

KALMYKIA: FROM OBLIVION TO REASSERTION?

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François Grin¹

ABSTRACT

This paper provides background information on Kalmykia, one of the least-known constituent republics of the Russian Federation. It then assesses recent developments in the fields of culture and language, and presents the recently adopted (October 1999) Language Act of Kalmykia. The following discussion highlights the key features of the Act, and argues that it reflects a thoroughly modern approach to linguistic diversity, in particular in its handling of the respective position of the Russian and Kalmyk languages.

I. Introduction

Kalmykia may be described as a nation back from the brink. Until a recent past, when the personality of an eccentric leader generated media attention, the Kalmyks were known essentially for one reason: they were one of the peoples deported under Stalin, and permitted to return in the wake of Khrushchev's famous speech at the 20th Congress of the Communist Party in 1956.

However, Kalmykia deserves attention for other reasons. Apart from its highly original cultural, religious and linguistic traits, recent developments in these areas indicate a remarkably modern (some would say "post-modern") perspective on identity. This paper provides an account of this process, with particular emphasis on Kalmykia's new language legislation.

The paper is organised as follows. In section II, I present some general background information about the history and current economic situation of Kalmykia. Section III discusses recent political and institutional developments, and describes the current position of the Kalmyk language. Section IV is devoted to what I consider as the major issues addressed in the recently adopted (October 1999) Language Act of the Republic of Kalmykia. Section V proposes an assessment of the significance and potential effects of the Kalmyk Language Act.

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II. Kalmykia: essential facts and figures

There is very little published scholarly work on Kalmykia, and it is useful to begin by recalling basic information.

Kalmykia is one of the member republics of the Russian Federation. It is located in a region of dry steppe between the Black and the Caspian seas, south of the Volga and north of the Caucasus range; the capital, Elista, is 280 km away from Volgograd and 350 km from Grozny. According to the accepted definitions of Europe, Kalmykia is still part of it, and presents itself as such (see Map 1). The Republic of Kalmykia covers a land area of 76,100 square km, with a maximum north-south span of 640 km., and a maximum east-west span of 480 km. It borders on the Republic of Dagestan, the Stavropol *Kraj*, the *Oblasts* of Rostov, Volgograd and Astrakhan, and has a stretch of approximately 100 km of Caspian sea coastline.



Recent population figures vary depending on the sources quoted, but range from 317,000 to 330,000; the 1989 census reports a total population of 322,579. For the purposes of this paper, let us accept 325,000 as an adequate estimate, yielding a population density of a little over 4 inh./km². A little under 40% of the population is considered "urban" (*gorodskoje*), mostly in the capital city of Elista, with a population of approximately 95,000.

This population is ethnically diverse, with two groups dominating, namely, the Kalmyks and the Russians; non-Kalmyks tend to concentrate in urban areas. The breakdown of the resident population by ethnic group is provided in Table 1.

TABLE 1
ETHNIC COMPOSITION OF KALMYKIA

ETHNIC GROUP	ABSOLUTE NUMBER	PERCENTAGE
Kalmyks	146,316	45.4
Russians	121,531	37.7
Dargins	12,878	4.8
Chechens	8,329	2.6
Kazakhs	6,277	1.9
Germans	5,586	1.7
Ukrainians	4,069	1.3
Avars	3,871	1.2
Kumyks	1,530	0.5
Bielorussians	1,334	0.4
Others	8,067	2.5
TOTAL	319,788	100.0

Source : "*Monitoring of Ethnicity, Conflicts and Cohesion*," <http://eawarn.tower.ras.ru/most> (1999)

This *ethnic* composition, however, tells us little about the *linguistic* make-up of the country, which shall be discussed later.

The history of the Kalmyks is one of a small nomadic people² that has always lived on the fringes of greater powers, and has suffered rather than benefited from any notice those powers took of them³.

The Kalmyks are a western Mongolian people whose language is related to Mongolian; their main religion is Tibetan Buddhism, which distinguishes them as one of the three Buddhist peoples of the Russian Federation (along with the somewhat

² In this paper, the Kalmyks will be referred to as a "people", even though groups comprising more than 30,000 to 35,000 people are often referred to as "nationalities" by Russian scholars (as distinct from numerically smaller "ethnic groups"). The use of the term "people" is, however, in keeping with Kalmyk legal texts, which mention "the peoples of the Republic of Kalmykia", implicitly defining the Kalmyks as one of them; see Hairullin (1997).

³ The information provided by different sources is never quite the same, although sources generally do not contradict each other. The most complete account in English, particularly for recent history, can be found in Tolz (1993), who quotes more detailed Russian sources; much of the information in this section comes from this particular source.

more numerous Buriat and Tuvan peoples), and the only Buddhist people in Europe⁴. This culturally important feature is currently gaining increasing legitimacy in Kalmykia, and is used, along with language, to articulate a reawakening sense of identity.

The Kalmyks lived as nomadic herdsmen in Mongolia and Dzungaria, corresponding to (Chinese) Xinjiang. They are descendants of the Oirots (or Oyrats), a western Mongolian group⁵. In the seventeenth century, they migrated westwards towards the Caspian Sea⁶, reaching the Volga in 1608. Tsar Peter the Great recognised their organisation as a Khanate in 1664, whereby an approximate number of 270,000 became subjects of the Russian empire. However, the arrival of ethnic Russians and Germans invited by Catherine the Great resulted in competition for Kalmyk lands in the course of the 18th century. In 1771, the Kalmyk Khan, along with most of the Kalmyk population that had settled east of the Volga (a total estimated at 125,000 people), decided to migrate back to the pastures left by their ancestors 150 years before; sources differ as to the reason for this return migration, as well as to the fate that befell those who joined it⁷.

The Kalmyk Khanate was dissolved, and the remaining Kalmyk population in the region, mostly west of the Volga, found itself incorporated into Astrakhan Province, and Kalmykia progressively became a colony on the outer fringes of the Russian empire; serfdom was abolished there in 1892 only. By 1897, when the first general census was taken, the population of the sparsely populated Kalmyk steppes comprised 95.3% Kalmyks, 3.3% Russians, and 1.3% of other communities.

The 1917 revolution split the Kalmyks into opposite camps; whereas some sided with the Bolsheviks, others, particularly Don (western) Kalmyks, many of whom belonged

⁴ Some Kalmyks, however, have converted to orthodox Christianity (Tishkov, 1997: 106). The Buriats, who are concentrated in the Buriat Republic east of Lake Baikal in Siberia, also speak (notwithstanding a generalised language shift to Russian) a Mongolian language. The Tuvans, most of whom live in the Tuvan republic just north of the north-western corner of Mongolia, are descendants of turkified Mongol nomadic groups; they speak a Turkish language, but they are also one of the few peoples of the Russian Federation in which the local language is actually used by a majority of the population, and in which Russian is not in an overwhelmingly dominant position.

⁵ The name "Kalmyk" probably comes from a Turkic term for Oirots who had not converted to Islam; in Russian documents, the name appears at the end of the 16th century (See: NUPI Centre for Russian Studies Database, <http://www.nupi.no/cgi-win/Russland>).

⁶ According to some sources, this migration took over 30 years and was the Kalmyks' response to their progressive eviction by Han Chinese from their traditional pastures (*The Economist*, 20 December 1997); other sources indicate that the westward migration was a much longer process that started in the 16th century, with some Kalmyk groups settling near the Irtysh, Om and Ishim rivers, and moving further westwards towards the Volga basin owing to tensions with Siberian Tatars (<http://www.nupi.no/cgi-win/Russland>).

⁷ Reasons given include in particular the desire to escape increasing encroachments by new settlers backed by Russia, or the need to help Oirots in Xinjiang against the Chinese. Some of these eastward migrants were ultimately resettled along the Ural, Telek and Kuma rivers as well as further east in Siberia.

to Cossack units, joined the White Army and emigrated to the West after its defeat⁸. In 1919, the Council of People's Commissars recognised the inviolability of Kalmyk lands, and the Kalmyk Autonomous Oblast was created in the lower Volga region in 1920; it was upgraded to an autonomous republic in 1935, and adopted its own Constitution in 1937.

The setting up of these political structures did not protect the Kalmyks from particularly severe cultural persecution, which started soon after the 1918 uprising of some Kalmyks against the Bolsheviks. Buddhist temples, monasteries, cult objects and Tibetan religious books were systematically destroyed in the late 1920s and in the 1930s. However, worse was still to come.

