
Minorities Education, a Condition for Albania Integration to the European Union

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Abstract:

The scope of this study is to emphasize the role of the state and its organizative branches in the education of minorities and their integration in the economic, social, cultural and political life as received by the other autochthon population. It is worth mentioning that the majority of states, members of international organizations, have expressed their will to accomplish their obligations towards minority population. This is not enough, because if we want to walk towards European Union in a definitive manner, we have to remind ourselves the Romanian state and the challenges about minority rights, as non negotiable conditions to European integration. Today the minorities in Albania are part of multiethnic, multi religious and multicultural society and in many cases remain anonymous. To build the rule of law, to be an educated society, a state where each individual gets value independently from the gender, religion, political ideas, ethnicity etc, we have to analyze the requests and reports of European Union on the minority rights, where the most important part related to their education. This scientific rationale presents the thesis that the state, as the primary subject can influence effectively in understanding that minority education is not just an obligation foreseen in the national legislation but also an important part of the international legislation. We have to understand that the aspiration of each state to be a member of the European Union, are strictly related to minorities, as in case of Romania. In the following text you will find an analysis of the quantitative information obtained from the interviews of the autochthon population in Albania, and how do these reflect in the EUR request to respect minority rights, as a condition toward integration, an analysis of the progress report of the European Communities Commission on Albania, and a short bibliography of used literature. This scientific analysis attempts to present the real position of the minorities in Albania and the progress that will make possible the integration of Albania in the EU.

Key words: minorities, education, state, integration, autochthon population.

1. Introduction

The aim of this article is to study the relations between the Albanian state and minorities before joining the European Union, as well as the approach of politics or different initiatives of the state, regarding social organization and different problems of the minorities, under the rule of international and national acts on the minority rights. If there will exit the determination toward education and integration of minorities in the social, cultural and economical life, the Albanian state should seriously consider all the recommendations and evaluation reports, prepared by the European Communities Commission on respecting the Framework Convention on the Protection of Minorities of the European Council from Albania.

Albania has three national recognized minorities (Greeks, Slavic – Macedonians and Montenegrins) and two “linguistic minorities” (Vlach and Roma), where the later have as single specific the language in relation to the autochthon part of the Albanian population. The most recognized minority groups are the Greeks, that are represented by a non-governmental local association that is called “Omonia”.

The minority rights in Albania are guaranteed from the Constitution of 1998. Following the Constitution, the minorities have same civil, economical, social and political rights as all other Albanians. The Albanian legislation on elections, political parties, media, instruction and penal and civil codes, refer to minority rights and include dispositions against discrimination in this regard. The European Council Convention on National Minority Protection is signed by the Republic of Albania on 29 June 1995. The later is ratified by the Parliament of Albania under Law 8496, date 3.06.1999 and entered into power on 01.01.2000. However, Albania still misses the ambition to reach high standards in this field.

There exist pretenses that minority rights are not guaranteed in the Albanian territory, mainly regarding education, property right and the possibility to access in all public administration levels (Association Stability Report, EC, 2003)

We have to understand the importance of minority education to the state and EU and if the autochthon population has further built its motivation to be part of state projects in their socialization, education and economical development.

2. Definition of Minorities

In many countries, following the difficulty of realizing a full demographic study of the population, for geopolitical, religious and demographic reasons, population movements outside and inside the country, or from one region to another (Kabo, 2006), the manual registration of the population brings serious doubts on the exact number of minorities.

Globalization, migration, emigration and ethnic conflicts have caused a raised awareness of the autochthon population to recognize the minorities and to develop scientific studies towards this population (Mark L.Georgiev, 2004).

The evolvement of the minority notion, in the Essay "The problem of minorities definition" of the professor Zejnullah Gruda is of particular importance. It says: "the explanation of what should be understood under minority term is not defined in any treaty on minorities protection". Anyhow, the term national minorities is defined as a smaller group in relation to the other part of the population and that has national characteristics, but does not mean that this group should be numerically smaller, what means that is more important the position (non) dominant of the group than its numerical capacity (Gruda Zejnullah, 1999). On the other hand "minority" can refer to an inferior group in number from the other part of the state population, in a non dominant position, members of whom keep the nationality on the state in which they live, even being holders of the ethnic, religious and linguistic characteristics that distinguish them from the other part of the population, and show solidarity towards preservation of culture, traditions, religious and linguistic faith (Roger Riddell, 2002). Not all minority communities are poorer than the other part of the population in a certain state, even that the majority of them are like that (Alan Philips November, 1998).

