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THE PHENOMENON OF TRANSNISTRIA AS A MODEL OF POST-SOVIET DIVERSITY POLICY

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This text discusses the structure and content of diversity policy in the so-called Transnistrian Moldovan Republic (TMR), an unrecognized state that broke away from Moldova during the collapse of the Soviet Union. The case of Transnistria is particularly useful as an example for analyzing the origins, structure, contents and effects of the post-Soviet ethno-cultural policy in a comparative perspective. Moreover, the model of Transnistrian state- and nation-building, since it is not explicitly based on privileging a core ethnicity, differs from nearly all countries and de facto states of the post-communist space. The working paper describes the TMR normative framework pertinent to the management of ethnic and linguistic diversity and analyzes the patterns of its implementation. The authors analyze the reasons why ethnic diversity has never been a challenge to the Transnistrian statehood and its stability while different ethnicities and languages are treated differently. The Transnistrian phenomenon is also considered from the perspective of the effectiveness and efficiency of post-Soviet diversity policies.

Keywords: Transnistria, Moldova, post-Soviet conflicts, de facto states, nation-building, symbolic policy, diversity policy

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I.   INTRODUCTION

Transnistria, or Transnistrian Moldovan Republic (TMR), is a polity, an unrecognized state that broke away from Moldova in 1990 and became de facto independent upon the dissolution of the Soviet Union. Over the last two decades, TMR has been in a spotlight of scholars and analysts

primarily as a conflict zone, unresolved territorial dispute and an ongoing, but still ineffective, process of political reconciliation.[1] To a lesser extent people were addressing TMR as a case of state-building in an unrecognized independent political entity.[2] TMR definitely deserves attention in all these respects and beyond, and here we will emphasize an issue that has been rarely examined in detail – the official Transnistrian policies of multi-ethnicity.[3] TMR is a de facto statehood that does not have an ethnic majority, and unlike all other similar entities it does not position itself as a polity created by and for the core ethnic nation.

The very survival of Transnistrian independence is not surprising. Most separatist regimes that emerged in the post-Soviet space in the late 1980s – early 1990s are alive to date, and the reasons of their viability are more or less well explained. Briefly, among these factors are internal support from the local population achieved through propaganda and identity building; strong defence capabilities vis-à-vis relative military and economic weakness of the parent state; support of a strong patron state; and limited or inconsistent involvement of the international community.[4]

What is particularly interesting about Transnistria is that rivalries or claims on ethnic or linguistic grounds do not figure among challenges to its stability. In the meantime, one may expect that ethno-political turbulences, which would probably not threaten the entity's coherence and viability at large, would at least be part of the Transnistrian political landscape. Generally, such things have not happened although, as we will show below, there have been, at least in theory, several opportunities ranging from local separatism up to mass claims

concerning linguistic and educational policies. There are also no signs of emigration from Transnistria on ethnic or linguistic grounds, although it is technically easy and would be encouraged by the territorial proximity of mainland Moldova and Ukraine.

Therefore, it is worth asking about the reason for the Transnistrian domestic ethnopolitical stability and the role played by the TMR official stances and activities concerning multi-ethnicity. As such, this paper is an attempt to describe the structure and content of the Transnistrian diversity policy as well as to set up and partly answer questions about this policy's effectiveness.

One can also look at the Transnistrian case from two broader perspectives. First, the Transnistrian case is an opportunity to engage in a comparative study and to raise questions about the origins, structure, content and effects of post-Soviet ethno-cultural policies in general. Second, at first glance Transnistria sells a specific model of domestic ethno-cultural policy, in many respects different from almost all states of Eastern and Central Europe which position themselves as ethno-national statehoods. It is worth asking under what circumstances non-nationalist state- and nation-building can be viable and efficient.

One disclaimer is needed at the very outset. We avoid judgments concerning the legal claims around the TMR's current and anticipated status. We refer to Transnistria as a de facto state with real existing institutions of government of its own and do not imply the validity of any claims of its international recognition.

II. STRUCTURE OF THE PAPER AND METHODOLOGICAL REMARKS

In this working paper we will first provide a brief description of the Transnistrian normative framework, a brief sketch on its implementation and then formulate questions about the ways to interpret the local diversity policy, to compare it with other national cases and to assess its effectiveness and efficiency. Full and final answers to this range of questions would be beyond the scope of this paper. The major reason is that one can barely separate ethnic policies from all other spheres of political and social life and accurately identify the causes and outcomes of certain processes. However, the ultimate reasons for the general political, economic and social viability of the TMR taken altogether would be a too broad and complex topic for one article, and what we can do here is just the placing of ethnicity- and language-related activities of the Transnistrian authorities in a broader political and societal context. Another reason is that most of the questions have no clear and straightforward answers; rather, they prompt a search for more adequate and accurate analytical tools and vocabulary.

Official treatment of multi-ethnicity can be addressed within at least four theoretical frameworks. They can be named respectively as "nation-building", "diversity policy" (or "diversity management"), "identity policies", and "regime of ethnicity". All the four do not contradict each other and on the contrary partly overlap; each has its own merits and deficiencies.

The notion "nation-building" potentially offers the most comprehensive and broad approach. The term became a part of scholarly discourse in the early 1960s and since then its meaning has been gradually changing.[5] In theory, the notion encompasses a wide range of practices which go far beyond the treatment of ethnic diversity per se. As Abel Polese does, rephrasing Walker Connor, one may say that nation-building means "a process of conjoining the nation with the state".[6] This implies the shaping of the given society in its entirety and measures aimed at general political and social institutions including disciplinary techniques, common narratives, and regimes of citizenship. Certainly, the definitions of boundaries and membership in the national community include activities targeting ethnic or cultural diversity (whether they mean its maintenance or, on the contrary, marginalization or elimination). The problem is that the scope of the notion is too broad while the treatment of diversity constitutes only a small part. In this regard, there appears to be a temptation to narrow the scope to the shaping of public opinion and creation of common 'identity'.[7] This may divert scholarly attention from institution building and strategies of marginalization of and control over unwanted segments of the population. Besides, the word 'building' means a process with its beginning and end while diversity-related policies must exist notwithstanding a certain transition.

Diversity policy or diversity management can be defined as a policy deliberately aimed at shaping and regulating social relations pertinent to the ethnic, cultural or racial heterogeneity of the society. The problem with the term is that it is too nebulous and is lacking any uniform application; the scope and content of the notion remain under a question mark. There is no single or commonly accepted understanding of what diversity management is about and no standard

terminology.[8] From the scholarly perspective, the approach is still in the making; in the practical domain, politicians and legal processionals do not necessarily approach the regulation of diversity as a single and specific area of human activities. Decisions and practical measures which one conventionally calls diversity management may vary in purposes, scope, form and content; the issues, important for one country, might be perceived as irrelevant for another one. Diversity management in certain countries may rest on different values and aspirations, which may include or exclude certain areas of social relations and public management.

The widely used terms 'identity politics' and 'identity policies' delineate a wide range of activities shaped, represented and justified by considerations of group belonging and group formation.[9] This approach reflects the real empirical phenomena of claim-making and categorization and it allows for the linking of ethnicity with activities resting on other social affiliations. The problem is with reifying implications of the word 'identity' which is routinely perceived, first, as a feature or quality of an individual or a category rather than interaction, and second, as a determinant of human behavior.

The fourth perspective is called "regime of ethnicity"; the notion of regime was first employed with regard to ethnic policies by Şener Aktürk.[10] It means systemic activities that "seek to maintain a particular and coherent relationship between ethnicity and nationality"[11] or, broader, defines modes of membership and representation. The problem is that the notion remains underdeveloped: the menu of regime types that Aktürk offers does not cover the whole range of ethnic policies available and the model still

remains ill-equipped for handling informal practices or side effects of certain measures. Nevertheless, we regard the approach based on the notion of "ethnicity regime" as the most relevant in the given context. The major question of this working paper must then be along the lines of "what is the regime of ethnicity in Transnistria?" However, we will also resort to other frameworks, such as nation-building and diversity policy, since they also reflect and capture important features of the phenomena that we address.

The last remark in this part is about language. Language as such can be barely perceived as an attribute of ethnicity and an obvious mark of ethnic affiliation, but in many geographic and professional domains it is regarded as a part of ethnic 'culture' or 'identity'.[12] Since this practical approach is an important element of what we are approaching, we will also address language issues and language policies as belonging to the domain of 'ethnicity regime'.

