# Republic of Moldavia – an Intermezzo on the Signing and the Ratification of the European Charter for Regional and Minority Languages

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## 1. The Republic of Moldavia – its national identity: territory, people, language

### 1.1. Republic of Moldavia – Territory




Today there are two Romanian countries: Romania, with an area of 238,391 km and 22,503,000 inhabitants (1998) and the Republic of Moldavia with an area of 33,800 km and 4,298,000 inhabitants (Metzeltin 2004 : 16).

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### 1.2. Republic of Moldavia – People

I have here in mind two perspectives: a diachronic perspective: historic and linguistic evidence about the populations in Moldavia, and further census, and a synchronic perspective (see infra synthetic table: year 2004).

#### 1.2.1. Historic and linguistic evidence about the populations in Moldavia

##### 1.2.1.1. The Moldavians

During the 16th century, between Prut and Nistru there were the lands of the voivodes. Among the 180 localities mentioned in the property documents, 60 toponyms are Moldavian names. Starting from the 13th century and until the 17th century, this is the place where the North, Center and South historical-ethnographical regions emerged. On the left shore of the River Nistru there was the Khanate of Ukraine and of the properties of the Polish Crown, and their inhabitants, until the end of the 18th century, were the Moldavians; Bukovina should also be inserted here. In the 18th century this territory is part of Russia, and the 1799 census shows that 19,900 Moldavians lived there, approximately 39.12% from the entire population, but their number was increasing. The Moldavians from these territories did not participate at the formation of the Romanian nation in the 19th century, as during 1918–1940 they were officially considered by the Romanian authorities "*second level* people".

##### 1.2.1.2. The Slavs

The Slavs were Russians or Ukrainians. They lived mainly in the Eastern part of the Republic of Moldavia, this territory being mentioned in the historic documents as *Rusovlahia* or *Moldoslavia*. The Ukrainians or Ruthenians, at the beginning of the 19th century, in the Northern *uezds* of Bessarabia were about 250 thousand, but many of them emigrated. Later on, when a part of the territory was incorporated by Poland, this facilitated the colonization of these territories by Germans and Polish. However, statistically speaking, during the 19th century, the number of the Ukrainian population had reached in 1897 at 389,698 inhabitants, which meant the 19.6% of the population. At present there are 300 localities where Ukrainians live, but only 57 schools teaching in Ukrainian language. There are Ukrainian libraries and a Ukrainian church, 10 science doctors, but the Ukrainian communities request more hours of Ukrainian language and literatures taught in schools, along with certain subjects, among which History, taught in the Ukrainian language. The Russians emigrated in the territory of the Republic of Moldavia starting from the 17th century, for religious or economic reasons, or at the end of the wars, but their number is not mentioned accurately until the 19th century when it is believed that it was of about 2,500 people, i.e. approximately the 8% of the population. However the Soviet policy facilitated the demographic Russification of the territory.

Other people:

**1.2.1.3. The Gypsies** are present since the 15th century. Their number is not accurate, except for the year 1812 when more than 1700 persons were registered.



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Their language does not have a written form, they used it only orally. At present there are material possibilities and even good will to stimulate the gypsies to send their children to school.

**1.2.1.4. The Armenians** count with about 400 families during the period when Bessarabia belonged to Russia. Their language was used only in the domestic environment.

**1.2.1.5. The Jews**, very few at first, refugees in Moldavia during the harsh tomes of the two world wars; almost 5,000 Jewish families existed at the beginning of the 19th century. Neither the Jews can evidence a rich written culture, with some very few exceptions.

**1.2.1.6. The Bulgarians and the Gagauzians** are mentioned in the year 1811 as counting 6156 people. They are not oppressed, on the contrary, after 1957 Gagauzian language became the official language, thus stimulating the national literature.

**1.2.1.7. The Germans** settled in the territory of Moldavia in six waves of migration, and they had privileged conditions, so that during 1814–1842 21 German localities were created. During the years of the Soviet power, more than the 95% of the Germans were repatriated.

