



Research Article

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European Union between the Right of Education and Social Integration

Blerina Muskaj¹

Joniada Musaraj¹

Marco Cilento²

¹Lecturer of University Aleksandër Moisiu,
St Currilave, noi, Durres, Albania

²Sapienza University of Rome,
Faculty of Sociology Communication and Political Sciences,
Department of Communication and Social Research,
Piazzale Aldo Moro, 5, 00185 Roma RM, Italy

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Abstract

For the European Union, one of the greatest challenges of recent years is to guarantee quality education for all European citizens. The right to education, training and lifelong learning is enshrined in the first principle of the Europe pillar of social rights, establishing that everyone has the right to quality and inclusive education, training and lifelong learning in order to maintain and acquire skills that enable them to participate fully in society and successfully manage transitions in the labor market. This principle together with others are the guiding light towards a strong, equitable, inclusive social Europe and full of opportunities. Moreover, it is found that today's skills are an indispensable element for affirmation not only in a constantly evolving market, but also after the challenges of the situation created by the Covid-19 pandemic, they are indispensable elements in a global market and in an evolving society. In order for the retraining and development of skills to become a reality for all, as the statements of the European Commission also express, Member States need to collaborate with the social partners and stakeholders, through a process not only of decentralization but also of social integration. This work aims to analyze not only the historical path but also the guidelines of the future of the European Union policy which challenges to carry out reforms in the field of education.

Keywords: European Union, right of education, social integration, Bologna process

1. Introduction

Culture cultivates the soul of people, and today in modern times the soul of people is often the fruit of many cultures.

Indeed, multiculturalism is the center of many debates on education. For this reason, social cohesion and integration are very important and must be promoted by the state and school education. The European Union is in constant ideological evolution, consequently education too, moreover in pandemic time it has undergone many changes. (Founding Treaty, CEE e CEEA 1957)

The European Union persists in its ideology supported by two important ideological pillars. On the one hand, its goal is the protection of cultural plurality, on the other, accessibility by all. In the continuation of this "double track", many European projects have been financed. Therefore, through literature, art, languages, etc., it is possible to have full European integration.

Education is found to be a key component, not only for personal and professional growth but also for European integration.

In 2000, the Charter of Fundamental Rights of the European Union was also approved in Nice, which aims to include in EU legislation a series of personal, civil, political, economic and social rights of citizens and residents of the 'European Union, it also contains the right to education. Consequently, this document has given the right to education not only greater visibility, but also greater clarity.

Education is the base, the center, but also the means through which full integration can pass.

Today, education is perceived as continuous, throughout life, which accompanies man step by step in his professional and personal growth.

Nicolas Schmit, Commissioner for Labor and Social Rights, also stated that:

"Education and training should not be interrupted when leaving school. Today, more than ever, to meet the needs of a rapidly changing labor market, people need to develop their skillsets throughout their entire professional life. The Commission's proposals on individual learning accounts and micro-credentials will help us achieve the goal set in the European Pillar of Social Rights Action Plan that 60% of all adults should participate annually in training activities by 2030. We need to seriously address the issue of lifelong learning in Europe. This is the best possible investment, for the benefit of workers, employers and the entire economy". (Nicolas Schmit, 2021)

2. Literature Review

All the legislative sources of the European institutions were used in order to analyze and develop the European dimension of education law provided for in the constitutions of each European country. The stimulus to give education another level seems to have existed for years, for this reason we see multiple decisions at the European level. Over the years we have seen many maneuvers to define the construct, as also evidenced by the provisions of this right in many Treaties which aim to improve the life of the European citizen through knowledge.

This study aims to obtain a complete analysis of the right to education at European level, examining not only the legislative part but also the political one, for a not only better but also coherent approach.

In this regard, it was found that education should also be considered as a lifelong process, oriented towards the acquisition of specific skills that can be best obtained through mobility. Consequently, through education you can also have European integration.

As stated by the Commissioner for Labor and Social Rights, that is:

"education and training should not be interrupted when you leave school" (Schmit, 2021).

Young people can bring the European Union closer to its citizens and thus also stimulate a dynamic, young and active citizenship. This need becomes even more essential not only with the euro-skeptical movements but also with a Europe that is always in enlargement. Also, in Article I-17 of the European Constitution it is scripted that:

"The Union has the competence to carry out support, coordination or complement actions".

Taking into consideration all the above issues, it can be considered that full use of all European acts is necessary to make the analysis carried out possible.