III. GENERAL INFORMATION ABOUT TRANSNISTRIA

Geographically Transnistria is a 200-km long and at an average 20-km wide strip of land located mainly on the left (eastern) bank of the river Dniester/Nistru. TMR also controls the city of Bendery and some other enclaves on the Right Bank, while several villages on the Left Bank remain under the jurisdiction of Moldovan government. The de facto government of TMR regards Transnistria as a sovereign state, which has asserted its existence by winning the war for

independence and through a clearly and repeatedly expressed will of its population. The government of Moldova, in turn, regards the Left Bank as an integral part of Moldova, illegally captured by the separatist regime due to the intervention and military and political support of Russia.

In terms of the Moldovan domestic legislation, the Law "On Administrative-territorial structure of the Republic of Moldova" No. 764-XV of 27 December 2001 and the Law "On the basic principles of the legal status of settlements on the left bank of the Dniester (Transnistria)" No.173-XVI of 22 July 2005 define Transnistria as a region with a special autonomous status. These legislative provisions rest on Article 110 (2) of the Constitution of Moldova, which recognizes a special status of this territory. Besides, the Moldovan domestic legislation defines the city of Bendery as a separate municipality. The international community (including Romania, Russia and Ukraine) recognizes the territorial integrity of Moldova and regards the situation as an internal conflict that must be resolved by political means through negotiations.

The TMR population, according to the 2015 census carried out by the de facto government of Transnistria, reaches 475,665 people[13] (compared to approximately 684 thousand in 1989).[14] In 2004, 31.9% of the population were Moldovans, 30.3% Russians, 28.8% Ukrainians and the rest - other groups, mainly Bulgarians, Belarusians, the Gagauz, Germans, Roma, Tatars, etc.[15] The major ethnic groups are spread over the entire territory more or less evenly although ethno-demographic proportions vary from district to district and many localities have a definite ethnic majority.

All permanent residents have been recognized by the TMR government as citizens of Transnistria; in the meantime, the Transnistrian authorities allow multiple citizenships, and a large part of the population (officially, about one third;[16] unofficially – most adults) also hold passports of Moldova, Ukraine, Russia, Bulgaria, Belarus or other states; otherwise the people would not be able to travel across the recognized borders of Moldova. Estimates vary; most commentators mention that at least 200,000 people hold Moldovan, 100,000 Russian and 90,000 Ukrainian passports.[17]

TMR has acquired all the institutions of statehood: the publicly elected head of state – the President, the Parliament (Supreme Soviet), the Government, armed forces, police, financial and fiscal systems, customs, and local territorial government.[18] Most experts characterize the Transnistrian political system as a centralized and authoritarian presidential republic with façade democratic attributes, a politically loyal and conformist electoral majority with the actual concentration of power in the hands of the security services and affiliated local financial-industrial groups.[19]

Transnistria remains dependent in many respects on Russia's political and economic support. Russia subsidizes gas supply to TMR, pays pensions to a large number of Transnistrian inhabitants, and also engages in a number of educational and cultural projects.[20] The Transnistrian system of education is fully modeled after the Russian one. Russian troops (around 1,500 servicemen) remain stationed on the territory of Transnistria, most of which are part of the Russian peacekeeping forces.[21]

IV. HISTORICAL BACKGROUND

Territories within the internationally recognized borders of Moldova were annexed to the Russian Empire in late 18th – early 19th century. The region between the rivers Dniester and Prut known as Bessarabia became a part of Romania in 1918, but the Bolshevik Russia and then the Soviet Union did not recognize this incorporation as lawful. In 1924, the Soviet government carved out the territories on the Dniester's left bank in part populated with Moldovans as the Moldovan Autonomous Soviet Socialist Republic (MASSR) within Ukraine. In 1940, after the Molotov-Ribbentrop Pact the Soviet Union annexed Bessarabia, which was merged with a part of the former MASSR into the Moldovan Union Soviet Socialist Republic (MSSR).[22] While Moldovans by the late 1980s constituted more than 2/3 of the MSSR population, the Left Bank and the major metropolitan areas of Moldova were predominantly Russian-speaking, partly because of the development of industries and the large-scale migration from other parts of the USSR.[23]

The conflict around Transnistria broke out in 1989, during the period of overall liberalization in the USSR when the Moldovan Popular Front, the major Moldovan nationalist movement of that time, called for the de-Russification of the country and its future accession to Romania, and the authorities of the Moldavian Soviet Socialist Republic started the respective "nationalization" of the legislation and internal policies.[24] First and foremost, this policy manifested itself in the new linguistic legislation that declared Moldovan with Latin script (actually Romanian) the only one state language with weaker guarantees to other languages. Many non-Moldovans perceived these shifts as well as the Popular Front's nationalist

rhetoric as a threat to their social status and their very future in Moldova.

Transnistria, a predominantly Russian-speaking region with the largest part of Moldova's industries with basically non-Moldovan laborers were totally alien to the new nationalist trends and demonstrated the fiercest resistance.[25] In September 1990, the Congress of All-Levels Peoples' Deputies of the Left Bank declared the foundation of the Transnistrian Republic independent from Moldova. Armed clashes sparked in the autumn of 1991; in March 1992 they escalated into full-fledged warfare and continued until July 1992. Police and armed forces loyal to the Government of Moldova tried to re-establish control over the Left Bank, but failed, partly because the Transnistrian leadership succeeded in mobilizing a mass population support, partly because of the interference of the Russian army stationed in the region.[26] The cease-fire agreement was concluded in July 1992; to date it is guaranteed by the tripartite peacekeeping force which is composed of troops of Russia, Moldova and Transnistria.[27]

Since then, the process of peaceful settlement goes along to date and involves international mediators and observers, such as the OSCE, Russia, Ukraine, the United States and the European Union.[28] The peace process eliminated the threat of new violent outbreaks and ensured the functioning of the TMR economy, as well as allowed for the movement of people and goods across its borders. However, the conflicting parties have been unable to harmonize their positions on the key political issues.[29] At present, the peace process is at a standstill; the TMR leadership seeks to do the maximum possible to provide a virtually independent existence for Transnistria, even in the absence of an

internationally recognized status, while the government of Moldova is trying to obstruct the Transnistrian independent existence and thus encourage its reunification with Moldova.

Over the years, it has been a commonplace for most observers and the participants to the Transnistrian problem to univocally recognize that this situation cannot be characterized as an ethnic conflict. The TMR leadership has secured the support of most of the region's residents, regardless of ethnicity, which is demonstrated in the referenda and elections and, moreover, in the absence of sizeable protests. The dissent among the Moldovan population of Transnistria has no significant effect on the situation;[30] in turn, the Russian-speaking population of the Right Bank Moldova has never demonstrated any solidarity with TMR.

V. CONSTITUTIONAL AND LEGAL BASIS OF THE DIVERSITY POLICIES

There is little sense in talking about the international legal framework with regard to TMR. As an unrecognized statehood it is not party to international instruments. Although the TMR authorities let in international human right observing missions, cooperate with envoys of the CoE and OSCE and moreover declare their adherence to international human rights norms,[31] in practice international standards of minority protection and non-discrimination play no role in domestic public discourses save dispute resolutions.

Unlike the Republic of Moldova and most other post-Soviet and Eastern European states,

TMR does not define itself as a national state in an ethnic sense (with a reservation about the adjective "Moldovan" in the state's name; see below). The 1996 Constitution of TMR in its Preamble refers to its "multinational people"; further the Constitution mentions ethnic diversity only in the following context: "The State shall regulate relations between social, ethnic and other communities on the basis of equality and respect for their rights and interests" (Art.8 (2)). Notably, the concept of "regulating relations between ethnic communities" has clear Soviet roots; to date it is also present in the Constitution of Belarus.

The Constitution also proclaims equal rights and freedoms for "all" without a distinction based on sex, race, nationality, language, religion, social origin, beliefs, personal and social status (Art.17) and prohibits "incitement to racial, national and religious hatred" (Art.8). According to Article 43, "everyone has the right to preserve his/her national [ethnic] identity, just as no one can be forced to determine the national origin". Also, in accordance with Paragraph 2 of the same article, "insulting the national [ethnic] dignity will be prosecuted."

According to Part 3 of Article 43 of the Constitution, "everyone has the right to use his/her native language and to choose the language of communication." Article 12 grants on an equal footing the status of official languages to Moldovan, Russian and Ukrainian languages.