The Moldavian Soviet Socialist Republic (MSSR) was also home for other 100 ethnics representing less than 1%.

### 1.2.2. The Moldavians vs. the Slavs. The Census point of view

Both in 1897 and in 1930, the number of Moldavians living in the today Republic of Moldavia was superior to the number of the Russians and of the Slavic people in general (cf. Stepanov 2008: 23).

| Naţionalităţi | 1897 | | 1930 | |
|---|---|---|---|---|
| | numărul | % | numărul | % |
| Moldoveni | 920919 | 47,6 | 1610757 | 56,2 |
| Ucraineni | 389698 | 19,6 | 314211 | 11,0 |
| Evrei | 228168 | 11,8 | 204858 | 7,2 |
| Ruşi | 155744 | 8,0 | 351912 | 12,3 |
| Bulgari | 103225 | 5,3 | 163726 | 5,7 |
| Nemţi | 60206 | 3,1 | 81089 | 2,8 |
| Găgăuzi | 55790 | 2,9 | 98172 | 3,4 |
| Polonezi | 11696 | 0,5 | 8104 | 0,3 |
| Ţigani | 8636 | 04 | 13518 | 0,5 |
| Alte naţ. | 11300 | 0,3 | 7000 | 0,1 |

This situation does not change on percentage during the following years, 1940, 1959, 1970 (cf. Stepanov 2008: 24).



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| Naționalități | 1940 r. | | 1959 r. | | 1970 | |
|---|---|---|---|---|---|---|
| | mii pers. | % | mii pers. | % | mii pers. | % |
| Total populație Inclusiv: | 2608 | 100 | 2885 | 100 | 3569 | 100 |
| Moldoveni | 1736 | 66,5 | 1887 | 65,4 | 2304 | 64,6 |
| Ucraineni | 254 | 9,7 | 421 | 14,6 | 507 | 14,2 |
| Ruși | 188 | 7,2 | 293 | 10,2 | 414 | 11,6 |
| Evrei | - | - | 95 | 3,3 | 98 | 2,7 |
| Găgăuzi | - | - | 96 | 3,3 | 125 | 3,5 |
| Bulgari | - | - | 62 | 2,1 | 74 | 2,1 |
| Alte naț. | 430 | 16,5 | 31 | 1,1 | 47 | 1,3 |

The 1989 official census in the Republic of Moldavia shows it was the home of 4,335,360 people, among which a number of 2,794,749 Moldavians, i.e. 64.5%, and the remaining 36.5% was made of people considered to be national minorities, as in the table (cf. Stepanov 2008: 24).

| Naționalități | Total | Limba maternă | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| | | Moldovenească | Română | Rusă | Ucraineană | Găgăuză | Bulgară | Alte limbi | N-au indicat |
| Total | 3383332 | 2029847 | 558508 | 380796 | 186394 | 137774 | 54401 | 21504 | 14108 |
| Moldoveni | 2564849 | 2011403 | 481593 | 63290 | 3606 | 402 | 493 | 4062 | - |
| Ucraineni | 282406 | 8189 | 2358 | 89853 | 180981 | 510 | 149 | 366 | - |
| Ruși | 201218 | 3279 | 1341 | 195573 | 586 | 180 | 163 | 96 | - |
| Găgăuzi | 147500 | 1274 | 338 | 8618 | 616 | 136155 | 318 | 181 | - |
| Români | 73276 | 1139 | 71327 | 571 | 131 | 3 | 6 | 99 | - |
| Bulgari | 65662 | 2084 | 682 | 9134 | 110 | 395 | 53178 | 79 | - |
| Armeni | 1829 | 140 | 49 | 797 | 13 | 8 | 2 | 816 | 4 |
| Evrei | 3608 | 145 | 134 | 2795 | 15 | - | 1 | 498 | 20 |
| Greci | 482 | 57 | 56 | 298 | 2 | 6 | 4 | 58 | 1 |
| Nemți | 1616 | 110 | 100 | 1163 | 14 | 4 | 1 | 217 | 7 |
| Țigani | 12271 | 1273 | 184 | 143 | 18 | 34 | 38 | 10563 | 18 |

### 1.3. Republic of Moldavia: people and language

This table is important for the relationship between nationality and the speakers' mother tongue (cf. Stepanov 2008: 24). We can note the large number of Romanian speakers belonging to various nationalities compared to the number of Russian native speakers, in particular, and Slavic native speakers, in general.

