In the ongoing transformation of the international state system, which does not disapprove the legitimacy of the Kosovo’s attempt to secede from Serbia in 2008 (see the ICJ verdict from July 2010), one may seriously pose the question: who is entitled to ‘earn sovereignty’?

The purpose of this paper was to study the issues and conditions of internal legitimacy in Abkhazia and Nagorno-Karabakh based on legitimacy criteria widely accepted for liberal democratic societies and then examine their possible applications to external legitimacy that might follow in due course. Accordingly, this paper focused on the following four elements – the political community, threats to the political community, perceptions of ideal regime principles, and finally, evaluations of the performance of the current regime in order to figure out whether de facto regimes in Abkhazia and Nagorno-Karabakh enjoy internal legitimacy and therefore can use this legitimacy in their self-determination claims and expect recognition from the international community.

Based on the analysis of focus group interviews we first found out that both Abkhazia and Nagorno-Karabakh have somewhat problematic foundations as far as the political community is concerned – there is no easy and one-to-one fit between the territory (homeland/motherland) and its people (ethnic kin-group and ‘others’). These aspects are also reflected in the perceptions of political community as Abkhazia is divided between ethnic groups and the people of Nagorno-Karabakh are part of the Armenian nation. Secondly, this study revealed the importance of internal threats related to the survival of the Abkhaz ethnic group in contrast to the external threats most seriously felt in Nagorno-Karabakh in the form of Azerbaijani aggression. Thirdly, both the issues of survival of Abkhaz ethnic group as well as permanent threat of war in Nagorno-Karabakh set conditions to what kind of democracy is appreciated by people at all. Last but not least, it appeared that in given circumstances, where the survival of ethnic group/state come first in line, regime performance is fully approved and justified as long as the provisions of the main tasks are fulfilled.

As both cases, however, reflected serious shortcomings in meeting legitimacy criteria defined according to liberal democratic principles, they have a long way to go in the democratisation process to justify ‘the earning of sovereignty’. Although it is clear
that restoring the *status quo ante* or something along those lines, as the parent states of Georgia and Azerbaijan would want, is a practical impossibility, these two *de facto* states have yet to prove themselves as effective states embracing full liberal democracy. Their predicament is probably made worse by their international pariah status, which impedes their democratization. Yet as the focus group discussions indicate, at least the general willingness to establish a functional democratic system, despite all the obstacles, is strongly present in both cases. Perhaps even Kosovo, although credited by partial recognition by major Western powers, would have failed to pass this legitimacy test. Without mentioning Georgia and Azerbaijan, which have only legal rights but no legitimacy to claim these lost territories back.

**Acknowledgements.** This work would not have been possible without the kind assistance of Aida Ladaria and David Babayan, who helped to recruit the participants for the focus group discussions, and Karmo Tüür and Aśja Mihhailitshenko, who carried out the fieldwork. The article was written as part of the project “Constructing Demos in De Facto States. Legitimacy and Regime Support in Abkhazia, Transnistria and Nagorno-Karabakh”, which received support from the Estonian Science Foundation and the Russian Foundation for Humanities.

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