The TMR Criminal Code of 2002 sets up liability for "violation of the equality of citizens" on a long list of grounds, including race, ethnicity and language (Art.133). The Code of Administrative Offences of 2014 envisages liability for "discrimination", that again means

violation of rights, freedoms and legitimate interests (Art.5.60; the same provision was in Art.41-11 of the previous code of 2002), if such action (inaction) does not contain the elements of a criminal offense. Also Article 278 of the Criminal Code introduces responsibility for the "actions aimed at inciting national, racial or religious hatred, humiliation of national dignity, and propaganda of exclusivity, superiority or inferiority of citizens on the grounds of their religion, nationality or race". Data on the application of these norms are not available.

Transnistria has the Law "On Countering Extremist Activity" No. 261-Z-IV from 27 July 2007, which is a blueprint of the respective Russian anti-extremist law of 2002.[32] The law offers an excessively broad definition of the terms 'extremism' and 'extremist activities', introduced as full synonyms. Their meaning ranges from terrorism to intolerant statements about ethnic, religious and other groups; from violent actions against the state to the incitement of national, racial, religious and social enmity in connection with violence or threats of violence. The definition also includes violation of rights, liberties and lawful interest of citizens on the grounds of conviction, ethnicity, religion or social origin.

The Law "On Passport of a citizen of Transnistrian Moldovan Republic" No.104-Z-III of 5 March 2002 stipulates that a passport [that means a Soviet-style domestic ID] can contain, on the holder's choice, the entry on 'nationality' [ethnicity] in accordance with the nationality of the parents. If the parents are of different nationalities, then the holder may choose either, but the record done cannot be changed in the future. In fact, this means a slightly changed provision of the Soviet passport system.[33]

The TMR Law "On Languages in the Transnistrian Moldovan Republic" of 8 September 1992 (as amended in 2007) guarantees (Art.1) "linguistic sovereignty of the citizen", which means *inter alia* "natural and legally equal right of free choice of the language of communication and its use in all spheres of life". According to Article 3 (1), all languages have equal legal status and are provided with the same degree of state protection and support. The status of official languages is granted to Moldovan, Russian and Ukrainian languages (Art.3 (2)); they are also acknowledged as the "languages of interethnic communication" (Art.5). National or local authorities are entitled to prioritize one of them as a means of official communication in a certain locality or arrange a local referendum on this issue (Art.3 (3)). The law also allows the usage of the language of the numerical majority within a certain locality (for example, during elections and referenda), or granting the status of the means of interethnic communication to a language other than the three official ones.

The language law proclaims the general equality of the three major languages in official use. The general rule set up in several articles of the language law is that the institution or enterprise decided which official language will be its means of internal communication and paperwork (Art.9, 10, 19-25); official bodies, the judiciary and law-enforcement establish their linguistic regime under the approval of the TMR government or local authorities. All are entitled to use any language in public, including official meetings, and the translation is to be provided, but the law imposes no obligations in this regard. Article 26 proclaims the free choice of language for training and education, and the use of the three major languages in the educational system is

guaranteed "in the interests of ethnic groups, compactly populating a particular area". In theory, citizens have the right to choose the language when dealing with government agencies.

A specific feature of TMR is that the Moldovan language is recognized only on the basis of the Cyrillic alphabet. Noteworthy in the regard is a resolution adopted by the Supreme Soviet of Transnistria in March 1991, which stressed the ideological underpinnings of the TMR cultural and language policies; it declared "the protection of the identity of Moldovan people, its language and culture" presumably in opposition to "Romanization" (Moldovan schools, 2012, p.9). Article 6 of the Law on languages states that "the written form of expression for the Moldovan language in all possible cases is its *original* Cyrillic alphabet", while "an *imposition* of the Latin script entails liability under the law" [my italics]. The ban on the public use of the Moldovan language with Latin script is backed with Article 5.28 of the TMR Code of Administrative Offences of 2014 ("Failure to comply with legal requirements of the Transnistrian Moldovan Republic concerning languages in the Transnistrian Moldovan Republic"), which establishes the penalty of a pecuniary fine of 50 officially established minimum wages. The previous TMR Code of Administrative Offences of 2002 also contained this provision in its Art.200-3.

The TMR Law "On Mass-media" No. 263-Z-III from 11 April 2003 establishes no restrictions on the use languages, but sets the requirement that the languages of media outlets be set up in their registration documents. Moreover, the law prohibits defamation on the grounds of language or ethnicity.

According to Article 7 of the TMR Law "On Education" No. 294-Z-III of 27 June 2003, "freedom of choice of the language of instruction is provided by the establishment of necessary number of relevant educational institutions, classes and groups, and the creation of the necessary conditions for their functioning." Along with this, the law envisages that "in educational institutions of all legal forms and all forms of property, students learn a second official language of the Transnistrian Moldovan Republic other than the language of instruction along with the language of instruction, if it is one of the official languages of the Transnistrian Moldovan Republic. If the language of instruction is not one of the official languages of the Transnistrian Moldovan Republic, the students are required to learn one of the official languages of the Transnistrian Moldovan Republic". Thus, under the legislation on languages and education, study of languages other than the official ones is not officially guaranteed.

The TMR Law "On Culture" No. 37-Z from 6 March 1997 refers to the "culture and cultural heritage" of TMR's "multinational people", while Article 20 declares the right of citizens to the "preservation and development of their cultural-national sameness", and Article 21 allows for international cooperation and the existence of foreign cultural centers for the support of compatriots living in TMR.

Article 5 of the TMR Law "On Commercial Advertisements" No. 160-Z from 17 May 1999 prescribes that the commercial advertisements could be made in any of the official languages. However, this provision does not address the broadcasters and press whose media products are made exclusively in foreign

languages, nor does it deal with registered trade and service marks.

VI.   IMPLEMENTATION PRACTICIES

It should be noted that equality and non-discrimination are not among the issues on the public agenda. The respective provisions of the Criminal Code are not used. The TMR Ombudsman does not deal with the issues of language policies, language use or cultural rights; his annual reports do not contain any references to complaints concerning ethnic or linguistic problems, and discrimination is mentioned only with regard to people on parole and military servicemen.[34]

The effects of the Law against extremism are a bit different. Enforcement of the similar laws in Russia, Kazakhstan and Belarus clearly demonstrates that such legislation creates prerequisites for the abuse of power; the fight against extremism can be a ploy to intimidate and suppress unwanted groups or organizations. In Russia, in parallel to criminal persecution of oppositional activists, accusations of 'extremism' are used as a pretext for denying the registration of NGOs, lodging official warnings toward organizations and mass media outlets and confiscating computers or printed materials for 'checks for availability of extremist content'. The Transnistrian law actually was not in use until 2015; since then it is increasingly employed against members of organizations which the government regards as unwanted, particularly some Ukrainian NGOs.[35]

In the meantime, manifestations of ethnic and religious enmity occur; for example, the Jewish community repeatedly reported about anti-Semitic incidents. Having been opened in 2002, the Holocaust victims' monument in Bendery was desecrated several times, inter alia in September 2008 and September 2012.[36] Similarly, the Jewish cemeteries in Bendery, Grigoriopol and Tiraspol have been vandalized,[37] while the only Transnistrian synagogue in Bendery was damaged.[38] However, despite the concerns of minority organizations the TMR officials responsible for decision-making do not take these problems into account. Thus, they seem to be incapable of addressing and resolving the emerging specific problems, particularly since the polity lacks a specialized regular official institution in charge of effective and efficient preventing and combating of manifestations of ethnic and religious hatred.

TMR has no special official bodies in charge of ethno-cultural policy. There is no commission or other unit within the Supreme Soviet (the parliament) that would focus on ethnic relations; human rights issues are addressed inter alia by the Committee on Legislation, Law-Enforcement Agencies, Security, Defence, Protection Rights and Freedoms of Citizens. The executive body closest to educational and cultural affairs until 2014 was the Ministry of Enlightenment; in 2014 it was divided into the Ministry of Education and the State Service on Culture.[39]

Although TMR has three equal official languages, in fact, the Russian language dominates the entire public life in TMR;[40] however, the two other official languages also occupy certain niches. The Russian language is in fact the only language of the public administration and the dominant language in education, media and culture; the scope of the two

other official languages is gradually narrowing, in part because the number of speakers is declining.[41] Other languages play a minor role in public domain and in turn are neglected by public authorities. At the same time, official statements, educational literature, and cultural events sponsored by public authorities are arranged in a way to articulate and demonstrate a multi-ethnic and multi-cultural character of the Transnistrian society.

