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**DREPT INTERNAȚIONAL PUBLIC  
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МЕЖДУНАРОДНОЕ ПУБЛИЧНОЕ ПРАВО**

**EUROPEAN MOLDOVA: A POLISH PERSPECTIVE ON INTERNATIONAL LAW,  
SOVEREIGNTY, AND EUROPE'S EASTERN FRONTIER**

**MOLDOVA EUROPEANĂ: O PERSPECTIVĂ POLONEZĂ ASUPRA DREPTULUI  
INTERNAȚIONAL, SUVERANITĂȚII ȘI FRONTIEREI ESTICE A EUROPEI**

**ЕВРОПЕЙСКАЯ МОЛДОВА: ПОЛЬСКИЙ ВЗГЛЯД НА МЕЖДУНАРОДНОЕ  
ПРАВО, СУВЕРЕНИТЕТ И ВОСТОЧНУЮ ГРАНИЦУ ЕВРОПЫ**

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**ABSTRACT:**

**EUROPEAN MOLDOVA: A POLISH PERSPECTIVE ON INTERNATIONAL LAW,  
SOVEREIGNTY, AND EUROPE'S EASTERN FRONTIER**

As Moldova deepens its relationship with the European Union, it becomes clear that international law is not only about rules and reforms—it also tells a story about belonging. Drawing on Poland's post-1989 experience, this article examines Moldova's European path through the lenses of sovereignty, legal adaptation, and regional diplomacy. As a possible input into ongoing legal discussion, the article argues that Moldova's European integration cannot be reduced to the mechanical adoption of norms; it is better understood as an ongoing conversation between the country's legal identity and its political aspirations at the edge of Europe. The Polish perspective highlights how shared historical transitions shape the legal imagination of small states navigating between independence and interdependence.

**Keywords:** Moldova, Poland, international law, sovereignty, integration, European Union, frontier

**JEL Classification:** K33

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REZUMAT:

**MOLDOVA EUROPEANĂ: O PERSPECTIVĂ POLONEZĂ ASUPRA DREPTULUI  
INTERNAȚIONAL, SUVERANITĂȚII ȘI FRONTIEREI ESTICE A EUROPEI**

Pe măsură ce Republica Moldova își aprofundează relațiile cu Uniunea Europeană, devine clar că dreptul internațional nu se rezumă doar la reguli și reforme – el spune și o poveste despre apartenență. Inspirându-se din experiența Poloniei de după 1989, articolul examinează parcursul european al Moldovei prin prisma suveranității, a adaptării juridice și a diplomației regionale. Ca posibilă contribuție la dezbaterea juridică, studiul susține că integrarea europeană a Moldovei nu poate fi redusă la o simplă adoptare mecanică a normelor; ea trebuie înțeleasă ca un dialog continuu între identitatea juridică a țării și aspirațiile sale politice de la marginea Europei. Perspectiva poloneză evidențiază modul în care tranzițiile istorice comune modelează imaginația juridică a statelor mici care navighează între independență și interdependență.

**Cuvinte-cheie:** Moldova, Polonia, drept internațional, suveranitate, integrare, Uniunea Europeană, frontier

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РЕЗЮМЕ:

**ЕВРОПЕЙСКАЯ МОЛДОВА: ПОЛЬСКИЙ ВЗГЛЯД НА МЕЖДУНАРОДНОЕ  
ПРАВО, СУВЕРЕНИТЕТ И ВОСТОЧНУЮ ГРАНИЦУ ЕВРОПЫ**

По мере того как Республика Молдова укрепляет свои отношения с Европейским Союзом, становится очевидно, что международное право — это не только правила и реформы, но и рассказ о принадлежности. Опираясь на польский опыт после 1989 года, статья рассматривает европейский путь Молдовы сквозь призму суверенитета, правовой адаптации и региональной дипломатии. В качестве возможного вклада в юридическую дискуссию автор утверждает, что европейская интеграция Молдовы не сводится к механическому переносу норм; её следует понимать как продолжающийся диалог между правовой идентичностью страны и её политическими устремлениями на рубеже Европы. Польская перспектива подчёркивает, как общие исторические переходы формируют правовое воображение малых государств, балансирующих между независимостью и взаимозависимостью.

**Ключевые слова:** Молдова, Польша, международное право, суверенитет, интеграция, Европейский Союз, граница

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**Introduction – Moldova between Law and Geography**

Few countries in today's Europe show as clearly as the Republic of Moldova how law and geography can intertwine. Positioned between the Carpathians and the Dniester, at the crossroads of Latin and Slavic cultures, Moldova has repeatedly had to explain its borders—not only where they lie, but what they mean. Since independence, the country has lived inside a question once discussed mostly in theory: where does Europe end, and where does the post-Soviet world begin? In Moldova, that question is not academic. It shapes daily politics, diplomacy, and even language. Law here works almost like a map—a way to find direction amid shifting sovereignties and inherited memories.

From the standpoint of international law, Moldova meets the classical criteria of statehood established in the 1933 Montevideo Convention: a permanent population, a government, a defined

territory, and the capacity to enter into relations with other states.<sup>1</sup> Yet these formal criteria have always rested on something less visible—the continuing act of recognition. For a small country surrounded by larger powers, recognition is never granted once and for all; it has to be renewed through constant engagement. Since 1991, Moldova has sought to turn that engagement into participation, moving from mere legal existence toward an active presence in Europe.

In 1994, the government signed its first major treaty with the European Union, the Partnership and Cooperation Agreement<sup>2</sup>—a careful first step toward shared legal norms. Some twenty years later, the Association Agreement of 2014<sup>3</sup> carried the process further, framing both political association and economic integration. Around the same period, Moldova joined the Council of Europe in 1995, ratified the European Convention on Human Rights soon after, and expanded its role in regional bodies that anchored its legal system inside the broader European context.<sup>4</sup> These milestones, however, left open the deeper question of whether legal approximation can ever replace geopolitical assurance.

Moldova's constitution declares the state permanently neutral, yet its political class has long looked toward the European Union. That combination produced a kind of double vocabulary of sovereignty—one speaking in terms of non-alignment, the other in the idiom of integration. These two ideas rarely fit together neatly.

The strain between these principles runs deep in today's international law. Sovereignty continues to frame the system, yet the spread of supranational and regional bodies has gradually redefined it. What once marked separation now also marks cooperation—the ability of states to move within a shared legal space. Moldova, as Poland once did, faces the challenge of keeping both aspects in view.

After 1989, Poland learned that geography can be read through law. Membership in NATO and the European Union transformed a former edge of Europe into a bridge. From that experience, Moldova's path westward looks less like copying and more like searching in parallel—a separate route toward the same idea of belonging. Both societies live with the sense of being in between: positioned between larger powers, molded by overlapping laws, and surrounded by rival versions of history. For them, international law often serves as a language through which a community explains itself.

