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Language and education laws in multi-ethnic de facto states: the cases of Abkhazia and Transnistria

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Even after the conflicts of the early 1990s that brought them to their de facto independence, both Abkhazia and Transnistria remained strongly multi-ethnic. In both territories, no single ethnic group is an absolute majority and Russian is the language that is mostly spoken on the streets of Sukhumi and Tiraspol. Legislators of both entities felt the need to deal with multi-ethnicity and multilingualism, including in their constitutions, in laws related to education, or more directly with specific language laws (1992 law "On languages" in Transnistria; 2007 law "On the state language in Abkhazia"). The protection of linguistic rights that is formally part of the legislation of both territories finds limitations in practice. The language of education has proved to be particularly contentious, in particular for Moldovan/Romanian language schools in Transnistria and Georgian language schools in Abkhazia. Why are language laws in Abkhazia and Transnistria so different, in spite of the fact that they are both post-Soviet, multi-ethnic territories that became de facto independent in the early 1990s? The different approaches found in Abkhazia and Transnistria represent remarkable examples of language legislation as a tool for nation-building in ethnically heterogeneous territories.

Keywords: Abkhazia; Transnistria; language laws; education; de facto states; Russian language

Sure, it seems easier to say "let us all just speak Russian" and not grapple with these issues. Nevertheless, we also need to think about this.[1]

Introduction

Abkhazia and Transnistria[2] are two multi-ethnic territories that became de facto independent with the demise of the Soviet Union. In both cases, language issues were a key element in the dynamics that led to conflict and eventually to the establishment of these de facto states within the internationally recognized borders of Georgia and Moldova, respectively.[3]

Ethnic Abkhaz are most probably a plurality, but not a majority, in Abkhazia today, while Armenians and Georgians are the other main ethnic groups. In Transnistria, Moldovans, Russians, and Ukrainians are the main ethnic groups: they are present in similar

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numbers and they make up about a third of the population each. Language issues have been an object of contention in both territories in recent years, and have been at the center of criticism of the actions of the de facto authorities by international observers (including the Organization for Security and Co-operation in Europe [OSCE] and the Commissioner for Human Rights of the Council of Europe).

The language of education has been of particular concern at the international level. For instance in Abkhazia, as denounced in lengthy reports by human rights organizations, the few existing Georgian language schools continue their activities in difficult conditions, and their reduced number is not proportional to the Georgian resident population. In Transnistria, the forced closure of the so-called Romanian schools (teaching in Moldovan with the Latin script) in 2004 obtained significant international attention and was an object of judgement by the European Court of Human Rights (2012). Compromise solutions achieved through the mediation of the OSCE allowed the schools to operate further, but not without complications.

In recent years, an increasing number of scholars have debated domestic developments within de facto states, highlighting the importance of ethno-linguistic factors in this area (Clogg 2008; Trier, Lohm, and Szakonyi 2010; Blakkisrud and Kolstø 2011; Ó Beacháin 2012; Kolstø and Blakkisrud 2013; Dembinska and Iglesias 2013). This article contributes to this body of literature by focusing on language and education laws in Abkhazia and Transnistria. After providing a brief overview of the different approaches to language legislation found in post-Soviet countries, we present and analyze relevant legislation approved by the de facto authorities in Abkhazia and Transnistria, highlighting incongruities between the letter of the law and its actual implementation.

As will be shown, in both territories, language laws have been approved with the aim of promoting new state identities, supporting nation-building projects, and furthering claims to statehood. Indeed, the actual enforcement of these laws was not their primary purpose. The divergent approaches toward language policy demonstrated by Abkhazia and Transnistria are the result of a fundamental difference between their nation-building projects. Abkhazia defines itself as a nation state in the strong sense, that is, "as the state of and for a particular nation–and this despite the fact that its citizenry includes, besides members of that state-bearing, state-legitimating nation, members of national minorities as well" (Brubaker 1994, 50–51). On the contrary, Transnistria has no titular nationality and its nation-building project is based on a civic, supra-ethnic understanding of nation. In the case of Abkhazia, language laws aim at inducing a change in the domestic "language tipping game"[4] in favor of Abkhaz, while in Transnistria they contribute to maintaining the status quo, that is, with Russian as the dominant language. Abkhazia and Transnistria, two ethnically heterogeneous territories whose struggle for independence is inextricably related to contentions about linguistic and cultural rights, thus present significant examples of different approaches to the use of language legislation as a tool for nation-building purposes and for framing language adoption patterns.

Language laws in the post-Soviet space

Language legislation has been at the center of conflict dynamics in both Transnistria and Abkhazia. As argued by King (1994, 360), "in 1989 the Transnistrians' grievances were almost exclusively associated with the language laws and the threat of union with Romania." The language law approved in Georgia on 19 August 1989 "raised fears of a renewed attempt at Georgianisation" (Potier 2001, 10) and is clearly associated with the increasing tensions that eventually led to open conflict in Abkhazia.

Language laws and policies have been the subject of dedicated studies focused on the cases of Moldova (Bruchis 1982; King 1994; Chinn 1994; Ciscel 2008) and Georgia (Jones 1995; Wheatley 2009). Such works are part of a wider group of publications that deal with the complex and contested nature of language legislation throughout the post-Soviet space (Pavlenko 2008a), including the Baltic states (Ozolins 2003; Galbreath 2005), Ukraine (Bilaniuk and Melnyk 2008), Belarus (Giger and Sloboda 2008; Ulasiuk 2011), Russia (Zamyatin 2012), and Central Asia (Fierman 1998; Fierman 2006).[5]

One of the features common to the above-mentioned countries is that in most of them ethnic Russians are not a majority, but Russian language continued to dominate public life at least in some spheres and remained the regional *lingua franca* (Pavlenko 2006; Pavlenko 2008b). As a consequence, and in order to contrast the policies of Soviet asymmetrical bilingualism based on Russian,[6] representatives of the titular nationality felt the need to support and protect their own language. This situation where Russian is a "majorized minority language (a minority language in terms of numbers, but with the power of a majority language)" (Skutnabb-Kangas 1994, 178, as quoted in Ozolins 2003, 229) common to various countries in the post-Soviet space is at odds with common wisdom on minorities in Europe, which led to sometimes inconsistent recommendations from the EU (Ozolins 2003, 2).