In the 1990s, almost all official acts were translated and publicized in all the official languages; in the last at least ten years this practice has applied to only few selected laws. No language has been established (as the law allows) as the prior official language at local level; Russian by default prevails everywhere in municipalities. People are allowed to choose the language in which they address public authorities and institutions. They must get responses in the same language in accordance with the law, but there is anecdotal evidence that quite often responses are done in Russian. A similar situation could be observed in Belarus. On the one hand, there is a legal provision which requires public authorities and institutions to provide answers to the enquiries in the same official language and this rule is generally followed. On the other hand, the Administrative Offences Code lacks a provision which is applied in case this provision is breached.

There are just a few legal provisions which regulate the use of language in the public bodies as well as in all kinds of paperwork in public administration, accounting and private businesses including advertising, or establish formal requirements pertaining to the use of languages and the provision of translation. For example, the language law in its Art.3 provides a blurred formula which addresses the prioritization to use a certain official language at the local level as determined by the decision of the republican or local public authority or through a referendum. At the same time, the TMR judicial system de facto acknowledges Russian language as the primary language of its activities. For example, Art.24.2 of the 2013 TMR Code of Administrative Offences refers to Russian as the sole language of the administrative proceedings. The same rule applies to civil proceedings, as established by Art.9 of the Civil Procedural Code. In case of criminal proceedings one of the three official languages or another language acceptable for the majority of the trial participants could be used; however, it is Russian which is proclaimed the sole language of judicial office-work (Art.11 of the Criminal Procedural Code).

Officially, governmental action aiming at the use and development of the Moldovan and Ukrainian languages in the TMR is based on so-called target programs. Noteworthy in this regard is the Law of TMR "On Approval of the State Target Program 'The Development of Education in the Moldovan language in the Transnistrian Moldovan Republic' for the period of 2005-2009" No. 533-Z-III of 10 February 2005. A similar state program aimed at the Ukrainian language was in force in the same period. They both envisaged governmental support to the publication of books and periodicals, primarily materials for the school system. The program for the Moldovan[42] language was extended to 2012, and by the end of 2012 the government elaborated new joint target measures for both languages within the state target program "Textbook" for 2013-2015.[43] The program was not renewed for 2016, while on 4 July 2016 a new state target program for 2017-2021 was adopted, which was

largely based on Russian management practices in the sphere of secondary education.[44] Despite its long-term operational consistency, the program has been constantly suffering from the lack of sufficient budget financing. For example, in 2015 only 35 per cent of the foreseen finances were received, whereas its non-prolongation of the program for 2016 is explained through the receipt of significant humanitarian aid from Russia which covered the needs of textbooks for the TMR schools with the Russian language of instruction.[45]

According to the official data, in the academic year of 2011/12, there were 166 public schools providing primary and secondary education; of them 115 were with Russian as the language of instruction, 34 with Moldovan, 12 with Russian and Moldovan (this implies separate language classes), 2 with Ukrainian, and 3 with Russian and Ukrainian.[46] In the year of 2015/16 there were 159 schools in total; of them 115 with Russian language of instruction, 26 with Moldovan, 3 with Ukrainian, 14 with Russian and Moldovan and 1 with Russian and Ukrainian.[47] These figures also include two all-republican lyceums run in Ukrainian and Moldovan.[48]

Accordingly, in the year of 2011/12 of 46,100 students, 37,600 were taught in Russian (81.6%), 4,700 in Moldovan (10.2%), and 500 in Ukrainian (1.1%), while the rest were students of the bi-lingual schools.[49] In 2015/16, according to the Ministry of Education, there were 40,033 pupils studying in Russian (89.7%), 4,086 in Moldovan (9.1%) and 533 in Ukrainian (1.2%).[50] Interestingly, that the State Service of Statistics collects data about the pupils' ethnicity; in 2015 officially there were 14,803 Moldovans, 12,017 Ukrainians, 14,645 Russians, 1,126 Bulgarians, 628 Gagauzians and 1,068 "others".[51]

In addition to the language of instruction, all pupils are obliged to study a second official language. About one-third of the schools teach Ukrainian and two-thirds teach Moldovan as the second language.[52] Also the local authorities, school principals and Bulgarian minority NGOs in a Bulgarian village Parkany concluded an agreement according to which in one village school Bulgarian is taught as a compulsory second language and in two - as an optional subject.[53]

The usage of languages in higher education in TMR also demonstrates the dominant role of the Russian language. Only the Taras Shevchenko Transnistrian State University provides education in Russian, Moldovan, Bulgarian and Ukrainian languages,[54] whereas other higher educational institutions offer their programs exclusively in Russian.[55]

Basically, the TMR educational standards and curricula are blueprints of the Russian ones. Textbooks are mainly imported from the Russian Federation and Ukraine (in the latter case, these are books in the Ukrainian language), if their content is in compliance with the TMR standards. In part TMR supplies its schools with local textbooks. The governmental Institute of the Development of Education and Professional Training[56] elaborates teaching material in Moldovan and Ukrainian languages (for humanities) and in Russian (for the courses in the framework of the so-called regional component, which concerns geographic and historical specificities of Transnistria).[57] Those textbooks are published at the budget's expense and are distributed to schools by the ministry of education. However, there is a significant disproportion in supplying schools with textbooks. Thus, in the beginning of the academic

year 2015/16 the equipment of Russian schools with teaching materials was 105% in contrast to 37% for Moldovan and 43% for Ukrainian schools.[58]

The state-owned country-wide television channel broadcasts mainly in Russian, but also in Moldovan and Ukrainian; all major news programs are duplicated in Ukrainian and Moldovan. The First Transnistrian Channel broadcasts (as of June 2016) news in Russian 220 minutes per working day and 30 minutes each in Moldovan and Ukrainian. There is also a TV show on the issues of culture and religion in Moldovan for 45 minutes on Saturday and 25 minutes in Ukrainian on Sundays. Private Dniester TV has no broadcasting in languages other than Russian; the municipal Bendery TV formally announces the use of Moldovan and Ukrainian, but in fact both are not in the program. The public radio broadcasts in the official languages plus in English.[59] All public and private information agencies operate in Russian only. There is also one state-owned newspaper issued in Moldovan (Адевэрул Нистрян / Adevărul Nistrean) and one in Ukrainian (Гомін / Homin).[60]

Broadcasting from Ukraine is available while the TMR government suspended the retransmission of TV programs from the Republic of Moldova to Transnistria in November 2012 under the pretext that Transnistrian television programs cannot be distributed through Moldovan air and cable broadcasters.[61] All internet news portals except for the bilingual website of the Moldovans' Union are in Russian, though some also have an English version.[62]

The State Service on Culture was established in 2014 (previously it was part of the Education Ministry). The Charter of the service stipulates that its activities are aimed at ensuring state guaranties and providing conditions for preservation and development of the culture of all peoples residing on the TMR territory (Art.4b).[63] The analysis of available publications on cultural activities shows that the first festival of nationalities cultures was held in Tiraspol in 2012 only.[64] Most of the events organized by the State Service on Culture and municipalities have nothing to do with the local multi-ethnicity; they are either professional concerts or mass celebrations of Transnistria's unity with Russia or commemorations of certain historic events significant in the light of Transnistrian national ideology.[65]

The TMR has dozens of ethnicity-based civil society organizations. A common scheme comprises a republican CSO (the Union of Russian Communities, the Union of Moldovans, the Union of Ukrainians, etc.) which is composed of a few locals for each nationality thus serving as an umbrella organization. All CSOs demonstrate loyalty to the Transnistrian official leadership. They all co-operate with the authorities and in turn receive support in the form of discounted or free rent of premises, and sometimes sponsorship for individual events. Notable is a special decree of the TMR President Smirnov No.34 of 12 February 1992, which promised special measures of support including direct funding and handover of real estate property to the Union of Ukrainians and its functionaries. Generally, the interaction between the government and ethnic NGOs is not specifically institutionalized.[66] All the three major ethnic organizations are not involved as such in consultations and decision-making, but as a rule their members are among deputies of the

Supreme Soviet. For instance, the current deputy head of the Supreme Soviet Galina Antyufeeva is a head of the Russian community of Tiraspol "Russian House", one of the members of the Union of Russians.[67]

TMR has no special mechanisms for the representation of ethnic or linguistic groups in the state power structure. Representatives of the three major ethnic umbrella CSOs participate in the work of the Public Chamber of Transnistria, an advisory body composed of appointed civil society representatives, as it full members or experts along with representatives of other organizations or professional groups. Currently (in June 2016) two members of Russian ethnic NGOs and two from Moldovan organizations are members of the Public Chamber. However, this body has no commission or working group on ethnic issues, and ethnicity- or language-related affairs are not on the Public Chamber's agenda according to its working plans and reports. Special consultative bodies on ethnic issues at the local level ceased operations in the early 2000s, but still ethnic CSOs are members of advisory councils under several executive bodies. There are also consultative councils in each of the major seven administrative units of TMR; there is no evidence that they ever discuss issues pertinent to ethnic diversity or equality.