#### 1.3.1. Language – Prefatory considerations

There are two major ethnic groups in this Republic and, historically speaking, they are in the situation of being competitors in the same territory: the Moldavian and/ or Romanian ethnic group and the Russian and/or Slavic ethnic group.



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The triple paradox of this country is as follows: although the country's name is the Republic of Moldavia, the official language is not the Moldavian, but Romanian, and the population is Russophile.

Synthetic presentation of the demographic evolution of the two ethnic groups and main languages of the Republic of Moldavia, between the years 1858 – 2004 (generalization according to the previous M.S. tables).

| **Nationalităţi** | **1858** | **1897** | **1930** | **1940** | **1959** | **1970** | **1989** | **2004** |
|---|---|---|---|---|---|---|---|---|
| Moldovenească | 51,4 | 47,6 | 56,2 | 66,5 | 65,4 | 64,6 | 64,5 | 77,9 |
| Românească | – | – | – | – | – | – | – | 21,6 |
| Total latini | 51,4 | 47,6 | 56,2 | 66,5 | 65,4 | 64,6 | 64,5 | 80,5 |
| Ucraineni | 4,2 | 19,6 | 11,0 | 9,7 | 14,6 | 14,2 | 13,18 | 8,34 |
| Ruşi | 21,3 | 8,00 | 12,3 | 7,2 | 10,2 | 11,6 | 13 | 5,99 |
| Total slavi | 25,5 | 27,6 | 23,3 | 16,9 | 24,8 | 25,8 | 26,8 | 14,28 |

Short history of the evolution of the language hegemony in the today Republic of Moldavia

We consider that the problem of the linguistic policies and of the linguistic planning in the Republic of Moldavia cannot be conveniently treated today because of the *recurrent history perspectives***.** By this expression we understand *the politic perspective* making a triangles with the *academic perspective, with the journalistic perspective* and the *cultural perspective* upon the languages in the MR, always repeated in the present polemic.

The political perspective covers a recent period of about 9 decades, more exactly between 1924 – the date when RASSM was created and Aug 27$^{th}$ of 1991, when the state independency of the Republic of Moldavia was declared. However, the milestones are Lenin period, Stalin period, Khruschev period, Brejnev period, Gorbatchev period.

The perspective of the Leninist linguistic policy: since1917 until the beginning of the year 1930, the linguistic policy oriented towards the communist revolution had in view the *development and the cultivation of the national languages.* In real terms, the same principles of territoriality were available for this period, and the statistics of those years show that in the R of M lived 46% Ukrainians, 32% Romanians and 32% Romanians and approximately 10% Russians. Therefore this policy favors the promotion of the Ukrainian language for this period.

Concerning the Romanian language in this period there was an attempt to decrease the influence of the spoken Romanian language by building it a new identity, by claiming that the Moldavian language is a different language than the Romanian language, by introducing the Cyrillic alphabet and by publishing the grammar of the new language.

The period of the linguistic policy during Stalin was different because Stalin had another political vision: "the possibility for Moldavia and Romania to become, someday, a single soviet state, and the consolidation of the cultural relations between them will contribute to the intensification of this process", and this meant that "the problem of the differences between the Moldavian and the Romanian languages was not that up-to-date anymore" (Moldovanu 2005b: 37). In this context the Latin alphabet is introduced again.



