

Federica Prina
Research Associate, European Centre for Minority Issues

**Conference “Minority representation and minority language rights: Origins,
experiences and lessons to be learned”**

11-14 October 2012, Cluj-Napoca

LANGUAGE POLICIES OR LANGUAGE POLITICS? THE CASE OF MOLDOVA¹

Moldova is deeply divided along language lines. The main societal polarization is found in the gulf between the speakers of Russian and of the state language, Romanian/Moldovan. To the first category belong not only Russians, but also national minorities such as Ukrainians, Gagauzians and Bulgarians, who tend to employ Russian more than the state language. The two main linguistic groups inhabit two largely separate societal spheres, with different media and educational institutions.

This paper examines Moldova’s language policies taking into account the pending ratification of the European Charter for Regional or Minority Languages (Language Charter).² While Moldova has ratified the Framework Convention for the Protection of National Minorities (FCNM),³ it limited itself to signing the Language Charter in 2002 - and still had to ratify ten years later. The paper highlights some of the reasons for the deadlock in addressing the linguistic divide, and in the ratification of the Language Charter. It argues that essentialist notions of language and ethnicity, originating from the Soviet nationalities discourse, are at the foundations of current language policies, and have led to their politicization in the post-Soviet period. Although literature exists on the Romanian/Russian

¹ I would like to thank Mariana Oprea for the background research she carried out for this paper.

² European Charter for Regional or Minority Languages, ETS No. 148, adopted 5 November 1992, entered into force 1 March 1998.

³ Framework Convention for the Protection of National Minorities, ETS No. 157, adopted 1 February 1995, entered into force 1 February 1998. It was signed by Moldova in 1995 and ratified in 1996.

divide, and on the fuzzy contours of Moldovan identity (Cisnel 2006; Cisnel 2007; Cisnel 2008; Cisnel 2010; King 1999), this paper seeks to focus on possible root causes to be found in the Soviet nationalities policy and its institutionalized ethnicity. Essentialist perceptions on linguistic identity are likely not only to be behind an apparent resistance to the ratification of the Language Charter, but are also inimical to the development of a multi-layered identity and an overarching Moldovan consciousness.

Following a brief outline of Moldova's history and its language policies, I outline the Soviet nationalities policies. I then link them to post-Soviet societal divisions on the basis of language, and the complexities in the ratification of the Language Charter. The paper excludes a specific discussion on the Transnistrian breakaway region and the autonomous region of Gagauzia, as they are beyond the scope of this analysis.

Moldova: A Divided Society

According to the 2004 census, the last for which data is available, in Moldova (minus Transnistria) 75.81% of the population considered itself Moldovan, 8.35% Ukrainian, 5.95% Russian, 4.36% Gagauz, 2.17 % Romanian, 1.94% Bulgarian, and 1.32% other.⁴ The Moldovan government reported in 2009 that 75.2% of the population uses as main language Romanian/Moldovan, 16% Russian, 3.8% Ukrainian, 3.1% Gagauz and 1.1% Bulgarian.⁵

Among Moldova's principal characteristics is an uncertain national identity. The dilemma of Moldovan identity is best exemplified by a lack of consensus even as to the *name* of the state language – referred to either as 'Romanian' or 'Moldovan'. This largely reflects Moldova's position between Romania and Russia, which have both laid claims on the territory of Moldova.⁶ Thus, Moldova has been subjected to waves of Russification/Sovietization *and* Romanization. Among the Soviet measures adopted in the Moldavian Soviet Socialist Republic (MSSR, 1940-1990) was the forging of a Moldovan

⁴ Polish, Romani or others/undeclared.

⁵ ACFC, (Third) Report by Moldova, ACFC/SR/III(2009)001, 29 February 2009.

⁶ Bessarabia (the part of current Moldova west of the river Dniestr/Nistru) was unified with Romania in 1918, after being part of the Russian Empire. It was annexed by the Soviet Union in 1940. The part of Moldova East of the river, instead, became part of the USSR in 1924 as the 'Moldovan Autonomous Soviet Socialist Republic' (MASSR), a region inside Soviet Ukraine.

identity as separate from the Romanian one.⁷ The Soviet official discourse treated ‘Moldovan’ as a separate language from Romanian.⁸ Although the issue of a possible separate Moldovan language is still contested,⁹ it has been argued that ‘Moldovan’ is merely a form of diglossia, and that the Moldovan language is virtually indistinguishable from Romanian. The only discernible difference during the Soviet period was the alphabet – Cyrillic in the case of ‘Moldovan’, Latin for Romanian (Ciscel 2006). As the other commonly used language in Moldova is Russian, Moldova does not have a unique linguistic identity that can differentiate it from other (nation-) states.