Official ethnic statistics in TMR are very limited in scope and content (see above about the composition of schoolchildren) and there is very limited information about social dynamics of ethnic groups and possible ethnic disparities. There have been some partial statistics and anecdotal evidence about underrepresentation of ethnic Moldovans in the government and businesses. One cannot say that there is an obvious exclusion of Moldovans, and the

disproportions can have different interpretations. In part, the explanation could be that Moldovans are a primarily rural population with lesser degree of social and professional opportunities.[68] There were also rumors that the first Transnistrian president Igor Smirnov was biased against Moldovans and resisted their promotion in public administration and the law enforcement.[69]

The most acute problem of ethnic relations and language policy in the TMR is the issue of so-called Moldovan language schools using the Latin alphabet. In the academic year of 2012/2013, there were eight schools with 1,244 pupils;[70] this number shall be compared with 4,688 students in public schools where the language of instruction was Moldovan with Cyrillic graphics.[71] In the academic year 2015/2016 the number of Latin-script schools remained eight, providing education for more than 1,000 pupils.[72]

In the early 1990s, the administrations of a number of schools and the parents of their students have chosen to conduct the educational process in the Moldovan language based on the Latin alphabet. These schools were cut off from public funding (thus becoming in fact private institutions in a legal vacuum) and experienced pressure up to police checks, fines, eviction from the premises, cessation of water, electricity and sewage supplies and direct threats). Therefore, by the mid-1990s they found themselves on the verge of closure, being unable to operate normally.[73] Moreover, the TMR Government's Decree No.232 of 15 September 1995 directly prescribed the "closure" of the "Romanian" schools which were not in compliance with the TMR legislation. At this time most of these schools came under the jurisdiction of the Moldovan Ministry of Education, and some were

forced to move to the territory controlled by the authorities of Moldova.[74] At that time the official pressure of TMR authorities decreased but never ended and most Latin-script-schools continued to function. They draw constant attention from both Chişinău and Tiraspol and it is the Moldovan government which is de facto guarantor of their existence.[75]

Governmental intimidations include inter alia financial matters (such as significant increases of rental rates, as it occurred in Autumn 2015[76]), and pressures on the teachers, pupils and their parents. This situation gives rise to many formal problems.[77] Latin script in the TMR is allowed to be used in private schools established by foreign individuals and institutions. In fact, registration of such schools and getting licenses for their educational activity turns out to be an insurmountable problem because of the legislative inconsistencies and red tape.[78] The main obstacle is the differences in the curricula and educational standards between Moldova and Transnistria. The difficulties concern staff remuneration from Moldova, the movement of teaching materials across the TMR border, denial of tax benefits, as well as difficulties for those students who are forced to go to school on the Moldovan territory. Lengthy negotiations with the involvement of the OSCE mission resulted in a partial mitigation of the situation and the registration of five schools. However, even being registered, those schools did not obtain official accreditation, and thus they cannot issue diplomas recognizable in Transnistria.[79]

The ECHR Grand Chamber in the case of *Catan and Others v. Moldova and Russia*[80] ruled that the situation around the Latin-script Moldovan schools was a violation of Article 2 of Protocol 1 to the ECHR (the right to education),

and that the responsibility fell on the Russian Federation as a country exercising, according to the Court, effective control over the territory of Transnistria.

VII. IDEOLOGICAL UNDERPINNINGS OF THE TMR STATEHOOD AND STATE-BUILDING

The adjective 'Moldovan' in the state's name begs questions. Moldovans, although they are the largest ethnic group in Transnistria, constitute less than 1/3 of its population. The ethnic adjective can be regarded as a continuation of a Soviet tradition. Nationalism was a part and parcel of the Soviet doctrine of state-building, and certain ethno-nations were officially recognized for certain administrative units as the foundation of their quasi-statehoods even if these 'founding', or eponymous groups had not constituted a numerical majority within those territories. Besides, TMR and it leaders officially recognize the continuity of Transnistria to MASSR and MSSR.

Moreover, numerous official statements and several legal provisions declare TMR as a hearth and a guarantor of the 'genuine' Moldovan identity and the Moldovan language based on its 'original' Cyrillic script. Noteworthy in this respect is a clear parallel between Republic of Moldova and TMR. Moldova's official nationalism rests on the so-called doctrine of 'Moldovenism', which implies the existence of Moldovan national identity separate from the Romanian nation, and which is enshrined in Moldova's Constitution and legislation.[81] One may say that TMR defends the doctrine of

'Moldovenism' even in a more radical version than Moldova itself. This situation is the most illuminating part of the broader ethno-political controversies in Moldova (including Transnistria) within the last 25 years. They are basically dependent among other circumstances on three issues, namely, attitudes towards Moldovan nationhood, relations with Romania, and perceptions of the Soviet past and Soviet legacies.

Most linguists as well as the majority of Moldova's policy-makers and the general public are completely sure that Romanian and Moldovan are the same language, despite some minor differences in vocabulary and phonetics. The Romanian literary language since the mid-19th century was developed on the basis of Latin script while Cyrillic was in use on the Russian side of the border in Bessarabia. In 1918-40 when Bessarabia was part of Romania, the language was switched into Latin. At the same time Moldovan on the Soviet side, in MASSR, functioned with the Cyrillic script. After Moldova's incorporation into the Soviet Union, the language was named 'Moldovan' and was practiced with the Cyrillic script only. Moreover, the Soviet authorities cultivated a separate 'Moldovan' identity and strongly discouraged all public mentions of the congruence of Moldovan and Romanian.[82] The state language of Moldova since 1989 is identified in the Constitution and the legislation as 'Moldovan on the basis of Latin script'.

Although the largest investments in the separate Moldovan national identity were made by the Soviet authorities in the times of MASSR and MSSR, it would be inaccurate to regard the Moldovan nationhood as an exclusively Soviet undertaking, and moreover it would be an ideological fiction. The history of Moldovan nationalism stretches far beyond the Soviet period[83] on the both sides. With the post-independence development of Moldova, the vast majority of Moldovans in and outside Moldova consider themselves Moldovans, but not Romanians. According to the 2004 census of Moldova, 75.8% of its population identified themselves as 'Moldovan' while only 2.2% as Romanians.[84] Also, only 18.8% of the people who regarded themselves as 'Moldovans' identified their native language as 'Romanian'. This allows us to say that the Moldovan national project has proved so far its viability in competition with the Romanian one.