There have been difficulties in the definition of "minorities", this because if we refer to "national minorities" they represent a population that belong to another country, but live in the territory of another country, where the majority of population is made of autochthon nationalities. (Kabo, 2006).

There is no discussion that a minority is a group distinguished from the other part of the population by the language, ethnicity and culture, it is a group who wishes strongly to preserve its identity. (OSCE, 1997) .

It is to be mentioned that in all definitions given by different researchers, their main characteristics are:

- Minorities are that part of the population that has the citizenship of the state in which they live and a different nationality from the other part of the population;
- They have a different language, origin and customs, which distinguish those people from the other part of the autochthon population;
- They have not always had a fixed residence.
- They stand in front of the local population, not in equal conditions in the political life because this population is not represented in the Parliament, in tribunals, or local administration. And what is even worse, the future is just a question mark.

As a matter of fact the Framework Convention on the Protection of National Minorities does not include explicitly the definition of the minority notion, but in Article 3, in two paragraphs we find included the classic and well known formulation: Every person is leaded from the fact that states part of the Convention should realize as follows: (Arben Puto, 2004):

- Freedom to use their language;
- Education and the possibility to create educational institutions;
- Education in their native language but also in the language of the state in which they live;
- The right to employment in conformity with their professional education;

States should give to local authorities the necessary competences for the education of minorities, facilitating the participation of minorities in the process of politics formulation in the local level. The elements foreseen in the Framework Convention for the Protection of National Minorities, have advisory and programming nature not obligatory one. The Convention represent the basis regarding minorities rights to education. It means that the Albanian state is welcome to progress further with its education policies that focus on minorities education. In this case, Albania from an EU candidate country (the request to obtain the status of candidate state was presented by the government of Albania on April 28, 2009) will obtain the EU candidate state status with full rights. The Stabilization and Association Agreement is entered into power on April 1st, 2009, after its ratification from 25 EU member states, which were part of the community in the moment of SAA signature, and its approval from the Albanian Parliament. The ratification process was realized in less than 3 years and finalized with the ratification of the agreement from the Greek parliament on January 15, 2009, opening the way to Albania towards the application to obtain EU candidate state status.

2. Minorities Education, a bridge to EU.

EU influence Central and Eastern Europe governments through the process of accepting the candidate state status in manners which go beyond its official competences in the member states. However, EU influence is distributed in the complexity of involved actors. In function of the final scope, EU interacts with other external or internal pressures, promoting internal debates for institutional changes. The membership conditions and negotiations privilege belong to a relatively small groups of central government officials and other political actors. The non involvement of other parliamentary representatives or society in general in the process of acceptance, on the other hand, can aggravate the democratic deficit of EU after the expansion (Heather Grabbe, 2001).

The importance of minority education does not exist only in actual days, but even before that, where in Romania the majority of minority population, the Hungarians, represented for many centuries a dominant part of the politics, and after 1848 during the system modernization, the Hungarians were in majority position, in the direct meaning of the word. Apart that, non only the political position were important, but the cultural investments as well, which in many cases were represented by education and religious institutions. (István Horváth, 2004).

The so called Rumanian politics attempted to assimilate the minorities trying to join their schools to the Rumanian ones (Tiberiu Dianu, 1997).

After the collapse of communism in Romania and Ceausescu politics, the treatment of ethnic minorities after 1990 was transformed not only in an international problem, but in the main barrier to the external country politics (Kyriaki Topidi, December 2006). The first negotiations to reach an agreement through Romania and EU started in May 1992. In 1994, Romania signed the agreement with EU as a preceding phase toward full EU membership. (ECMI).

The end of communism in Central and Eastern Europe was a catalyzer to contemporary processes in reinforcing EU, as a political unification based in common values, beyond the regulation of the internal market and its expansion. The formulation of EU conditions to membership for the ex communist countries in Central and Eastern Europe, as defined in Copenhagen rules (1993), represent a very important circumstance from its approach to important political norms, which deal with protection of minorities. The first Copenhagen criteria

is: "Membership requires that candidate country should have reached the stability of institutions to guarantee democracy, human rights, rule of law and respect and protection of minorities" (James Hughes, Gwenolyn Sasse, 2003).

Along with Copenhagen criteria, the Stabilization and Association Agreement sets some other obligations and rights to Albania and its citizens like: respect for the rule of law and democracy, human and minority rights, as well as rules of the free market economy; respect of the democratic principles and human rights, rule of law and economical freedom that should determine the basis of the politics of the Albanian state. This obligation is valued as the main article of the agreement and its breach can lead to measures that can suspend or cancel the agreement. (National Strategy for development and integration 2007-2013, Council of Ministers 2008).