What we call a frontier today is rarely a fixed line. It shifts with every negotiation, every agreement, and every act of recognition. In Moldova's case, the European frontier has been less a border than an ongoing interaction—a continuing dialogue between law, politics, and identity. The European Union's presence is felt not only in treaties or official documents but in the gradual transformation of institutions, language, and administrative habits. Europe enters quietly: through the procedures that guide governance, the words that define reform, and the expectations that shape daily life.

Through a mix of trade deals, association clauses, and the slow uptake of the *acquis communautaire*, many neighboring states have drifted into what some jurists call a form of “graduated sovereignty,” a status that keeps them linked yet still self-governing. Moldova sits squarely in the middle of that experience.<sup>5</sup>

<sup>1</sup> Montevideo Convention on the Rights and Duties of States, Dec. 26, 1933, 165 L.N.T.S. 19; see also James Crawford, *The Creation of States in International Law*, 2nd ed. (Oxford: Clarendon Press, 2006), § 2.2.

<sup>2</sup> Partnership and Cooperation Agreement Between the European Communities and Their Member States, of the One Part, and the Republic of Moldova, of the Other Part, Nov. 28, 1994, 1998 O.J. (L 181) 3, full text available at <https://www.consilium.europa.eu/en/documents/treaties-agreements/agreement/?id=1994050>.

<sup>3</sup> Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part. Document 22014A0830(01) [https://eur-lex.europa.eu/eli/agree\\_internation/2014/492/2023-10-06](https://eur-lex.europa.eu/eli/agree_internation/2014/492/2023-10-06)

<sup>4</sup> European Union–Republic of Moldova Partnership and Cooperation Agreement, Feb. 28, 1994, OJ L 181/3 (1998); EU–Moldova Association Agreement, June 27, 2014, OJ L 260/4 (2014); Council of Europe, “Moldova Joins the Council of Europe,” Strasbourg, 1995.

<sup>5</sup> Frank Schimmelfennig, “Europeanization Beyond Europe,” *Living Reviews in European Governance* 7, no. 1 (2012): 1–31.

Yet Europeanization is not a one-way current. Law is constantly reinterpreted on the ground. Moldova's mixture of languages, legal traditions, and diasporic ties generates its own readings of shared norms. Judges and diplomats often end up as translators—not only moving between Romanian, Russian, and English, but also between different ways of imagining law itself. A single treaty clause can sound one way when read through Moldova's constitutional experience and quite another when debated in Brussels. To make sense of that gap, one needs a looser, more down-to-earth style of interpretation—something closer to conversation than command. In practice, lawyers and judges read such texts as living documents, shaped by the people and circumstances around them.<sup>1</sup>

The analysis that follows situates Moldova within the larger debate about how sovereignty is changing in Eastern Europe. Europeanization, in this study, appears less as passive adaptation and more as a deliberate, creative effort—a way for a small state to find its own voice within an increasingly complex web of legal rules. The parallel with Poland is useful not as a template to copy but as a mirror that reflects similar struggles across post-communist societies, each using law to piece together a new sense of belonging after the end of the empire.

In practical terms, this study draws on treaties, constitutions, and major scholarly works while paying attention to the cultural settings in which they are read. The aim is not to prove a single hypothesis but to trace where sovereignty, integration, and identity intersect along Europe's eastern frontier.

I approach the topic gradually. The opening pages clarify scope and method before turning to Poland's post-1989 experience as a comparative frame. I then explore how ideas of sovereignty have shifted and what Europe's eastern frontier has come to signify in both law and imagination.

The final parts bring these threads together through the notion of participatory sovereignty and treat Moldova as a place where international law is actively tested. The conclusion reflects on what this gradual movement from association to integration may reveal about Europe's evolving order.

In the end, Moldova's experience shows that international law is less a fixed code than a dialogue in motion. Its meaning emerges through interaction among states, institutions, and people who interpret it. The country's slow passage toward Europe marks a broader transformation—from law as boundary to law as bridge. Geography still matters, though not in the old sense of fixed lines or distant frontiers. Today, its outlines are being redrawn through law. Poland showed that transformation a generation ago; Moldova is living it now, step by step. Ultimately, Europe's border does not lie only in rivers or mountain passes—it also cuts through the ways international law is imagined and practiced.

### **Methodology and Scope of Study**

The methodological approach adopted in this study reflects the dual nature of international law itself: a discipline grounded in textual precision yet inevitably shaped by historical, cultural, and linguistic interpretation. Moldova's European trajectory cannot be adequately understood through a purely positivist lens, because the processes that define its integration—association agreements, institutional alignment, and constitutional adaptation—operate within a normative field that is as much political and discursive as it is legal. Accordingly, this article employs a comparative-interpretive methodology, combining doctrinal analysis with contextual interpretation and comparative regional insight drawn from the Polish experience of transition and accession.

At the foundation of this inquiry lies the doctrinal method, the traditional mode of legal scholarship emphasizing the analysis of treaties, customary norms, and judicial or institutional practice. In the Moldovan case, doctrinal interpretation provides the necessary structure for evaluating the evolution of the state's international commitments: the UN Charter (1945), the Vienna Convention on the Law of Treaties (1969), the EU–Moldova Association Agreement (2014), and the numerous Council of Europe instruments to which Moldova is a party.<sup>2</sup> This body of law defines the external limits of Moldovan sovereignty and the internal parameters of its legal

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<sup>1</sup> Krzysztof Pomian, *Europa i jej narody* (Warsaw: Bellona, 1998).

<sup>2</sup> Vienna Convention on the Law of Treaties, May 23, 1969, 1155 U.N.T.S. 331; Association Agreement Between the European Union and the Republic of Moldova, June 27, 2014, O.J. L 260/4 (2014).



transformation. However, doctrine alone offers only a partial view of the process. Law operates not merely as command but as conversation. To understand how Moldova internalizes international law, one must also examine the interpretive context in which legal norms are received and transformed.

For this reason, the doctrinal foundation is complemented by an interpretive or hermeneutic method, inspired by both legal theory and the philosophy of language. The interpretive dimension is crucial because Moldova's path to Europe involves translation—not only between Romanian and Russian or between national and European legal vocabularies, but between different conceptions of law itself. Following Gadamer's insight that understanding always occurs within a "fusion of horizons," this study treats international law not as a closed system but as a living dialogue between states, cultures, and historical experiences.<sup>1</sup> The method recognizes that meaning in law is co-created by interpreters—judges, diplomats, and scholars—who bring their own preconceptions and historical positions to the text. For Moldova, whose constitutional identity is still in the making, this hermeneutic dimension is particularly salient.

The comparative component of the methodology derives from the Polish precedent, which serves as both reference and reflection. Poland's post-1989 transformation provides a coherent model for analyzing Moldova's legal evolution: a state situated on Europe's eastern frontier, negotiating between post-Soviet legacies and European aspirations.<sup>2</sup> Comparative analysis here functions not as analogy but as framework—it enables the identification of patterns in how small and medium-sized states internalize supranational norms while preserving a degree of national discretion. Through comparison, one can observe how concepts such as "sovereignty," "conditionality," and "Europeanization" acquire context-specific meanings. The Polish experience, as documented in EU accession literature, demonstrates that integration proceeds less by imposition than by adaptation: law becomes effective when it resonates with national narratives of reform and identity.<sup>3</sup> The Moldovan process, though distinct in time and circumstance, follows a similar logic.

