The Right to Education of National Minorities in FYR of Macedonia: From Exclusion to 'Inclusive Education'

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Abstract: The right to education is a fundamental right enshrined in the most important legal documents and international conventions. Nevertheless in countries with ethnic and linguistic divisions, the right to education is not guaranteed to all and often it is required a genuine implementation of policies in order to achieve inclusiveness and full realization of this right. In this paper I will analyze how this right is implemented when it comes to national minorities in the case of FYR of Macedonia. In the first part of this paper I will compare the educational system before and after the Ohrid Agreement, to find the root causes of the segregation of pupils with different ethnic background in Macedonian schools today. This phenomena lead to the necessity of a new approach when it comes to education in divided societies: that of inclusive education. The last chapter will discuss specific policy suggestions in order to overcome barriers to the inclusiveness in education. In this paper I will mainly use secondary sources such as reports and studies published by international and regional organizations. Primary sources will be also consulted such as the Macedonian legislation on the educational sector from 1991.
Keywords: Albanians of Macedonia, National Minorities, Right to education, FYR of Macedonia, Inclusive Education

INTRODUCTION

The right to education is a fundamental right enshrined in the most important legal documents and international conventions.[i] Nevertheless in countries with ethnic and linguistic divisions, the right to education is not guaranteed to all and often it is required a genuine implementation of policies in order to achieve inclusiveness in the educational sector. Numerous studies by international or intergovernmental organizations, argue that ethnicity is an important factor that influences the lack of access to education. (World Bank, 2007; UNDP, 2004) For this reason the concept of 'inclusive education' has received a wider attention in the Western Balkans region, precisely to make possible the inclusiveness of different ethnic communities in the educational system. In this research I will address the problem of education in ethnically divided societies in Western Balkan countries focusing on the case of FYR of Macedonia[ii].

In the context of Macedonia I will focus on the divisions that exist between pupils/students of the two major ethnic groups: Macedonians and Albanians. It is important to analyze the educational system in the two decades after the independence of 1991, as well as the most important interventions in the legislation afterwards. I will analyze how interventions in legislation have changed the situation of national minorities when it comes to their access to education and the problematic created as a consequence of it.

In the first chapter, I will analyze the policy adopted by the Macedonian government in the education sector before the Ohrid Agreement. In the first decade of transition, according to various studies and reports of international organizations, there was a tendency of 'assimilation' of all ethnic communities in the Macedonian educational system. An educational system, which privileged the Macedonian language, featuring in this way the characteristics of an exclusive system. The policies followed by the Macedonian Government have been identified in conformity with the social policies of "utilitarianism". Since Utilitarianism as a social policy, is based on maximizing the usefulness for most and bypassing the requirements of the minority in achieving the primary target of "the greater good". Translated this understanding in a policy in the education sector, this 'formula' aimed at the 'assimilation' of minorities in the Macedonian educational system.

In the second chapter I will analyze the interventions in the educational sector after the Ohrid Agreement that were put in place to address the problems of exclusion of national minorities. Problems and critics rose because of the effects that the partial implementation of Ohrid Agreement had on the education sector. The *de facto* segregation of pupils of different ethnic background in school lead to the necessity of a new approach when it comes to education

in divided societies: that of inclusive education. The last chapter will discuss specific policy suggestions in order to overcome barriers to the inclusiveness in education.

When it comes to the methodology followed for this research I have used primary and secondary data. The primary sources such as the Constitution, Primary and Secondary laws were consulted in order to assess the legislative framework in the education sector in two periods of the Macedonian transition (before and after the Ohrid Agreement). Instead secondary data from several sources such as reports produced by the main international or regional organizations, by think tanks or scholars were collected and analyzed in order to have a complete picture of the educational sector.

NATIONAL MINORITIES EDUCATION IN MACEDONIA BEFORE AND AFTER THE CONFLICT OF 2001

Macedonia is a multiethnic country, which has passed an internal ethnic conflict that has had a significant impact in the political, economic and social life of the country. Education also has undergone significant changes after the 2001 conflict, which is important to be analyzed in order to have a broad picture of the education sector today. The right to education is enshrined in the Constitution of the Republic of Macedonia, [iii] Articles 44-48, which underlines the government's duty to provide education to all students regardless of their ethnicity and gender. Nonetheless during the 90s, the Albanian national minority in Macedonia stressed the lack of education in their mother tongue, which had to be provided by the Macedonian Government (NORDEM, 2005). Furthermore the deterioration of the political and security situation of Macedonia, which led to the conflict of 2001, directly influenced the education sector.