The Kalmyks are one of the "eight deported nations" under Stalin, along with the Volga Germans, the Karachai, the Chechens, the Ingush, the Balkars, the Crimean Tatars and the Meskhetians⁹. In the course of a few days in late December 1943, 93,139 Kalmyks¹⁰ were herded off and sent away aboard some 46 trains, in inhuman conditions, to scattered locations (mostly in southern-central Siberia¹¹); depending on sources, between one fifth and half of the Kalmyk population died as a result of deportation (the lowest estimate, at 19%, is that of the NKVD). The Kalmyk Autonomous Republic was abolished in the same month of December 1943, and its territory split between Dagestan and neighbouring Regions.

The Kalmyks were one of the peoples rehabilitated in Khrushchev's speech at the 20th Congress of the CPSU in February 1956; the return to Kalmyk lands was permitted in 1957, with the reinstatement of a Kalmyk Autonomous Oblast, restored in 1958 to its former status of autonomous republic¹². By that time, some fifteen years after deportation, the Kalmyks were barely over 100,000 people. If only because of the fact that the Kalmyks were dispersed over various locations, deportation had further weakened the Kalmyk language and culture¹³.

⁸ This is the foundation of the Kalmyk diaspora, who mostly settled in France and the United States. There also are modest concentrations of ethnic Kalmyks in other parts of the Russian Federation (including a little over 9,000 in North Ossetia, and about 8,000 in Astrakhan oblast, according to 1989 census figures).

⁹ In addition to these "eight nations", some 12 ethnic groups were also deported under stalinism. See "Displacement in the Commonwealth of Independent States," United Nations High Commissioner for Refugees, <http://www.unhcr.ch/pubs/cis96/cis9602.htm>.

¹⁰ This is the precise figure entered in Beria's report to Stalin.

¹¹ Altai and Krasnoyarsk Krai, and Omsk and Novosibirsk Oblasts; smaller numbers, particularly women and children, were separated from the men and sent to special settlements in the Central Asian republics and to Sakhalin. Deportation also affected the 23,000 Kalmyk men serving in the Red Army.

¹² However, two *raions* of the Astrakhan Oblast and some 215,000 hectares in Dagestan were not returned to the Autonomous Republic.

¹³ Khrushchev's speech condemned stalinism, but formal rehabilitation of the Kalmyks had to wait until the 1991 *Law on the Rehabilitation of the Repressed Peoples*, and then a speech by Yeltsin on 28 December 1993. Since 1990, 28 December is observed as a memorial day for the victims of deportation. None of the deported peoples were offered any compensation for the hardship suffered

At the time of the collapse of the USSR, Kalmykia was a particularly poor region of the Union, with an agricultural (mostly livestock-based) economy producing wool and dairy products, in addition to oil.

Over the last ten years, the economy has been slowing down considerably, with grain production falling from a yearly average of 532,000 tons in the 1991-1995 period to some 238,000 in 1996—although 1997 was a better year. The production of sunflower oil, potatoes and fruit has been stagnating or declining; livestock figures have also gone down over the same period, particularly sheep and goat (with a reported 1,177,000 head in 1997, down from over 1,400,000 one year before). This is reflected in a sharp decline in the production of meat and milk; typically, in the second half of the nineties, production was barely at two thirds of the levels of the first half the decade¹⁴. Published figures suggest that industrial production is negligible and stagnant, but according to information directly collected in Kalmykia, industrial production may well have declined further over the last three years. Income per capita is estimated at 38% and living costs at 86% of the Russian Federation average.

The decline in livestock figures is a particularly serious evolution. Sheep historically have an important place in Kalmyk material culture and economy, providing a link to the nomadic tradition as well as valuable milk, meat and high-quality wool. To a large extent, this decline can be traced back to catastrophic ecological damage caused by at least three reasons. This damage results first from inappropriate irrigation projects which upset the delicate ecosystem of the region, on which an excessive number of sheep were set grazing¹⁵ since the 1950s. Although attempts are being made at replacing these sheep by camels in some parts of the country, much of the damage is beyond repair. Second, careless uranium mining has resulted in some radioactive contamination; third, the rise of the Caspian Sea level exposes over 90,000 hectares to floods, while some 3,000 hectares have already been lost. These floods also destroy property, roads, and power lines¹⁶.

III. Recent developments: politics, culture and language

Against this backdrop of deportation, cultural and linguistic persecution, economic pauperisation and ecological disaster, recent developments in Kalmykia are surprisingly lively, giving the country a media visibility it had never enjoyed before. In this section, I briefly review political developments, before moving on to the language aspects.

during thirteen years of deportation, and three of the "eight nations" (Crimean Tatars, Meskhets, and Volga Germans) were denied the right to return.

¹⁴ Source: *"Sel'skoe khozyaynstvo i prishchevaya promyshlennost'-Respublika Kalmykia"*, <http://www.society.ru/bibl/polros/Kalmyk/>.

¹⁵ Furthermore, these sheep, imported from the mountainous Caucasus region, had sharp hooves well-suited to rocky terrain but highly damaging for flat grasslands, and they contributed to desertification.

¹⁶ Source: *"Monitoring of Ethnicity, Conflicts, and Cohesion,"* <http://eawarn.tower.ras.ru/most>.

Perestroika made it possible to question and debate issues such as deportation and ecological problems, and opened a space for the reassertion of Kalmyk culture. It also allowed for the expression of nationalist tendencies (exemplified by the "Kalmyk Popular Front"), which, however, remain confined to a minority of the Kalmyk population.

In 1990, the Republic of Kalmykia adopted a declaration of sovereignty—yet it ruled out breaking away from the Federation. The creation of the post of president was decided in 1991, but owing to scandals that blemished the reputation of the two top contestants for the job, it was not until 11 April 1993 that a president could be elected in the person of Kirsan Nikolaevich Ilyumzhinov, with some 65% of the vote. Much has been written about the political career, business acumen, personal wealth, often quixotic projects, and passion for chess of the young president (born in 1962), and these points will not be taken up again here. Suffice it to say that the presidential campaign in 1992-93 was characterised by promises to harness the forces of the market and put them at the service of political and economic achievement, to run Kalmykia like a business corporation, to turn it into “a second Kuwait” and to ensure generalised prosperity. Although these prospects have not materialised, Ilyumzhinov (often simply called "Kirsan" by his compatriots) was re-elected in October 1995¹⁷. While this presumably reflects a degree of genuine popularity, it would be wrong to suppose (as the magazine *The Economist* did, in December 1997, in a rather patronizing tone) that voters uncritically embrace all his policies¹⁸.

In any event, the policies carried out over the past ten years set significant store by heightening the linguistic and cultural profile of the republic, which in the 1992-1996 period bore the Kalmyk name of *Khalmg Tangch*, before taking its current name of Republic of Kalmykia.

In conjunction with these political events, important developments were taking place in the spheres of culture and language.

First, Tibetan Buddhist religious practice is on the rise, relegitimising in its wake the associated culture. By 1995, there were some 21 Buddhist temples (including the newly-built *Syakusn-Syume*, reportedly the holiest shrine in the country), 17 places of worship for Christian denominations, and one mosque in Kalmykia. Much is made of the visits of the XIVth Dalai Lama, in 1991 and 1992; Buddhist teachers have been sent in from abroad to help this revival.

¹⁷ Depending on sources, this new term of office is destined to last until "the end of 2002" (<http://www.lenobl.ru>) or "up to the year 2003" (<http://www.dol.ru/kirsan>).

¹⁸ The same issue of *The Economist* casts doubt on the democratic standards applying in Kalmykia, and notes that the opposition press has been gagged and has all but disappeared, and that the 130-member Supreme Soviet has been replaced by a 25-member parliament (the *Khural*), of whom the president appoints some members himself. Tolz (1993) observes that departure from democratic standards was possible because Ilyumzhinov benefited from Yeltsin's support, in return for his capacity to deliver local voter support for the Russian president. The dealings between the power brokers should also, in principle, have benefited the inhabitants of Kalmykia, since the intergovernmental agreement reached in 1992 allowed Kalmykia to retain half of the oil, wool and leather it produced. For a chronology of political developments as reflected in the Russian press, see http://www.nupi.no/cgi-win/Russland/a_enhet.exe/Kalmykia.

Second, the revitalisation of the Kalmyk language is seen as a key element in this renaissance.

Kalmyk is, as noted before, a western Mongolian language—the only one of that family that can be considered indigenous to Europe¹⁹. In 1648, the (vertically written) Mongolian script was adapted for use in Kalmyk by a monk, Zaya Pandita Namka-Djamtsu, whose memory is still the object of deep respect among the Kalmyks. This alphabet, referred to as *Todo Bichig* (meaning “clear writing”) was used until 1924, when it was replaced by the Cyrillic alphabet²⁰. Cyrillic was then replaced by the Latin alphabet, but was later reintroduced and has been in use to this day. Despite the attention devoted to the choice of a writing system, Kalmyk has only a limited written language and literary tradition (Tishkov, 1997: 96).