3. Research Method

The scientific method followed is the historical-juridical one with the focus on analyzing the different Treaties of the European Union, as the latter is based on the principle of the rule of law, consequently all its actions are based on the different Treaties in different sectors. The treaties define not only the objectives of the European Union but also procedures, competences and the various operating rules. Therefore, the treaties have been at the center of the interpretation of education law because only through them can legislative acts be adopted, which can then be implemented in each member country of the European Union.\

4. The Right to Education in the European Union

Article I-17 of the European Constitution states that:

“The Union has the competence to carry out support, coordination or complementary actions. The sectors of these actions, in their European purpose, are the following: protection and improvement of human health, industry, culture, tourism, education and youth, sport and vocational training, civil protection, administrative cooperation”. (Treaty, 2004).

All these sectors are defined, sectors of support, coordination or complement actions. Thus, the European Union adopts knowledge policies, with the intention not only of becoming a developing economy, but also an inclusive society.

In 2000, the Charter of Fundamental Rights of the European Union was also approved in Nice, which aims to include in EU legislation a series of personal, civil, political, economic and social rights of citizens and residents of the Union. It also contains the right to education, consequently this document has given the right to education not only greater visibility, but also greater clarity. Methods in education are important for the pursuit of the objectives of the European Union. It has been found that only through a very specialized workforce that encouragement and progress are obtained and to give birth to jobs not only in terms of quantity but also of quality.

It turns out that education, science and knowledge are juvenile methods that fascinate all young Europeans, at every stage of their life. Young people are in the focus of many European initiatives, as evidenced in the decision of the European Parliament in 2000 (Decision (EC) No.1031/2000). In the latter, young people are encouraged to be an active part of European citizenship.

Young people can bring the European Union closer to its citizens and thus also stimulate a dynamic, young and active citizenship. This need becomes even more essential not only with the euro skeptical movements but also with a Europe that is always in enlargement. In particular in the field of education where it appears that different countries have different educational systems.

This aspect should not be considered as a difficulty, but as an opportunity to grow. Hence the reason why many European Union programs have student and worker mobility in their focus. On the one hand, young people on the move begin to feel part of Europe and on the other, when confronted with different cultures and languages, they enrich personal and professional training and consequently also enrich the European job market.

In 2000, the Charter of Fundamental Rights of the European Union was also approved in Nice, which aims to include in EU legislation a series of personal, civil, political, economic and social rights of citizens and residents of the Union. It also contains the right to education. This document reaffirms, in full compliance with the powers and functions of the European Union and the principle of subsidiarity, the rights as they result, in particular from the constitutional traditions and common international obligations of the countries of the European Union and the European Convention for the protection of human rights and fundamental freedoms, by the social charters adopted by the European Union and by the jurisprudence of the Court of Justice of the European Union and the European Court of Human Rights. Undoubtedly, this important document has contributed to

creating legal certainty in the European Union.

Also, an important moment for the protection of the right to education was Protocol number 1, article 2 of the Convention for the Protection of Human Rights and Fundamental Freedoms of 1952, which states that:

"The right to education cannot be refused to nobody. The State, in exercising the functions it assumes in the field of education and teaching, must respect the right of parents to ensure such education and teaching according to their religious and philosophical convictions". (In specific see Zanghi, 2002).

It appears in this article that the State not only guarantees the right itself, but also ensures the right of parents to educate their children according to their personal beliefs. Undoubtedly, as is also apparent in other European documents, the right of parents to provide for the education and instruction of their children according to their religious, philosophical and pedagogical convictions are respected according to the national laws governing their exercise. (Nice Charter 2000)

But the parent must also respect the personal inclination of the children. Also the institutions must comply with the general rules of law in respect of a multicultural inclusion as much as possible, as also provided for in Article 3 of the Treaty of Rome of 1957, where it is emphasized that commitment of the contracting states to provide young people not only with qualitative education, can take place by developing equality of opportunity and identity. In this regard, it is important to emphasize that the Rome Treaty also places attention on professional and cultural training, hence also the reason for the setting in motion by the European Union of a series of mobility programs. For example, "Erasmus" which supports education by allowing students to undertake a period of study in various European countries, and not only, even in non-European countries, "Eurydice" which creates an information line on education in European countries. Instead, the "Lingua" program promotes the learning and teaching of foreign languages. The basic idea is that studying abroad not only improves communication skills, but also foreign languages and consequently also multicultural skills.

A very important moment was the 1992 Maastricht Treaty, in which article 149 sanctioned the contribution that the European Community made to education through cooperation between member states in terms of teaching and education, in full respect cultural and linguistic diversity.

The idea was that the Community could develop a European dimension of education, which is why the mobility of students and teachers has been at the heart of the objectives for years.