The policies followed by the Macedonian government before Ohrid Agreement were essentially in favor of the Macedonian majority and in conformity with the social policies of "utilitarianism". Utilitarianism as a social policy doctrine, according to Weimer [1], is based on maximizing the usefulness for the majority or to achieve what they define as 'the greatest good for the majority'. To support this thesis I will refer to the legal framework for the period in focus as well as in the main events that characterized Macedonia during the first decade of the post-communist transition.

Based on the Constitution of Macedonia of 1991,[iv] in its Article VII, it was proclaimed that the only official language recognized was Macedonian language. This principle was also reflected in the educational system where Macedonian language was the only used and recognized. This spirit of intolerance when it comes to teaching in minority languages has been an issue over the years, which for some scholars contributed to the crisis of 2001. The Albanian national minority in Macedonia witnessed a gradually revocation of rights in the field of education provided during the communist era such as autonomy of instruction in the mother tongue. This situation led to the advancement of the requirements for teaching in their mother tongue at all levels of education, including university.

In 1985 Macedonian government suspended the practice of teaching in the Albanian language at the Faculty of Pedagogy of the University of Skopje, with the claim that this practice benefited only one ethnic group (Albanians). In 1994, the Albanian community in Macedonia realized that the government had no short-term or long-term priority of funding or at least opening a higher education in their own language. For this reason, the Albanians of Macedonia decided to open their own private university in Tetovo, in order to fulfill their necessity as a community to learn in the mother tongue language. Macedonian authorities immediately declared it illegal and forced the closure of the above institution. The international community and international non-governmental organizations operating in the field of human rights in Macedonia criticized government's decision. Based on a statement of International Helsinki Federation for Human Rights (IHF) the government decision "*give the impression of being an attempt to manipulate the development of intellectual institutions for political reasons and to achieve cultural hegemony, in order to break the link between language and nationality*" [2]. For the sake of political stability, IHF suggested the recognition of the higher education in Albanian language.

However what is more important to emphasize is the impact that this decision had when it comes to primary and secondary education in Macedonia in the first decade of post-communist transition. The lack of tertiary educational institutions in minority languages led to the reduction of teaching in the Albanian language as well as the number of teachers were reduced six times less in 1994 compared with 1991 [2]. At the same time, statistics showed a problematic situation even when it comes to Public university enrollment by Albanian students. In the years '93 and '94, Albanian students accounted for less than 2.8% of the total enrolled students. According to the same report in 1995 only 2.4% of graduates were Albanian students [2]. The fact that in the first decade of the 90s, the Albanian component had a low access to higher education directly influenced their low representation in public administration and their lack of contributions to the Education system in Macedonia. This fact certainly contributed in the marginalization of Albanians and its withdrawal in the 'private' area.

With the signing of the Ohrid Agreement in 2001, the situation will improve for the national minorities in general in the country, but especially for the Albanians in Macedonia because of their high percentage (around 25%). The Ohrid Agreement marked a shift in the field of education, as it was foreseen the possibility of teaching in the mother tongue of existing communities in Macedonia. However in terms of primary and secondary education, Ohrid Agreement was only a reconfirmation of previous legal provisions. The novelty that the Agreement offered was the provision concerning the state funding of higher education in the language of the community, which constituted at least 20% of the population at the national level.[v] This provision, according to some studies [3], had a positive impact on the lower levels of education where the language of teaching was Albanian. Nevertheless the implementation of the above provision, from the early stages, produced what some organization called a "collateral effect" [4] as it contributed at the phenomenon of separation of pupils/students along linguistic and ethnic lines within the school system.

In the following chapter I will analyze the interventions in education system in the decade after the signing of Ohrid Agreement. It is important to analyze the reasons why it produced a *de facto* ethnic segregation in the school system in Macedonia.

FROM 'FORCED INCLUSION' TO 'DIVIDED EDUCATION'. IS THE MODEL OF 'MONOLINGUAL EDUCATION ' WORKING?