To operationalize this comparative–interpretive framework, the study relies on several categories of sources. First, primary legal instruments form the empirical basis: treaties (including the EU–Moldova Association Agreement, PCA, and Council of Europe conventions), national constitutions, and judicial opinions of the Constitutional Court of Moldova and the European Court of Human Rights (ECtHR).<sup>4</sup> Second, official documents and policy statements—notably those from the European External Action Service (EEAS), the Moldovan Ministry of Foreign Affairs and European Integration, and the Ministry of Foreign Affairs of the Republic of Poland—provide insight into governmental reasoning and diplomatic discourse. Third, academic and policy analyses from international law and political science journals are consulted to situate the discussion within broader theoretical debates on sovereignty, conditionality, and integration. Where possible, Romanian-, Russian-, and English-language materials are cross-referenced to preserve fidelity to Moldova's multilingual legal environment.

This plural sourcing reflects an underlying epistemological stance: that international law in Eastern Europe is best understood as a hybrid field, shaped by overlapping legal cultures. The methodology therefore avoids the false dichotomy between Western universalism and Eastern exceptionalism. Instead, it approaches Moldova as a space of legal intertextuality, where European norms are received, contested, and domesticated through national experience. This approach is consistent with the perspective developed in post-structural international legal studies, which emphasize the productive tension between norm and narrative.<sup>5</sup>

<sup>1</sup> Hans-Georg Gadamer, *Truth and Method* (1975) at 305–312.

<sup>2</sup> See Roman Kuźniar, *Poland's Foreign Policy after 1989: The Quest for Security and Identity* (2012).

<sup>3</sup> Frank Schimmelfennig & Ulrich Sedelmeier, *The Europeanization of Central and Eastern Europe* (2005).

<sup>4</sup> Constitutional Court of the Republic of Moldova, Judgment No. 24, Oct. 9, 2014; ECtHR, *Ilașcu v. Moldova and Russia*, 2004-VII Eur. Ct. H.R. 179.

<sup>5</sup> Martti Koskeniemi, *From Apology to Utopia: The Structure of International Legal Argument* (Cambridge, 2005).

In terms of analytical procedure, the article proceeds in three interrelated steps. First, it undertakes textual analysis of key instruments and doctrines to identify how Moldova's legal commitments articulate concepts of sovereignty, integration, and recognition. Second, it conducts a contextual interpretation of these instruments by situating them within Moldova's constitutional order, political practice, and cultural self-understanding. Third, it engages in comparative evaluation, using Poland's experience to highlight continuities and divergences in the mechanisms of Europeanization. Each step corresponds to a layer of meaning in international law: the formal (textual norms), the institutional (practice and enforcement), and the discursive (interpretation and identity).

While the primary focus remains on law, the methodology recognizes that law and politics cannot be neatly separate in transitional contexts. The Moldovan case reveals how legal instruments often perform political functions—signaling orientation, establishing trust, or expressing belonging.<sup>1</sup> This pragmatic dimension does not undermine legality but rather confirms its sociological foundation. International law, particularly in post-Soviet Eastern Europe, operates through persuasion as much as through coercion. Consequently, the article draws on elements of constructivist international relations theory, which conceptualizes norms as social structures that both constrain and enable state behavior.<sup>2</sup> Such a theoretical orientation helps to explain why small states like Moldova invest in legal formalism: compliance becomes a strategy of visibility and legitimacy in an uncertain regional order.

The scope of the study extends from 1991, the year of Moldovan independence, to 2025, capturing the entire post-Soviet period of legal and institutional development. This temporal frame allows for the analysis of both continuity and change: from the initial phase of state recognition and constitutional consolidation to the contemporary phase of European alignment. Within this timeframe, special attention is given to the 2014 Association Agreement, the 2022 application for EU membership<sup>3</sup>, and the evolving jurisprudence of the Constitutional Court on issues of sovereignty and European law supremacy. The article does not aim to provide a comprehensive historical account but to identify critical junctures where international law became a tool of domestic transformation.

Two limitations should be acknowledged. First, the study does not include field interviews or unpublished diplomatic correspondence; it relies on publicly available documents and secondary literature. Second, the analysis is qualitative rather than quantitative: its objective is to trace interpretive patterns, not to measure compliance through statistical indicators. These limitations are inherent to the chosen methodological stance, which privileges depth of interpretation over breadth of data. However, by integrating doctrinal, comparative, and hermeneutic techniques, the study aspires to provide a multidimensional understanding of Moldova's European legal trajectory.

Finally, this methodology reflects a broader intellectual commitment: to view law not as an external constraint upon politics but as an evolving conversation about order and justice. The Moldovan experience illustrates how international law can serve as an instrument of self-definition for small states navigating complex geopolitical environments. The comparative Polish perspective reinforces this insight by demonstrating that the legitimacy of international law depends on its capacity to resonate with local narratives of modernity and sovereignty. Thus, while this article remains anchored in positive legal analysis, it is equally attentive to the interpretive and cultural dimensions through which law acquires meaning. In doing so, it aligns with the contemporary turn in international legal scholarship toward pluralism, interdisciplinarity, and reflexivity.

<sup>1</sup> Thomas Franck, *The Power of Legitimacy among Nations* (Oxford, 1990).

<sup>2</sup> Alexander Wendt, *Social Theory of International Politics* (Cambridge, 1999).

<sup>3</sup> Council of the European Union, "Application for EU Membership by the Republic of Moldova" (press release 101/22, Brussels, March 3, 2022), <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:62022V0303> See also: Council of the European Union, "Moldova," Policies, <https://www.consilium.europa.eu/en/policies/moldova/>

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### **The Polish Experience and Its Relevance to Moldova**

Poland's post-1989 transformation offers a useful framework for thinking about Moldova's European path. The two countries differ in scale, history, and the pace of reform, yet both have lived for decades on Europe's shifting edge—between the norms of the European Union and the habits of the post-Soviet world. For Poland, the fall of communism opened a political space that quickly turned into a legal project—a way to rebuild the state through Europe. Moldova's independence in 1991 brought a similar impulse, though without the same certainty of direction or support. When viewed together, the two experiences show that international law and regional frameworks can free a country from its past yet also tie it to new forms of dependence.

Poland's political and legal transformation began with the 1989 Round Table Agreements, which inaugurated a peaceful transition from authoritarian socialism to democratic governance.<sup>1</sup> The following decade was marked by a systematic process of legal and institutional reform guided by two parallel objectives: anchoring the state in the structures of the West and reconstructing the domestic rule of law.

The 1997 Constitution gave legal form to Poland's democratic transition.<sup>2</sup> The constitution rooted Poland's new order in law and rights, limiting the reach of government and giving full effect to treaties the state chose to join. It satisfied Europe's membership standards,<sup>3</sup> but its meaning ran deeper: it reflected the conviction that a country can stay sovereign while opening itself to shared rules.