The events since 1989, and the subsequent collapse of the Soviet Union,¹⁰ have intensified the split, and even led to a part the country, Transnistria, breaking away from Moldova. The liberalization of *glasnost* and *perestroika* enabled the formation of the Democratic Movement of Moldova in the 1980s, which developed into the nationalist Popular Front of Moldova (hereinafter Popular Front) in 1989. Ethnic mobilization, including mass demonstrations organized by the Popular Front, led to the adoption by the Moldovan Supreme Soviet of three new laws, which proclaimed Moldovan,¹¹ written in the *Latin script*, the state language:¹² the Law on the Official Language; the Law on the Functioning of the Languages Spoken in the Territory of the Republic of Moldova (hereinafter the ‘Language Law’¹³); and the Law on the Re-introduction of the Latin Script.¹⁴ It was a sign of emancipation from the Russian language: by rejecting the Cyrillic alphabet, King contends

⁷ On Soviet ‘Moldovanization’, see King (1999).

⁸ On Moldovan identity as a construct, see Win van Meurs (1998).

⁹ The issue of a Moldovan identity, separate from the Romanian one, has also been subject of debate. This approach has been supported by *Moldovan* nationalists in reaction to the pan-Romanians. In 1994, (former) President Mircea Snegur asked historians and linguists to study Moldovan independent identity (King 1999:4).

¹⁰ Moldova became an independent state in 1991.

¹¹ In the legislation the expression used is ‘Moldovan’ (or ‘the state language’), rather than ‘Romanian’.

¹² Over the years the issue of the Latin versus the Cyrillic alphabet has also caused tensions between Chisinau and the breakaway region of Transnistria.

¹³ Although it was originally adopted as a law of the MSSR, it remains in force even after Moldova’s independence, insofar as it does not contradict the 1994 Constitution.

¹⁴ In 1994 the Constitution of Moldova was also adopted; it also stipulates at Article 13 that “[t]he State language of the Republic of Moldova shall be Moldovan, using the Latin script.”

(1999: 3), Moldovans rejected ‘the key feature that had long distinguished them from Romanians’.

Ethnic mobilization was accompanied by calls for reunification with Romania, which led to fears among the Russian-speakers east of the river Dniestr/Nistru (Transnistria). Following fighting in 1991-92, in which the Transnistrians were supported by Russian forces, Transnistria declared independence. In addition to polarizing the population (King 1999: 4), the declaration of independence created a *de facto* separate state, which negotiations have been unable to resolve, resulting in a conflict that remains ‘frozen’. While in Moldova (minus Transnistria) the state language is Romanian/Moldovan, east of the river the Russian language predominates.¹⁵

Language issues have been taken up by Moldovan politicians. Strong ethnic mobilization in the late 80s and early 90s saw a move towards the Romanization of Moldova (excluding Transnistria). With changes of government, linguistic priorities have shifted but continued to be the background of political battles. Four phases can be distinguished: 1) ethnic mobilization, with a reaction to Sovietization and the Russian language, and with the ultimate objective of reunification with Romania (1989-1994); 2) a more moderate pro-Romanian line and the setting aside of plans of reunification, after the Popular Front became a minority in 1994¹⁶; 3) the Communist government (2001-2009)¹⁷; 4) the post-Communist phase (2009 to present), characterized by political instability and a deadlock in the appointment of a president (between September 2009 and March 2012). Overall, Communists have tended to refer to the state language as ‘Moldovan’ (given the identification with the

¹⁵ In addition to Transnistria, the Balti district in Northern Moldova is a predominantly Russian-speaking area. Gagauz and Bulgarian are also spoken in the South of the country. ¹⁵ The 1994 constitution guarantees autonomy to Gagauzia, as well as to Transnistria. In addition, in 1994 Moldova adopted the ‘Law on the Special Status of Gagauzia’.

¹⁶ This year the Democratic Agrarian Party gained a majority.

¹⁷ The Party of Communists of the Republic of Moldova gained 49.9% of the votes in April 2001 (and 71 of 101 parliamentary seats), remaining in power until 2009. In the parliamentary elections of April 2009 the Communist Party won 49.48% of the votes. The electoral results were disputed and demonstrations followed. In August 2009, a governing coalition was formed between four other parties (the Liberal Democratic Party, the Liberal Party, the Democratic Party and Our Moldova Alliance), causing the Communist Party to become an opposition party. President (since 2001) Vladimir Voronin resigned in September 2009 and, the parliament having failed to elect a new president, Mihai Ghimpu became acting president. The parliament was dissolved in September 2010 after a constitutional referendum on a reform proposed by Ghimpu, which failed to support the reform. Marian Lupu was elected Speaker of the Parliament in September 2010, and also served as acting president. In March 2012 Nicolae Timofti was finally elected president in a parliamentary vote.