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Other phases of the Stalinist linguistic policy can be viewed during 1935-1938, when Stalin adopts the imperialist vision of "building the socialism in a single country, and then spreading it in all the socialist camp" (Piotrowski 1997 *apud* Moldovanu 2005b: 38). The result: *the Russification of the co-living nationalities,* by means of *the new orthographic reform based on the Cyrillic writing.*

### 1.4. The period when Bessarabia united with USSR

In 1941, after Bessarabia, Romanian territory, united with USSR, there began the "purification of the Moldavian language of the foreign Latin influences, i.e. Romanian – French" (Berejan 2004: 51), with the purpose of recommending the Russian language as a source of enrichment of the Romanian language in Bessarabia. In the second decade of the SSRM, the idea of the unity of the Romanian language is claimed, including its idioms and dialects, however "the theory about the independence of the Moldavian language has never been abandoned" (Moldovanu 2005b: 40). After Stalin's death, in the 50s, the principle of the *scholastic dualism* is suggested, which, under the democratic appearance of respecting the mother tongue and the ethnic groups, hid a manipulator vice: the parents were allowed to register their children in Russian schools, where they could also choose to learn also the mother tongue, but as the curricula were overfilled and the status of the Russian language guaranteed the social integration, those parents reached the point where they abnegated their own identity twice: "firstly by registering the child into a Russian school and secondly by taking out from him the opportunity to learn his/her own language" (Moldovanu 2005b: 40).

The 1960s – political thaw + Brejnev period – political rethaw:

– an extended action begins in Moldavia regarding the cultivation of the Moldavian language, by bringing the lexicographic sources from Romania;

– the schools teaching in the languages of the ethnic minorities appeared;

– during the Brejnev period, however, the concept of *peoples' diversity* was replaced by *Soviet people* and the *society's homogenization* began.

Unfortunately, in this polemic, during 1960–1970, some Romanian scientists from the recent years were attracted on the side of the Russian linguistic policy (cf. Graur 1960 and Stepanov 1970); to the same trend belongs the publishing, towards the end of the last century, of a Moldavian – Romanian dictionary. Nevertheless, these efforts could not eliminate the linguistic truth illustrated in the rich Romanian and foreign specialized literature which clearly demonstrates that *there is not any Moldavian language,* only *Romanian.*

Towards the end of the 80s statistically speaking, the percentage of the Moldavians who knew Russian increased to a 53.3%, but the percentage of Russians who knew also Romanian decreased to 11.2%. This *polarization* brought a delimitation of the fields of use of the two languages: Romanian was used in oral and publicist communication, artistic literature, primary and secondary education; Russian was used in administrative communication, law and universities.

Also in this period we can speak about the development of tree major perspectives concerning the problem of Moldavian language:



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### 1.4.1. Academic perspective

It comprises two sub-dimensions: linguistic and social-linguistic. The linguists had to deal with the problem of the origin of the Moldavian language. The socio-linguists had to deal with the problems regarding the migration of the populations, the glottic category and the nationality.

The Linguistic academic perspective evolution went through several phases. The first was the position of exiled or foreigner linguist, like Carlo Tagliavini, an Italian linguist which claimed at Florence in 1956 that the Moldavian language does not exist, only the Romanians exist. Eugene Coseriu, also a repute Romanian linguist, was also a testimony voice in this problem. In the first decade of the existence of SSRM, the idea of the *independence of the Moldavian language of the Romanian language* came out. The academician Silviu Berejan considers that "this Bessarabic idiom […] mutilated […] was kept between the limits of the Romanian language".

Linguistic plethora of the difficult problem of Romanian language in the Republic of Moldavia: *state language*, *declared language*, *imperial language*, *Moldavian – Romanian linguistic identity*, *imperialist minority*, *national – Russian bilingualism*, *semi-lingualism*, *dysglosia*, *legitimate character of the language*, *slangs (volapük) Latin writing = no alphabetization*, *the Russification of the Moldavian nation*, *Moldavianisation*, *"the people transforming machine"*, *not speaking "pa celoveceski"*, *assimilation*, *majoritary complex*, *glottic category*, *linguistic labour classification*, etc.

From these expressions one can notice that both historical and linguistic, or social-linguistic or even psychological arguments were brought into discussion, meant to persuade, on the other hand, that many of these expressions show the equal involvement Russophiles and Romanianphiles in order to achieve the status of dominant majority language.