Some countries, such as the Baltic States, chose to establish the language of the titular nationality as the only state language, and imposed legislation that openly discriminated against those who did not speak it, including by negating citizenship (Galbreath 2005, 159–187). Other countries, such as Ukraine, Moldova, and Kazakhstan, took a milder approach: they declared the language of the titular group to be the only state language, and promoted it in different ways, but later softened legislation or remained more elastic in its application, allowing for widespread use of Russian (Ó Beacháin and Kevlihan 2013). After more than 20 years since the fall of the Soviet Union, in spite of the uneven and often incomplete implementation of the language laws, in Ukraine, Moldova, and Kazakhstan the respective titular languages are in a stronger position than they were 20 years ago.

In Belarus, things went differently. The 1990 decision that made Belarusian the only state language was overturned by a 1995 referendum that introduced Russian as a second state language. The change in legislation was quickly reflected by the number of children attending Belarusian language schools; according to data collected by Giger and Sloboda (2008, 325), the number of pupils studying in Belarusian grew in the first years of independence, peaked in 1995, and then decreased quickly. By 2005, this figure was less than a fifth of what it was 10 years before and Russian language schools clearly dominated.[7]

The Belarusian case well illustrates the dynamics of the "language tipping game" in determining the choice of the language of education of one's child, as described by David D. Laitin (1993). Policy-makers supporting a national revival movement, in order to be successful, must convince residents of a territory that fluency in the titular language is going to be an asset and that a large share of the population is "already in the process of changing [its] linguistic practices" (Laitin 1998, 27). The 1995 referendum in Belarus made clear that this was not the case. Accordingly, the previous equilibrium with Russian as the dominant language of education was restored.

This example shows how Russian tends to prevail in post-Soviet contexts where it is established as the main language of business, communication, and education if there are no policies in place to restrict its use and to actively promote the titular or other languages. Indeed, this is the argument generally brought forward, for example in Ukraine, in order to promote policies that mandate Ukrainian. But even when such restrictions exist, Russian

still tends to be used in informal situations or in the business environment (Bilaniuk and Melnyk 2008, 359–360; Polese 2010). Muth's (2014) analysis of informal text signs in Stepanakert reveals an exemplary case of the enduring popularity of Russian in the post-Soviet space: in a city that is virtually monolingual in Armenian, Muth found more instances of informal text written in Russian than in Armenian itself.

How did rulers in Transnistria and Abkhazia approach language polices in their territories? Language legislation in Transnistria and Abkhazia has been debated in studies dealing with interethnic relations (Muntean and Ciubotaru 2004; Prisac 2005; Clogg 2008, 315–316; Trier, Lohm, and Szakonyi 2010, 55–68; Comai 2013), identity formation (Cojocaru and Suhan 2005; Cojocaru and Suhan 2006), local history (Fruntaşu 2002; Negru 2003), and in reports on the human rights situation in these territories (Oldrich and Grecu 2003; Grecu and Ţaranu 2005; Human Rights Watch 2011; SaferWorld and Institute for Democracy 2011; OSCE 2012), but has not been a subject of dedicated research. Two conferences dedicated to language issues held in 2008 in Sukhumi and in 2009 in Tiraspol resulted in a publication (Beril et al. 2010) that presents the perspective of local experts.

In the following sections, we analyze language legislation in Transnistria and Abkhazia, introducing both segments with a brief historical outline focused on language issues.

Language laws in Transnistria

The territory controlled by Transnistria's authorities never existed before the collapse of the USSR as a separate administrative unit. Today, "Transnistrian identity is claimed to represent a supra-ethnic community spanning the ethnic divides, [...] a territorially-based civic identity in which the nation is understood as a community of history and fate, rather than in strict ethnic terms" (Blakkisrud and Kolstø 2011, 196). Protection of the rights of Russian speakers, an internationalist rhetoric, and self-representation as defenders of Moldovan culture were the main pillars of Transnistria's nation-building project as it took shape in the early 1990s, and all these components found expression in the language legislation introduced by authorities in Tiraspol.

The relevance of the Moldovan element for Transnistria's national discourse, and in particular the role of the Cyrillic script as a fundamental differentiating marker between Romanian and Moldovan, is rooted in the history of the region. Over the last centuries, Bessarabia, the land between the rivers Nistru/Dniester and Prut of which contemporary Moldova is a large part, has been contested between Romania and the Russian empire, which ruled over it in different periods. Bessarabia became a part of the Russian empire in 1812 after the Treaty of Bucharest that was signed at the end of the Russo-Turkish war. Between 1918 and 1940, Bessarabia became a part of interwar Romania, and was again under Romanian control between 1941 and 1944.

In 1924, Soviet authorities established a Moldovan ASSR (Autonomous Soviet Socialist Republic) within the Ukrainian SSR, including the territories of today's Transnistria but excluding west-bank Moldova, "to put pressure on Bucharest in negotiations over Bessarabia's future, to highlight the achievements of the Soviet system, and to serve as a political magnet drawing the Bessarabians away from Romania" (King 1998, 60). According to the 1926 Soviet census, Ukrainians were a plurality in the territory and Moldovans were only about 30%, yet they were the titular nationality and were thus at the center of the *korenizatsiia* ("indigenization") policies in the region. In 1940, as the Soviet army occupied Bessarabia, the Moldovan Soviet Socialist Republic was established, integrating parts of Bessarabia and of the MASSR. From this annexation, the Soviet authorities promoted a

nationality and linguistic policy proclaiming that the Moldovans were a nation separate from the Romanians.

The most straightforward difference between Moldovan and Romanian language is the script. Romanian had been written for centuries using the Cyrillic alphabet. The Latin script was officially introduced only in 1859, in a period when "Romanian nation-builders removed Slavic elements from the lexicon and intentionally promoted Latin and French influences in standard Romanian" (van Meurs 1998, 41). In Bessarabia, however, Cyrillic remained in use until 1989, with the exception of the interwar years.[8]

With the demise of the Soviet Union, the Latin script was officially introduced in the Moldovan SSR,[9] but the name of the language spoken in the region soon became an object of contention. Moldova's declaration of independence made reference to "Romanian," while the Moldovan Constitution called it "Moldovan with Latin script." "As debates about the language of the Moldovans have continued, it has become common for them to avoid taking sides by referring to it as *limba de stat*, or the state language, thereby avoiding both labels" (Ciscel 2006, 576).[10]

The de facto authorities in Tiraspol, however, did not follow suit. In line with established Soviet practices, they continued to call the language "Moldovan" and preserved the Cyrillic alphabet. The defense of Moldovan in its Cyrillic form has been enshrined in law in Tiraspol and became one of the tenets of Moldovanism, according to which Transnistria was "portrayed as the sole defender of the true Moldovan identity" (Dembinska and Iglesias 2013, 418), while Chişinău was giving it up in order to be absorbed by Romania.