Every member of the Council of Europe recognizes the principle of right as well as the principle following which everybody in each jurisdiction should have human rights and main freedom (Article 3 of the Council of Europe Statute).

Members of the Council of Europe confirm their connection to this principle rights which make the foundations of the right and peace in the world and whose protection is realized through a real democratic political regime from one part and the concept of common respect for the human rights on the other part, which are claimed strongly. (Preamble ECHR, 1950). European Convention of Human Rights in Article 2, protocol 11, foresees:

The right to education cannot be denied to anybody. The state in exercising its functions in education and instruction filed, will respect the right of the parents to give this education and instruction in conformity with their religious and philosophical convictions.

The right to education, by its nature requires a state regulation, without violating other rights included in the Convention that can influence the other part of the population. (Marek Novicki, 2003).

Albania has continued to develop the legal framework with the intention to improve the application of the Framework Convention of the Council of Europe for Minority Protection. However, additional efforts are needed to decrease multiethnic conflicts. Legal framework for minority protection, including territorial limitations, instruction policies and differences between categories, should be explained basing on the updated statistical information. There are not correct data on minorities. There is a need for exact statistical information relating to national minorities and issues related to them, because the lack of information seriously impacts on the application and monitoring of the policies related to the national minorities (Resolution CE, (2005)2).

The collection of updated information on the number of minority members, is decisive for generating a national policy over minorities. The legal framework on minorities protection should be further clarified and developed (Progress Report on Albania, 2009). The institutional capacity of the State Committee on Minorities remains weak. Its intermediary role between the government and minority representatives, should be further developed to obtain effective participation of the minorities in decision making processes.

In order to have a clear picture of the actual information on the autochthon population over minorities in Albania, it was organized an interview of one hundred persons (non minorities), with the following questions:

Questions	Urban	Rural
Do you know the concept of "minorities"?	50% Yes 50% No	20% Yes 80% No
Do you know any minority in the Republic of Albania?	70% Yes 30% No	10% Yes 90% No
Do you think that the Republic of Albania respects minority rights?	90% Yes 10% No	20% Yes 80% No
Should the respect of minority rights be a condition to EU membership?	90% Yes 10% No	10% Yes 90% No

Total interviewed individuals: 100 individuals in urban areas and 100 in rural areas. Percentages are calculated on the total number of interviewed people in the urban or rural areas.

First question: If we analyze the percentages of answers, it is noticed a lower percentage in rural areas, whereas in the urban areas this percentage is 50%. We believe that these percentages are influenced by higher education and knowledge in urban areas than in rural ones. Anyhow, in the city only 50% of the interviewed people are informed on "minorities", and this is acceptable if we think that there does not exist a formal definition of minorities in the international acts.

Second question: The people who know what "minorities" are, have a higher probability to know a minority group in Albania.

Third question: There exist different percentages in urban and rural areas. This can be the result of absence of information or disinformation. The possibility to have information on minorities is higher in urban areas than in rural ones, because the sources of information in villages are limited.

Fourth question: The answers to this question is a continuation of the third question. We think that same reasons of the third question apply on this case and cause these reactions of the village population.

3. Albanian Legislation in the education field

As a potential candidate country, Albania should continue its efforts toward changes in legislation and application of European standards (EU), trying at the same time to apply those standard and to strengthen the capacities of agencies and respective institutions (EC, 2007).

The legislation in the education field assures equal rights for everybody. Article 3 of Law 7952, date 21.06.1995, "For the Pre-University Education System", "*guarantee equal rights to all citizens to be educated in all education levels mentioned by this law, independently from the social status, nationality, language, sex, religion, race, political convictions, health status and economical level*".

It exist a full legislation in the education field, starting from pre-school education to post university one, which guarantees equal rights to all citizens to get educated in all levels. In total, over 50% of Roma community does not know how to write or read, mainly Roma girls and women. The number of those who follow the medium and high education is at minimal values. The desire to follow school, that exist in one part of Roma community, fades away due to the fact that they live in city suburbs, the level of education and instruction in the education institution is not qualitative. Teaching in their native language is difficult to find due to the absence of Roma schools. The lack of education infrastructure, school books in native language, a bi-lingual primer book, programs and low quality of education process are some of the problems faced by Roma children. (Report of People's Advocate, 2009).

Further research shows that parents part of ethnic minorities have high aspirations in regards of the education and career of their children, independently from advertising information or materials that rarely refer to different education systems addressed particularly to minorities. As consequence, parents from these minorities are not always well informed over the possibilities and choices about their children. (Janet Powney, Joanna McPake. Stuart Hall, Lindsay Lyall, November 1998).