Soviet period), while nationalists have referred to it as ‘Romanian’ (given the identification with Romania).

Under the Communist Party leadership (2001-2009) the Russian language was, overall, favoured. There were attempts by (former) President Voronin and Communist MPs to legislate so as to make Russian an official language alongside Moldovan, as well as to reintroduce Russian as a compulsory subject in all schools (Ciscel 2010). The opposition strongly resisted these attempts. Following the change of government in 2009 there has been a greater emphasis on the promotion of the state language, referred to primarily as ‘Romanian’ rather than ‘Moldovan’.¹⁸

The Moldovan authorities stated in 2009¹⁹ that they had started negotiations and discussions towards the ratification of the Language Charter. The process had still not been completed in 2012. The reasons are likely to be linked to the sensitivity of language issues in Moldova, given the gulf between two main linguistic spheres. In particular, both groups note a lack of ‘respect’ from the other group (Ciscel 2007). Indeed, research points to frustration among the Romanian-speaking population (as the state language is still not spoken by much of Moldova’s population) (Chinn 1994),²⁰ while at the same time Russian-speakers perceive their language as being downgraded and devalued (Ciscel 2007). Meanwhile, there is little sense of a common (Moldovan) identity that can transcend linguistic divisions.

Soviet Legacies

Where did these attitudes come from? This paper suggests an interpretation of these dynamics based on Soviet nationalities policies, and in particular institutionalized ethnicity and essentialism. This section outlines the Soviet nationalities policies, focusing on three factors that have affected the perception of ethnicity: the institutionalization of ethnicity; the essentializing notions surrounding it; and the *use* of ethnicity for practical purposes. These elements have resulted in the prevalence of an ethnic over a civic consciousness.

¹⁸ See the state language logo ‘ro’ on the government’s website: <http://www.gov.md/homepage.php?l=ro>.

¹⁹ ACFC, (Third) Report by Moldova, ACFC/SR/III(2009)001, 29 February 2009.

²⁰ Chinn (1994: 309) notes: “the Romanian population [...] is becoming increasingly frustrated with its inability to use its own language for everyday activities such as calling a taxi or making a purchase in a store.”

First, the Soviet Union was characterised by the institutionalization of ethnicity. The concept of ‘nationality’ occupied a special place in Soviet societal (and territorial) arrangements, for both ideological and pragmatic reasons. The starting point was the belief espoused by Lenin that dominant nations were obstacles to the development of other peoples, impeding the attainment of the Communist ideal (Hirsch 2005: 52). There was also an acute need for diversity management, given the multitude of ethnic and linguistic groups, with varying forms of loyalties and belongings, present in post-revolutionary Russia – leading to the ‘national question’ (*natsional’nyi vopros*). Stalin himself was asked by Lenin to write an essay called ‘the National Question and Social Democracy’, which appeared in 1913. The view that emerged was that the national question could be solved by affording peoples their rights in their territories.²¹ Additionally, the Bolsheviks had no precise knowledge of linguistic and ethnic groups on which the Soviet experiment was to be conducted. There was a consequent need to categorize and codify nationalities. Efforts to explore and study Russia’s great ethnic diversity were exemplified by the creation of institutions such as the Commission for the Study of the Tribal Composition of the Population (known as KIPS),²² set up in 1917, and working to untangle the ethnic complexity of post-revolutionary Russia with the aid of ethnographers of the Academy of Sciences. Through the relentless work of ethnographers, a list of nationalities was compiled, with 172 nationalities in the 1927 List of Nationalities of the USSR (Hirsch 2005: 133-4). Thus, the Soviets acknowledged the pluralism of the USSE, and sought to devise methods to manage it, including through what has been defined ‘ethnic federalism’.²³ This initial codification, I suggest, led to a strong preoccupation with ethnicity and its complexity, that continued throughout the Soviet and post-Soviet period.

Second, the Soviets had a primordialist and essentialist approach to nationalities - nationalities being seen as entities with intrinsic characteristics. An ‘essentialist’, or ‘reified’ understanding of a culture is linked to an assumption of its homogeneity (Phillips 2007: 8-9),

²¹ At the 12th Congress Stalin argued that the Great Russian chauvinism and local nationalism would be eliminated only when “Soviet power in the republics becomes intelligible and native”. Stalin, I. V., ‘Doklad o Natsional’nykh Momentakh v Partiinoy i Gosudarstvennom stroitel’stve’ (Speech on National Issues in the Building of the Party and the State), in *Sochineniya* 5: 257-58.

²² Its successor was the Study of the Nationalities of the USSR (IPIN)*.