In this sense, Poland anticipated a post-Westphalian understanding of law: one that treats international obligations as extensions of constitutional identity rather than its negation.

Decision made by people of Poland to join the European Union and NATO was never only a matter of geopolitics.

This epic choice approved the nation in the referendum reshaped the country's legal foundations and its understanding of authority.

Step by step, the government had to bring domestic law into line with European standards, rewriting statutes, building new offices, and training officials who could speak the language of the European Union.

To an outsider, these reforms might have looked like ordinary administrative work. Inside Poland, however, they carried a different weight. They chose to treat European law not merely as regulation but as a language of belonging—a way of joining a broader moral and legal community built over time, rather than imposed from above. The success of this transformation rested on several factors that are directly relevant to Moldova's current path.

One reason Poland's integration moved steadily forward was the broad agreement that formed around it. Political parties, trade unions, like Solidarity and much of society shared the conviction that "returning to Europe" was not a slogan but a national goal. Moldova's experience shows that questions of internal reform and external alignment often develop together, rather than separately.

Still, the Polish case shows that agreement at home mattered as much as the help received from abroad.

Without a shared political will to modernize its laws and institutions, Poland's path into Europe would have stalled long before accession. External support then reinforced domestic efforts, lending the reform process both direction and credibility in the eyes of European partners.

<sup>1</sup> *Round Table Agreements between the Government of the People's Republic of Poland and the Democratic Opposition*, Warsaw, February–April 1989.

<sup>2</sup> *Constitution of the Republic of Poland*, adopted 2 April 1997, entered into force 17 October 1997, Articles 8–9 and Preamble.

<sup>3</sup> Council of the European Union, *Copenhagen European Council—Conclusions of the Presidency*, 21–22 June 1993 (Copenhagen Criteria).

Through programs such as PHARE and later ISPA, the European Union offered money, expertise, and constant feedback—tools that kept reforms on track and measurable.<sup>1</sup> Moldova works with a different set of instruments, mainly the European Neighborhood Policy and the Eastern Partnership.<sup>2</sup> These are useful, but they lack the depth and incentives of the pre-accession framework. For Moldova, that means reform must rely less on external guidance and more on its own administrative and political resolve.

A third relevant aspect of the Polish case is the deliberate use of international law as a tool of domestic modernization.

The process of aligning Polish legislation with European standards was not conceived as an external imposition but as a strategy for internal development. According to the European Commission's 2003 Regular Report on Poland's Progress toward Accession, "legal approximation and administrative capacity building were central elements of the reform process, ensuring the effective transposition of the *acquis communautaire* across sectors."<sup>3</sup>

This perception of international law as enabling, rather than constraining, is critical for Moldova's situation, where skepticism toward "foreign influence" sometimes obscures the constructive role of legal convergence. The Polish model suggests that when international law is domesticated through participatory reform rather than bureaucratic decree, it generates legitimacy and public support.

At the same time, the Polish experience warns against assuming that formal compliance guarantees substantive transformation. Accession to the EU brought not only benefits but also challenges: the risk of normative fatigue, bureaucratic overload, and social disparities between metropolitan centers and peripheral regions. The Polish experience suggests that the uniform application of European standards often depends less on formal harmonization than on the internal coherence of national institutions, a consideration equally relevant for Moldova.

Post-accession compliance remains a dynamic process in which European norms continue to interact with domestic constitutional identity.<sup>4</sup> As Moldova's legal alignment advances, comparable tensions between integration and constitutional sovereignty could emerge, reflecting dynamics familiar from other post-transition states.

The Polish accession also offers methodological insight into how international law operates in transitional contexts. Poland's pre-accession negotiations were structured around what the EU terms conditionality: the progressive adoption of norms in exchange for political and economic incentives. Conditionality functions as a hybrid mechanism—part legal, part political. It embodies the paradox of voluntary constraint: states accept external oversight as the price of inclusion.<sup>5</sup> Moldova's association process mirrors this logic but without the ultimate reward of membership. Its challenge is therefore to sustain reform in the absence of a definitive endpoint. This asymmetry gives Moldova's Europeanization a more experimental quality, in which law becomes both an aspiration and a measure of progress.

Another dimension of the Polish experience relevant to Moldova lies in the redefinition of sovereignty. For Poland, membership in the EU required a conceptual shift from sovereignty as control to sovereignty as participation. The Polish Constitutional Tribunal acknowledged this transformation when it ruled that the transfer of competences to European institutions was consistent with the Constitution, provided that it served the realization of common values and did

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<sup>1</sup> European Commission, *PHARE Programme: Annual Report 1998* (Luxembourg: Office for Official Publications of the European Communities, 1999).

<sup>2</sup> European External Action Service (EEAS), *European Neighbourhood Policy (ENP): Overview and Eastern Partnership Framework* (Brussels: EEAS, 2024).

<sup>3</sup> European Commission, *Regular Report on Poland's Progress toward Accession*, COM (2003) 676 final.

<sup>4</sup> Ulrich Sedelmeier, "After Conditionality: Post-Accession Compliance with EU Law in East Central Europe," *Journal of European Public Policy* 15, no. 6 (2008): 806–825.

<sup>5</sup> Constitutional Tribunal of the Republic of Poland. Judgment of 11 May 2005, Ref. No. K 18/04 (Accession Treaty case): [https://trybunal.gov.pl/fileadmin/content/omowienia/K\\_18\\_04\\_GB.pdf](https://trybunal.gov.pl/fileadmin/content/omowienia/K_18_04_GB.pdf)



not undermine the state's identity.<sup>1</sup> The Moldovan Constitutional Court has faced analogous dilemmas, particularly in its interpretation of neutrality, European integration, and relations with external actors. The Polish jurisprudence offers a potential model for reconciling loyalty to national constitutionality with openness to supranational law.

Cultural factors also played an essential role in Poland's integration and remain instructive for Moldova. Historian Krzysztof Pomian described Europe as "a community founded on the shared memory of law and culture rather than on uniform institutions."<sup>2</sup> Polish thinkers such as Czesław Miłosz framed Europe as a moral community bound by memory and responsibility.<sup>3</sup> This humanistic dimension provided emotional legitimacy to legal adaptation. Moldova's European project, to achieve similar depth, will likewise require the articulation of a cultural narrative that connects legal reform with historical continuity and collective aspiration. Without such a narrative, Europeanization risks being perceived as technical imitation rather than national renewal.

The Polish example further demonstrates the importance of institutional learning. During its transition, Poland developed networks of cooperation between academia, government, and civil society that sustained the reform process beyond electoral cycles. The establishment of institutions such as the Polish Institute of International Affairs (PISM) and the integration of legal scholarship into policy debates created a culture of informed engagement.<sup>4</sup> Moldova's universities and think tanks have begun to play a similar role, but greater integration between scholarship and policymaking could strengthen the coherence of its European strategy.