There are currently three main pieces of Transnistria's legislation that deal directly with languages: the Constitution ("Konstitutsia Pridnestrovskoi Moldavskoi Respubliki," 1996), the law "On languages" ("O Iazykakh v Pridnestrovskoi Moldavskoi Respublike," 1992), and the law "On education" ("Ob Obrazovanii," 1994). All these documents go to great lengths in stressing the equality of its three official languages (Moldovan, Russian, and Ukrainian) in all spheres, from public offices to education, and include provisions meant to meet the needs of those whose mother tongue is not included among the official languages. In general, they demonstrate a non-prescriptive approach toward the use of both official and non-official languages, and mandate public support for easing their learning and use.

Transnistria's Constitution (1996) states that "official language status is equally given to Moldovan, Russian and Ukrainian" (Art. 12), that language cannot be a ground for discrimination (Art. 17), and that "everybody has the right to use one's mother tongue and to choose a language of communication" (Art. 43).

Art. 4 of the law "On languages" (1992) states that Transnistria offers the conditions "for development in all fields of the official and other languages used on its territory, and stimulates their learning." Measures are to be taken in order:

> to grant [the possibility] of learning these languages and through these languages, the preparation of teachers, the development of literature, science and art, television and radio broadcasting, publishing of books, newspapers and magazines in the languages of the republic, as well as dictionaries, handbooks and textbooks and other measures aiming at the development of the languages. Financing of such initiatives is to be offered by the national and local budget.

According to Art. 5, the "language for inter-ethnic communication," an expression that in Soviet times was commonly used to refer to Russian, can be any of the languages used in the republic including, but not limited to, the three official languages. Art. 10 states that laws must be published in all three official languages, and the three versions have equal value. Art. 12 grants the right to have a translator in court if one does not speak the language used, a right apparently not limited only to the official languages. Art. 26, regulating education, makes clear that the free choice of the language of education of children is an inherent

right of citizens. "Considering the interest of ethnic groups living compactly in a location, Transnistria creates pre-school and school institutions with Moldovan, Russian and Ukrainian as language of instruction." The parents are the ones to decide in which school, and consequently in what language, their children are to study. Art. 27 states that Transnistria "creates the conditions for the studying of its citizens' mother tongue and the languages of other peoples of the CIS," without apparent limitation. For all other matters, the three official languages are given equal status. Art. 40 even details how signs for public offices are to be written: in all three languages, Moldovan, Russian, and Ukrainian, in this order.

There are only a few limited cases where Russian is given special status, generally connected with issues related to business with countries of the former Soviet Union. Art. 14 indicates Russian as the language for arbitrage cases with companies based in the Commonwealth of Independent States (CIS) countries, Art. 17 for communication with attorneys in the CIS, and Art. 24 for energy and transportation issues with countries of the CIS. Expressions such as "other countries of the CIS" are written in a way that suggests that Transnistria itself is a CIS country, which it is not. Particularly curious is the formulation used in Art. 36, related to post and telegraph, which states that correspondence can be written in any of the official languages, while "those addressed outside the republic (with the exception of international correspondence)–have to be in Russian." Such expressions seem to indicate that the post-Soviet space is not fully understood as abroad.

A few articles deal specifically with the Moldovan language, with an attitude that seems less permissive than elsewhere in the law. In particular, Art. 6 states that "the written form for Moldovan language in all occasions of its use is the Cyrillic alphabet. Attaching the Latin alphabet to Moldovan language bears responsibility, as defined by law."

The provisions of Art. 30 suggest that the Moldovan dimension is a key element of Transnistria's national identity, and that the Cyrillic script is a fundamental defining feature:

> Transnistria, in the sphere of scientific research of the language of the Moldovan people: organizes and grants the conduct of scientific research on the questions of history of the Moldovan people, its peculiarities, traditions, cultures and languages; offers the necessary scientific, technical and material base for the studying of the traditional and plurisecular script of the Moldovan language, based on the Cyrillic alphabet; realizes with this aim the preparation of the scientific-pedagogical cadres, to be used for research, education and teaching.

In many cases, the principle of equality of the three official languages is plainly ignored. For example, laws and other official documents are published only in Russian and the websites of state institutions are almost always monolingual.[11] In other circumstances, the law is formally respected, since the choice of the language for state institutions or local administrations (Art. 3 and Art. 9) is to be decided by those same institutions that uniformly prefer Russian. In such cases, lack of tighter regulation is among the features of Transnistria's legislation that allow, in practice, for the monolingual functioning (in Russian) of state organs.

Education and language in Transnistria

The law "On education" (1994) dedicates Art. 6 to the language of education. Besides referring to the law "On languages," it claims that if one studies in an official language of the republic, he or she must learn a second official language. This provision, which is actually respected, does not only mean that pupils in Moldovan and Ukrainian schools have to study Russian, but also that all pupils in Russian schools have to study either Moldovan or Ukrainian. In practice, about 57–58% choose Moldovan as the second official language, but the number of people choosing Ukrainian has increased from 4% to 30% in the 10 years preceding 2011 (Transnistria Ministry of Education 2011).

The law "On education" also mandates that those studying through a language that is not among the three official ones must also study one of the official languages. This implies, as elsewhere in the law, that state supported education could in theory also take place in a language that is not among the official ones (e.g. Bulgarian, or even Romanian, as a language that is different from Moldovan). Besides, Art. 6 makes clear that the right to study in the language of choice is granted by the establishment of the necessary number of schools, classes, and courses.

The difficulties encountered by the eight schools in Transnistrian territories which chose to teach Moldovan in the Latin script (following the program established by authorities in Chişinău) make clear that the approach of the de facto authorities toward language and education issues is less permissive in practice than it may be expected from the above-mentioned laws. At the same time, the tough experience of those schools should not obscure the provisions in support of language pluralism, including in the education system, that are actually enforced by the authorities in Tiraspol, for instance financing the specific curricula and schoolbooks in Moldovan (Cyrillic script).[12]

According to the 2013 issue of Transnistria's statistical yearbook (Transnistria Bureau of Statistics 2013), in the territory of Transnistria there are 163 state schools; of which 114 use Russian as the language of instruction, 32 Moldovan (Cyrillic script), 12 mixed Russian/Moldovan, two Ukrainian, and three mixed Russian–Ukrainian. These statistics do not include the eight so-called Romanian schools (using the Latin script) supported by the Ministry of Education in Chişinău that are registered as private institutes and had a total of 1800 students for the school year 2012–2013 (OSCE 2012). In Transnistria's Moldovan language (Cyrillic script) public schools, there are about 4300 students, not including the 2400 studying in mixed Russian–Moldovan schools. In higher education, including professional education, Moldovan (Cyrillic script) is used as the language of education by only 441 students (3.3% of the total).