Low level education of Roma parents is one of the main reasons that influence on forbidding the children to go to school, or abandon school immediately after registration. The inability to speak Albanian language is another difficulty faced by minority children when they start to go to school. This difficulty relates to lack of pre-school classes for this children to learn Albanian language and teachers that know their native language, which could help further these children in their studies. Pre-school education and children kinder gardens in minorities areas, as in Greek or Macedonian minorities, teach the children to communicate with each other and with their educators in their native language. Teaching in their native language, is guaranteed in primary level as well as in the medium level, and it is realized in the schooled that function in minorities areas or in areas where there is a great number of minorities. (Report of RA, 2001). So taking in consideration the obligation to assure adequate possibilities for education in the minorities language, the state should

assure adequate institution and an adequate training for the teachers too. (Hague Recommendations, 1996). In reference to the education of ethnic minorities groups, the composition of academic staff as well as the way in which teacher promote multi-cultures and anti racist education are of great importance. (Powney et al.1998).

A big concern on instruction is how to avoid stereotypical expectations and adjusting the methods of learning and teaching in conformity with students needs, including ethnic minorities groups. (Powney et al.1998).

At the same time, due to conflicts that occurred in the region after the communism and that increased the interest of the international community on minorities rights, the juridical norms were redrafted in the context of the Council of Europe, OSCE and United Nations, considering the language and rights and implementation of corresponding juridical dispositions. Under the pressure to obey to the new standards of developed countries, the countries of Easter Europe (and countries that were part of the Soviet Union) that aspire to be a member of the European Union, have to deal with the issue of defining the status of autochthon population language (meaning that every citizen should know that language), and at the same time respect international standards on the minorities language (ECMI, 2003). In its decisions on July 1992 in Helsinki, the organization for security and collaboration in Europe (OSCE) created the position of the high Commissioner on national minorities as an "Instrument to prevent conflicts in their early phases" (OSCE, 2006).

Regarding the application of the Framework Convention, the Advisory Committee thinks that Albania in many aspects have made important efforts on protection of national minorities, in education and conditions of Greek and Macedonian schools in the respective areas (KE, 2003).

The Committee appreciates the fact that there is a Greek language specialty in Gjirokastra university and observes that people show interest and even other minorities show interest to have other departments in their language. The Advisory Committee observes that the network of schools founded for the Greek and Macedonian minorities including children kinder gardens, primary and secondary schools, where the education is made in minorities language at different levels. The Committee has appreciated the efforts made from the Albanian authorities to keep those schools opened even with the decrease in number of students due to high emigration and high number of academics in comparison with students. Minorities rights are included already as part of the preconditions to EU integration (James Hughes, Gwenolyn Sasse, 2003). So, a very high standard for conformity to juridical norms has been defined for the new candidates to EU, which have not totally convinced all the members.

4. NO – To collective forgetfulness in a multinational and multiethnic society.

Prejudices are opinions on a certain person (or group of people) without knowing him really and frequently based on wrong information. This opinion is formed from the environment in which the individual grows up and are not based on the personal experience or personal knowledge. In view that prejudices are gained as part of daily socialization of people (frequently they are part of the early development of the child) it is very difficult to be changed or removed. It is important that in every moment we should be conscious and try to view our actions through their real existence than through limitations in place. The stereotypes and prejudices are the most frequent cause for refusing other people or to deny their system of values. From this standpoint, the reaction to refuse on stereotype or prejudice basis is called "prejudice in action" and results in discrimination, or it can be xenophobia, anti-Semitism, racism or other kinds of non-tolerance.

Denial and infraction of the right to education affects the capacity of people to develop their personality, support and protect themselves or their families, and participate adequately in the social, political and economical life. In society large scale, denying the education negatively affect democracy and social progress, and much further, the international peace and human security. Through education and learning human rights and humanitarian rights, we can forbid or regulate the infractions of human rights and armed conflicts, and facilitate social reconstruction after the conflicts (Report UN, 2000).

The fundamental right to education gives the right to all individuals to assure an adequate form of behavior from the respective government. Each state has the obligation to respect, protect and accomplish the right to education. (Report UN, 2000).

Conclusions

The individuals that belong to national minorities have the right to superior education in their native language when they need to have it and they are reasonable in number. This can be obtained through foundation of adequate institutions under current education structures with the condition that such institutions accomplish the needs of the minorities. The individuals that are part of minorities groups can ask for new ways or instruments to found their educational institutes in tertiary level. Encouraging members of population to learn the language of minorities would contribute to strengthen tolerance and multicultural aspects in one country. (Hague Recommendations, 1996)

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