The deportation was a further and major blow to the Kalmyk language, and the scattering of speakers across Siberia and Central Asia was an aggravating factor. Even after the Kalmyks were permitted to return in 1957, the Soviet state applied decidedly assimilationist policies. Khrushchev himself believed that communism would be embraced faster and more enthusiastically by Russian-speaking populations, implying that other languages eventually were a hindrance, and russification was actively pursued under Brezhnev. In the 1960s and 1970s, drastic cuts were made in native language education and in the late 1970s, the language of instruction in all schools was Russian. By 1985, according to official statistics, 93% of urban Kalmyks and 87.2% of rural Kalmyks could speak, read and write Russian, but only 27.3% of the former and 45.8% of the latter reportedly had a similar level of competence in Kalmyk (Tishkov, 1997: 96), although 97% of the ethnic Kalmyk reported “knowledge” of their language.

The striking discrepancy between these figures may be traced back to the ambiguity of language-related questions (and their succession) in Soviet censuses, where the question on “native language” immediately followed that on “nationality”, inducing respondents to indicate a “native” mother tongue simply because they had just indicated their national identity, even though “in most cases, at least within Russia, their mother tongue and everyday spoken language was in fact Russian” (Tishkov, 1997: 87). This confusion explains why even scholarly sources are liable to grossly overestimate the number of speakers, for example Comrie (1981: 56), who states that “at present Kalmyk is spoken by 91.7% of the 137,194 ethnic Kalmyk in the USSR”—a figure that, even if correct, would actually apply not to the “ethnic Kalmyk”, but only to those living in the erstwhile ASSR—or Price (1998: 279), who indicates that “estimates of the present number of speakers range from 125,000 to 150,000”—which also implies that just about all the Kalmyks actually speak their language.

¹⁹ Kalmyk is part of the “Oyrat” branch, and therefore one of the Mongolian languages that until recently developed under the influence of classical Mongolian; it is accordingly closer to modern Mongolian (Comrie, 1981).

²⁰ According to the MRG’s *World Directory of Minorities*, this change took place in 1938 only. Somewhat confusingly, the *Directory* writes that “the Kalmyk literary *language* was changed into the Cyrillic *script*”. (1997: 299; my emphasis).

Unfortunately, the reality is much bleaker. Recent estimates carried out by the newly created *Institute for the revival of the Kalmyk language* suggest that the proportion of fluent speakers does not exceed 6% among the young, and that in only 6 settlements (villages) in the country, Kalmyk is used as the main language of communication. According to Kornoussova (1999), 98% of Kalmyk pupils entering school do not speak their "mother tongue". To all intents and purposes, despite some recently built Buddhist religious monuments, Elista is now a Russian town where the visible presence of the Kalmyk language is, at best, negligible. Kalmyk is a low-prestige code that can legitimately be categorized as a *threatened* language, justifying the introduction of the language bill passed by the *Khural* and signed into law by the President on 27 October 1999.

IV. Language Legislation

The cornerstone of Kalmyk language legislation is the Language Act, which contains 27 sections arranged in a Preamble and 7 Chapters.

The Preamble states *general goals and principles*, stressing in particular the right of the peoples "living on the territory of the Republic of Kalmykia" (hereafter: "RK") "to freely enjoy their mother tongues in various spheres of public life". The Act is intended to provide the conditions "to guarantee the revival, preservation and development of languages as a most important element of the spiritual heritage of the peoples living in the Republic", placing these tasks under the responsibility of the authorities of the RK. The Preamble further states that "enmity" and "denigration" are inadmissible, and language-based discrimination is forbidden.

Chapter 1 is devoted to *general provisions* on the legal status of the Act (Section 1); language freedom (Section 2); official languages (Section 3); the language rights of all citizens of the Russian Federation (Section 4); guarantees for the "languages of the peoples of the RK" (Section 5)—that is, in addition to official languages; the areas of competence of the government in language policy (Section 6); and the programmes to be designed to implement the Act (Section 7).

Chapter 2 focuses on *citizens' language rights* in the choice of a language of communication (Section 8); language of education (Section 9); and authorities' involvement in language teaching (Section 10).

Chapter 3 addresses *language use by political structures and authorities* in Parliament, by the government and the administration (Section 11), in the publication of legal texts (Section 12), in referenda and elections (Section 13), in authorities at all levels including "enterprises, offices and organisations" (Section 14), in record-keeping (Section 15), official correspondence (Section 16), courts and other legal procedures (Section 17), "production, communication, transportation, power industry and agriculture" (Section 18), post and telegraph (Section 19), mass media (Section 20), and "public services and commercial activities" (Section 21).

Chapter 4 contains two articles (Sections 22 and 23), both on *toponymy*.

Chapter 5 contains one article (Art 24) on *language use in (external) relations* between Kalmykia and "foreign states and international organisations".

The only article (Section 25) of Chapter 6 stipulates that non-observance of the Act makes juridical and physical persons liable for prosecution.

Chapter 7 contains two articles (Sections 26 and 27) indicating the date of entry into force of the Act (the date of its publication in the newspapers *Khalmg Unen* and *Izvestiya Kalmykii*—which occurred on 17 November 1999—and the repeal of the previous Act of 30 January 1991.

My goal here is not to engage in a detailed legal analysis of the Act, which would not only exceed the scope of this paper, but would also require familiarity with the legal tradition of the Soviet Union and its successor states. Rather, I shall attempt to provide elements for a basic assessment of the Act from a language policy perspective.

I will therefore proceed by discussing a selection of domains addressed by various provisions in the Act—hence, the rest of this presentation is organised with respect to issues rather than individual sections in the Act—on the basis of which a tentative assessment will be made.

The "languages of the peoples of the Republic of Kalmykia"

The "languages of the peoples of Kalmykia" constitute a set distinct from the "state languages" (introduced later), and one which remains undefined throughout. Presumably, these languages include all the mother tongues of permanent residents on the territory of the RK, whose ten main ethnic groups already make up 97.5% of the population (leaving room for *additional* "peoples of Kalmykia" with their respective languages).

The recognition of an *open set* of languages reflects not just the objective micro-level diversity encountered throughout the Russian Federation, but also the subjective weakness of historically legitimised grounds on which to *exclude* certain languages. By "subjective weakness", I mean to refer to perceptions, and the resulting balance of political views on the matter, without passing judgement at this stage on whether there may or may not be objective reasons for prioritising one language, or an explicitly "closed set" of languages.

This is, of course, in sharp contrast with the western European experience, in which the process of linguistic homogenisation that typically accompanies nation-building was initiated (ideologically if not demolinguistically) in the Renaissance (Lapierre, 1987), as well as with the Central and East European experience, where this process was carried by intellectual and political elites, with notable single-mindedness, in the 19th century (Schöpflin, 1996)²¹.

The acknowledgement of a large number of languages in Kalmykia, however, may also serve, through a professed equalisation of their respective status, to *dilute* the role of the larger languages, of which there is essentially one, that is, Russian. The absence

²¹ The special case in Europe is that of Switzerland, where the ideological nation-building throughout the 19th century rested precisely on the identification of the *nation* with the coexistence of *many* languages (Grin, 2000).

of any mention of languages other than Kalmyk and Russian in the Act would have defined a legal and ideological space in which Kalmyk would have been on its own in a losing competition with Russian; bringing additional languages into the fray deflects some of the pressure.

It should be noted that the "languages of the people of the Republic of Kalmykia" (or simply "of the peoples of Kalmykia") enjoy, if only formally, more than a nod. Not only is the expression to be found in the very name of the Act, but it also occurs in sections 1, 5, 6, 7, 10, and 25²². The notion can be likened to that of "national languages" (as distinct from "official languages" sometimes encountered in other cases).

The state languages

Article 3 declares Kalmyk and Russian to be the state languages of the RK. This is arguably one of the few fully clear provisions in the Act; the implications of this status are developed throughout the provisions in Chapter 3; it corresponds to the notion of "official languages" commonly found in western language legislation²³.

The status of state languages carries one potentially important consequence, namely, an assurance of "equality of functioning" (*obespechnie ravnopravnogo funktsionirovaniya*) of Kalmyk and Russian. This, of course, must be seen as an intention, since it would be all but impossible to achieve this aim. The important point here is the insistence on symmetry between Kalmyk and Russian, whereas in most successor states of the USSR, the language of the titular nation is given formal precedence.