According to the data published by Tiraspol authorities, as of 2012 Moldovans (162,500 people) make up the most numerous ethnic group in Transnistria, followed by Russians (154,900), and Ukrainians (146,700). Bulgarians (12,700) are also a sizeable group. The population has been decreasing significantly in recent years, but the ethnic balance has remained stable (see Figure 1).

A first look at the number of students divided according to their language of education (see Figure 2) shows not only the dominant position of Russian as the language of education vis-à-vis Moldovan, but even more also the very limited extent of education in Ukrainian: there are about 500 students in the only two Ukrainian language schools in Transnistria, with probably a few hundred more in the three mixed Russian–Ukrainian schools.[13]

Another important element regards the dynamics of the above-mentioned figures. This shows not only that the total number of students is decreasing, in line with Transnistria's downward demographics, but also that the number of students in both "Romanian" (Latin script) and Moldovan (Cyrillic script) schools is decreasing faster than in Russian language schools (see Figure 3). Accordingly, the proportion of pupils studying in Russian is constantly increasing.

Transnistria's Minister of Education Svetlana Fadeeva expressed in early 2014 her concern about the decreasing number of students in Moldovan (Cyrillic script) schools in Transnistria, declaring that preventing further reduction of the number of pupils obtaining their education through Moldovan and Ukrainian is a priority of her ministry. This should be achieved, among other things, by increasing the availability of Moldovan (Cyrillic script) schools in areas where "Romanian" (Latin script) schools are available (Fadeeva 2014, 6).

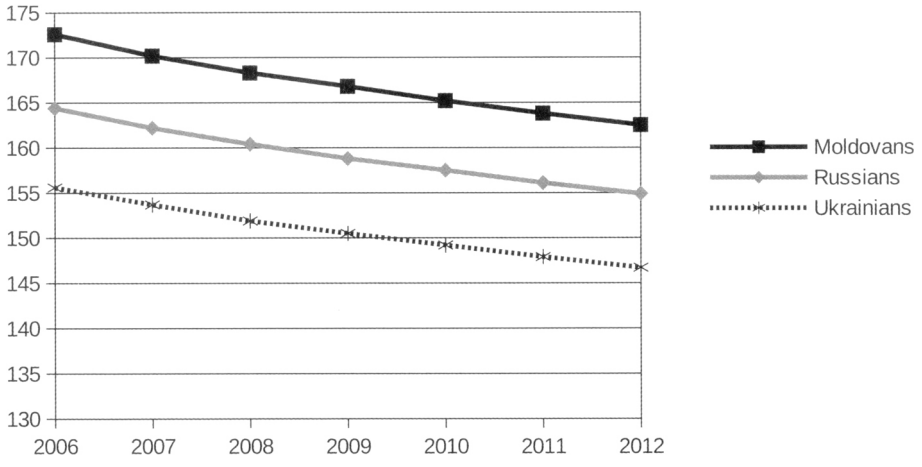

Figure 1. Population dynamics in Transnistria by ethnicity for the three main groups (in thousands). Source: Statistical yearbook 2011–2013, Transnistria's state statistical office.

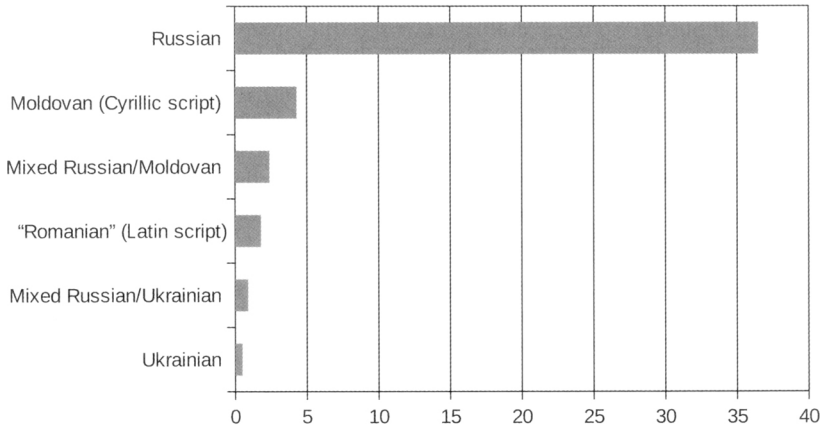

Figure 2. Number of students in Transnistria's school by language of education, 2012 (in thousands). Source: Statistical yearbook 2011–2013, Transnistria's state statistical office; OSCE (2012).

On the whole, language-related legislation does have an impact on education and primary schools offer a degree of linguistic pluralism not found in other spheres of public life. However, the fact that only Russian is needed to function at any level in Transnistria and that there is no real provision actively favoring multilingualism are among the reasons that an increasing number of parents enroll their children in Russian language schools.

Role of the international community in Transnistria

In Transnistria, OSCE mediation has facilitated an agreement to keep open the schools teaching in Moldovan with Latin script, although significant difficulties are still present. The OSCE is the main international organization working on the Moldova–Transnistria conflict and its role is recognized by the authorities in Tiraspol, both in the official

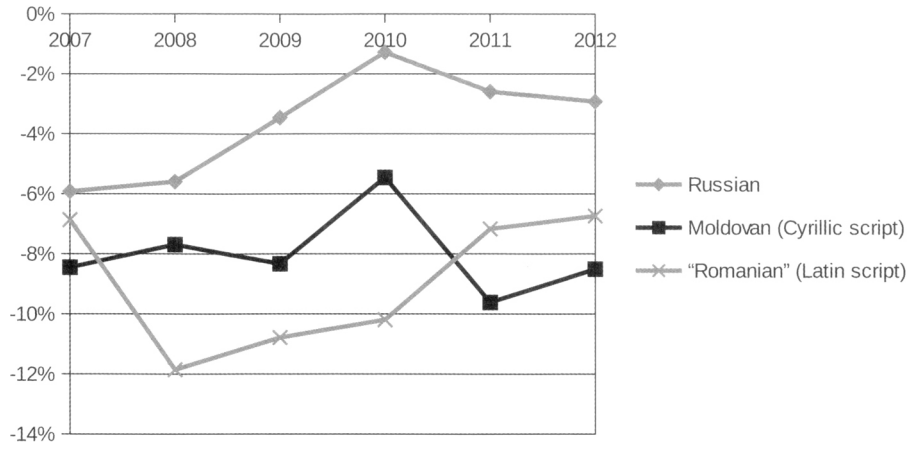

Figure 3. Annual rate of change of total number of students by language of education (excluding mixed schools).
Source: Statistical yearbook 2011–2013, Transnistria's state statistical office; OSCE (2012).

negotiations in the 5+2 format and in the mediation on daily administrative issues. The OSCE also provides investigations and reports that shed light on contested issues. The 2012 report on "Moldovan-Administered Latin-Script Schools" (OSCE 2012), for instance, represents an important document on linguistic rights in Transnistria.