Recent OECD data illustrate how profoundly Poland's transformation has reshaped its socio-economic landscape. Between 1994 and 2024, average annual wages in Poland (measured in constant USD PPP) more than doubled, outpacing not only other Central European economies but also several long-established OECD members. According to the 2024 OECD data, average annual wages reached roughly 47,000 USD in Poland—surpassing those of Hungary, Portugal, and Czechia, and approaching levels observed in Italy and Spain. At the upper end of the OECD ranking stand Luxembourg, Switzerland, Belgium, the Netherlands, and Denmark, each exceeding 70,000 USD PPP, followed by Germany, the United Kingdom, and France, which remain in the 60,000–65,000 USD range.

This distribution highlights both the scale of convergence within Europe and the persistence of an income gradient running west to east. Poland's ascent within this structure stands out as one of the clearest examples of post-accession economic catch-up in the OECD, reflecting not only wage growth but also the cumulative effect of legal, institutional, and administrative reforms anchored in European integration and domestic modernization.<sup>5</sup>

The chart has drawn significant attention in international commentary, where Poland is increasingly portrayed as an emblem of successful post-transition development. In public debate, the country's progress is sometimes described as "an economic wonder achieved within one generation" and as a model of entrepreneurial and civic resilience.<sup>6</sup> Other voices, particularly in Anglophone discourse, have even speculated about a reversal of traditional migration patterns, suggesting that Poland could soon become a destination for work and investment from Western Europe.<sup>7</sup>

<sup>1</sup> Krzysztof Pomian, *Europa i jej narody*, trans. Małgorzata Szpakowska (Warszawa: Państwowy Instytut Wydawniczy, 1992). Original French: Krzysztof Pomian, *L'Europe et ses nations* (Paris: Gallimard, 1990).

<sup>2</sup> Krzysztof Pomian, *Europa i jej narody*, trans. Małgorzata Szpakowska (Warszawa: Państwowy Instytut Wydawniczy, 1992). Original French: Krzysztof Pomian, *L'Europe et ses nations* (Paris: Gallimard, 1990).

<sup>3</sup> Czesław Miłosz, *Rodzinną Europą* (Paris: Instytut Literacki, 1959).

<sup>4</sup> Polish Institute of International Affairs (PISM), *Annual Report 2004* (Warsaw: PISM, 2005).

<sup>5</sup> OECD Data, "Average annual wages (indicator)," OECD Data Explorer, 2024 <https://www.oecd.org/en/data/indicators/average-annual-wages.html?utm>

<sup>6</sup> Discussion citing the OECD data in international commentary, October 2025; see for instance public analyses circulated on X (formerly Twitter) describing Poland's transformation as "an economic wonder achieved within one generation."

<sup>7</sup> International media discussions on X (formerly Twitter), October 2025, referencing the reversal of migration trends between Poland and Western Europe.

While such remarks arise from media and public discussion rather than formal scholarship, they reveal the extent to which Poland's transformation now resonates as both an economic and symbolic phenomenon. For Moldova, this perception is instructive: it shows how law and reform, when consistently pursued, can turn modernization into a narrative of regained sovereignty.

Finally, the Polish experience underscores that integration is not a linear progression but a continuous negotiation. The relationship between national and European law remains dynamic and occasionally contentious. Poland's contemporary constitutional debates reveal that the European project itself is evolving; the balance between sovereignty and supranational authority is perpetually renegotiated. For Moldova, which stands at the threshold of this process, this means that Europeanization should be conceived not as convergence toward a fixed model but as participation in an ongoing conversation about law and governance in Europe.

In summary, the Polish case provides three principal insights relevant to Moldova's path. First, legal integration succeeds when it is framed as an extension of national purpose rather than external pressure. Second, the legitimacy of international law depends on its cultural resonance and institutional embodiment. Third, sovereignty in the modern European order is defined less by exclusion than by cooperation.

The experience of Poland illustrates that sovereignty, once anchored in borders, now rests on the capacity to participate in shared norms. For Moldova, this lesson is not prescriptive but interpretive: it demonstrates how a state can remain itself while entering a wider order of law. By internalizing these lessons, Moldova can shape its European future not as imitation but as innovation—a re-articulation of international law at Europe's shifting frontier, where identity and integration continually redefine one another.

#### **International Law and the Re-definition of Sovereignty**

The evolution of international law since the end of the Cold War has profoundly altered the meaning of sovereignty, particularly for states situated along Europe's eastern frontier. The classical conception, formulated in the seventeenth century and reaffirmed in the Charter of the United Nations, understood sovereignty as the supreme authority of a state within its territory and independence from external control. For much of the twentieth century, this principle offered protection against intervention and provided the foundation for international order.<sup>1</sup>

Yet, as global institutions deepened and regional organizations proliferated, sovereignty ceased to function as a shield; it became instead a framework for participation and mutual constraint. Moldova's experience after 1991 embodies this shift from independence as isolation to independence as engagement.

The tension between the traditional and the emerging notion of sovereignty is visible in the interaction between universal and regional legal systems. The United Nations system continues to affirm sovereign equality and non-interference as essential principles. At the same time, the European Union, the Council of Europe, and the Organization for Security and Co-operation in Europe have developed forms of governance that presuppose shared authority. Membership or association within these frameworks entails a voluntary limitation of freedom of action in exchange for stability, recognition, and influence. This process has been described by legal theorists as the gradual constitutionalizing of international law.<sup>2</sup> The Moldovan path toward Europe thus represents not a departure from sovereignty but a transformation of its function: sovereignty becomes a medium through which participation in a community of law is exercised.

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<sup>1</sup> The foundational texts of international law—the 1945 Charter of the United Nations, the 1933 Montevideo Convention on the Rights and Duties of States, and the 1969 Vienna Convention on the Law of Treaties—anchor this classical idea. They describe a sovereign state as one possessing defined territory, population, government, and legal personality, bound by the principle of non-intervention and the equality of states. Yet these definitions emerged from a world of empires and post-war balance, not from the web of interdependence that characterizes Europe's legal geography today. In Eastern Europe, sovereignty increasingly operates as participation rather than isolation: to be sovereign is to have the capacity to engage, to negotiate, and to comply within multilateral norms.

<sup>2</sup> Anne Peters, *Humanity as the A and Ω of Sovereignty*, 20 Eur. J. Int'l L. 513 (2009).

Moldova's constitutional order illustrates this redefinition. The 1994 Constitution affirms both independence and permanent neutrality, reflecting the delicate balance between self-determination and interdependence. Neutrality in this context does not imply isolation from the international community but serves as a domestic expression of the wish to avoid entanglement in military blocs while maintaining cooperation through law.<sup>1</sup> Over the past three decades, Moldova has joined a series of treaties and conventions that progressively integrate it into the European legal order. These include the European Convention on Human Rights, the Framework Convention for the Protection of National Minorities, and the Convention against Corruption. Each ratification represents a partial delegation of normative authority to supranational or international institutions. The acceptance of external review by the European Court of Human Rights, for instance, demonstrates that the protection of sovereignty today often requires the recognition of shared jurisdiction.