General language rights

Section 2 of the Kalmyk language Act explicitly recognises the usual principle of language freedom; the first paragraph of Section 4 states that the RK guarantees "the enjoyment of fundamental political, economic, social and cultural rights regardless of their knowledge of languages to the citizens of the Russian Federation living on the territory of the RK." The second paragraph of the same article forbids any language-based discrimination. To the extent that "fundamental rights" cannot, as a matter of principle, *not* be respected, the import of the provision may simply be to suggest that those rights are not "equal"; this, however, leaves open the question of whether access to certain jobs, for example, could be made dependent on an applicant's language skills—without being considered a form of discrimination.

The reference to "economic protection" for the languages of the peoples of the RK (Section 5) gives further substance to these "general" language rights. It implies that

²² Interestingly, the title of Chapter 3, which includes articles 11, uses the hybrid notion of "state languages of the peoples of the Republic of Kalmykia", whereas "state languages" would have been quite enough—since the chapter is concerned, precisely, only with state languages.

²³ In the previous Law of the Republic of Kalmykia No. 137-IX of 30 January 1991 ("On the languages in the Autonomous Soviet Socialist Republic"), Russian and Kalmyk were declared "national" languages.

provision must be made for facilities to enable or help along the learning and use of the languages concerned.

Along with rights come duties, and Section 8 states that "knowledge of the Kalmyk language is a duty of every citizen living on the territory of the Republic of Kalmykia". Given that only a small proportion of ethnic Kalmyks actually know the language, and that virtually no ethnic Russians do, this provision is, at best, "aspirational"²⁴.

Although communications and media might deserve a special heading given their high profile in language policies, they can be addressed here. As regards the media, Section 20 states that their existence in Kalmyk and Russian must be maintained; however, who must guarantee this, and how, is not specified. As regards communications, Section 19 stipulates that the "post and telegraph correspondence of citizens, administrative authorities and public bodies on the territory of the RK is received and sent in the state languages of the RK." This provision is unusual, since it infringes on the right to privacy in correspondence and thereby contradicts the principle of language freedom put forward in Section 2 of the Act. Yet the right to privacy in correspondence is not absolute (Packer and Sieminski, 1999); nonetheless, restrictions to this right (justified by the state's right to protect itself from, say, acts of terrorism, and the ensuing right to gather intelligence for this purpose) would normally be derived from other jurisprudence without restrictions bearing upon the language of private correspondence being explicitly formulated. In any case, the article covers only two forms of communications, but not electronic mail, whose role is growing even in Kalmykia. It also disregards the case of a Kalmykian resident (whose correspondence is therefore subject to the Act) sending letters to or getting letters from a correspondent abroad; the latter may not know either Russian or Kalmyk, voiding the law of any applicability—or opening the door to pure arbitrariness.

Education

As in many language acts, educational matters constitute a major item. In the Kalmyk law, most of Chapter 2 (Sections 8 through 10) is devoted to them. Citizens of the Russian Federation are granted the right to choose any language of education and instruction, provided they receive instruction in the state languages—presumably as subjects rather than languages *of* instruction. The state provides education in the state languages, and "lends its support in organising education and instruction in other languages".

The states' involvement in favour of languages other than Kalmyk and Russian is defined by the rather non-committal expression of "providing conditions" for the study and teaching of the "mother tongues and other languages of the RK."

One symbolically important point is that schools must provide for the study of *Todo Bichig*. Further, this "old Kalmyk script" must be used in teacher training and in the

²⁴ To use a term suggested by D. Ó Riagáin.

publication of textbooks and teaching materials—although the extent of this requirement is not clear.

In practice, the import of these articles is to confirm the right of individuals and communities to take education into their own hands and proceed as they please, provided some effort is made at learning Kalmyk. It gives a stronger legal basis for the teaching of Kalmyk, also to pupils enrolled in schools providing Russian-medium education, but now officially required to learn, respectively teach Kalmyk as a subject. This amounts to a reversal of earlier practices. In the eighties, Kalmyk was an optional subject in schools, offered only to ethnic Kalmyk children²⁵.

The new law therefore aims, at least in principle, at creating a fully bilingual society, with a pervasive equality of status between Kalmyk and Russian. Even modest achievements in this direction would constitute major gains for Kalmyk, given its current perilous position. This bilingual orientation may reflect not just an ideological preference but objective sociolinguistic and geopolitical constraints; at any rate, it reflects a spirit quite different from that of the 1989 Estonian language Act, whose Section 20 insisted that children are entitled to monolingual (Estonian-medium) education, while expressly noting that Russian-medium education would be provided only if the number of Russian speakers in a district justifies it.

Language in official use

Most of Chapter 3 of the Act is devoted to the use of the language by authorities, including courts. The provisions contained in this chapter generally specify that Kalmyk and Russian are equally legitimate. The third paragraph of Section 11 goes so far as allowing members of the *Khural* (Parliament), in case they speak neither of the two state languages, to use "any" other language, if they give prior notice. It is hard to imagine, however, to whom and under what circumstances this provision could apply. A very hypothetical case would be that of a citizen (possibly from one of the smaller ethnic groups in Kalmykia—see Table 1) who would have managed to get himself or herself elected to the *Khural* without speaking Kalmyk *or* Russian, and could give evidence that he or she actually speaks neither language.

Provisions regarding the publication of legal texts (Section 12), matters pertaining to all elections (Section 13), official and judicial records (Sections 15 and 17) and correspondence (Section 16) are straightforward (stipulating that the state languages—that is, both of them—are used) and require no further commentary, apart from noting the very general, even vague character of this provision; Section 16, however, mentions the right for people involved in a court case, if they do not speak the language used in court proceedings, "to read all materials in detail, participate in the procedure with the help of an interpreter and speak in their mother tongue"; in the case of judicial procedure, the right (e.g. of the accused) to understand the charges brought against him or her should logically imply that the restriction of the set of eligible languages to those "of the peoples of the RK" no longer applies.

²⁵ Which means that Kalmyk children following these courses had to sit in class for longer hours, while Russian children were playing in the courtyard—clearly unfavourable conditions for language maintenance, let alone revitalisation.

Language use in the administration is more interesting. The general rule is that the state languages are used, but that citizens of the Russian Federation living on the territory of the RK but who do not speak Kalmyk or Russian have the right to use their language "at meetings, sessions and assemblies of the administrative authorities, local government bodies, enterprises and organisations." Again, given the overwhelming knowledge of Russian by most of the population, it is hard to imagine cases where a resident citizen could actually avail himself or herself of this right—and harder still to assume that the authorities would have the wherewithal, particularly the staff, to handle such situations.

The condition of ignorance of both state languages does not seem to apply in other situations (that is, other than meetings or similar circumstances). By way of consequence, citizens are free to use the language of their choice (these provisions being part of Chapter 3, the eligible languages are those of the "peoples of the RK"). The authorities are also beholden to respond to applications, proposals and appeals made by citizens of the Russian Federation in the language in which they have been addressed. But Section 14 concludes by stating that "In case this is impossible, one of the state languages of the RK is used." Patchy as it is, the available sociolinguistic information clearly indicates that with at least nine interlocutors out of ten, this will indeed be impossible. Hence, the provisions on the official use of languages give citizens the right to speak whatever they want, but not the right to be understood, let alone be given an answer in the same language. The general pro-bilingualism orientation of the law is therefore also illustrated by provisions pertaining to the official use of the language.

Language in economic and related activities

The provisions of the Kalmyk law pertaining to the "enterprises" are interesting, in that they reflect clearly (post-)Soviet conditions. Most probably, the "enterprises" referred to here are state enterprises (they are implicitly defined as such in Section 14, paragraph 5).

There is essentially no regulation of the private *exchange* of goods and services, in which, according to Section 21, unrestricted language freedom applies (without it being explicitly called so). The only related restriction, presented in the same paragraph, is that language-based discrimination in the provision of *public* services is forbidden.

As regards *consumption*, "the products made by the enterprises of Kalmykia are supplied with labels, specifications and tags in the Kalmyk and the Russian language"—a worthy aspiration, but one which it will be difficult to fulfil.

No provision of the law explicitly applies to the *production*, by the private sector, of goods and services, although one paragraph of Section 18 in theory opens the way for regulation in this area. It is more likely, however, that Section 18 represents yet another reflection of the Soviet past, which has left a particularly strong mark on economic activity. The first paragraph of Section 18 stipulates that "in the spheres of production, communication, transport, power industry and agriculture on the territory of the RK, Kalmyk and/or Russian are used." Large-scale operations, such as power generation, are still state-run and/or state-owned; but this no longer applies to small-scale farming, and it is unclear whether this provision is actually expected to apply to

purely private sector firms. In the same way, it is likely that the law would not lend itself to an interpretation in terms of the language rights and duties of workers, in contrast with the provisions of the language Acts adopted, for example, by the Baltic states.