²³ On Russian ethnic and asymmetric federalism, see, among others, Bowring (2010).

by reducing a group to its 'essence' – or a set of internal characteristics. Like Phillip, authors have criticised the reductionist model that stresses internal homogeneity, together with a clear-cut separateness from other groups (Benhabib 2002: 10; Tully 1995). Narayan talks about a 'package picture of cultures' (2000: 1084). These concepts are closely connected to Brubaker's 'groupism', or:

[T]he tendency to take discrete, sharply differentiated, internally homogeneous and externally bounded groups as basic constituents of social life, chief protagonists of social conflict, and fundamental units of social analysis (2002).

This approach ignores the nuances and the multiple facets of a group, and their dynamic, ever-changing character. Tishkov (1997) described the Soviet essentialist approach to ethnicity, in which 'core' attributes were assigned to each minority, so as to enable nationalities' codification and subdivision.

The views propagated by ethnologist Lev Gumilev are likely to have influenced these notions (Opalski 2001).²⁴ Gumilev saw ethnic groups as regulated by natural rather than social processes - as self-contained entities with a permanent identity, transferred from generation to generation (Bassin 1007; Opalski 2001). Although the Soviet doctrines did not see groups as immutable and fixed, but able to evolve, groups also had an essence, found in specific traits. These primordial characteristics would develop, and evolve, under the Soviet guidance (Hirsch 2005: 8; 267). This concept came to be seen as the groups' 'coming together' (*sblizhenie*): while maintaining some internal traits groups would progress towards the creation of the *Soviet narod* (Hirsch 2005: 316-7). This view, centred around evolution, thus differs from the Nazis' concepts of biological determinism and 'pure' race. Soviet policies saw the 'coming together' through the creation of *homo sovieticus*, which would mark the transcendence of difference, flattened out by communism.

The transcendence of difference was, however, a long-term (and highly ambitious if unethical) goal. The existing diversity required immediate attention, and mechanisms to manage it. Language was considered the predominant ethnic marker in the Soviet Union, and

²⁴ Although Gumilev himself was discredited during the Soviet period, his doctrines enjoyed a new wave of popularity in the post-Soviet period.

the state established schools in minority languages (Slezkine 1994).²⁵ The local administration was transferred to local leaders through the process of ‘indigenisation’ (*korenizatsiya*). Local leaders filled positions in the local administration, the local Communist party, the judiciary and industry, through complex quota systems. Admission to the best universities was also dependent on membership of the titular group. Overall, in local government titular groups were overrepresented, and affirmative action policies continued up to the *perestroika* (Gorenburg 2003; Slezkine 1994).²⁶ One’s nationality was reinforced through the census takers, and in its being specified in internal Soviet passports and all documents, obliging people to continue to restate their nationality. At the same time, while minority languages were promoted through education, Russian tended to dominate in most spheres of language use, as it served as language of inter-ethnic communication throughout the Soviet Union (Tishkov 1997: 84).

Third, as ethnicity affected one’s life (the type of school or university one accessed, as well as employment opportunities), the population of the Soviet Union developed a heightened perception of their own ethnicity. Hirsch notes a major shift in the 1930s: populations that previously had had no specific awareness of their ethnicity (having previously identified with a village, clan or religion) had developed a well-defined consciousness of it (Hirsch 2005: 145). This came with the awareness that their claims could be made on the basis of their nationality. She writes (2005: 324): ‘as people used nationality-based institutions and demanded national rights [...] nationality became the most important official category of identity for Soviet citizens.’ Tishkov (1997: 70) believes that some individuals and groups started using their ethnicity in an opportunistic fashion to defend personal interests and address their particularistic needs camouflaged as ‘national interests’.

²⁵ However, schools in titular languages continued to decrease in number throughout the Soviet Union. See Gorenburg (2003).

²⁶ However, it was an approach that pointed to the *management* of diversity rather than its respect, or engagement with it. Policies were policy based on assumptions as to the meanings of diversity by the centre. For example, due to the fact that Soviet leaders considered several non-Russian nationalities as ‘backwards’, the state adopted a deeply paternalistic and patronising attitude towards them. The Soviet leaders effectively repressed the cultural traditions of certain ethnic groups by forcing them to work in collectives (Hirsch 2005: 251).

This emphasis on nationality did not leave much space for the development of a civic consciousness.²⁷ In the Soviet Union, like in imperial Russia, there was no discourse around the concepts of ‘civil society’ or ‘civic nationalism’. Rather, nationalism had been equated with *ethnic* nationalism (Opalski 2001: 301). Tishkov (1997: 250) argues: ‘The very process of civic nation-building lost its sense, replaced by the clumsy slogan of ‘making the Soviet people’ from many nations’. Russian liberals such as Tishkov in post-Soviet Russia speak in favour of a civic nation with non-ethnic foundations (Opalski 2001: 304). Indeed, in Russia the bifurcation of *russskii* and *rossisskii*, by which the latter refers more to a civic, rather than ethnic, nation, crystallised only after Soviet Union’s collapse.