The Association Agreement with the European Union, signed in 2014, has become the central instrument through which Moldova navigates this redefinition. Its provisions on political dialogue, rule of law, and human rights commit the state to progressive approximation with European standards. The agreement does not create membership but institutionalizes expectations of behavior and performance.<sup>2</sup> The preamble explicitly recognizes Moldova's "European choice," thereby transforming an act of foreign policy into a statement of legal identity. By engaging in this form of association, Moldova has effectively constitutionalized elements of EU law within its domestic system. Such partial integration without accession represents one of the most distinctive features of modern sovereignty in Eastern Europe: a sovereignty exercised through continuous negotiation rather than absolute control.

In doctrinal terms, the Moldovan case raises questions that go beyond the classical dichotomy between monism and dualism. While the Constitution stipulates that international treaties ratified by Parliament become part of domestic law, the practice of implementation reveals a more complex reality. Domestic courts interpret European norms not only as binding obligations but as interpretive guidelines. This approach reflects what scholars of comparative public law describe as dialogic sovereignty, in which domestic institutions actively engage with international law to shape its local application.<sup>3</sup> Through such dialogue, sovereignty evolves into a relational concept—its legitimacy derives from participation in a wider normative community rather than from isolation.

The redefinition of sovereignty is also evident in the changing role of recognition. Traditional international law treated recognition as a discrete act marking the birth of a state. In the post-Cold War order, recognition extends into the continuous evaluation of a state's behavior and conformity with shared standards. The European Union's conditionality mechanisms, the monitoring activities of the Council of Europe, and the assessments by the Venice Commission all represent forms of ongoing recognition. Moldova's legal and institutional reforms are thus conducted under a horizon of expectation, where compliance with international norms serves both as a measure of progress and as a condition of legitimacy.<sup>4</sup> This transformation affects not only Moldova's external relations but also its internal understanding of authority.

The case of the Transnistrian region further complicates this picture. International law's commitment to territorial integrity coexists with principles of self-determination and human rights, often producing ambiguous outcomes. The involvement of the OSCE and other mediating parties has created a multilayered system of governance in which sovereignty is exercised through diplomacy and restraint. The persistence of this frozen conflict underscores that sovereignty today is rarely absolute; it is mediated through overlapping jurisdictions and shared responsibilities.<sup>5</sup>

<sup>1</sup> Constitution of the Republic of Moldova, July 29, 1994, art. 11.

<sup>2</sup> Association Agreement Between the European Union and the Republic of Moldova, June 27, 2014, O.J. L 260/4 (2014).

<sup>3</sup> Alec Stone Sweet, "Constitutional Dialogues in the European Community," in *The European Court and National Courts—Doctrine and Jurisprudence: Legal Change in Its Social Context*, ed. Anne-Marie Slaughter, Alec Stone Sweet, and J. H. H. Weiler (Oxford: Hart Publishing, 1998), 305–330.

<sup>4</sup> Council of Europe, Venice Commission, Opinion CDL-AD (2014)010, Republic of Moldova.

<sup>5</sup> OSCE, *Overview of the Transnistrian Settlement Process*, <https://www.osce.org/moldova/440735>

Comparative analysis with Poland reinforces this understanding. During its accession period, Poland also faced moments when the demands of European law appeared to challenge national prerogatives.

Yet Polish constitutional jurisprudence developed the principle that the transfer of competences is legitimate when it serves the realization of values enshrined in both the national and European legal orders.<sup>1</sup> This reasoning aligns closely with Moldova's gradual incorporation of European norms through association rather than full membership. Both states illustrate that sovereignty in modern Europe functions as a process of continuous justification. The right to govern is affirmed not only through independence but through the capacity to integrate responsibly into a shared legal order.

The theoretical debate surrounding these transformations has generated new vocabulary: post-sovereignty, embedded sovereignty, and cooperative constitutionalism.<sup>2</sup> Each term attempts to capture the fact that power and legitimacy are increasingly distributed across multiple levels of governance. For Moldova, these concepts are not abstractions but daily realities. The alignment of legislation with European standards, the reliance on international monitoring, and the acceptance of external arbitration in human-rights matters exemplify how a small state manages complexity by translating dependence into participation. Rather than eroding sovereignty, this networked environment provides new opportunities for influence. Moldova's active role in regional diplomacy and its contribution to the Eastern Partnership initiatives demonstrate that shared norms can become sources of agency.

Nevertheless, the evolution of sovereignty raises questions about accountability and democratic legitimacy. When decisions are shaped by external expectations, how can citizens ensure that governance remains responsive to domestic priorities? Moldova's experience suggests that the answer lies in transparency and constitutional dialogue. The open discussion of treaty obligations, the publication of international reports, and the engagement of civil society in monitoring reforms create channels through which sovereignty retains its democratic character. International law provides the framework, but its implementation depends on national debate and participation.<sup>3</sup>

The redefinition of sovereignty, as seen through Moldova's legal development, illustrates the broader transformation of international law from a system of coexistence to a system of cooperation. The Moldovan model, though still evolving, reveals that integration and independence need not be opposites. Sovereignty today operates as a dynamic equilibrium between the assertion of national identity and the acceptance of mutual obligations. The durability of this equilibrium depends less on formal declarations than on the capacity of institutions and societies to sustain a culture of legality. In this respect, Moldova contributes to the ongoing reconstruction of European order by demonstrating that small states can shape international law not only by complying with it but by reinterpreting it within their own historical and cultural contexts.

### **Europe's Eastern Frontier: Law, Identity, and Belonging**

At Europe's eastern edge, law does more than organize power—it expresses belonging. The Republic of Moldova, situated between the linguistic worlds of Romanian and Russian and the political spheres of Brussels and Moscow, has lived its independence as a search for equilibrium between neutrality and aspiration. Its constitutional commitment to neutrality, adopted in 1994, was meant to stabilize the fragile security environment after the Transnistrian conflict.<sup>4</sup> Yet over

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See also: Report by the Head of OSCE Mission to Moldova, November 2023: UK response at <https://www.gov.uk/government/speeches/report-by-the-head-of-osce-mission-to-moldova-november-2023-uk-response>

<sup>1</sup> Constitutional Tribunal of the Republic of Poland. Judgment of 11 May 2005, Ref. No. K 18/04 (Accession Treaty case): [https://trybunal.gov.pl/fileadmin/content/omowienia/K\\_18\\_04\\_GB.pdf](https://trybunal.gov.pl/fileadmin/content/omowienia/K_18_04_GB.pdf)

<sup>2</sup> Neil Walker, "Late Sovereignty in the European Union," in *Sovereignty in Transition*, ed. Neil Walker (Oxford: Hart Publishing, 2003), 1–32; see also Anne-Marie Slaughter, *A New World Order* (Princeton: Princeton University Press, 2004)

<sup>3</sup> Thomas M. Franck, The Emerging Right to Democratic Governance, 86 Am. J. Int'l L. 46 (1992).