In late 1980s, public attitudes toward the Soviet propaganda and particularly towards the official denial of the cultural and linguistic sameness of Romania and Moldova were so negative that the newly emerging Moldovan nationalist democratic movement was straightforwardly pro-Romanian and was calling for the re-unification of Moldova with Romania. Nevertheless, the denial of a separate Moldovan identity quickly faced a strong resistance from large parts of the Moldovan elites and the population.[85] The government of the pro-Romanian Popular Front of Moldova at the general elections in 1994 was replaced by a centrist party and since then the mainstream politicians demonstrate allegiance to the preservation of Moldovan statehood and Moldovan national identity. Moreover, the idea of 'Moldovenism' is embedded in the constitutional and legislative provisions of Moldova and even in the 2003 official "Conceptual Outline of the Nationalities Policy of Moldova". In the case of Transnistria one may talk even about a more radical, even a grotesque

version of Moldovenism, since Transnistria allegedly defends the 'pure' and 'original' Moldovan language with Cyrillic script, which is nowadays virtually not in use outside TMR and thus is of zero market value. Interestingly, after the 1990s when Moldova reaffirmed its policies aimed at the protection of Moldovan independent national statehood, the emphasis on Transnistrian nation-building shifted to the promotion of the separate 'Transnistrian' national 'identity'.[86]

The controversies around the past and future relations with Romania were aggravated on the both banks of the Dniester with a popular mythology of Romania as the hostile 'other'.[87] Still there are popular narratives about the treatment of Moldovans in Bessarabia as second-class citizens of Romania between 1918-40. The local historic narratives in TMR emphasize Romania's role as an ally of Nazi Germany and the occupying force committed crimes against civilians during World War II. In other words, while one can talk about skepticism towards closer relations or ultimate unification with Romania on the Right Bank; on the Left Bank it escalates to an elite and popular phobia fueled with official propaganda. Besides, the Transnistrian politicians often make references to the fact that the Left Bank has never been a part of Romania.[88]

While Moldovan nationalists and a large part of the population perceive the Russian and the Soviet periods as a time of colonial subjugation and suppression, non-Moldovans have largely a different, more positive attitude.[89] The differences in perceptions of the Soviet period and the Soviet legacies manifested themselves most sharply in late 1980s, in particular in the emerging conflict around the Left Bank; besides, attitudes towards the Soviet past and present were intermingled with reactions to Moldovan nationalism and Romania's potential involvement. For many non-Moldovans, especially on the Russian-speaking Left Bank, the emerging Moldovan nationalism produced a real threat of discrimination and exclusion while the Soviet rule was closely associated with equal rights and 'people's friendship'.[90] The Russian-speaking movements gained mass support in late 1980s – early 1990s under the banner of 'equality'; the opposing Moldovan nationalism was labeled as 'Romanian fascism' and rhetorically associated with Romania's expansion, a threat to the Moldova's very existence and of the atrocities of World War II. The media and politicians of the Left Bank portrayed the role of the Russian Empire and the Soviet Union, on the contrary in a positive way, first and foremost, as an opportunity for the peaceful and equal coexistence of all ethnicities.[91] To sum up, the people who came to power in Transnistria and who still govern this territory stick to this combination of perceptions and myths. The local diversity policies are affected by the phobias toward Moldovan nationalism allegedly backed with Romanian involvement, praise to the Soviet 'internationalism' and 'people's friendship' and loyalty to a combination of selected historic myths, which include the 'genuine' Moldovan identity, the Soviet victory in World War II and the Russia/Soviet 'civilizing' mission in the region.

VIII. TMR AS A CASE OF POST-SOVIET DIVERSITY POLICY

Let's summarize the major findings. TMR is an entity that permanently experiences economic, demographic and political problems. Transnistria is a multi-ethnic polity, and people's attitude to their government and the very configuration of the statehood must be different and quite often critical. Supposedly, a critical attitude might correlate with ethnic affiliation because public institutions serving different ethnic and linguistic categories in Transnistria are in fact treated unequally. In other words, people belonging to different ethnicities can benefit from the declared ethnic pluralism to drastically varying degrees, and they all experience homogenizing policies of the TMR government.

One can also conclude that TMR lacks any clear and consistent diversity policy. Symbolically TMR positions itself as a multi-ethnic statehood, but the respective constitutional and legal provisions concerning equality and ethno-cultural pluralism are declarative and do not envisage any guarantees and mechanisms of implementation. Generally, implementation lags far behind the official promises and is done randomly and selectively. Moreover, issues of equality and diversity appear as marginal parts of the public agendas. There has been evidence, albeit anecdotal and incomplete, of unequal social dynamics of major ethnicities and of relative underrepresentation of ethnic Moldovans in government and business.

One may expect manifestations of unrest or claim-making on ethno-cultural grounds, but this does not take place. The only exception is the case of so-called Latin-script Moldovan schools which have desperately resisted official pressure from the very outset of the Transnistrian independence; however, only a relatively small group and gradually decreasing number of teachers, pupils and their parents are involved in the case. There have been no manifestations of local separatism in favor of joining mainland Moldova or Ukraine, although the demographic and geographic composition of TMR in theory favors such motions. There is no evidence of mass emigration of ethnic Ukrainians and Moldovans on ethnic grounds, and the ethnic proportions of the population generally remain intact.[92]

There is no doubt that the Transnistrian authorities would be able to cope with any unrest on ethnic grounds, but the puzzling circumstance here is why nothing like this (except for the fight over Romanian schools) has taken place at all over the years. What is specific about the Transnistrian regime of ethnicity that excludes multi-ethnicity from factors of risk and potential sources of instability?

Here we would like to set up, comment on and partly answer some more specific questions deriving from the major one.

1) *TMR is stable in terms that ethnic issues in fact are not on the agenda. Can it be explained through the authoritarian character of the Transnistrian political regime?*

Definitely, the Transnistrian regime has been authoritarian and repressive from its very outset, and multiple and brutal restrictions of civil and political rights, particularly freedom of press, freedom of assembly and the right to association, are well documented. In the meantime, this explanation, although correct, can be hardly

considered sufficient. First, there is a vicious circle. TMR can be characterized as an "electoral authoritarianism",[93] and the regime repeatedly proves its high degree of legitimacy.[94] All local ethnicities vote alike at numerous referenda and elections and therefore in fact equally approve of local diversity policies. Besides, the Transnistrian polity is a competitive system, and there was already a precedence of the ruling elite changing through elections.[95] Second, although ethno-cultural issues are not welcome by the ruling elite, they are not taboo and can be raised and discussed in public. For example, even a former chair of the TMR parliament Grigorii Marakutsa was explicitly complaining about the extinction of the Moldovan language in TMR at the inaugural ceremony of the newly elected president Shevchuk.[96] There are also numerous opportunities for deputies of the parliament and major ethnic NGOs, particularly those not belonging to political opposition and moreover those represented in the Public Chamber, to raise ethno-cultural issues outside of political context. However, this does not happen. Third, one should not exaggerate the repressive capacity of the Transnistrian regime. It has not been able to fully suppress and close down the so-called Latin-script Moldovan schools, and this case clearly demonstrates that resistance is feasible.

2) *Can the situation be explained in terms of Russian ethnocracy or majority rule of the Russian and strongly assimilated population? Can one regard TMR as a Russian state in disguise?*

To a high degree such an explanation would be correct, but it is also a simplistic one. Definitely, the Transnistrian authorities portray their statehood as an outpost of Russia and a part of the 'Russian Universe' in cultural terms. There are also many indicators that in both public and private spheres the Transnistrian society is strongly Russified linguistically and culturally. However, the dominance of Russian language and Soviet or post-Soviet popular culture based on the Russian language in many parts of the former Soviet Union, particularly in such countries as Ukraine, Belarus or Kazakhstan, does not predetermine popular ethnic affiliations and attitudes toward national statehood. Besides, ethnic and linguistic pluralism in TMR is institutionalized to some degree primarily through the school system; it directly involves a large segment of the population as clients and employees and cannot be regarded as merely window dressing or imitation. Last but not least is that symbolically TMR is an entity with an explicit ethnic – Moldovan, rather than Russian – foundation.

Framing statehood or the system of governance as ethnic dominance would be a derivative of an erroneous tradition of ascribing agency to ethnic or linguistic groups as such. What should be noted here is that any mode in which the law-makers and governments represent their statehood shall not be taken at face value. It is already a commonplace understanding for scholars that the juxtaposition of civil and ethnic nationalisms makes little sense. In reality, there is always a combination of rhetoric strategies and a mixture of references to ethnic, cultural, civic or political underpinnings of the given state. Concurrently, there are always asymmetries in the actual positions of languages and the ways how they are treated regardless of the official rhetoric. Transnistria is not an exception in this respect.

3) Can the Transnistrian regime of ethnicity be described as consocialism or power-sharing among the major ethnic or linguistic groups?

According to Aktürk's typology, Transnistria has a multi-ethnic regime.[97] None of the major ethnic groups are excluded from the public domain; there is no ethnic underpinning of the citizenship or immigration regimes, and all the groups enjoy symbolic recognition. Beyond this, there is no room for applying such notions as consocialism or power-sharing with regard to the balance of ethnic or linguistic groups.[98] Groups or communities exist in the public domain only symbolically; there are no mechanisms for group autonomy, representation or even for inter-group coalition-building. Moreover, as mentioned above, the official rhetoric has changed, and over the last 15 years or more the official authorities do not develop references to multi-nationality or multi-ethnicity by referring to the existence of different communities with their specific needs and interests. Moreover, while in the 1990s there was a clear emphasis on the protection of 'genuine' Moldovan identity, later on in the 2000s when official Chişinău reaffirmed its commitment to secure Moldovan nationhood separate from Romania, the Transnistrian authorities muted the previous agenda and put a separate Transnistrian national identity to the forefront.[99]

4) Can the Transnistrian reality be explained as an outcome of the already deeply embedded regional identity superseding ethnic affiliations?