Explaining Post-Soviet Linguistic Division

Where does this leave Moldova at the end of the MSSR? Tolz rightly argues that Russia, and other former Soviet republics such as Moldova, have been faced with the need to create a post-Soviet state from what was once a Union republic. It involves the difficult task of reconciling: ‘the dominant nationality and ethnic minorities of their *civic* identities, based on inclusive citizenship, *and* their exclusive *ethnic* identities, based on shared culture, religion, language, and common ancestry’ [italics added] (Tolz 1998: 993). This process involves forging an overarching civic identity, while at the same time enabling various ethnic groups to rediscover their own cultures, languages and/or religions that might have been repressed during the Soviet period. This combination of civic and ethnic attributes would replace the vacuum left by ‘Soviet values’ further to the Union’s collapse.

Two problems are linked to this. The first is that, as noted, the post-Soviet world has hardly a tradition of civic nationalism. The second relates to the difficulties in shaping a post-Soviet identity: it requires a process of de-Sovietization, by which peoples of newly-independent states tend to reach for elements of their pre-Soviet past. In the case of Moldova, this pre-Soviet past is linked to the Romanian one, and has led some Romanian-speakers to seek reunification, or closer links, with Romania. This fuels antagonism between the two main language groups, as it tends to marginalize Russian-speakers.

²⁷ The traditional distinction between civic (liberal and inclusive) and ethnic (illiberal and exclusive) forms of nationalism is drawn from Kohn’s seminal work (1944) . One should note, however, that the distinction between ‘civic’ and ‘ethnic’ nationalism is not always clear-cut (Brubaker 1999; Smith 2010: 212-3).

Census data cited above show there are many more persons who predominantly use Romanian/Moldovan than Russian. However, in the MSSR Russian had become the language of the urban *intelligentsia*, higher in prestige than Romanian/Moldovan – although formally Russian and Moldovan enjoyed equal status as official languages. In the MSSR Russian was the language used by the government, in higher education as well as being the language inter-ethnic communication (Cisnel 2006: 579). Since independence Moldova has struggled to reverse these dynamics, and to upgrade Romanian to a widely-recognised state language (*limba de stat*). The status of Romanian/Moldovan has been enhanced since independence but old perceptions still persist – sustaining views of Russian as the language of education, business and, generally, power (Cisnel 2006, 584; Cisnel 2008: 380). Russian continues to dominate certain areas of social life in Moldova, being the language of choice of a sizeable part of the business community (one should also note Moldova’s economic links with Russia). Efforts to promote the state language have varied over the years, although in the 21 years of independence of the Republic of Moldova, there have been no major changes in language legislation. The polarization of two camps has prevented a unitary, comprehensive and effective language policy. The differences in approaches between the Communists and nationalists have already been noted; the former’s efforts concentrated in particular on the recognition of Russian as an official language. In addition, the 1989 Language Law required civil servants to know both the state language and Russian by 1994. While Romanian-speakers tended to be already bilingual, many Russian-speakers have failed to become so, referring to various difficulties, including the absence of favourable conditions to acquire new language skills (such as inadequate textbooks) (Chinn 1994: 309).

While Moldova has still not ratified the Language Charter, it is bound to protect the rights of persons belonging to national minorities through the FCNM. Data regarding the rights of national minorities in relation to their languages are outlined in the reports of the Moldovan government to the Advisory Committee on the Framework Convention for the Protection of National Minorities (ACFC), and the ACFC’s Opinions on Moldova’s performance.²⁸ The ACFC noted shortcomings in the teaching of the state language to minorities (including Russians), including with regard to the limited resources allocated to it.²⁹ Problems include the lack of qualified, bilingual teachers, teaching materials, as well as a

²⁸ These are part of the FCNM’s monitoring procedure.