The Ohrid Agreement with its provision concerning the use of minority languages in the educational system, led to the necessity to review the previous legal framework. The 2008 Law on Textbooks for Primary and Secondary Education, [vi] which implemented a provision of the Ohrid Agreement, imposed the publication of textbooks in the language of minorities. Furthermore the minority that constitutes at least 20% of the population in a territorial unit, has the right to education in their mother tongue at all levels of education. However what it could not be foreseen in 2001 was the consequences that this provision would produce. This legal framework produced a deepening of the physical separation of pupils based on their ethnic affiliation, favored also by the publication of textbooks in their own language.

Different reports from international organizations, argue that this division also brings increased distrust between members of different ethnic groups. This problem is underlined also by the European Training Forum (ETF), the EU agency that assists developing countries in the process of transition, which emphasized in this specific case that the "*physical separation between pupils implemented*

especially in the last decade of transition, poses a challenge for the inclusiveness of the education system" [5]. Furthermore according to the EU Agency, this aspect has contributed to the lack of cohesion of the society itself.

In 2008, the High Commissioner for National Minorities of the Organization for Security and Cooperation in Europe (OSCE) stated that the situation of education in Macedonia was alarming. In this statement he referred to the division based on ethnic grounds in schools, which was returning to a dangerous trend. Based on the statistics for the academic year 2007-2008 [3], in a total of eighty-four elementary schools, the teaching process was performed in two or three languages, in accordance with the principle of "mixed schools". This formula of "mixed schools" was chosen to provide from one side minority education in the mother tongue and from the other side to avoid confrontations between students with different ethnic backgrounds. Nonetheless the situation on the ground has proved that ethnic segregation in schools has contributed to the violence and increased confrontations between students with different ethnic backgrounds. Cases of violence among secondary school students in Struga and Skopje testify that the division of pupils in schools based on the segregation model proved to be the worst choice.

A study conducted by the OSCE in 2010 on perceptions of middle school pupils with different ethnic backgrounds, stress the presence of high level of prejudice and distrust between them. Other studies conducted in the last decade from international organizations or local scholars [6, 7] argue that there is a growing distrust and stereotypes towards the other, that in this case "other" represents members of other ethnic communities. In order to address this problem concepts such as "integrated education" and lately "inclusive education" were introduced. In the next chapter I will analyze the concept of inclusive education and how it was implemented in the case study. The main question that I pose is: Is this new approach able to address the problem of segregation in schools but in the same time guarantee the right to education for national minorities in Macedonia?

FROM SEGREGATION TO INTEGRATION: THE WAY FORWARD

Signs of gradual segregation along ethnic lines of Macedonian pupils were reported immediately after the provisions of Ohrid Agreement on education were implemented. The OSCE High Commissioner on National Minorities clearly states in 2008, after a field visit concentrated mainly in secondary education that "an alarming trend of separation along ethnic lines can be seen" [8]. In 2009 OSCE in wide consultation with other key actors and the government in Macedonia

agreed that the educational system need to be more integrated. Integrated education strategy [9] was adopted in order to overcome segregation but when it comes to a correct and full implementation it needs the good will and consistent funds from the Macedonian government. According to International Crises Group (ICG), Ministry of Education budget consist of 10 million €, which according to the ICG is insufficient for the implementation of the project on a long-term basis [10]. In 2014 in its Progress Report for Macedonia, European Commission expressed its concern about the implementation of the Strategy on Integrated Education, which is hampered by limiting funding [11].

Integrated education was not the only strategy implemented in Macedonia in order to address segregation in education. Inclusive education was another program launched in 2013, supported financially by European Union and Council of Europe. In first place it is necessary to clearly define the concept of 'inclusive education' in order to identify the policies needed to achieve inclusiveness on the education system. According to a report published by the ETF (2010, p. 8):

> "Inclusion is a process of increasing participation and decreasing exclusion, whereby participation means recognition, acceptance and respect and inclusion in the learning process and social activities in a way which enables an individual to develop a sense of belonging to a group…"

As it is stated above emerges that the education model implemented in the last decade after the signing of the Ohrid Agreement, although it has managed to provide teaching in the mother tongue of various ethnic groups, has produced further division between ethnic communities in schools. Individuals part of the education system in Macedonia, does not develop a sense of belonging to a group and this was clear in the reports and studies analyzed in the previous chapter.