The European Parliament has repeatedly adopted resolutions on the human rights situation in Transnistria. On 4 February 2014 the European Parliament adopted a specific resolution with the title "Right to education in the Transnistrian region" dedicated to Latin-script Moldova-administered schools. The resolution

> calls for full respect of this right and the cessation of any form of pressure directed towards Romanian teaching institutions in the Transnistrian region […]. Urges the de facto authorities in the Transnistrian region to fully respect the right of education in mother-tongue

and "urges the Commission to find ways in order to support and assist the Latin-script schools in Transnistria" (European Parliament 2014). The Council of Europe Commissioner for Human Rights has also urged the de facto authorities to remove all impediments preventing the normal functioning of these educational institutions.[14]

An important judgement was issued by the European Court of Human Rights in 2012. Some of the families of students affected by the 2004 school crisis, which ended with the temporary closure or relocation of schools teaching in Moldovan with the Latin alphabet, appealed to the European Court of Human Rights in Strasbourg. The Court gave its final judgement on 19 October 2012 ("Catan and Others vs. Moldova and Russia"), holding the government of the Russian Federation responsible for the events and forcing it to pay monetary compensation (6000 Euro for each of the 170 applicants). The reasoning at the basis of the decision was that the government of Transnistria kept control of the region only thanks to Russian support, and Moscow was thus to be held responsible for the policies of the local authorities, even if the Court accepted "that there is no evidence of any direct involvement of Russian agents in the action taken against the applicants' schools." This judgement could be used as a basis for holding Russia responsible in potential future rulings on human rights violations in territories that are strongly dependent on its support, possibly including – besides Transnistria – also Abkhazia and South Ossetia.[15]

Language laws in Abkhazia

The pro-independence struggle that led to the establishment of de facto independent Abkhazia is inextricably related to the national revival movement of its titular nationality, the Abkhaz. In spite of this, dedicated language legislation explicitly aimed at favoring the widespread use of Abkhaz was only approved in 2007. The relatively late introduction of the law "On the state language" and its patchy implementation are due to the need for a balancing act among key goals of the current Abkhaz leadership: to promote Abkhaz language and culture without disenfranchising ethnic Armenian and Russian residents, while preventing or discouraging the return of ethnic Georgians. As a result, new language policies in part reaffirm and in part subvert preexisting Soviet practices, recognizing to some extent the multi-ethnic composition of the territory.

The demographics of Abkhazia changed considerably over the last couple of centuries, due to the deportation of Abkhaz in relation to Russian conquest in the Caucasus, war with the Ottoman empire in the 1860s and 1870s, and the considerable migration of people of various nationalities to the region in the following decades (Mingrelian Georgians, Hemshin Armenians, Greeks, Russians, etc.). More recently, the 1992–1993 war led to the ethnic cleansing of the more than 200,000 Georgians by then living in the region.[16] Only about 50,000 came back, but they were allowed to return only in the Gali district, close to the de facto border and the territories controlled by Tbilisi.

As of today, Abkhazia remains strongly multi-ethnic, no single group is a majority, and Russian is the language most commonly used in daily business and official matters. The Abkhaz are most probably a plurality, but not a majority, in contemporary Abkhazia, and Georgians and Armenians make up the largest non-titular ethnic groups. The number of Russians is decreasing, and they count for less than 10% of the current resident population.[17]

Language policies in the region have gone across different phases and the Abkhaz script has been changed multiple times. In 1862, a script based on the Cyrillic alphabet was introduced, supplanted by one based on Latin by Soviet linguist Nikolai Marr (1926–1928) and then one by Nikolai Iakovlev (1928–1937). The strong Russification campaign that swept across much of the Soviet Union in the late 1930s corresponded with a Georgianization phase in Abkhazia: Abkhaz had to be written with an alphabet based on the Georgian script (1937–1954), and by 1945 all Abkhaz language schools had to switch the language of education to Georgian.[18] In 1953–1954, Abkhaz schools were reopened and a new alphabet devised by a committee and based on Cyrillic was introduced and is still in use (Hewitt 1998; Trier, Lohm, and Szakonyi 2010, 56–57).[19]

It should be noted, however, that Abkhaz language schools, both before the Georgianization phase and between 1953 and the end of the Soviet Union, had only the first four years of primary education in Abkhaz, while starting with the fifth grade all subjects were taught in Russian, with the exception of Abkhaz language and literature (Tarba 1970, 18; Hewitt 1998, 173). Besides, Abkhaz parents often chose to have their children educated in Russian.[20]

While different policies were implemented at different times, it should be stressed that through most of the Soviet period, the multi-ethnic composition of Abkhazia was partially reflected in an education system that offered to the main ethnic groups native language education; on the territory of Abkhazia there were Georgian, Russian, Abkhaz, Armenian, and, until 1938, Greek schools.[21]

The language legislation established by the authorities in Sukhumi since de facto independence inherited features from the previous system (e.g. allowing multilingual education)

but has been strongly characterized by the contemporary reality. On the one hand, it recognizes the multi-ethnic nature of the region, and includes provisions that protect basic language rights of the main ethnic groups. On the other hand, it is clearly shaped by the "ethno-nationalist discourse [that] today dominates the state building project in Abkhazia" (Trier, Lohm, and Szakonyi 2010, 9), or, in other words, by the fact that Abkhazia is perceived by the Abkhaz leadership (and to some extent, also by other ethnic groups)[22] as the homeland of the Abkhaz, a territory where Abkhaz culture should be able to flourish.