²⁹ ACFC, (Third) Opinion on Moldova, ACFC/OP/III(2009)003, 11 December 2009, para 145.

lack of incentives and opportunities to learn the language in areas where persons belonging to minorities live in substantial numbers.³⁰ While there appears to be an increasing openness to the learning of the state language, particularly among young people,³¹ there is a need for greater efforts. The ACFC noted the lack of ‘a comprehensive strategy and action plan for linguistic integration of persons belonging to national minorities who do not have an adequate command of the State language’.³²

The ACFC has further noted that Moldovan society has remained divided along language lines, as the country searched for a national and state identity,³³ and that ‘linguistic divisions are used for political purposes.’³⁴ Indeed, there might have been cases of political manipulation, where parties seek to exploit language and identity issues to gain supporters, by fuelling grievances. Examples are confrontations in the summer of 2012 in Balti, in the North of Moldova, where Russian-speakers are concentrated. Demonstrations were attended primarily by Russian-speakers, who in some cases resorted to violence.³⁵ There have also been tensions around the 2011 results of the secondary school exam in Gagauzia, when persons belonging to the Gagauz minority, who had studied in Russian schools, failed to pass the Romanian language test and were not issued diplomas.³⁶ The local authorities proceeded to issue their own diplomas, defying the central authorities – an act that was declared illegal by the Ministry of Education (see Ciurea 2011). In another example, Vladimir Mişin, an ex-Communist Party member, declared in 2012 that he wished to create a party primarily for the

³⁰ Ibid, para 147.

³¹ Ibid, para 146,

³² Ibid, para 148.

³³ Ibid, para 73.

³⁴ Ibid, para 21.

³⁵ “Violenţ e la Bălţ i!” (Violence in Balti), *jurnal.md*, 5 August 2012, <http://www.jurnal.md/ro/news/violen-e-la-bal-i-video-live-text-224673/>

³⁶ “Absolvenţii din Găgăuzia, care au picat la română, nu vor primi diplome de BAC” (Graduates of Gagauzia who failed Romanian will not receive secondary school diplomas), *Unimedia*, 27 July 2004. <http://unimedia.info/stiri/absolventii-din-gagauzia--care-au-picat-la-romana--nu-vor-primi-diplome-de-bac-37041.html>

representation of Russian-speakers. He told the media that Russian should be reintroduced in the Moldovan parliament.³⁷

Some persons belonging to Moldova's national minorities have also joined the Russian-speaking camp. One of the reasons why this occurs is that the teaching of minority languages is provided only in schools with Russian as the main language of instruction.³⁸ As a consequence, persons belonging to national minorities study the state language as *third* language,³⁹ which frequently results in its poor knowledge. The ACFC noted that this system can increase the tendency of some persons belonging to national minorities to identify more with the Russian-speaking group rather than their own minority identity. Indeed, in some areas, such as regions with high concentrations of Ukrainians, most of the teaching takes place in Russian.⁴⁰ As in the Soviet period, minorities continue to use Russian as the language of inter-ethnic communication. It reinforces the strong polarization between the two main language groups.

An important aspect of the current conundrum in language policy is the 'hybrid' status of the Russian language in Moldova. While the Moldovan Constitution states that Moldovan, in the Latin script, is the state language, it also stipulates that 'the State shall recognize and protect the right to the preservation, development and functioning of Russian and of other languages spoken in the territory of the country'. As noted, Russian is defined in Article 3 of the Language Law as 'language of inter-ethnic communication'. Therefore, it seems to be placed in a third category between those of 'official' and 'minority' language.⁴¹

³⁷ "Mișin: În Parlament trebuie să răsună limba rusă!" (In Parliament the Russian language must resound), *Unimedia*, 7 June 2012, <http://unimedia.info/stiri/video-misin-In-parlament-trebuie-sa-rasune-limba-rusa-48629.html>; "Mișin: Vom readuce limba rusă în Parlament" (We will bring the Russian language back in the Parliament), 7.06.2012, <http://politicom.moldova.org/news/miin-vom-readuce-limba-rus-n-parlament-230866-rom.html>.

³⁸ As in the example of Gagauzia above. In 2008, 280 schools had the state language as main language of instruction, while 145 schools operated in Russian but also taught one minority language and the state language (ACFC, (Third) Opinion on Moldova, para 136). According to the Activity Report of the Ministry of Education for the year 2011, 79% of students who received secondary school diplomas had studied in the state language and 21% in Russian. In higher education, 78,4% studied in Romanian, 19,5% in Russian, 1,3% in English and 0,8% in other languages.

³⁹ The teaching of the State language is compulsory in all schools.

⁴⁰ ACFC, (Third) Opinion on Moldova, para 136-7.

⁴¹ Instead, the ACFC in its Opinions refers to Russian as the language of a national minority.

Another example is provided by the Law on the Rights of Persons belonging to National Minorities and the Legal Status of their Organizations of 12 July 2001. Article 6(1) reads:

The State shall guarantee the fulfilment of the rights of persons belonging to national minorities to pre-school education, primary education, secondary education (general and vocational), higher and postgraduate education in Moldovan and Russian, and shall create the conditions for fulfilling their right to education and instruction in the mother tongue (Ukrainian, Gagauz, Bulgarian, Hebrew, Yiddish, etc.).⁴²

Here the minority languages are treated separately from Russian, which instead is referred to in the article together with the state language.