Another aspect envisaged in this treaty is the academic recognition not only of diplomas but also of periods of study, thus encouraging the development of education. As it turns out, the Maastricht Treaty not only allowed the implementation of other exchange programs in the field of education, such as "Socrates" in 1995, but helped to outline the essential features of a European policy that over the years has followed and it was also introduced in Article I-16 of the European Constitution.

5. Knowledge as an Asset for Social Cohesion in Europe

As can also be seen in the previous pages, educational cooperation remains one of the pillars of European Union policy. The Single European Act also plays an important role, which in modifying the Treaties establishing the European Community has given rise to European political cooperation (Single European Act, Luxembourg, 1986). By strengthening the figure of the European Parliament which will no longer be called the Assembly. Consequently, the legislative power has been strengthened. In this act it is noted that not only human resources but also social cohesion are issues of primary importance, in this direction the subsequent acts have also maintained the same spirit, indicating a new European transformation based on knowledge and monitoring progress in the field of instruction.

Not only in the Lisbon Summit, but also in the Stockholm European Council in 2001, the States affirmed and recognized training and its very important role, also defining strategic objectives, such

as increasing not only the effectiveness and quality of education and training but also to simplify accessibility to them, but above all the training and education systems must be open to the world. These objectives were also taken up again in 2002 in the Barcelona Council where in the Joint Interim Report of the Council and the Commission on the implementation of the detailed work program, concerning the follow-up given to the objectives of education and training systems in Europe, entitled "Education and training 2010".

The goal is precisely to make the EU education and training systems a global reference point by 2010, to make vocational education and training as attractive to young people as general education. According to the strategy, these objectives can be achieved by taking active measures to promote investment in knowledge through the quality and effectiveness of education and training systems. The first concrete results were already seen in the 2002 Copenhagen declaration, with the so-called Europass, since the initiative has been taken to create a single European framework of qualifications and skills. We also see the ECTS credit system facilitating transfer and mobility.

A few years later, in 2006, the joint decision of both the Council and the European Parliament on the so-called, quality lifelong learning. This initiative ensures that through quality lifelong learning it is possible to have high results for a sustainable economy, environmental protection, better jobs, better cooperation and social cohesion.

At the Porto summit in 2021, European Union leaders welcomed the EU initiative, according to which 60% of all adults should participate in training activities annually by 2030. To make this objective a reality, the Commission has presented and adopted measures to improve lifelong learning and employment.

In times of job uncertainties, but also in times of change and innovation, where the pandemics herself from Covid-19 has sped up the development of skills, the latter are the key to greater opportunities and job opportunities. The proposals adopted will contribute to addressing the challenges posed by the pandemic as well.

On the occasion of the Porto summit in 2021, some members of the college stated that:

"The development of skills and competences is fundamental for professional success, for inclusion and integration. It allows people to adapt to change, to fulfill oneself and to contribute. Skills are also essential for growth. Today's two proposals make it possible to learn at any time in life, in a flexible way that is accessible to all. This is an important step to involve more number of people in learning and training opportunities, leaving no one behind" (Schinas, 2021).

In the same vein, the Commissioner for Innovation, Research, Culture, Education and Youth, who declared:

"To ensure a just transition, it is essential that everyone has access to flexible, modular learning and training opportunities. and accessible, regardless of your personal situation. The European approach to micro-credentials will facilitate the recognition and validation of these learning experiences. It will strengthen the role of higher education and vocational education and training institutions in delivering lifelong learning across the EU and it will open its doors to a more diverse group of learners". (Gabriel, 2021).

Undoubtedly today, technology also plays an important role in education, even more this aspect was found to be of prime necessity during the Covid-19 pandemic, even if education institutions are gradually returning to normality, it is believed that the E- system learning should not be completely abandoned as a method, as E-learning is not only distance learning, but also the use of the internet and new technologies to maximize learning in a more qualitative way. The European Parliament also took a position in the same vein. (Decision no. 2318/2203/EC; cf. Decision (EC) no. 1031/2000; Council Resolution 96/C 376/01 of 21.11.1996; Decision 2317/2003/EC).

6. The Importance of the Bologna Process

With the Bologna declaration of 1999¹, all 49 countries committed themselves to forming a European Higher Education Area (EHEA), which is nothing more than an international collaboration in the field of higher education. Thus, all participating countries have decided not only to establish a three-cycle higher education system comprising bachelor's, master's and doctoral studies, but also by ensuring mutual recognition of qualifications and periods of study abroad achieved at other universities, but also to implement a quality assurance system.