The 1994 Constitution of Abkhazia is broadly inclusive. In the Constitution, the "people of Abkhazia" referred to in the beginning of the text ("we the people of Abkhazia") are defined in civic terms in Art. 2 as "the citizens of the Republic of Abkhazia." Art. 6 "guarantees to all ethnic groups living in Abkhazia their right to freely use their mother tongue," Art. 11 explicitly states that all rights and freedoms included in the "universal declaration of human rights" are granted in Abkhazia, and Art. 12 states that all are equal in front of the law, regardless of their nationality. The only exception is Art. 49, which states that the president of the republic must be an ethnic Abkhaz.[23] Yet, as Clogg (2008, 311) notices, "nowhere in the Constitution is specific mention made of the many different ethnic and cultural identities of people living in Abkhazia."

The 2007 law "On the state language of Abkhazia" defines Abkhaz as the only state language and declares peremptorily (Art. 2) that "all citizens of the Republic of Abkhazia must have command of the state language [Abkhaz]." Moreover, it states that

> all heads of the organs of power of the Republic of Abkhazia and the heads of their departments, members of Parliament, and the heads of organs of local self-government must command and use the state language of the Republic of Abkhazia. (Art. 2)

All meetings of the cabinet and the parliament must be held in Abkhaz, supposedly with instantaneous translation to and from Russian (Art. 8). Art. 16, dedicated to printed and broadcast media, states that at least half of the printed text area of all magazines and newspapers printed in Abkhazia must be in the Abkhaz language, that two-thirds of television and radio broadcasts of local stations must be in Abkhaz, and that all movies shown to the public in Abkhazia must be in Abkhaz or with Abkhaz subtitles, unless they are part of initiatives organized for a specific ethnic community. According to the law, the state supports Abkhaz language learning for those citizens who do not speak it and supports media in Abkhaz. Part of this law supposedly entered into force in May 2008, part in 2010, and is due to be fully implemented by January 2015.

The language of education is regulated by the law "On the state language" (Art. 7), which claims that "citizens of the Republic of Abkhazia are granted education in the state language of the Republic of Abkhazia and in Russian," but adds that Abkhazian citizens "have the right to obtain education in their mother tongue within the limits of possibilities offered by the system of education." Learning Abkhaz is a mandatory part of the school curriculum in both public and private schools and Abkhaz language competence is to be tested in the final exam.

Education and language in Abkhazia

The main issue with the implementation of language legislation is related to the fact that by most accounts more than half of the resident population does not speak or understand Abkhaz. Command of the Abkhaz language among non-ethnic Abkhaz is extremely rare, and even a considerable proportion of ethnic Abkhaz do not speak the language.[24] Partly as a consequence, and also due to lack of resources, the language law has not been fully

applied, for example, the provision that sessions of the parliament and government are to be held in Abkhaz, with instant translation to and from Russian.[25]

Among other things, full implementation of the law would totally exclude non-Abkhaz from political life. According to the law, for example, at the next parliamentary elections to be held in 2017, all potential non-Abkhaz-speaking (in practice, including all non-Abkhaz) candidates should be barred from running for parliament, marginalizing them even more from the political life of Abkhazia.

The law on education grants in principle the right to learn in one's mother tongue, but qualifies this right adding that education in languages other than Abkhaz and Russian is offered "within the limits of possibilities offered by the system of education."[26] The whole education system in Abkhazia had to live through very difficult times after the war of the early 1990s. Public education was granted in Russian, Abkhaz, and Armenian, but following practices established in Soviet times even in non-Russian schools, education mostly took place in Russian after the fourth year (International Crisis Group 2006, 18–19). This was also due to a lack of qualified teachers and learning materials in Abkhaz and Armenian, and the general malfunctioning of the state: as reported also in the local press, teachers had extremely low salaries and they were effectively paid by parents of the pupils.[27]

Reflecting general increased capabilities by the state structures, in recent years the Abkhaz Ministry of Education made great efforts to increase the number of learning materials available in Abkhaz and enlarge the pool of qualified teachers. Yet, the fact that still in 2014 the lack of qualified teachers in subjects such as chemistry, physics, and math has been recorded even in Sukhumi (Kvitsinia 2014) suggests that the situation is likely to still be problematic outside the capital city.

As of the 2013–2014 school year in Abkhazia, there are 165 schools divided according to the main language of education: 60 Abkhaz, 16 Abkhaz-Russian, 47 Russian, 31 Armenian, and 11 Georgian (Apsnypress 2013).

Only about a fourth of the about 8000 ethnic Armenians of school age in Abkhazia go to Armenian schools. This might be partially due to the fact that the language taught in school is quite unlike the one they speak at home: Abkhazia's Armenians are mostly *hemshin,* a subgroup of Armenians who speak a dialect of Western Armenian that is not generally mutually intelligible with the standard Eastern Armenian spoken in Yerevan and taught in schools (Vaux 2007, 257; Comai 2011). Besides the difficulty with the language and the fact that a significant proportion of local Armenians also use Russian at home,[28] there are concerns about the difficulty of switching to what is mostly a Russian language education after four years and there is a widespread understanding that Russian language education will offer considerably more opportunities later in life.

The question of Georgian schools is complex and has been described in detail in reports by international organizations, in particular by Human Rights Watch (2011, 48–57). Commissioners of the Council of Europe on Human Rights Thomas Hammarberg and Knuth Vollebek repeatedly expressed their concern about the situation of Georgian schools in the Gali district (Kuchuberia 2010; Hammarberg 2013).

Until the war in the early 1990s, almost all of the 58 schools present in the Gali district had Georgian as the main language of teaching (Human Rights Watch 2011, 48). Since then, local authorities introduced education mostly in Russian, with only 11 Georgian language schools in the Lower Gali district still openly operating in Georgian and using textbooks coming from the Georgian side.

The progressive introduction of Russian language instruction created significant problems in a context in which not all teachers have sufficient knowledge of the language

and many pupils have problems understanding it. Apparently, some of these schools continue teaching in Georgian informally for at least some classes. Some parents prefer sending their children to study in schools in Zugdidi, on the other side of the de facto border, as low competence in Georgian would preclude them from the possibility of proceeding with higher education in Georgian universities.

Overall, it seems that the right to have education in one's own mother tongue is generally respected for non-Georgians. On the contrary, artificial obstacles to Georgian language education in Abkhazia are confirmed by various reports, and are effectively in breach of Abkhazia's legislation on languages.[29]

Language laws in Abkhazia and Transnistria, how and why do they differ?

Abkhazia and Transnistria demonstrate considerably divergent approaches to language policies. The most evident difference in terms of legislation is that in Transnistria there are three official state languages, while in Abkhazia there is only one. The three state languages of Transnistria are formally equal, while in Abkhazia there is a clear hierarchy: Abkhaz is given a priority as the state language, Russian is granted a special role in various provisions, while the rights of other languages are protected in principle or "within the possibilities of the system," but are not spelled out clearly, as might well be expected from a law that is extremely specific when it comes to Abkhaz.