The present situation had different repercussions:

– the progressive deterioration of the Romanian language in Republic of Moldavia on its surface structure: the lexis, and also of its deep structure: the syntax;

– the abnegation of the national identity of the linguistically dominated people;

– the implementation of the idea that the social and technical-scientific progress is the consequences of a single core language, the other languages being peripheral and unimportant.

The Academic social-linguistic perspective comprises the problems regarding: the migration of the populations, the glottic category and the nationality. In the census regarding the nationality and the mother tongue there was also the distinction of the glottic category, as some Moldavians mentioned Russian as their mother tongue, while some Russians said the Moldavian was their mother tongue. The situations were also valid for the other populations: Romany, Gagauzian, Armenian, Hebrew, etc. In 1970, in the cities there were more Romanian-Moldavians than Russians. However, it did not lead to stronger position of the Romanian language, but to a state of bilingualism and even dysglosia. Yet, there are also cases of *linguistic abandon*, which are quite significant. But also, the Moldavians living



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in villages are more conservatives and they cherish a lot more their language and their national identity (Moldovanu 2005b: 45–46).

### 1.4.2. Journalistic perspective

The press played an important role in the linguistic confrontation. Many journalists, trained in the party's ideological universities, were loyal to the soviet and communist regime, therefore some articles are extremely radicals and they speak about the *bourgeois Moldavianisation.* They are opposed by the nationalist journalists who in 1988 suggested, for the first time, to declare the Moldavian language as the national language. About quantitative aspects, we can prove that the amount of articles concerning this problem is so huge that it is researched and published in many collective volumes under the Moldavian Academia of Sciences (see the References).

### 1.4.3. Cultural perspective

On August 31st the *Romanian Language Day* is celebrated because on the August 29th, 31st and September 1st 1989 three important laws were adopted regarding: the state language, the functioning of the languages spoken in SSRM, the return to the Latin writing. This year, on August 27th 2010, there was the anniversary of 19 years since the Proclamation of Independence of the Republic of Moldavia, and on August 31st there was the anniversary of 21 years of Romanian official language in Moldavia.

## 2. The Republic of Moldavia – European dimension: the European Charter for Regional or Minority Languages as a linguistic policy of the European Union vs. the linguistic policy of the Republic of Moldavia

The European Charter for Regional or Minority Languages was designed to be a document of linguistic policy of the European Union for the protection of the minority languages in all Europe. It is the only obligatory legal document in the whole world meant for this purpose and it is a Key Convention of the European Council. The Charter was approved by the Committee of the Ministers of the European Council in June 25th 1992 and ready to be signed on June 05, 1992 in Strasbourg. It became effective in the year 1998. So far, the Charter has been signed and ratified by 23 states and only signed by another 10 states. The Republic of Moldavia undertook to sign and ratify the Charter on July 13th, 1996, when it was welcomed in the European Council, pursuant to Opinion no. 188 of the Parliamentary Assembly of the Republic of Moldavia, but it signed the document in July 2002, without ratifying it up-to-date. The Charter's ratification is a pre-condition for the adhesion of the Republic of Moldavia to the European Union.

### 2.1. The preparations of the Republic of Moldavia for the ECRML ratification

The Center for Minorities' Problems (CMP), in the period 2001-2007, held 10 preparative seminaries and 6 conferences, and in 2004 a report of these



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preliminary activities in view of ratification was elaborated at the European level. Among the recent activities we mention that, in the period of September – December 2007, 4 informative seminaries were held in Comrat, Taraclia, Briceni and Chişinău (cf. Carta 2008).

In the last years two monitoring actions took place for the realization of the frame Convention for the protection of the minorities and it was considered that the process has a general positive dynamics. There were analyzed quality and quantity aspects institutionalized by the Charter regarding the linguistic policy of the Republic of Moldavia. Ideals promoted by the Charter: to respect and acknowledge the cultural diversity, the multilingualism, the democracy through language and culture. The Charter stipulates that the measures should be harmonized with the *national laws in the field.* There are national and international documents before and after the Charter regulating the linguistic problem of the Republic of Moldavia.