This is a very popular explanation[100] which, as we believe, is built on wrong assumptions.[101] Such an approach implies that collective 'identity' is something that is inevitably translated in human behavior, and this looks highly questionable in itself. Even if there is a common belief of the local population that all local ethnicities should sideline their ethnic affiliations in favor of regional Transnistrian 'identity', there is no credible proof of this. What one can witness is official rhetoric of Transnistrian patriotism and mass conformism towards it. Prior to the conflict of 1990-92 there has been no evidence of the Left Bank 'identity' or even an idea of the Transnistrian region. The mass mobilization of activists around the major industrial enterprises and not along ethnic lines or regional affiliations is relatively well studied and described.[102]

What is partly true about the idea of regional patriotism is that the Transnistrian authorities have managed to create and introduce a system generating 'banal nationalism'[103] on a daily basis. This is done through the school curricula, multiple mass rituals and cultural entertainments, museums, visual signs commemorating historic events or heroes significant for the region, and visual or narrative reminders that TMR remains a besieged fortress. As mentioned afore, the authorities manage to arrange thousands of cultural events such as meetings, concerts, festivals, presentations somehow involving manifestations of Transnistrian patriotism, loyalty to the Soviet symbols and narratives and solidarity with the larger 'Russian Universe'. In other words, everyone's affiliation with Transnistrian statehood and its historic background has been institutionalized and become part of daily routine.

This would probably be a more adequate description that refers to 'identity'.

5) What are the origins of the Transnistrian regime of ethnicity?

It can be easily derived from its Soviet predecessors, meaning that both the official discourses and practical activities targeting multi-lingualism and multi-ethnicity reproduce the Soviet model of the late 1980s. As at that time, the official approach is eclectic and inconsistent. It combined 'crypto-nationalism'[104] or acknowledgement of ethno-national statehood with rhetoric of 'internationalism' and civil equality; symbolic recognition of linguistic and cultural pluralism does not entail respective practical measures. References to multi-ethnicity are not followed by the institutionalization of ethnic communities; cooperation between official authorities and ethnicity-based non-governmental organizations in fact does not envisage any independent role of the latter but rather compliance with the agendas imposed by the authorities. The legislation related to language and ethnicity remains declarative, vaguely formulated and open to interpretations; its implementation is done on an *ad hoc* basis and often depends on informal practices and mechanisms.

6) How unique is the TMR among other post-Soviet polities?

Generally, it is not unique. Most of the post-Soviet statehoods reproduce the Soviet features of diversity policy in terms of eclectic rhetoric, unclear legislative provisions and its selective implementation with a deal of informality.

Everywhere one can find 'hybrid nationalism' or a combination of civic and ethnic nationalisms, lack of legal clarity and a discrepancy between the official declarations and practical policies. If one compares the Left and Right Banks of Dniester, one may notice that both mainland Moldova and TMR resort to similar ideological and practical approaches. In both cases one can see versions of 'Moldovenism' or assertion of the separate Moldovan nationality separate from the Romanian one. In both cases, the language policies are regulated by partly unclear and incomplete legislation. In both cases the rhetoric of civil nationalisms and civil equality goes in combination with social disparities among different ethnic and linguistic groups. One can imagine a range of 'ethnicity regimes' and the issues at stake are the proportion of different components and respectively the place that the given polity occupies within the scale.

7) What are the ways of explaining the Transnistrian ethnopolitical stability and domestic legitimacy?

First, one should remember that all post-Soviet statehoods and political regimes both in recognized and unrecognized entities despite their economic vulnerability and institutional deficiencies demonstrate a high degree of viability, and TMR is not an exception. Almost everywhere the population demonstrates conformism and, in authoritarian or semi-authoritarian environments where political competition is absent or restricted, vote for the incumbents. Everywhere the societies can be described as a-political in the terms that people prefer individual strategies of survival to collective action.[105]

Second, all post-Soviet polities are partly based on flexible informal[106] mechanisms of governance, and this opens up multiple opportunities for social adaptation to the given circumstances since formal rules can be circumvented, renegotiated, reinterpreted in different ways or ignored.[107]

Third, the institutional framework of paternalism and clientelism serves as a stabilizing force. In the case of Transnistria, most inhabitants of the region are employees in the public sector or are directly dependent on the government or affiliated corporations in another way,[108] and this also explains the common conformism and opportunism.

Fourth, the TMR authorities, as mentioned above, managed to create and maintain local "banal nationalism" as an institutional and discursive routine which binds all the region's inhabitants. The system of propaganda, education and collective rituals is combined with common narrative (or, in Alexei Yurchak's terms, "authoritative discourse"[109]) of the regional "nationhood" which embodies an effective hegemonic strategy of the local elite. The official narrative offers a coherent worldview; symbolically it prevents internal cleavages and conflicts, and it provides for hegemony since in the given circumstances leaves no room for alternative explanatory schemes. Part and parcel to this dominant narrative in TMR is a 'siege mentality' or the image of a 'besieged fortress'.[110] As Elizabeth Dunn and Michael S. Bobick conclude, unity and cohesion of such statehood are basically secured not through suppression but rather through dominant discourses and framing of the debates.[111] Pål Kolstø identifies at least five factors that contribute to the viability of unrecognized quasi-states: symbolic nation-building; militarization of society; the weakness of the parent state; support from an external patron; and lack of involvement on the part of the international community. Besides, quasi-state nation-builders can draw upon the memory of the civil war through which the quasi-state was established and thus they can cultivate the image of the 'common external enemy'.[112]

IX.   CONCLUSION

In terms of 'ethnicity regime', TMR positions itself and reproduces its image as a multi-ethnic statehood. Discursively the emphasis is placed on the very fact of ethnic and linguistic pluralism and civil equality of the society rather than on coexistence and balance of ethnic communities. The official narrative and related activities remain eclectic and inconsistent. The dominant ideological formula includes an element of ethno-nationalism since the policy has eponymic ethnicity – Moldovan –, and *raison d'être* of the statehood is the preservation of the 'genuine' Moldovan identity against the expansion of 'Romanian nationalism'. Concurrently, TMR is portrayed as a part of the 'Russian Universe' or as territory where Moldovan and Slavonic cultures live in symbiosis. The general rhetoric of civic unity and equality is combined with sidelining actual equality agenda or discussions about equal opportunities for people belonging to different ethnicities and speaking different languages. The rhetoric of multi-ethnicity is only partly translated in the institutionalization of ethnic or linguistic 'communities'. There are educational and cultural organizations that use and maintain languages other than Russian, but they remain marginalized and play insignificant role in proportion to the number of people

belonging to the respective groups. Likewise, special needs or 'interests' of ethnic groups are not represented and articulated in the public domain; although there are ethnicity-based NGOs, they do not play a role in public deliberations and decision-making and rather voice the general discourse of national unity.

Respectively, the Transnistrian diversity policy can be described as predominantly symbolic production, or the production of meanings.[113] It is not institutionalized as a specific branch of public administration and can be regarded as the creation of TMR's image as a multi-ethnic state. In practical terms it combined culturally and linguistically homogenizing policies for the society at large with the maintenance of cultural and educational institutions serving speakers of languages other than Russian.

Notably, the mainstream narrative of TMR as well as of the Soviet Union in its last years (when ethnic issues became a part of public debates) is a non-conflictual one. Unlike discourses based on the notions of 'minority' and 'non-discrimination', it does not imply and generate images of dominant and subordinate groups. Combining the rhetoric of equality and diversity in an eclectic and inconsistent way, it symbolically acknowledges and incorporates a wide range of expectations, grievances and views from all segments of the population. The symbolic adversary or 'other' is placed outside the given society, and in case of TMR this is Romania and its imagined expansion.

The TMR experience of nation-building can be assessed as a success story. The Transnistrian rulers managed to create and master the 'infrastructural power'[114] of daily routines, rituals and narratives that glue together the diverse population of the region.