Finally, presumably to reassure the authorities of the Federation that the Act is unlikely to have any noticeable effect on the Russian-speaking community, Section 18 states that in the "operational communication in railway, aerial, river, and pipe-line transport and in the power industry, Russian is used as the state language of the Russian Federation." In short, the Act does not intend to redress the situation in a particularly important sector, and one in which reassertion of Kalmyk would have a very visible impact.

Toponymy and other provisions

Toponymy is a traditional pet area of language legislation, and it is unsurprising for this issue to be taken up in the Kalmyk Language Act. However, its effects may be limited. The first paragraph of Section 22 does state that "place names, inscriptions and road signs are given in the Kalmyk and Russian languages, if necessary in foreign languages too." However, it is unclear how extensive such a measure is likely to be, given that in the next paragraph, the government is given the responsibility for drafting a "list of territories and objects where place-names and inscriptions and road signs should be given in the state languages of the RK". This provision therefore remains a rather general one: the "list" can be more or less long and precise; and even if a place-name is on the list as one that *should* have both a Russian and a Kalmyk name, it does not mean that it necessarily *will be* given them. By contrast, the 1989 Estonian law provided that *all* geographical points had to be recorded under an Estonian name, with exceptions for places of special historical or cultural significance; as regards personal names, all of Estonia's citizens were required to use a standard form in the Latin (not Cyrillic) alphabet; it is hard to imagine Kalmykia imposing a symmetrical requirement in which its Russian-speaking residents and citizens of the Federation would be required to record their name in *Todo Bichig*.

This somewhat desultory approach to toponymy may reflect the fact that toponymy matters objectively less in a sparsely populated country, with a nomadic tradition, and in which built settlements may simply have relatively less importance in people's relationship to their environment.

Before closing this quick overview of the provisions in the Act, special mention must be made of Section 7, which rather than setting legal standards, outlines the general areas in which programmes must be deployed "for the preservation, study and development of the languages of the peoples of the Republic." These programmes must promote research, education, publishing, literature, the arts and the media, as well as "solving other problems of promotion of the Kalmyk language". This provision squares with the aim, put forward in Section 5, of supporting "scientific programmes for the preservation, study and promotion of the languages of the peoples of the Republic."

Several other provisions in the law could lend themselves to commentary, in particular the chapter on "external" relations, which, however, tends not to have major importance in language Acts (since the languages of the parties involved, in addition

to whatever language is being promoted, may always be used); in the Kalmyk state, which is not a subject in international law, the matter is of accordingly lesser relevance. Similar provisions apply to contacts of the government of the RK with international organisations.

One may finally note that the law makes no mention of timelines for its implementation, nor of any transitory dispositions for a step-wise implementation, whereas such dispositions existed in the Estonian language Act.

V. A tentative assessment

In the concluding part of this paper, I shall attempt to look at the Kalmyk Language Act by addressing two questions: first, does it matter? Second, will it change anything?

Contrary to what one could be tempted to assume, the recent developments exemplified by the Kalmyk Language Act certainly matter, for two reasons.

The first is that it constitutes, in itself, an interesting case from a scholarly point of view, which deserves to be further documented and analysed. Doing justice to this question would far exceed the scope of this paper, as well as the competence of its author; however, I hope that the information provided above can be of use to those who would undertake an in-depth analysis of the nation-building process in Kalmykia. As one of the member republics of the Russian Federation, Kalmykia replicates, at some levels, processes that can be observed in other republics²⁶ (although in a much less manifest manner than, say, in Tatarstan), and which resemble, *mutatis mutandis*, processes that have taken place in the republics of the former USSR. A local elite, banking on the understandable need for identity, recognition and respect felt in their ethnic constituency, uses language as a tool to reshape the ideological space and carve out a political space in which they can increase their own influence—for better or for worse. Language and identity therefore legitimise new elites; they can also serve to create niche jobs in which speakers of the language being promoted enjoy oligopsony power (that is, they are among the few possible "sellers" of a production factor, namely, workforce endowed with specific language skills).

Yet I submit that the nation-building process in Kalmykia takes place against a very specific and little-explored backdrop; as pointed out by Kalmyks themselves, "[...] the Kalmyk language has been practically understudied as a system within the framework of its linguistic-culturological correlations" (Goryaev and Omakayeva, 1999: 1). The determining features of this backdrop are the following: first, the Kalmyks' historically nomadic, non-urban culture, in which the relationship to space, as well as the perception that holding jurisdiction over a particular area may not need to be mediated, to the same extent as in historically sedentary cultures, by the rational-legal state apparatus. This is certainly reinforced by the relative absence of a literary tradition in Kalmyk (Tishkov, 1997). The second key feature is the memory of

²⁶ According to Neroznak (1999), fourteen out of twenty-one national republics in the Russian Federation have issued decrees on languages. Yet the Federation numbers some 175 minority groups with as many languages, suggesting that language-related law-making in Russia still has ample scope for future development (Bogrdanova, 1999).

deportation, with the cultural destruction and the untold suffering it has caused. Finally, the third of these particular features is, venturing on a limb, Tibetan Buddhist religion and culture. Much is made nowadays, both in Kalmykia and by outside observers, of the renaissance of Buddhism in the country, but the ways in which it influences the political process has, to my knowledge, never been the object of scholarly analysis²⁷.

The second reason why the Kalmyk experience matters is because of Kalmykia's position close to the powder keg of the Northern Caucasus. Apart from the successive wars in Chechnya, it is common knowledge that to a varying degree, inter-group tensions are rife in the six other republics of the region, namely Adygea, Karachay-Cherkessia, Kabardino-Balkaria, North Ossetia, Ingushetia and, though apparently less so, Dagestan. These republics are characterised by a lesser discrepancy than in Kalmykia between the percentage of people who self-identify as "ethnics" from the titular republic in which they live on the one hand, and the percentage of speakers of the titular language on the other hand. This implies a closer link between ethnicity and language, which reinforces potential rifts in the population; it also means that whatever measures are taken in favour of the local languages can be perceived as considerably more threatening by members of the Russian-speaking communities. By contrast, Kalmykia, apart from being characterised by generally non-conflictual inter-ethnic relations, is also a non-threatening case from the standpoint of ethnic Russians (or those who self-identify as such); the low titular language fluency figures reported by Tishkov (1997), and the even lower ones reported by local observers (Kornoussova, 1999) indicate that Kalmyk is a severely threatened language, and that it is far from challenging Russian in any sphere of daily life.

Kalmykia can therefore become a useful laboratory of language revitalisation for the entire region: if the measures aiming at the peaceful promotion of the titular, yet threatened language prove successful, at least in part, the specific contents of these measures, the specific ways in which they have been implemented and the identification of the conditions that make success possible (or lie at the root of failure) can be highly relevant for the implementation of language revitalisation policies in the North Caucasus republics.

Turning now to the question of whether the Kalmyk language Act is likely to change anything, let us first remember that its adoption is so recent that any assessment can only be conjectural.

One first general observation is that the Kalmyk Language Act actually contains two elements of legislation: one is on the state languages, and guarantees the official position of Kalmyk alongside Russian; the other is on minority languages in general. However, if only because the Act does not list them, this dimension can be seen as mainly declarative. In what follows, I shall focus on the effects that the Act may have with respect to the promotion of Kalmyk.

²⁷ One commonly made, if anecdotal, observation, is that the Kalmyk people show remarkable meekness when recounting their history, and foreign observers are frequently struck by the complete absence of ill-feelings towards members of the Russian-speaking community, despite the fact that it was essentially Russian power that was responsible for the deportation, and Russian settlers who took up the space from which the Kalmyks had been expelled.

As noted by Baklanova (1999: 1), "the ethnolinguistic situation in the RK is characterised by the Russian language functioning in all vital spheres of activities, as well as in the educational field where (...) Russian is the language of instruction." With very low percentages of competent speakers, the Kalmyks have to start at ground level. Furthermore, the constant changes of alphabets between Todo Bichig and the Latin and Cyrillic alphabets implies that a whole generation of Kalmyks has grown up without a clear reference for the written language.²⁸ Education clearly is a *precondition* for effective language revitalisation, and must structurally (though not always chronologically) precede other types of measures in policy plans (Grin and Vaillancourt, 1999), and the Kalmyk government has correctly identified education as a priority area; it is also the only one in which members of the Russian-speaking community are likely to be confronted with any changes as a result of the new Act.