Conclusion: Non-Ratification of the Language Charter

Moldova is confronted by the fact that the Romanian/Moldovan is not a fully-functioning state language, and is in need of wide-ranging measures for its promotion. Many Moldovan citizens have no or poor knowledge of it, while it also suffers from a residual post-Soviet perception of its ‘inferiority’ to Russian. At the same time, Russian has not become official alongside Romanian/Moldovan, despite efforts to this effect by the Communists. The two camps have acted to block each other’s initiatives and remained antagonistic, with mutually exclusive approaches.

What does it mean for the Language Charter? I have argued that the exclusionary attitudes of the two main language groups derive from the essentialist, primordialist legacies of the Soviet period. Although mixed families do exist, and some Moldovan citizens may identify with the both groups, overall a sharp antagonism predominates. The primary identification with one of the two language groups impairs the development of a civic form of nationalism, or multi-layered identities.

The case of Moldova can be contrasted to that of Latvia. Latvia has developed much more far-reaching policies than Moldova in promoting Latvian as the state language, with

⁴² Almost the same wording is present in Article 18 of the Language Law, which says that the State “shall guarantee the right to pre-school education, general secondary education, specialised secondary education, technical-vocational education and higher education in Moldovan and Russian, and shall create the necessary conditions for fulfilling the right of citizens belonging to other nationalities, living in the republic, to education and instruction in the mother tongue (Gagauz, Ukrainian, Bulgarian, Hebrew, Yiddish, etc.)”. On the right to education, see also Article 35(2) of the Constitution, guaranteeing the right to choose the language of education; and Article 8 of the 1995 Law on Education: “[t]he State shall ensure [...] the right to choose the language of education and instruction at all levels and stages of education”.

periodic examinations to certify its knowledge, on which employment often depends. In comparison, the promotion of the state language lags behind in Moldova. However, language policies in Latvia and Moldova, although different, originate from the same Soviet legacy of primordialism and the dynamics of inclusion or exclusion in relation to ethnic (language) groups. In Latvia nationalism is closely connected to the Latvian language, rather than, for example, common history, or a civic form of nationalism. The predominance of ethnicity and language in defining group cohesion prevents an overarching identification for all peoples in Latvia. The more moderate line of Moldova, compared to Latvia, is likely to be closely linked to very practical reasons: the economic dependence on Russia, and Russia's *de facto* control over Transnistria.⁴³

To the exclusivity of identity (Romanian- *or* Russian-speaker) one has to add the attitudes of Russian-speakers in Moldova. Cisel (2007) has demonstrated that the Russian-speakers call for the 'respect' of their language – for example through Russian being recognized as a state language alongside Romanian. The ratification of the Language Charter would unequivocally place Russian among Moldova's 'minority languages', suggesting a drop in status compared to its current recognition as 'language of inter-ethnic communication'. Additionally, traditional Soviet expressions to designate ethnic groups did not include 'minority'⁴⁴ but rather 'nation' and 'nationality' (*natsiya, natsional'nost'*) and 'ethnos' (*etnos, etnonarod*) (Sokolovskii 2004).

What is to be done? I believe that ACFC provides the answer. It has encouraged the development of strategies for integration that do not focus on the state language as primary symbol of nationhood, but on 'common history, traditions, and a shared society.'⁴⁵ This

⁴³ This was also recognized by the European Court of Human Rights in the judgement *Ilaşcu and Others v. Moldova and Russia*, Application No. 48787/99, 8 July 2004.

⁴⁴ With few exceptions (Malakhov and Osipov 2006: 509).

⁴⁵ ACFC, (Third) Opinion on Estonia, ACFC/OP/III(2011)004, 7 November 2011, para 67-69. In commenting on the Estonian Integration Strategy 2008-2013, the ACFC notes that:

The new Strategy still appears to centre around the Estonian language as the main symbol of common statehood and, consequently, seems to focus on the insufficient State language proficiency of persons belonging to national minorities as a main impediment of integration. [...]. The Advisory Committee therefore considers that more should be done to promote other symbols of common identity than citizenship and language, such as *common history, traditions, and a shared society*. [...] There should be more concrete measures targeting Estonians to promote their openness and willingness to accept an integrated society (para 68-9) [italics added].

would pave the way towards the end of the tug of war between the Moldova's two main language groups. The ACFC has also recommended to the Moldovan authorities that, in legislating or developing policies in the field of languages, they fully consider the specific features of the linguistic situation in Moldova and 'the sensitivities of the groups concerned',⁴⁶ and that school education and the media promote tolerance and intercultural dialogue, including through public debates.⁴⁷ These efforts could facilitate the process towards non-exclusionary approaches to ethnicity and language that no longer side-track the development of civic and multi-layered identities.