Example of national documents:

– *The concept of the national policy of the Republic of Moldavia*,
– *The national action plan "Republic of Moldavia-EU"*,
– *The national action plan in the field of the human rights for the years 2004-2008*,
– *Education Law No. 547-XIII/1995*,
– *Law No. 3465-XV/1989* regarding the functioning of the languages spoken in the Republic of Moldavia,
– *Law No. 382-XV/2001* regarding the rights of the citizens and the national minorities and the juridical status of their organizations.

Example of international documents:

– *The international Convention regarding the Civil and Political Rights*,
– *The European convention regarding the defense of the human rights and of the fundamental activities.*

The charter examines all the range of the use of languages which has in view one issue for each field: education, public administration, culture, history, judiciary organisms, etc. This is how the situation in the Republic of Moldavia looks like according to the interested fields:

**2.1.1. Education** in the Republic of Moldavia vs. *Art. 8 of the Charter

The official language is Moldavian, Romanian more exactly, and in the study of the state language is obligatory in all the education institutions. The Russian language is well represented in schools, but the situation for Ukrainian, Gagauzian, Bulgarian, Hebrew or Yiddish, etc. However the historic conditions cannot be instantaneously overcame; presently, there are educational projects who promote the proliferation of schools in Moldavian.

**2.1.2. Justice** in the Republic of Moldavia vs. *Art. 9 of the Charter

At the level of the laws in force, there is a detailed regulation for each possible situation of the use of the official language, but practically the Russian and Romanian languages are mostly used, and sometimes, and especially orally, other minority languages.

**2.1.3. Administration and public services** in the Republic of Moldavia vs**.** *Art.10 of the Charter



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All the possibilities are regulated, like in the juridical section. Among the administrative issues, an important one is that of the persons' last and first name, and of the geographical and street names, which are also regulated, simultaneously mentioned by literary or semantic translation.

**2.1.4. Communication** means in the Republic of Moldavia vs. *Art. 11 of the Charter

Practically half of the editions of the newspapers in the Republic of Moldavia are edited in Russian, which means that the population uses to speak Romanian and to read in Russian. The televisions broadcast in Romanian but also in Russian, Gagauzian, Bulgarian, Yiddish, and Romany.

**2.1.5. Cultural activities** in the Republic of Moldavia vs. *Art. 12 of the Charter

There is a lot of activity in the theatres and folk groups in Russian, Gagauzian and Bulgarian. In the libraries one can find books written by authors belonging to all the populations in the Republic of Moldavia.

**2.1.6. Economic life** in the Republic of Moldavia vs. *Art. 13 of the Charter

In writing only the official language is used, Moldavian / Romanian and Russian, and the other languages are used only in speaking.

**2.1.7. The trans-frontier changes of the Republic of Moldavia** vs. *Art.14 of the Charter

The Republic of Moldavia settled a number of bilateral agreements in the field of culture, education and economy, with Ukraine, Russia, Bulgaria, Belarus, Poland (Pivovar 2008: 31–38), but only few of them with Romania.

### 2.2. The causes of non ratification by the Republic of Moldavia. Assumptions

Generally speaking, the causes can be of two kinds: objective or subjective. It is difficult to say here which totally objective causes are and which the totally subjective causes are; for this reason we preferred a classification of the causes on other criteria, as follows: the Charter's text itself, the political instability generated by linguistic causes and the inconclusive benefits.

#### 2.2.1. The Charter's text itself

The measures mentioned by the ECRML regarding the languages and their speakers with regard to the territory – called by us *the principle of territoriality* – allow some non unitary interpretations. This aspect does not favor the actions or the decisions of a state which can be attacked with amendments or which, through its previsions, may even support the abuses.