Language teaching presupposes some *corpus* development (where "corpus" is opposed to "status", according to the classical distinction proposed by Kloss, 1969), that is, some work that may variously include the choice of an alphabet, spelling reform, terminological development, etc. Presidential decrees adopted on 7 May 1998 (No. 87) and 5 November 1998 (No. 203) addressed these points and paved the way for a clearer definition of the language that is to be promoted. Other measures, including education planning, are part of status planning.

Given the severe motivation problems typically associated with the revitalisation of low-prestige varieties, much of the future success of Kalmyk language policy lies with pilot experiments in multilingual education, in which novel and stimulating approaches are applied. Many a revitalisation effort has floundered because of the *passé*, punitive or boring character of language instruction.

The "Altn Gasn" school in Elista is implementing a programme which sets great store by a communicative approach to language teaching, in which attention to learners' motives for language acquisition and their personal development are given a central role. Children at Altn Gasn simultaneously start learning Russian, Kalmyk, English and German at the age of five (Kornoussova, 1999). In third grade, Tibetan is added as a compulsory subject until grade 7. The study of the Kalmyk language does not take place in a vacuum, but is supported by courses in Kalmyk culture and history.

The development of teaching materials is an equally crucial condition for the success of the plan; it is being carried out at the *Kalmyk Centre for Intensive Language Teaching*, which has developed the method "Uinr" for non-speakers, which is then being used at Altn Gasn. The results achieved so far are described as good (Baklanova, 1999).

In short, an encouraging sign for the future of the Kalmyk language is that those engaged in its revitalisation are not putting the cart before the horse, and that the Language Act gives them the legal basis on which to implement their plans in the crucial area of school²⁹. However, it is clear that schools cannot suffice. In what

²⁸ I am indebted to B. Kornoussova for drawing my attention to this point.

²⁹ Section 7 of the law stresses the role of research as a guide to language policy.

remains one of the most penetrating analyses of reverse language shift, Fishman (1991) insists that while schools are an indispensable pillar of revitalisation, they cannot replace what he calls the "home-neighbourhood-community complex"; therefore, creating conditions for (minority) language use to be *normal* in this complex must become, at an appropriate time and as resources allow, a key objective of language revitalisation policy. At this time, Kalmyk has not been restored to this state of normalcy, and given the prudent, or even restrained tone of the Act, it is unclear whether it will prove sufficient to achieve this; quite probably, decrees to flesh out its general guidelines will, in due course, be required.

Beyond its worthy intentions, much of the law cannot be implemented, because Kalmykia simply does not have the resources to do so, and is unlikely to have them for a long time to come. It follows that its direct effects will remain negligible, and that most people will see no difference. Whatever effects the law can have can only be in the long term. First, despite the extremely constrained material situation of Kalmykia, measures and projects in language instruction, if they succeed in developing motivation, can have some genuine long-term effects. Second, the chief virtue of the law is to provide the legal side of a much broader political and cultural project, which can benefit from a generally favourable context; the Act also displays a remarkable "modernity"³⁰.

Whereas the development of language legislation preserving or promoting the position of the language of the titular nation can be assigned to classical "nation-building" or to defensive "ethnic containment", more modern language policy developments, particularly in Western Europe, can be interpreted as forms of "diversity management." The notion of "nation-building" is fairly well-known and does not require further commentary; the expression "ethnic containment" is self-explanatory; as to "diversity management", it refers to the notion that *given* the fact that linguistic, ethnic and cultural diversity exists, some policy arrangements responding to this diversity are better than others in terms of the welfare (or any other indicator) that they generate (see e.g. Grin, 1996)³¹.

We can certainly rule out "ethnic containment"—the very notion is not relevant in the context of present-day Kalmykia, where ethnic Kalmyks no longer represent an absolute majority, and where inter-community relations are remarkably peaceful. We have seen that there probably are, in the rationale underpinning Kalmyk legislation, some elements of nation-building: language is used to reassert Kalmyk culture and identity, as well as, possibly, to carve out a political and even economic market for a new elite. However, it would be too restrictive to see nothing else in it. To a large extent, Kalmyk identity rests on a unique historical experience and on its Buddhist culture; the very preliminary overview presented here suggests that the study of the

³⁰ "Modernity", in this context, refers to the increasingly complex nature of contemporary societies, as shown by Morin; these are characterised not by some kind of "post-modernity" (a term which is deliberately avoided here), but by the deepening of the inner logic of modernity (Grin and Rossiaud, 1999).

³¹ For example, policy choices regarding the integration of immigrants can be more or less favourable to the *expression* of a *given* diversity, and range from assimilationist to fully "multiculturalist" perspectives, yielding different outcomes in terms of overall welfare.

Kalmyk sense of nationhood is not easily shoehorned into the categories developed for the study of less unusual cases in less peripheral parts of Europe.

The Kalmyk Language Act, however, contains circumstantial evidence of a "diversity management" perspective. We have already noted that many provisions acknowledge not just the two state languages, but the "languages of the peoples of the Republic of Kalmykia." The preamble of the law, as well as its general spirit, is one in which the notion of harmonious diversity, though not expressed as such, is never very far away. It does not only mention "human rights" as one of the benefits from proper consideration for the languages of the peoples of the RK, but also stresses the "full development of the peoples of RK, their culture and their language", and aims at enhancing the "creative potential, customs and traditions of every people", before adding that the Kalmyk language deserves special care and attention, and that the authorities of the RK have a particular responsibility towards this language, because the RK "is the sole national-administrative formation of the Kalmyk people."

All this is perfectly in keeping with an approach that recognises diversity as a valuable feature of modern societies. Even the measures which aim at promoting Kalmyk (which also take great care never to downgrade the position of Russian, whose position is nowhere questioned) cannot be portrayed as a defensive or exclusionary ideology: the preservation of diversity itself requires special measures for threatened languages, and hence the implementation of at least the measures contained in the law.

The effectiveness of the Kalmyk Language Act, in the long term, rests not only with the motivation of the Kalmyks themselves, but also, in large part, with its acceptability by Russian speakers; the "diversity management" perspective it embodies, as well as the "modernity" that can be associated with it, make this positive outcome more likely.

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**RESOLUTION OF THE NATIONAL KHURAL (PARLIAMENT) OF THE
REPUBLIC OF KALMYKIA ADOPTING THE ACT OF THE REPUBLIC OF
KALMYKIA³²**

**“ON THE LANGUAGES OF THE PEOPLES OF THE REPUBLIC OF
KALMYKIA”**

The National Khural (Parliament) of the Republic of Kalmykia resolves:

1. to adopt the Act of the Republic of Kalmykia on the languages of the peoples of the Republic of Kalmykia;
2. to submit the said Act to the President of the Republic of Kalmykia for signature and publication;
3. that this Resolution shall take effect from the moment that it is signed.

**The Chairman of the National Khural (Parliament) of the Republic of Kalmykia
V. Bembetov**

Elista, 21 October 1999, No. 144-P

**THE ACT OF THE REPUBLIC OF KALMYKIA
ON THE LANGUAGES OF THE PEOPLES
OF THE REPUBLIC OF KALMYKIA**

In accordance with the Constitution of the Russian Federation, the Steпноye Ulozheniye (Constitution) of the Republic of Kalmykia and the existing legislation of the Russian Federation and the Republic of Kalmykia, the purpose of this Act shall be to ensure that the peoples that live on the territory of the Republic of Kalmykia enjoy proper conditions for the unrestricted and free use of their mother tongue in the various spheres of public life, and to guarantee the revival, preservation and development of the language as the most important spiritual possession of the peoples that live in the Republic. The Act proceeds from the need to ensure the full development of the peoples of the Republic of Kalmykia, their cultures and languages, the maximum use of the creative potential, customs and traditions of every people in the socioeconomic, spiritual and moral development of society, and the implementation of human rights. The Republic of Kalmykia is the sole national and state structure of the Kalmyk people. The state authorities of the Republic of Kalmykia shall be responsible for the preservation, revival and development of the Kalmyk language, as the most important national characteristic and the basis for all its spiritual culture.

³² This translation is not official, but is based on the official Russian version published in the Kalmyk daily “Unen” on 17 November 1999. Translation by B. Kornousova and K. Cook. © *European Centre for Minority Issues*, 2000

This responsibility shall be expressed through legislation which confirms its status, the creation of conditions for its active use in state and public life, promotion of its prestige, standardization and publicity.

The encouragement of hostility towards and denigration of any language, as well as any form of discrimination on language grounds, including obstacles and restrictions to employment, shall be prohibited in the Republic of Kalmykia.