<sup>4</sup> Constitution of the Republic of Moldova, adopted July 29, 1994, Article 11.



time, neutrality became a vocabulary for balancing two contradictory needs: the desire to affirm sovereignty and the desire to belong to a wider European community.

In this space, legal identity and cultural identity overlap. European integration in Moldova has never been only about institutions or trade; it has also been about self-definition—deciding which historical memories and linguistic affiliations can coexist under the name of “Europe.”<sup>1</sup> The law thus functions as both shield and language: it protects the state’s independence while giving form to the aspiration of returning to a shared civilizational space. Diplomatic discourse increasingly merges these two layers, presenting neutrality not as isolation but as a mode of participation—an attempt to reconcile constitutional restraint with international engagement.<sup>2</sup>

Poland’s post-1989 experience offers a useful mirror. In the early years of transformation, the phrase “return to Europe” dominated political and academic debate.<sup>3</sup> It condensed a century of interrupted statehood into a single direction of meaning: to become European was to recover normality, legality, and recognition. For Moldova, the same phrase carries a more hesitant tone. Here, the return is imagined but not yet secured; the process is legal, linguistic, and symbolic all at once. The association process with the European Union reproduces the pattern once experienced by Poland—a gradual embedding of domestic law within the European normative order—but without the political certainty that membership will follow.<sup>4</sup>

Culturally, Moldova’s Europeanization is layered. The Romanian language connects it to the Latin world, while the enduring presence of Russian speech and media anchors it in a different narrative of civilization.<sup>5</sup> Law mediates these contradictions by offering a neutral vocabulary of modernization and reform, allowing the state to speak both to Brussels and to its own divided public. The act of adopting European standards—whether in human rights, trade, or governance—becomes a means of articulating identity through legal performance.<sup>6</sup>

Thus, Europe’s eastern frontier is not merely a geographic boundary but a legal and cultural conversation. It is where the idea of Europe must constantly translate itself—into Moldovan, Romanian, and Russian; into neutrality and aspiration; into belonging and difference. In that process, international law becomes not only an instrument of governance but a medium through which identity itself is negotiated.<sup>7</sup>

### Discussion and Findings – Toward a Theory of Eastern European Integration

The comparative lens reveals that the European project, when seen from its eastern frontier, functions less as an expansion of norms than as a laboratory of adaptation. Law travels, but it is reinterpreted in each national context, reshaping what sovereignty, legitimacy, and compliance mean in practice. Poland’s post-1989 trajectory and Moldova’s post-1991 reforms illustrate a shared regional pattern: Europeanization proceeds not by uniform convergence but by negotiation, translation, and selective absorption.

This pattern invites a theoretical reframing of integration itself. Rather than viewing European law as a single hierarchical order extending eastward, it may be more accurate to describe it as a pluralist structure—a network of overlapping sovereignties, regulatory layers, and normative expectations.<sup>8</sup> At the frontier, international and domestic law are not separate spheres but interdependent languages. The capacity to implement external norms becomes part of a state’s

<sup>1</sup> Anthony D. Smith, *National Identity* (London: Penguin, 1991), 73–85.

<sup>2</sup> European Union–Republic of Moldova Association Agreement, signed June 27, 2014, Titles II–V (Political Dialogue, Foreign and Security Policy).

<sup>3</sup> Jan Zielonka, *Europe as Empire: The Nature of the Enlarged European Union* (Oxford: Oxford University Press, 2006), 19–22.

<sup>4</sup> Wojciech Sadurski, *Constitutionalism and the Enlargement of Europe* (Oxford: Oxford University Press, 2012), 41–45.

<sup>5</sup> Charles King, *The Moldovans: Romania, Russia, and the Politics of Culture* (Stanford: Stanford University Press, 2000), 163–180.

<sup>6</sup> European Commission, *EU–Moldova Association Implementation Report 2023* (Brussels: European External Action Service, 2023).

<sup>7</sup> Iver B. Neumann, *Uses of the Other: The East in European Identity Formation* (Minneapolis: University of Minnesota Press, 1999), 131–134.

<sup>8</sup> Neil Walker, *Sovereignty in Transition* (Oxford: Hart Publishing, 2003), 10–15.

own legal identity, while conditionality transforms from a foreign demand into an internalized discipline of governance.<sup>1</sup>

In this context, the concept of *participatory sovereignty* gains analytical value.<sup>2</sup> States like Moldova demonstrate that sovereignty today is less about isolation from supranational influence and more about meaningful participation within it. Compliance is no longer passive acceptance but an expression of agency: to join international regimes, to negotiate association agreements, and to translate imported standards into domestic law are acts of self-affirmation as much as adaptation. Sovereignty thus becomes procedural—exercised through legal participation, not against it.

Legal pluralism provides the conceptual backdrop for this transformation.<sup>3</sup> Eastern European states inhabit multiple legal orders simultaneously—national, regional, and international—each claiming authority and legitimacy. The friction among them does not necessarily weaken sovereignty; rather, it produces new forms of resilience and flexibility. Where Western integration was historically grounded in economic interdependence, Eastern integration emerges through legal experimentation: by learning to align domestic norms with external expectations while preserving symbolic autonomy.<sup>4</sup>

Comparatively, the evidence from Poland, Moldova, and other Eastern Partnership states suggests that integration is most sustainable when it resonates with national narratives of reform. Poland's accession process succeeded because legal approximation coincided with a strong social consensus around "returning to Europe." Moldova's challenge lies in sustaining that consensus amid uncertainty—when association, not accession, defines the horizon.<sup>5</sup> In both cases, law functions as a vehicle of recognition: to comply is to be seen, and to be seen is to belong.

This analysis points toward a broader theoretical conclusion. Eastern European integration illustrates that international law is not merely applied within domestic systems but co-created through them.

The frontier becomes a site of innovation, where global norms acquire local meaning and local institutions acquire international voice.<sup>6</sup> The model that emerges—a form of participatory sovereignty within a pluralist legal order—may hold implications beyond Eastern Europe, offering insight into how small and medium-sized states worldwide navigate interdependence without surrendering identity.

### **Moldova as a Laboratory of International Law**

Among Europe's smaller states, few illustrate the experimental character of international law as vividly as the Republic of Moldova. Its post-1991 trajectory has unfolded within overlapping regimes of influence—European, post-Soviet, and global—each carrying its own vocabulary of legality. The result is a political space where international law is not only applied but constantly tested, interpreted, and adapted. This condition makes Moldova a genuine laboratory of international law: a place where abstract principles acquire empirical meaning and where the frontier between domestic and international norms becomes negotiable rather than fixed.<sup>7</sup>

In this laboratory setting, association with the European Union serves as both an experiment and an instrument. The EU–Moldova Association Agreement operates simultaneously as a treaty of cooperation, a framework for reform, and a guide for internal legal transformation.<sup>8</sup> Through its clauses on governance, judicial independence, and market alignment, the Agreement transforms

<sup>1</sup> Bruno de Witte, "Legal Dynamics of EU Enlargement," *European Public Law* 9, no. 2 (2003): 237–254.