What is the influence of the *principle of territoriality?* There are quantitative definitions in the Charter, *according to the space they live in*, provided for the regional and minority languages: *the languages which are used traditionally in a certain territory of a state by the citizens of that state forming a smaller group than the rest of the state's population.* The dialects of the official language/languages of the state and of the immigrants are excluded from this definition. Those assumptions produced consequences regarding the situation of the languages in the



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Republic of Moldavia Some provisions in the third part of the Chart, as well as in the second part, say that these provisions can be limited to the territories of the regional languages and should not be applied to the whole territory of a country. Therefore the Republic of Moldavia should establish which the regional languages are and which the minority languages are, because the Charter is applied only to those languages mentioned by the state in the document adopted in the view of ratification.

The censuses performed in the 19th century in the Republic of Moldavia show that the definition is suitable for the following languages: Armenian, Bulgarian, Gagauzian, German, Greek, Polish, Romany or Gypsy, Ukrainian, Yiddish. The Charter offers the legal base for the two languages, Yiddish and Romany, to be interpreted differently, as minority or as non territorial. This means that other languages, too, can be interpreted as regional or as minority. No matter how many languages are involved in this dialogue, two are fundamentally targeted: Romanian language and Russian language. There are subjective and objective arguments for the historically or scientifically demonstrated hegemony of one of these languages upon the other. The creation of the ECRML raised the interest for the status of the Romanian language in the republic of Moldavia leading to complex debates. As a consequence, at a linguistic level a series of *expressions and terms* appeared, showing the plurality of perspectives: from alterity to chauvinism, from tolerance to masochism:

**The European Charter for Regional or Minority Languages as a linguistic policy of the European Union vs. the linguistic policy of the Republic of Moldavia**

Comparison between the present documentation in force and the Charter's one:

– having in view the correspondence of the legal provisions in force in the Republic of Moldavia, some specialists consider that "it corresponds, generally, to the provisions states in the 3rd part of the European Charter for Regional and Minority Languages" (Pivovar 2008: 37).

– the Ukrainian deputy, Nicolai Oleinic, considers that at least 3 articles in each part of the Charter should be harmonized with the laws in force in order to speak about the Charter's ratification and that, although there are not irreconcilable differences according to the text, the real life is not prepared yet to be institutionalized in force, which delays the ratification.

Therefore there are some possible amendments. *The law regarding the functioning of the languages spoken inside the Republic of Moldavia*, if adjusted according to the regulations of the *European Charter for Regional and Minority Languages*, could receive the following amendments (Pivovar 2008: 38):

– articles 6, 9, 10, 24 and 29, from the Law, providing the possibility to use the Ukrainian and Bulgarian languages only in the localities where the percentage of the speakers overcomes the 50% of the population. This percentage is however too high, therefore restrictive;

– article 11 providing that the minority languages, except for Russia and Gagauzia, can be used only orally. The article makes a positive discrimination for the two excepted languages;



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– article 12 stipulates that the state language or the Russian language shall be used in production and economic relationships, even in the localities with a compact minority speaking other language. This article also produces a positive discrimination;

– article 24 regulating the way of signaling the name of the localities by a single official name in Moldavian or Gagauzian language without translation or adaptation, according to historic traditions. The right order would mean the use of toponyms particularly in the localities with a compact minority, or the use of a double name, the official one and the local, traditional one.

The lack of unit regarding the provisions, should it not be generously pondered, may bring about new imbalances, i.e. the old imbalances may leave room to the new ones. This allows the unilateral denunciation of the Charter and the maintenance of the actual situation, in such case the ratification being really unnecessary.