This Act shall form the basis for legal regulation of the functioning of languages in the Republic of Kalmykia.

CHAPTER I

GENERAL PROVISIONS

Section 1. Legislation of the Republic of Kalmykia on the languages of the peoples of the Republic of Kalmykia

The legislation of the Republic of Kalmykia on the languages of the peoples of the Republic of Kalmykia comprises the Steptoye Ulozheniye (Constitution) of the Republic of Kalmykia, this Act, and the legislative documents of the Republic of Kalmykia published in accordance with them on the development and use of the languages of the peoples of the Republic. This Act regulates all the spheres of linguistic communication, except for the use of the languages of the peoples of the Republic of Kalmykia in interpersonal informal interactions and the activities of non-governmental associations and religious organizations.

Section 2. Freedom to use language

On the territory of the Republic of Kalmykia, conditions shall be created for every people and individual to preserve and fully develop their mother tongue, and freedom to choose and use one's language of communication, education, study and creation shall be guaranteed.

Section 3. Legal status of languages in the Republic of Kalmykia

In accordance with the provisions of the Constitution of the Russian Federation, the Steptoye Ulozheniye (Constitution) of the Republic of Kalmykia, and the Act of the Russian Federation on the languages of the peoples of the Russian Federation, the state languages of the Republic of Kalmykia shall be Kalmyk and Russian.

Section 4. Guarantees of the rights of citizens of the Russian Federation with regard to their knowledge of a language

The Republic of Kalmykia shall guarantee citizens of the Russian Federation who live on the territory of the Republic of Kalmykia the enjoyment of basic political, economic, social and cultural rights, regardless of the knowledge of any language.

Knowledge or lack of knowledge of the state languages of the Republic of Kalmykia may not serve as a basis for the curtailment of the rights of citizens of the Russian

Federation who live on the territory of the Republic of Kalmykia. Any infringement of the linguistic rights of peoples and individuals shall lead to prosecution in accordance with the law.

Section 5. Guarantees of protection of the languages of the peoples of the Republic of Kalmykia

The languages of the peoples of the Republic of Kalmykia shall enjoy state protection. The state authorities shall guarantee and ensure the social, economic and legal protection of languages.

The social protection of languages shall involve the pursuit of a scientifically based language policy aimed at the preservation, development and study of the languages of the peoples of the Republic of Kalmykia and the maintenance of their equality.

The economic protection of languages shall involve specific budgetary or other funding of state and scientific programmes for the preservation, study and development of the languages of the peoples of the Republic, as well as the pursuit of a tax exemption policy for these purposes.

The legal protection of languages shall involve ensuring that legal and physical persons who fail to comply with the language legislation of the Republic of Kalmykia are held liable.

Section 6. Competence of the Republic of Kalmykia with regard to the protection, study and use of the languages of the peoples of the Russian Federation

The Republic of Kalmykia shall resolve issues concerning the protection, study and use of languages within the administrative and territorial boundaries of the Republic with regard for the interests of the peoples that live on its territory.

The powers of the Republic of Kalmykia, as represented by the administrative authorities of the Republic, with regard to the protection, study and use of the languages of the peoples of the Republic shall include:

- formulation of general principles for the legal regulation, preservation, study and development of the state languages of the Republic of Kalmykia;
- maintenance of the functioning of Kalmyk and Russian on an equal footing as the state languages of the Republic of Kalmykia;
- creation of conditions for the revival, preservation and full, free development of the languages of the peoples that live in the Republic of Kalmykia;
- formulation of general principles of liability for failure to comply with legislation on the development and use of the languages of the peoples of the Republic of Kalmykia.

Section 7. National programme for the preservation, study and development of the languages of the peoples of the Republic

National programmes for the preservation, study and development of the languages of the peoples of the Republic of Kalmykia shall be drawn up by the Government of the Republic of Kalmykia and approved by the National Khural (Parliament) of the Republic

of Kalmykia. A national programme shall be carried out by executive and local government bodies within the specified time limits.

Provision shall be made for funding of the programme when the national budget is drawn up.

National programmes for the preservation, study and development of languages shall provide for such activities as support for the publication of literature in the languages of the peoples of the Republic of Kalmykia, funding of scientific research in this field, support for relevant scientific research institutes and educational establishments that carry out research into the languages of the peoples of the Republic of Kalmykia, creation of conditions for the use of various languages in the mass media, training of experts on the preservation and development of the languages of the peoples of the Republic of Kalmykia, development of a system of national education aimed at improving the linguistic culture of the peoples of the Republic of Kalmykia, etc.

A national programme for the preservation, study and development of the languages of the peoples of the Republic of Kalmykia shall include a section on the revival, preservation and development of the Kalmyk language, its full study and its improvement. This section shall provide for the opening of pre-school establishments in which Kalmyk is the medium of education and instruction, resolution of the problems of maintaining a system of education in Kalmyk, training of scholars and teachers, development of literature, science, art, television and radio broadcasting, publication of books, newspapers and magazines in Kalmyk, and production of dictionaries, teaching manuals and literature on teaching methods, as well as the resolution of other issues in order to develop the Kalmyk language.

The Republic of Kalmykia shall make assistance of various kinds available to representatives of the Kalmyk nationality in other regions in order to preserve and develop their mother tongue, culture, traditions and customs, which are necessary for their full spiritual development.

CHAPTER II

RIGHTS OF CITIZENS TO USE THE LANGUAGES OF THE PEOPLES OF THE REPUBLIC OF KALMYKIA

Section 8. Right to choose one's language of communication

In the spheres of communication that are subject to legal regulation, the right of citizens of the Russian Federation who live in the Republic of Kalmykia to choose and use their language of communication shall be governed by the legislation of the Russian Federation and the Republic of Kalmykia. Knowledge of the Kalmyk language shall be a civic duty of any person who lives permanently on the territory of the Republic of Kalmykia.

Section 9. Right to choose one's language of education and instruction

Citizens of the Russian Federation who live on the territory of the Republic shall be entitled to choose their language of education and instruction freely, on condition that the

state languages of the Republic of Kalmykia are taught as the state languages of the Republic of Kalmykia.

The Republic of Kalmykia shall create within its territory a system of educational establishments and other forms of education and instruction in the state languages of the Republic, and shall support the organization of education and instruction in other languages of peoples that live in the Republic of Kalmykia. Citizens of the Russian Federation who live on the territory of the Republic of Kalmykia shall be entitled to receive school instruction in their mother tongue.

The right to choose an educational establishment in which a given language is the medium of children's education and instruction shall belong to the parents or those that have assumed parental authority in accordance with the legislation in force.

Kalmyk and Russian shall be compulsory subjects in all educational establishments, irrespective of which department the establishment is affiliated to.

Section 10. Study and teaching of the languages of the peoples of the Republic of Kalmykia

For the benefit of citizens of the Russian Federation who live on the territory of the Republic of Kalmykia, the Republic shall create conditions for the study and teaching of their mother tongue and other languages of the peoples of the Republic.

In educational establishments where Russian is the medium of instruction, Kalmyk, as one of the state languages, shall be a compulsory subject.

In educational establishments where Kalmyk is the medium of instruction, Russian, as one of the state languages, shall be a compulsory subject.

Educational establishments shall make provision for the study of the ancient Kalmyk script (Todo Bichig). In the Republic of Kalmykia conditions shall be created for those who wish to learn the script, scholars and teachers shall be trained, and textbooks, teaching materials, documents of literary and historical importance, books and magazines shall be published in the script.

The Republic of Kalmykia shall create conditions for scientific research into the state languages of the Republic of Kalmykia and other languages in the relevant scientific research establishments and colleges and shall provide for the training of experts on the state languages of the Republic of Kalmykia.

CHAPTER III

USE OF THE STATE LANGUAGES OF THE PEOPLES OF THE REPUBLIC OF KALMYKIA IN THE ACTIVITIES OF STATE AUTHORITIES OF THE REPUBLIC OF KALMYKIA, LOCAL GOVERNMENT BODIES, ENTERPRISES, AGENCIES AND ORGANIZATIONS

Section 11. Working language of the National Khural (Parliament) of the Republic of Kalmykia, the Government of the Republic of Kalmykia and the Administration of the President of the Republic of Kalmykia

In the National Khural (Parliament) of the Republic of Kalmykia, the Government of the Republic of Kalmykia and the Administration of the President of the Republic of Kalmykia, work shall be carried out in Kalmyk and Russian, as the state languages of the Republic of Kalmykia.

At sessions of the National Khural (Parliament) of the Republic of Kalmykia, meetings of standing committees, deputies shall be entitled to make speeches in the state language of their choice.