In order to overcome problems of segregation and exclusion in educational systems of the region of Western Balkans Countries, European Union and Council of Europe launched the program "Regional Support for Inclusive Education".[vii] Supporters of this project share the view that a regional approach to inclusive education is a necessity as *the education systems have similar structures and are undergoing similar reforms, all of them struggling to ensure equality of opportunity for diverse groups of learners.*" In five specific areas were suggested to work with, in order to achieve the main objective of the program, which are: [viii] I. regional support for pilot inclusive schools; II. raising awareness for locals and decision makers concerning the issue of inclusive education; III. enhance capacities of policy-makers in order to implement policies of inclusive education; IV. remove barriers for vulnerable groups

As it can be noted, it is possible to evaluate progress throughout the region only in the listed pilot schools. Thus, it is impossible to expect radical changes and a full abolishment of the segregation phenomena in the Macedonian schools if these policies are not mainstreamed in the policy making. And most importantly if there does not exist a long-term strategy to extent the experience of pilot schools gradually to all schools of Macedonia,

In this framework, from what I have analyzed so far, suggestions how to address the problem of segregation in schools, will be advanced. What has been noted is the fact that the Macedonian Constitution as well as the legal framework concerning education explicitly sanctioned the promotion of cultural and linguistic diversity but in any case it does not provide ways to achieve these values. A concrete strategic document, which reflects steps and the appropriate budget need to be produced by Ministry of Education. By the same institution is important the promotion and further funding of specific cases of inclusive schools that can serve as an example for the advancement of inclusiveness to other schools.

CONCLUSIONS

Still today after fifteen years from the Ohrid Agreement, Macedonia is facing a problematic phenomenon: that of *de facto* segregation of pupils in schools. The Ohrid Agreement with its provisions on education tried to address the problem of exclusion of national minorities in Macedonian schools. Nevertheless it was not able to foresee at that time the consequence of these provisions on the educational system.

The concept of inclusive education, supported by important regional actors such as European Union and Council of Europe, was introduced to address segregate divisions along ethnic lines of pupils in the Macedonian educational system. It is a good start to implement the same values not only to the pilot schools but throughout the country. Nevertheless as I emphasized in the previous chapter the lack of a consistent strategy and financial allocation by the Macedonian government on education sector will have a negative impact on a long-term period. The achievements from the integrated education strategy and inclusive education program supported in their initial phases by donors need to have a continuous Macedonian government support in the next stages of their implementation in order to assure continuity and durable success.

The leverage from European Union is fundamental in order for Macedonia to continue in this path of reforms and of achieving an education, which would be accessible for all ethnic groups in the country.

REFERENCES

1. Weimer David L., Vining Aidan, R. (2005). *Policy Analysis,* Pearson Education.
2. International Helsinki Federation for Human rights. (1997). Report to the OSCE: Fact-Findings Mission to Macedonia.
3. Barbieri, S. (2003). Overcoming Ethnic-Based Segreagation: How to Integrate Public Schools in Macedonia and Bosnia Herzegovina. *Institute for Democracy Societas Civilis-Skopje.*
4. ECRI. (2010). Report on the Former Yugoslav Republic of Macedonia», Fourth Monitoring Cycle.
5. European Training Foundation. (2010). *Mapping policies and practices for the preparation of teachers for inclusive education in context of sociale and cultural diversity*
6. UNICEF. (2009). *Multikulturalizmi dhe Marredheniet Nderetnike ne Arsim,* Scopje.
7. Krzalovski, A. (2011). *Discrimination in Macedonia on the Grounds of Ethnic Origin,* Macedonian Center for International Cooperation.
8. OSCE. (2008). "Statement of the High Commissioner for Minority Rights Knut Vollebaek", 718th Plenary, OSCE Permanent Council, Vienna. http://www.osce.org/hcnm/32569?download=true (accessed 10 May 2015)
9. Ministry of Education and Science in Macedonia. (2016). *National Program for Development of Education 2005-2015.* http://www.npro.edu.mk/dokumenti/strategija-en.pdf
10. International Crisis Group. (2011). *Macedonia: Ten Years After the Conflict, (212),*
11. European Commision. (2014). *The Former Yugoslav Republic of Macedonia 2014 Progress Report*.