### 2.2.2. Political instability generated by linguistic causes

Vlad Filat, the present Prime Minister and Mihai Ghimpu, the current President, although pro-Europe and pro-Romania, fear to slightly give up the power, be it to Moscow or to Romania. A change of the present state of facts characterized by calmness, or non acute and bearable discontent, could have the effect of Pandora. The present government prefers a visible and controlled balance, rather than a change with unpredictable and even catastrophic effects. The change of the present state of facts, agreed also by Russia, could lead to unwanted and negative repercussions from Moscow, which is quite sensitive about the problem of the EU and OTAN expansion. Here we have in view also the Moscow's role of *big brother*, which would take advantage of any hesitation of Moldavia or any movement to reestablish the known order, to re-occupy it under any pretext [1]. Each reestablishment of the languages can trace the reverse historic route: territory/ language/ independent people vs. language/ territory/ independent people [2]. Claiming the Romanian language as national and official language of the Republic of Moldavia was considered the first step towards the reunification of the Romania countries[3]. The adhesion of Moldavia to the European Council does not mean a total submission of the internal decision power, but an official access to information which could change the order of facts into an order of right and the protection against any other demarche. The Republic of Moldavia is surrounded by Ukraine, a country with similar problems. Any imbalance in a country from this region could lead to a regional imbalance. On a national plan, the acceptance of both languages, Russian and Moldavian/ Romanian, as official languages, would lead to a declared multilinguistic state or a federal one.

[1] Romania was also very close to be occupied at the revolution in 1989; after this revolution a huge number of Russian agents remained on its territory, about 25,000 according to some historians, and not less than 11,000 according to others.

[2] The American political scientist D.D. Leitin considers that the use of languages as an instrument for the creation of the contemporary nations was a permanent source of the identification policy *in modern times*.

[3] The difference between the official language and the national languages resides in the limitation of the functions.



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### 2.2.3. Inconclusive benefits

The Russian and Romanian languages internationalize the Moldavians[4], and Gagauzian, Bulgarian a.s.o. regionalize them or transform them into minority. Languages are not considered to be culture institutions, but *lingua franca*, *trade language*, the metaphor being that *words are like money, trade currency, they have economic value and they guarantee the success or the economic or financial independence.* Some researchers say that at the level of mentalities there is a *trend of nationality* (cf. Stepanov 2008: 19)*, materialized by the making up of ancestors, Romanian ancestors for the immigration in the EU or Jewish ancestors for the immigration in Israel, or Russian ancestors to work in the Russian Federation*[5]. Learning the language of the more civilized nation, even an oppressing one, was a matter of progress or of survival[6]. Within this new European context, the nations belonging to the ex-communist block exhausted their resources to generate ideals and became pragmatic. The advantages of ratification of the Charter are diffuse. Specialists say that "irrespectively of the level of commitments undertaken by the state at the Charter's ratification, the need to modify the mentioned laws will not be felt" and this derives from the fact that these juridical acts include basic (frame) provisions regarding the functioning of the languages. Among others, the institutionalization of the functioning of the languages on the territory of the Republic of Moldavia is such a big historic act that there is not anymore any political request to resize them. By no means shall the Charter be ratified if this means a negative change of the interstate political relationships with the language holder countries. On the other hand, the Moldavian state would be totally and willingly at the disposal of the international regulations in the field, with the possibility to be controlled by a well adjusted mechanism.

We may conclude that the Moldavian state wants to keep its national regulations, being consistent to them, rather than ratify a document just for the sake of the European Union and than make efforts to later justify the lack of progress in applying the Charter. The non ratification of the Charter by the Republic of Moldavia can be considered basically an *exercise of honesty*.

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[4] The semiotic theory of center, periphery and margins.

[5] For example in Transnistria more than 50 thousand people are also citizens of the Russian Federation, and over 300 thousand Moldavians are also Romanian citizens.

[6] The people of Dacia learned the language of Romans in order to survive, therefore becoming a superior, civilized people; the Jewish learnt the German language to survive. Nature's chameleon mimicry imitated by the human behavior.



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## Abstract

The problems of dissolving the intra-European borders and the consequence of the demographical mobility have also generated the beginning of the national identity dissolution through language. The European Charta of the Regional and Minority Languages, created by the European Union and ratified by more than half of the countries of the Union is a linguistic politics document, which protects the mother tongues with the intention of rescuing them from disappearing. There are, however, countries in Europe which, despite of the fact that they mainly agree with the provisions of the Charta, they cannot apply them because they have not yet clarified their domestic linguistic problems between the majority rival languages. This kind of country is the Republic of Moldavia and in our article, we propose a multidimensional, political, cultural, linguistic and sociological analysis of the linguistic situation of this country.

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