In practice, Russian dominates in both contexts. In Transnistria, this is mostly not in direct violation of the law on education. State-funded education is effectively offered in all three state languages and the provision that mandates the learning of a second state language for all pupils seems to be respected. The law is also respected where it mandates that Moldovan must be written with the Cyrillic script. The artificial obstacles created for schools that teach in Moldovan (Latin script) are also based on legal provisions, in particular for what concerns licenses and permits, but are nonetheless cause for concern. Yet increasingly cooperative dynamics observed on this issue between authorities in Tiraspol and Chişinău[30] suggest that a working solution can be found within the prescriptions of Transnistrian legislation. Schools teaching in Moldovan with the Latin script are currently registered in Tiraspol as private Romanian language schools (even if they are effectively financed by the Moldovan state budget).

In Abkhazia, while authorities in Sukhumi are promoting increased use of the Abkhaz language, they are not pushing through a full implementation of the most restrictive provisions of the law "On the state language," which would require a significant amount of resources and would lead to higher discrimination outside the context of education. At the same time, they are effectively violating their own laws by limiting Georgian language education in the Gali district. In this case, there are no cooperation dynamics in place among the sides; authorities in Sukhumi are not even allowing new Georgian language textbooks in the region, and, according to international reports, are putting pressure on local school principals to prepare to switch completely to Russian (Human Rights Watch 2011, 54), an option that for the time being is simply not possible given the lack of qualified teachers.

Why are language laws in Abkhazia and Transnistria so different, in spite of the fact that they are both post-Soviet, multi-ethnic territories that became de facto independent in the early 1990s?

In both Abkhazia and Transnistria, laws that deal with language do not have an exclusively normative function,[31] but rather reflect and are part of a process of nation building. In Abkhazia, coherently with the image of the nation state that local authorities are promoting, this led to the establishment of a single state language. Relevant provisions are configured

as component parts of an effort for Abkhaz cultural and linguistic revival and, in the long-term, aim at inducing change in favor of the titular language in the local "language tipping game."

In Transnistria, this led to the approval in the early 1990s of language laws that are extremely permissive: they were meant to stand out in clear contrast with the restrictive laws introduced in Chişinău that imposed a single state language, Moldovan, and mandated the Latin script. At the time, Transnistria presented itself as a bastion of true Moldovan identity, in contrast with pan-Romanianist views that were becoming preponderant in Chişinău, and as a proudly multinational land, in contrast with nationalist tendencies that were emerging across the former Soviet Union (Blakkisrud and Kolstø 2011). However, this ostensibly permissive legislation effectively reinforces the current equilibrium based on Russian as the dominant language. There is no effort aimed at supporting widespread adoption of Moldovan and Ukrainian, which are formally official languages on a par with Russian.

Conclusion

Abkhazia and Transnistria are two post-Soviet, multi-ethnic territories that became de facto independent in the early 1990s, after conflicts that started with confrontations over cultural and linguistic rights. In line with a pattern found in different post-Soviet countries, both reaffirmed their nation-building projects through language-related legislation and in both cases, pragmatic considerations shaped the actual implementation of such laws.

The authorities in Sukhumi define Abkhazia as a nation state and put ethnic Abkhaz at the center of their nation-building project. In Abkhazia, officially there is a single state language and proficiency in Abkhaz is required as a formal precondition for accessing a wide array of public posts. In the long-term, laws supporting the Abkhaz linguistic revival aim at inducing a change in the local "language tipping game" in favor of the titular language. In practice, however, Russian still dominates in most contexts. Potentially discriminatory provisions included in the law "On the state language" have been applied only in part, both because of unwillingness to disenfranchise local Armenian and Russian residents and because of a lack of resources. While for the most part the letter of the law is an expression of Abkhazia's nation-building project, its actual implementation is driven by pragmatic considerations based on what local authorities feel is needed for Abkhazia's very survival: a degree of internal unity and inter-ethnic accord, friendly relations with the Russian Federation, and measures to prevent the return of Georgians to the region.

In the case of Transnistria, the nation-building project was framed in civic, supra-ethnic terms; language legislation is mostly non-prescriptive[32] and proclaims three state languages: Russian, Moldovan, and Ukrainian. Language legislation in Transnistria and the way it is actually implemented effectively reaffirm the status quo in terms of linguistic balance and further strengthen the prevailing position of Russian. Russian is not favored by law, but emerges as the dominant language in the absence of specific measures limiting its use or mandating other languages in specific contexts. Also in the case of Transnistria, post-conflict dynamics shape the actual implementation of language laws, as made evident by the recurrent tensions around Moldovan language schools using Latin script.

Abkhazia and Transnistria thus present two remarkably divergent approaches to nation building and language legislation in ethnically heterogeneous territories, where the laws themselves, their implementation, and the discrepancies between the letter of the law and actual practice serve as a litmus test for revealing political projects and social tangles.