If a deputy of the National Khural (Parliament) of the Republic of Kalmykia does not speak the state languages of the Republic of Kalmykia, he shall be entitled to speak in another language. Interpretation into Kalmyk or Russian shall be provided. The deputy of the National Khural (Parliament) of the Republic of Kalmykia shall notify the secretariat of the session in advance of his intention to speak in another language.

Bills and other draft legislative documents of the Republic of Kalmykia may be submitted for consideration by the National Khural (Parliament) of the Republic of Kalmykia in whichever state language of the Republic of Kalmykia the initiator of the text chooses, a translation being provided.

Section 12. Language of publication of acts and other legislative documents of the Republic of Kalmykia

The texts of acts of the Republic of Kalmykia and other legislative documents adopted by the National Khural (Parliament) of the Republic of Kalmykia, the Government of the Republic of Kalmykia or the President of the Republic of Kalmykia shall be published in the relevant periodicals in the state languages of the Republic of Kalmykia.

Section 13. Language used in referendums and elections to the National Khural (Parliament) of the Republic of Kalmykia, elections for the Presidency of the Republic of Kalmykia and local government elections

The state languages of the Republic of Kalmykia shall be used for the preparation and conduct of national or local referendums and elections to the National Khural (Parliament) of the Republic of Kalmykia, elections for the Presidency of the Republic of Kalmykia and local government elections.

Voting and referendum forms shall be drawn up in the state language of the Russian Federation. In accordance with a decision by the Electoral Commission of the Republic of Kalmykia, voting and referendum forms shall be printed in Kalmyk alongside the state language of the Russian Federation.

Section 14. Use of the state languages in the work of the state authorities, local government bodies, enterprises, agencies and organizations

The state languages of the Republic of Kalmykia shall be used in the activities of the state authorities, local government bodies, enterprises, agencies and organizations in the Republic of Kalmykia.

Citizens of the Russian Federation who live on the territory of the Republic who do not speak Kalmyk or Russian shall be entitled to speak at meetings, sessions and assemblies of the state authorities, local government bodies, enterprises, agencies and organizations in the language which they do speak, appropriate interpretation being provided.

Citizens of the Russian Federation who live on the territory of the Republic and do not speak the language in which a meeting, session or assembly of the state authorities, local government bodies, enterprises, agencies and organizations is conducted shall, where necessary, be provided with interpretation into a language acceptable to them.

Citizens of the Russian Federation who live on the territory of the Republic shall be entitled to submit proposals, applications or complaints to the state authorities, local government bodies, agencies and organizations in their mother tongue or in any other language of the peoples of the Republic of Kalmykia which they speak.

Replies to proposals, applications or appeals which citizens of the Republic of Kalmykia have submitted to the state authorities, local government bodies, enterprises, agencies and organizations of the Republic of Kalmykia shall be given in language of submission. In the event that a reply cannot be given in the language of submission, one of the state languages of the Republic of Kalmykia shall be used.

Section 15. Use of the state languages in official records

On the territory of the Republic of Kalmykia, the official records of state authorities, agencies and organizations shall be kept in the state languages of the Republic of Kalmykia.

The texts of forms, documents, stamps, seals and signs bearing the names of state authorities, local government bodies, enterprises, agencies and organizations shall be in Kalmyk and Russian.

In the Republic of Kalmykia, official documents which identify a citizen or contain information about him (passports, birth, marriage and death certificates) shall be in Kalmyk and Russian.

The texts of signs, notices and other public information shall be in the state languages of the Republic of Kalmykia. Products made by enterprises in the Republic of Kalmykia shall have labels, instructions and tags in Kalmyk and Russian.

Section 16. Use of the state languages in official correspondence

Official correspondence and other official dealings between state authorities, local government bodies, enterprises, agencies and organizations in the Republic of Kalmykia shall be conducted in the state languages of the Republic of Kalmykia.

Section 17. Language of legal proceedings, court records and records kept by judicial authorities

Legal proceedings, court records and records kept by judicial authorities shall be in Kalmyk or Russian. Persons involved in a case who do not speak the language in which

the legal proceedings are conducted shall be entitled to acquaint themselves fully with the materials relating to the case, to participate in the activities of the court with the help of an interpreter and to address the court in their mother tongue.

Section 18. State languages used in the fields of industry, communications, transport, energy and agriculture

Throughout the territory of the Republic of Kalmykia, Kalmyk and/or Russian shall be used in the fields of industry, communications, transport, energy and agriculture.

Russian, as the state language of the Russian Federation, shall be used in operational communications in the fields of rail, air, river and pipeline transport, energy and communications.

Section 19. Use of state languages in the work of the postal and telegraphic service

Postal and telegraphic correspondence by citizens, state and public bodies, enterprises, agencies and organizations on the territory of the Republic of Kalmykia shall be received and dispatched in the state languages of the Republic of Kalmykia.

Section 20. Language of the mass media

National newspapers and magazines shall be published and television and radio broadcasts shall be transmitted in Kalmyk and Russian. Newspapers and magazines may, at the founders' discretion, be published in other languages.

In places where peoples live in close proximity, the mass media may also use the languages of peoples that represent the majority of the population of the given territory.

When translating and dubbing film and video productions, the state languages of the Republic of Kalmykia shall be used with regard for the interests of the population.

Section 21. Languages used in public services and commercial activities

The state languages of the Republic of Kalmykia and other languages stipulated in contracts between business partners shall be used in public services and commercial activities. Refusal to make services available to citizens on the grounds that they do not know a language shall be prohibited and shall lead to prosecution in accordance with the legislation in force in the Russian Federation and the Republic of Kalmykia.

CHAPTER IV

LANGUAGE USED IN PLACE NAMES AND INSCRIPTIONS, TOPOGRAPHIC DESIGNATIONS AND ROAD SIGNS

Section 22. Rules for determining the language used in place names and inscriptions, topographic designations and road signs

In the Republic of Kalmykia, place names, inscriptions and road signs shall be formulated in Kalmyk and Russian, and where necessary also in a foreign language.

The government of the Republic of Kalmykia shall draw up a list of territories and objects where place names, inscriptions and road signs must be formulated in the state languages of the Republic of Kalmykia.

Executive bodies shall arrange for the installation of inscriptions, topographic designations and road signs and shall be responsible for their design and proper maintenance in accordance with the legislation in force in the Russian Federation and the Republic of Kalmykia and with international standards.

Section 23. Naming and renaming of settlements, objects and territories

Settlements, objects and territories shall be named and renamed in the state languages of the Republic of Kalmykia.

CHAPTER V

USE OF STATE LANGUAGES IN THE RELATIONS OF THE REPUBLIC OF KALMYKIA WITH FOREIGN STATES AND INTERNATIONAL ORGANIZATIONS

Section 24. Use of state languages in the relations of the Republic of Kalmykia with foreign states and international organizations

The activities of bodies representing the Republic of Kalmykia abroad and of foreign trade and other agencies of the Republic of Kalmykia shall be carried out in the state languages of the Republic of Kalmykia and in the language of the state concerned.

Contracts, treaties and other international documents signed on behalf of the Republic of Kalmykia shall be drawn up in the state languages of the Republic of Kalmykia or, by mutual consent, in other languages.

The languages used in negotiations on behalf of the Republic of Kalmykia with representatives of other states and international organizations shall be Kalmyk and Russian or other languages by mutual consent between the parties and in accordance with international agreements.

CHAPTER VI

LIABILITY FOR FAILURE TO COMPLY WITH THE LEGISLATION OF THE REPUBLIC OF KALMYKIA ON THE LANGUAGES OF THE PEOPLES OF THE REPUBLIC OF KALMYKIA

Section 25. Liability for failure to comply with the legislation of the Republic of Kalmykia on the languages of the peoples of the Republic of Kalmykia

Legal and physical persons that fail to comply with the legislation of the Republic of Kalmykia on the languages of the peoples of the Republic of Kalmykia shall be held liable and shall be prosecuted as prescribed in the legislation in force in the Russian Federation and the Republic of Kalmykia.

CHAPTER VII

FINAL AND TRANSITIONAL PROVISIONS

Section 26.

This Act shall enter into force on the day of its official publication in the journals "Khalmyg Unen" and "Izvestiya Kalmykii".

Section 27.

Act No. 137-IX dated 30 January 1991 of the Kalmyk Soviet Socialist Republic on the languages in the Kalmyk SSR - Khalmyg Tangch shall be repealed.

The President of the Republic of Kalmykia
K. Ilyumzhinov

Elista, 27 October 1999, No. 30-II-3