Footnotes

[i]Council of Europe (4 November 1950), *Convention for the Protection of Human Rights and Fundamental Freedoms*.
Council of Europe (1 February 1995), *Framework Convention on National Minorities*.
United Nations (21 december 1965), *International Convention for the Elimination of all Forms of Radical Discrimination*, General Assembly Resolution.
UNESCO (14 December 1960), *Convention against Discrimination in Education*.
[ii]From now on I will shortly refer to Macedonia instead of FYR of Macedonia
[iii]http://www.sobranie.mk/al/default-al.asp?ItemID=254A796A2FD50349A430BEED6E9FD6AB (accessed 10.05.2015)
[iv]http://www.sobranie.mk/al/defaultal.asp?ItemID=254A796A2FD50349A430BEED6E9FD6AB (accessed 10.05.2015)
[v]http://www.slvesnik.com.mk/content/pdf/USTAV-eng.pdf (accessed 10.05.2015)
[vi] UNESCO, World Data on Education, *VII Ed.* 2010/2011.
[vii] Official Website of the program: http://pjp-eu.coe.int/en/web/inclusive-education/about (accessed 10.05.2015)
[viii]Official Website of the program: http://pjp-eu.coe.int/en/web/inclusive-education/objectives (accessed 10.05.2015)

Bibliography

- Alur, M., & Timmons, V. (2009), Inclusive Education Accross Cultures: Crossing Boundaries, Sharing Ideas, SAGE Publications.
- Barbieri, S. (2003), "Overcoming Ethnic-Based Segreagation: How to Integrate Public Schools in Macedonia and Bosnia Herzegovina", *Institute for Democracy Societas Civilis-Skopje.*
- Council of Europe (4 November 1950), *Convention for the Protection of Human Rights and Fundamental Freedoms*.
- Council of Europe (1 February 1995), Framework Convention on National Minorities.
- ECRI (15 June 2010), «Report on the Former Yugoslav Republic of Macedonia», Fourth Monitoring Cycle.
- European Commision (2014), *The Former Yugoslav Republic of Macedonia 2014 Progress Report*.
- European Training Foundation (2010)*, Mapping policies and practices for the preparation of teachers for inclusive education in context of sociale and cultural diversity*
- International Crisis Group (11 august 2011*), Macedonia: Ten Years After the Conflict, (212),*
- International Helsinki Federation for Human rights (10-14 April 1997), Report to the OSCE: Fact-Findings Mission to Macedonia.
- International Convention for the Elimination of all Forms of Radical Discrimination (21 december 1965), General Assambly Resolution.

- Krzalovski, A. (March 2011), *Discrimination in Macedonia on the Grounds of Ethnic Origin,* Macedonian Center for International Cooperation.
- Ministry of Education and Science in Macedonia, *National Program for Development of Education 2005-2015.* http://www.npro.edu.mk/dokumenti/strategija-en.pdf(Accessed 10 April 2016)
- Macedonian Ministry of Education and Science (2010), *Steps Towards Integrated Education Strategy*.
- OSCE (2010), *Age Contact –Perceptions. How Schools Shape Relations Between Ethnicities,* Shkup.
- OSCE (26 June 2008), "Statement of the High Commissioner for Minority Rights Knut Vollebaek", 718th Plenary, OSCE Permanent Council, Vienna. http://www.osce.org/hcnm/32569?download=true (accessed 10 May 2015)
- Tomasevski, K. (2001), *Human rights obligations: making education available, accessible, acceptable and adaptable,* Right to education primers no. 3 Gothenburg
- UNICEF (2009), *Multikulturalizmi dhe Marredheniet Nderetnike ne Arsim,* Scopje.
- UNICEF (February 2010), *Inclusive Education as Part of a Child-Friendly Schools Framework: Results and Recommendations from a Study in Macedonia.*
- UNESCO (14 December 1960), *Convention against Discrimination in Education*.
- UNESCO (2010/2011), *World Data on Education*, *VII Ed.*.
- Verheyde, M. (2006), "Article 28: The Right to Education", in A. Alen, J. Vande Lanotte (Eds), *A Commentary on the United Nations Convention on the Rights of the Child,* Martinus Nijhoff Publishers.
- Weimer, David L., Vining, Aidan R. (2005), *Policy Analysis,* Pearson Education.