<sup>2</sup> See Neil Walker, *Sovereignty and the Politics of Responsibility*, *Indiana Journal of Global Legal Studies* 21, no. 2 (2014): 495–522. Walker argues that modern sovereignty increasingly involves participatory, dialogic, and responsibility-sharing practices rather than unilateral state authority.

<sup>3</sup> Nico Krisch, *Beyond Constitutionalism: The Pluralist Structure of Postnational Law* (Oxford: Oxford University Press, 2010), 47–52.

<sup>4</sup> Gráinne de Búrca, "The European Court of Justice and the International Legal Order after Kadi," *Harvard International Law Journal* 51, no. 1 (2010): 1–49.

<sup>5</sup> European Commission, *Eastern Partnership Policy Review 2024* (Brussels: European External Action Service, 2024).

<sup>6</sup> Martti Koskeniemi, *The Politics of International Law* (Oxford: Hart Publishing, 2011), 224–228.

<sup>7</sup> Antje Wiener, *A Theory of Contestation* (Berlin: Springer, 2014), 18–25.

<sup>8</sup> European Union–Republic of Moldova Association Agreement, signed June 27, 2014, Titles II–VI.

external commitments into domestic benchmarks. Each act of transposition—whether of environmental directives or competition law—becomes a miniature demonstration of how sovereignty evolves through legal practice.

This experimental quality extends to diplomacy. Moldova's neutral status, its participation in the Eastern Partnership, and its engagement with organizations such as the Council of Europe and the OSCE create a mosaic of legal obligations.<sup>1</sup> The coexistence of these regimes turns Moldova into a testing ground for pluralist governance: the simultaneous observance of EU-oriented standards, regional security commitments, and universal norms under the UN Charter. Instead of undermining sovereignty, this multiplicity has produced an adaptive form of statehood—flexible, dialogical, and capable of absorbing external law without losing national coherence.<sup>2</sup>

The laboratory metaphor also captures a deeper theoretical dynamic. In Moldova, law functions as a medium of experimentation in identity. Reforms in anti-corruption, judicial transparency, and human-rights protection are not purely technocratic exercises but symbolic gestures toward Europe's normative community.<sup>3</sup> Each legal approximation performs two tasks: it demonstrates competence to international partners and affirms belonging to a civilizational project grounded in rule of law. As in a scientific experiment, outcomes are provisional, open to revision, and dependent on interaction with external observers.

Comparatively, this distinguishes Moldova from Poland's post-1989 pathway. Poland's experiment culminated in full accession; Moldova's remains open-ended. Yet the uncertainty itself carries analytical significance. It shows that international law can operate effectively even without the finality of membership, provided that association creates a stable grammar of legal exchange.<sup>4</sup> Moldova's case thus expands the meaning of integration: not as a binary of inclusion and exclusion, but as an ongoing process of co-production between domestic institutions and international norms.

From this perspective, Moldova embodies a broader transformation in international law's structure. The classical model, centered on sovereignty as autonomy, gives way to one where legitimacy derives from participation and adaptability.<sup>5</sup> The frontier becomes productive—a site where law is constantly rewritten in the interplay between aspiration and restraint. In this sense, Moldova's European path does more than illustrate regional politics; it contributes conceptually to the evolving grammar of international law itself.

### **Conclusion – From Association to Integration**

The Moldovan experience shows that European integration begins long before accession and that international law's capacity to transform societies does not depend solely on membership. Association, when sustained and internalized, already generates a new vocabulary of sovereignty. It replaces the logic of control with that of participation, teaching smaller states how to navigate interdependence without surrendering autonomy. In this respect, Moldova stands not at the periphery of Europe but at its experimental core—a place where law and politics meet to redefine what belonging means in a divided continent.<sup>6</sup>

The comparison with Poland reinforces this insight. In the 1990s, Poland's transformation unfolded through a confident synchronization between domestic reform and external expectation. The process was structured by certainty: EU membership was both the means and the reward of

<sup>1</sup> OSCE, *Mission to Moldova: Mandate and Activities*, Organization for Security and Co-operation in Europe <https://www.osce.org/mission-to-moldova>

<sup>2</sup> Neil McCormick, *Questioning Sovereignty: Law, State, and Nation in the European Commonwealth* (Oxford: Oxford University Press, 1999), 123–130.

<sup>3</sup> European Commission, *Rule of Law Report: Republic of Moldova 2024* (Brussels: European External Action Service, 2024).

<sup>4</sup> Frank Schimmelfennig and Ulrich Sedelmeier, "Governance by Conditionality: EU Rule Transfer to the Candidate Countries of Central and Eastern Europe," *Journal of European Public Policy* 11, no. 4 (2004): 661–679.

<sup>5</sup> Martti Koskenniemi, "The Fate of Public International Law: Between Technique and Politics," *Modern Law Review* 70, no. 1 (2007): 1–30.

<sup>6</sup> Charles King, *The Moldovans: Romania, Russia, and the Politics of Culture* (Stanford: Stanford University Press, 2000), 212–217.

compliance. Moldova's situation, by contrast, is marked by ambiguity—association as a perpetual condition, reform without guaranteed conclusion. Yet it is precisely in this indeterminacy that a new model of integration becomes visible.<sup>1</sup>

This model rests on three intertwined dynamics. First, law operates as a medium of recognition. Compliance with European standards is not only a legal duty but a political act that signals alignment with a community of values.<sup>2</sup> Second, sovereignty becomes participatory. The Moldovan state exercises agency by engaging in continuous legal dialogue—signing, adapting, and implementing—rather than by guarding impermeable borders. Third, the frontier itself turns productive. Instead of a line separating order, it becomes a zone of translation where international norms acquire local meaning and domestic institutions learn to speak in a European legal idiom.<sup>3</sup>

Seen in this light, Moldova's path contributes to a wider rethinking of international law. The classical grammar of statehood—territory, population, government, and recognition—remains relevant, but its expression changes as law becomes a language of belonging.

The European project, as reflected in Moldova's evolution, shows that sovereignty is not eroded by integration; it is reconstituted through participation.<sup>4</sup> For international legal scholarship, this frontier perspective invites a more pluralist theory of global order—one that values adaptation, dialogue, and shared authorship of norms over hierarchy and exclusion.

Moldova thus stands as both a subject and a teacher of international law: a small state whose European journey reveals how law can turn geography into identity and association into integration. Its ongoing experiment reminds us that the future of sovereignty may lie not in the power to stand apart but in the capacity to belong without losing oneself.<sup>5</sup>

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<sup>1</sup> Jan Zielonka, *Europe as Empire: The Nature of the Enlarged European Union* (Oxford: Oxford University Press, 2006), 63–69.

<sup>2</sup> Gráinne de Búrca, "The European Court of Justice and the International Legal Order after Kadi," *Harvard International Law Journal* 51, no. 1 (2010): 1–49.

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<sup>4</sup> Nico Krisch, *Beyond Constitutionalism: The Pluralist Structure of Postnational Law* (Oxford: Oxford University Press, 2010), 47–52.

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