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Notes

1. Suren Kerselian, former president of the Armenian community in Abkhazia, interviewed by one of the authors (Comai 2011).
2. In post-Soviet de facto states, names and institutions are highly contested. Following an established practice, in this article we employ the forms most commonly used in English, for example using Transnistria instead of Transdniestria or Pridnestrov'e, and Sukhumi instead of Sokhumi or Sukhum. In order to avoid heavy phrasing, we have not repeated the qualifier "de facto" each time we refer to these entities. This is simply a pragmatic solution and should not be construed as supporting one of the sides. See also Blakkisrud and Kolstø (2012, note 4).
3. As of July 2014, Abkhazia is internationally recognized as independent by Russia, Nicaragua, Venezuela, and Nauru. Transnistria has not been recognized as independent by any UN member.
4. The "language tipping game," as presented – and applied to the post-Soviet context – by David D. Laitin (1993; 1998), explains language adoption choices with game theory, in particular in the presence of language revival movements.
5. In 1995, *Nationalities Papers* dedicated a special issue to the politics of language in the post-Soviet space. See *Nationalities Papers* 23 (3).
6. This kind of asymmetrical bilingualism meant that "Russians remain[ed] largely monolingual, while non-Russians needed to become bilingual to function at any level in the Soviet system" (Ozolins 2003, 218).
7. The politicization of language issues and the association of Belarusian language with opposition to president Lukashenka (Goujon 1999) have probably contributed to this development.
8. In the interwar period, the Cyrillic alphabet was used only in the Moldovan ASSR, with the exception of the years 1931–1937 when the Latin alphabet was also introduced in that territory (Gribincea 2004). It is worth mentioning that the switch to a Latin alphabet during the 1930s and the later reintroduction of Cyrillic were not a peculiarity of the Moldovan ASSR. In the 1930s a "Latinization drive" swept across the Soviet Union and involved dozens of languages; later in the same decade, the Cyrillic alphabet was introduced for most of those same languages (Grenoble 2003, 49–51).
9. The reintroduction of the Latin script happened with a set of laws and decisions (nr. 3462–3467) approved by the Supreme Soviet of the Moldovan SSR on 31 August and 1 September 1989; they abrogated the 10 February 1940 law introducing the Cyrillic alphabet, changed Art.70 of the Constitution of the SSR regulating the state language, and set out a timeline for the application of the law.
10. The debate on the name of the state language resurfaced in the following years. In 2013, a group of parliamentarians brought the issue to the Constitutional court which, claiming that the "Declaration of independence" has priority over the Constitution, concluded that Moldova's state language is Romanian (Curtea Constituţională 2013). In spite of the fact that the Constitutional court stressed that its decision cannot be appealed, it is unlikely that this ruling will actually settle the debate.
11. A review of official websites of Transnistria's state institutions and organs (including individual ministries and departments, as well as local administrations, procurator office, national bank, etc.) conducted by the authors in August 2014 found 46 active websites directly belonging to Transnistria's authorities. Only two of them were available also in Moldovan and Ukrainian (the website of the Ministry of Education and of the Constitutional Court), while all others were available in Russian only or had limited sections in English.

12. See, for example, the program "Textbook" (Government of Transnistria 2012) that distributes budget resources for the preparation and distribution of textbooks to Russian, Moldovan, and Ukrainian schools.
13. In much of the former Soviet Union, self-identification with a given ethnic group (for example, Moldovan or Ukrainian) does not automatically imply competence or primary usage of the respective national language.
14. See in particular Hammarberg (2013).
15. For an extended debate on the possibility for residents of de facto states to appeal to the European Court of Human Rights, see Cullen and Wheatley (2013).
16. For a debate on whether it is appropriate to use the term "ethnic cleansing" in the context of the conflict in Abkhazia, see Dale (1997).
17. According to the highly contested results of the latest census conducted by the Abkhazian authorities in 2011, the Abkhaz are a slight majority (50.71%), while Georgians (17.93%), Armenians (17.39%), and Russians (9.17%) make up the remainder (Apsnypress 2011). For a debate on the demographics in Abkhazia, see Trier, Lohm, and Szakonyi (2010, 17–44) and International Crisis Group (2010, 8–9).
18. According to a 12 June 1945 decree of the Central Committee of the Georgian Communist Party, starting with the 1945/1946 school year, teaching was switched to the Georgian language for the first four years of education, while starting with 1946/1947 school year classes at the time taught in Russian were switched to the Georgian language. Before this policy was introduced, there were 81 Abkhaz language schools. When the policy was reversed in 1953, it was claimed that "henchmen of the enemy of the people Beria" were to be blamed for this "serious mistake" (Kuraskua 1971, 116–118). In those years, Abkhaz language was still taught as a separate subject up to four hours per week. See also Blauvelt (2007, 221).
19. For more details on education reforms in Tsarist and Soviet Abkhazia, see Tarba (1970) and Kuraskua (1971).
20. "The paucity of Abkhaz language schools, the larger number of Russian language schools and the natural desires of parents to see their children proficient in the Soviet Union's (and Abkhazia's!) main *lingua franca* often meant that Abkhazian children were simply enrolled in Russian language schools" (Hewitt 1998, 173).
21. For more details on Greeks in Abkhazia, see Ioanidi (1990).
22. In her research on inter-ethnic relations in Abkhazia, Clogg (2008, 318) found that "all non-Abkhaz respondents were sympathetic to Abkhaz sensitivity concerning the Abkhaz language and the demographic situation. [...] Nobody objected in principle to the adoption of a law in which Abkhaz would become the official language of state use." Kolstø and Blakkisrud (2013, 2091), in their research on Abkhazia's Armenians' limited inclusion in positions of power, stressed that the fact that "Abkhazia is perceived as the land of the Abkhaz [...] is accepted also by the non-indigenous [non-ethnic Abkhaz] population."
23. Unlike in Russia and Georgia, Abkhaz passports include a reference to ethnic identity.
24. No official statistics concerning Abkhaz language proficiency are available. In a survey conducted among Abkhazia's youth in 2007, 73.7% of ethnic Abkhaz declared they could read, write, and speak Abkhaz fluently (Goncharova et al. 2007, 96).
25. TV reports frequently show speakers intervening in Russian in both meetings of the parliament and of the cabinet of ministers. Russian is also used to conduct the session and at times of voting for important matters. See, for example, Abaza TV's (2014) report on the session of parliament that ratified a strongly debated treaty of partnership with Russia in December 2014: MPs are asked to vote for or against the ratification of the treaty in Russian.
26. Perhaps not incidentally, this is exactly the same formula used in Russian legislation. See Art. 14 of the law "On education in the Russian Federation" (2012).
27. Only starting with September 2014 it was planned that all schools in Sukhumi stop asking for contributions from parents, since the average salary paid by the state has increased significantly, "up to" 10,000 roubles, or about $200 (Kvitsinia 2014). For the situation of schools a decade earlier, see for example Avidzba (2003) on the Armenian schools in Gagra.
28. Less than half (44.9%) of the young Armenians included in the survey by Goncharova et al. (2007) stated that they have a good oral and written command of Armenian and about 10% admitted they do not know it at all.
29. Local authorities counter this claim. In an interview with one of the authors in Sukhumi on 3 October 2011, then Abkhaz minister of Education Indira Vardania stated clearly that the law

"On the state language" is fully respected for what concerns education and the right of all groups to study in their mother tongue, making reference in particular to equal support given also to Armenian schools even in the difficult post-war years.

30. Both the Transnistrian and the Moldovan side, after visiting Romanian and Moldovan schools in Transnistria together with OSCE representatives, declared confidence in their capability to resolve all issues (TV PMR 2014).
31. As Waters (2006, 408) put it in his study focused on two other post-Soviet de facto states (South Ossetia and Nagorno Karabakh), "starting with the constitutional or founding documents of these republics, it is clear that their primary purpose is not to order society and provide for governance."
32. The provision mandating Cyrillic for writing in Moldovan is a significant exception.

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