Bibliography

Bassin, M. 2007. "Lev Gumilev and Russian National Identity during and after the Soviet Era", in *Nationalism and Ethnosymbolism. History, Culture and Ethnicity in the Formation of Nations*, A. Leoussi & S. Grosby, eds., Edinburgh: Edinburgh University Press.

Benhabib, S. 2002. *The Claims of Culture: Equality and Diversity in the Global Era*. Princeton, Princeton University Press.

Bowring, B. 2010, "The Russian Constitutional System: Complexities and Asymmetry", in *Asymmetrical State Design as a Tool in Ethnopolitical Conflict Resolution*, M. Weller, ed., University of Pennsylvania Press, pp. 48-74.

Brubaker, R. 1999, "The Manichean Myth: Rethinking the Distinction between 'Civic' and 'Ethnic'," *In Nation and National Identity. The European Experience in Perspective*. H. Kriesi et al., eds., Zurich: Ruegger.

Brubaker, R. 2002. "Ethnicity without Groups", *European Journal of Sociology*, 43(3), 163-189.

Chinn, J. 1994. "The Politics of Language in Moldova", *Demokratizatsiya*, 309-315

Ciscel, M.H. 2006. "A Separate Moldovan Language? The Sociolinguistics of Moldova's Limba de Stat", *Nationalities Papers*, 34(5), 575-597.

Ciscel, M.H. 2007. *The Language of the Moldovans: Romania, Russia, and Identity in an Ex-Soviet Republic*. Lanham, MD, Lexington Books.

Ciscel, M.H. 2008. "Uneasy Compromise: Language and Education in Moldova", *International Journal of Bilingual Education and Bilingualism*, 11(3-4), 373-395.

Ciscel, M.H. 2010. "Reform and Relapse in Bilingual Policy in Moldova", *Comparative Education*, 46(1), 13-28.

⁴⁶ ACFC, (Third) Opinion on Moldova, para. 116.

⁴⁷ Ibid, para 87; 132.

- Ciurea, C. 2011. *Linguistic Policies of Chisinau in Relation to UTA Gagauzia. Policy Brief*. Chisinau, Moldova.
- Gorenburg, D.P. 2003. *Minority Ethnic Mobilization in the Russian Federation*. Cambridge, UK: Cambridge University Press.
- Hirsch, F. 2005. *Empire of nations: Ethnographic Knowledge and the Making of the Soviet Union*. Ithaca, Cornell University Press.
- King, C. 1999. *The Moldovans: Romania, Russia and the Politics of Culture*. Stanford, CA, Hoover Institution Press.
- Kohn, H. 1944. *The Ideal of Nationalism. A Study in its Origins and Background*. New York, Collier Books.
- Malakhov, V. & Osipov, A. 2006, "The Category of Minorities in the Russian Federation: A Reflection on Uses and Misuses," *In International Obligations and National Debates: Minorities Around the Baltic Sea*, S. S. Åkermark, ed., Marienhamn, Åland: The Åland Islands Peace Institute.
- Narayan, U. 2000. Undoing the "Package Picture" of Cultures. *Signs*, 25(4), 1083-1086.
- Opalski, M. 2001. "Can Will Kymlicka Be Exported to Russia? Western Political Theory and Ethnic Relations in Eastern Europe", in *Can Liberal Pluralism Be Exported?*, W. Kymlicka & O. Oracheva, eds., Oxford: Oxford University Press.
- Phillips, A. 2007. *Multiculturalism without Culture*. Princeton, Princeton University Press.
- Slezkine, Y. 1994. The USSR as a Communal Apartment, or How a Socialist State Promoted Ethnic Particularism. *Slavic Review*, 53(2), 413-452.
- Smith, A. 2010. *Nationalism*, 2nd ed. Cambridge, Polity Press.
- Sokolovskii, S.V. 2004. *Perspektiva Razvitiia Kontseptsii Etnonatsional'noi Politiki v Rossiiskoi Federatsii (Perspectives for the Development of Ethnonational Policy in the Russian Federation)* Moscow, Russian Academy of Sciences.
- Tishkov, V. 1997. *Ethnicity, Nationalism, and Conflict in and after the Soviet Union: The Mind Aflame*. London, Sage.
- Tolz, V. 1998. Forging the Nation: National Identity and Nation-Building in Post-Communist Russia. *Europe-Asia Studies*, 50(6), 993-1022.
- Tully, J. 1995. *Strange Multiplicity: Constitutionalism in an Age of Diversity*. Cambridge, Cambridge University Press.
- Win van Meurs 1998. Carving a Moldovan Identity out of History. *Nationalities Papers*, 26(1), 39-56.