The Transnistrian case can be hardly considered exceptional; most post-Soviet countries demonstrate similar features in their policies targeting their multi-ethnicity and multilingualism. These are: eclectic and inconsistent character of the official narratives; 'systemic hypocrisy' or gap between official 'talks' and 'action';[115] and combination of informal and formal institutions that provides multiple opportunities for people's adaptation to the system of government.

The Transnistrian case also prompts some questions and concerns about the study of diversity policies and nation-building in general. First, the case clearly illustrates that the empirical reality leaves no room for such notions as 'people', 'minority', 'community' and 'identity'. Treating ethnic groups as structural units of society and collective agents that pursue their 'interest' of preserving their 'identity' and maximizing the accessible goods would be a wrong assumption. By no means can the Transnistrian situation be portrayed as an interaction of 'Moldovan', 'Russian' and 'Ukrainian' 'communities'. One can talk only about categorizations and related narratives and there are numerous ways of human adaptation to these categorizations and their consequences. Instead of 'identity' one should talk about institutional settings in terms of repetitive modes of activities that organize human behavior and mind-sets.

There is also no need to expect that diversity policies shall be based on a coherent strategy and include institutionalization of ethnic groups as collective agents. On the contrary, a loose system that, on the one hand, aims at

generating eclectic narratives, and on the other, provides multiple opportunities for individual adjustment to the established 'regime of ethnicity', creates more stable systems of governance.

Saying all this, we do not discard the issue of coercion and suppression; of course, one gets a lot more from a kind word and a gun than from a kind word alone. The point is that such straightforward explanations are not sufficient.

Notes:

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[87] Solar, Eugene, "Две истории одного унионизма: как идея объединения Молдовы и Румынии стала модной" [Two stories of one unionism: how the idea of Moldova and Romania unification became fashionable], *NewsMaker*, 27.3.2016; at: <http://newsmaker.md/rus/novosti/dve-istorii-odnogo-unionizma-kak-ideya-objedineniya-moldovy-i-rumynii-stala-modnoy-23575>; Андрей Сафонов: «Румыния показала всему миру, что готовится присоединить к себе и Молдову, и ПМР» [Andrei Safonov: "Romania showed the whole world that it prepares to annex both Moldova and TMR], *Tiras News Agency*, 5.5.2012, at: <http://tiras.ru/v-mire/34594-andrey-safonov-rumyniya-pokazala-vsemu-miru-chto-gotovitsya-prisoedinit-k-sebe-i-moldovu-i-pmr.html>.

[88] Under Romanian military occupation and jurisdiction in 1941-44, during World War Two. See: "Молдо-приднестровский вопрос: возвращение к историко-юридическим аргументам" [Moldovan-Transnistrian question: return to historical and legal arguments], *TMR MFA website*, 14.12.2013, at: <http://old.mid.gospmr.org/index.php?newsid=3636>.

[89] Trukhachev, Vadim "Румыния методично заглатывает Молдавию" [Romania systematically engluts Moldova], *Pravda.Ru*, 2.3.2012, at: <http://www.pravda.ru/world/europe/easteurope/02-03-2012/1109870-romaniamoldova-0/>.

[90] Skvortsova, Alla (1998) "The Russians in Moldova: Political Orientations". In: Taras, Ray (ed.) *National Identities and Ethnic Minorities in Eastern Europe: Selected Papers from the Fifth World Congress of Central and East European Studies, Warsaw, 1995* (Basingstoke: Macmillan), pp. 159-178.

[91] Shtanski, Nina V. (ed.) (2014) *Актуальные вопросы внешней политики Приднестровья (2012-2013 гг.)* [Actual issues of the Transnistria's foreign policy (2012-2013)] (Bendery: Poligrafist), p. 10.

[92] There is a large-scale out-migration, but it takes place on an economic basis and affects all ethnic groups more or less equally. Official ethnic statistics of 1989 and 2004 demonstrate a decreasing share of ethnic Moldovans (39 versus 31 per cent), but the reason is that the comparison is inaccurate. The 1989 census data also include some right-bank territories which are predominantly Moldovan and are currently under jurisdiction of the Chişinău government.

[93] Schedler, Andreas (2013) *The Politics of Uncertainty: Sustaining and Subverting Electoral Authoritarianism* (Oxford: Oxford University Press).

[94] For example, at a referendum held on 17 September 2006, 96.61% of the Transnistrian voters rejected integration with Moldova and alternatively 98.07% approved independence and a possible future integration into Russia; the turnout was 78.55%; see *Database and Search Engine for Direct Democracy*, at:
<http://www.sudd.ch/event.php?lang=en&id=md022006> and
<http://www.sudd.ch/event.php?lang=en&id=md012006>.

[95] At the presidential elections of 2011, when Evgeniy Shevchuk took over after Igor Smirnov and defeated the Moscow-backed candidate and at the presidential elections of 2016, when Evgeniy Shevchuk was replaced by his political opponent Vadim Krasnoselskiy.

[96] The inauguration of Evgeniy Shevchuk, the new president of TMR, on 30.12.2011; see <https://www.youtube.com/watch?v=hJvULErMc8I> (from 43 to 45 min).

[97] Aktürk, *op. cit.* note 9, pp. 11-13.

[98] Of course, it makes sense to apply the term 'power-sharing' in TMR as elsewhere to the relations between different cliques within the ruling elite of an authoritarian state; see Svolik, Milan W. (2012) *The Politics of Authoritarian Rule* (Cambridge: Cambridge University Press).

[99] Dembinska and Danero Iglesias, *op. cit.* note 3.

[100] Troebst, *op. cit.* note 19.

[101] Cojocaru, *op. cit.* note 3, p. 262. The case of Transnistria differs from other conflicts post-Soviet conflicts by the absence of overt conflict before 1989 (See: O'Loughlin, John, Vladimir Kolossov and Andrei Tchepalyga (1998) "National Construction, Territorial Separatism and Post-Soviet Geopolitics: The Example of the Transdniestrian Moldovan Republic", *Post Soviet Geography and Economics*, 39 (6), pp. 332-358). A specific identity was not the main factor which determined the emergence of the conflict, while the notions "Transnistria" and "Transnistrian people" did not exist prior to the conflict (See: Sofransky and Octavian (2002) "Ethno-political Conflict in Moldova", at <http://www.bundesheer.at/pdf_pool/publikationen/wg3-sofransky.pdf>).

[102] Mason, Alan John (2009) "Internationalist mobilization during the collapse of the Soviet Union: the Moldovan elections of 1990", *Nationalities Papers,* 37 (2), pp. 159-176.

[103] Billig, Michael (1995) *Banal Nationalism* (London: Sage Publications).

[104] In this context, the term was coined by a Russian journalist and political analyst Eugene Ikhlov.

[105] Brown, Wendy (2003) "Neoliberalism and the End of Liberal Democracy", *Theory and Event*, 7 (1), pp. 1-23.

[106] On formal and informal rules and mechanisms of governance see: Polese, Abel and Jeremy Morris (2015) "Introduction. My Name Is Legion. The Resilience and Endurance of Informality beyond, or in spite of, the State". In: Polese, Abel and Jeremy Morris (eds.) *Informal Economies in Post-Socialist Spaces: Practices, Institutions and Networks* (Basingstoke and New York: Palgrave Macmillan), pp. 1-24.

[107] See: Polese, Abel (2011) "Language and Identity in Ukraine: Was it Really Nation-Building?", *Studies of Transition States and Societies*, 3 (3), pp. 36-50, at p. 40.

[108] Bobick (2011), *op. cit.* note 2.

[109] Yurchak, Alexei (2006) *Everything Was Forever, Until It Was No More: The Last Soviet Generation* (Princeton, Princeton University Press), pp. 36-76.

[110] Caspersen (2011), *op. cit* note 1, p. 85.

[111] Dunn and Bobick, *op. cit.* note 4, p. 409.

[112] Kolstø, *op. cit.* note 1, pp. 729-31.

[113] Bourdieu, Pierre (1993) "The Field of Cultural Production, or the Economic World Reversed". In: Johnson, Randal (ed.) *The Field of Cultural Production: Essays on Art and Literature* (New York: Columbia University Press), pp. 29-73, at p. 37.

[114] Mann, Michael (1984) "The Autonomous Power of the State: Its Origins, Mechanisms, and Results", *European Journal of Sociology* 25 (2), pp. 185-213.

[115] Brunsson, Neil (1989) *The Organization of Hypocrisy. Talk, Decisions and Actions in Organizations* (Chichester, NY: John Wiley and Sons).

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