In 2018, the European Commission presented a proposal to the Council which aimed at improving the procedures for the mutual recognition of qualifications and study periods in European countries and beyond. Indeed, the aim of promoting automatic mutual recognition of higher education and upper secondary education diploma's and the results of study periods abroad, as the procedures for mutual recognition of qualifications in EU Member States are one of the pillars of the creation, by 2025, of a Europe of education space.

As always, mobility as a crucial experience appears to be one of the keys to learning and promotes the development of skills through active participation in society and the labor market.

Thus, countries that are not only culturally diverse but also linguistically and academically have tried over the years to implement a single model of education. The Bologna process was not only a structural reform but also an instrumental one, strengthening the quality assurance mechanisms where through a common thread that are precisely the constitutional values such as the autonomy of instructions, freedom of expression, academic freedom, student unions, the free movement of students and staff, etc.

Through these values we have tried to unify the higher education system with the main objective not only to increase the mobility of staff and students but also to make employment more accessible. However, it must be emphasized that the Bologna process does not aim to harmonize the university system, as all countries have their own characteristics that they have developed over the years, so the aim is to create a common framework with different "frameworks", thus maintaining the particularity.

This path undertaken on a voluntary basis by all countries has allowed over the years not only a strengthening of the academic structures, but has made the university system more transparent but also easier, since the training courses are also recognized in other countries, consequently it has made easier not only mobility but above all employment. All this has also contributed to the internalization of higher education by attracting not only European citizens but also non-Europeans.

The Bologna process takes place on an international, national and institutional level. As for the international level, every two years the Ministers of Education of the participating countries meet to establish what the priorities and strategies will be for the next two years. Furthermore, an important role has also played the so-called "Bologna Follow-up Group"², the first meeting was in Bologna in 1999.

Even the so-called seminars "of Bologna" which are organized every year have an important role, as they discuss and examine not only the obstacles but also new forms of collaboration are proposed, the last one was held in April 2022, where one of the points was also the discussion on support for

¹Bologna Declaration 19 June 1999 signed by 29 European countries including 15 members of the European Union at the time and the others who joined later.

²It was composed not only of representatives from all participating countries but also of members from the European Commission. Instead, the European University Association (EUA), European Association of Institutions in Higher Education (EURASHE), National Unions of Students in Europe (ESIB) and the Council of Europe, can participate in the role of observers.

higher education in Ukraine. With regard to the national and institutional dimension, an essential role is played by the government, in particular by the Minister of Higher Education, as well as by the Conference of Rectors and other Associations of higher education institutions, student organizations and, in some cases, also the Quality Assurance Agencies, Business Associations or other relevant organizations in the country. However, universities are the epicenter for correctly applying European principles at an institutional level, through all organizational bodies, such as faculties, departments, study programs, academic staff, readers, teachers and professors.

The focus of the Bologna process is first of all academic qualifications which must not only be easily readable and comparable, but must be based on a two-cycle system. Usually the first cycle which has a duration of three years is mandatory to access the second cycle. Instead the second cycle is the Masters.

The credit accumulation and transfer system (ECTS) is also an important moment in the Bologna path, in this way the exchanges and mobility of students are easier and simpler.

7. Conclusion

Education and training are not among the subjects in which, according to the Treaties, the European Union has regulatory competence. Despite this, in the Treaty establishing the European Community, they give the Union a general competence, in particular in Chapter 3, "Education, vocational training and youth", Article 149 provides that the:

"Community contributes to the development of quality education by encouraging cooperation between Member States and, if necessary, by supporting and supplementing their action in full respect of the responsibility of Member States as regards the content of teaching and the organization of the education system, as well as their cultural and linguistic diversity". In this context, the action of the Community, intended not only:

"to develop the European dimension of education, especially with the learning and dissemination of the languages of the Member States" but also "to encourage and promote not only the mobility of students and teachers, promoting, among other things, the academic recognition of diplomas and periods of study but also cooperation between teaching institutes".

It also encourages the development of youth exchanges and encourages the development of distance education.

Thus, it is declared that in order to contribute to the achievement of these objectives, the Council adopts resolutions in accordance with the procedure referred to in Article 251 of this Treaty, but "any harmonization of the laws and regulations of the Member States" is excluded. Instead, in art. 150 of the Treaty provides that:

"The Community implements a vocational training policy that strengthens and integrates the actions of the Member States, while fully respecting the responsibility of the latter for the content and organization of vocational training".

It is noted that, since its embryonic stage, the European Union has laid the foundations for creating a European area of higher education. In this direction, the so-called the Bologna process was a decisive moment, but which does not aim to harmonize European education systems, but to outline a framework where everyone can maintain their own specificity.

An important milestone was also 2000 when the Lisbon European Council introduced new challenges such as making Europe not only a dynamic economy but also the most competitive in the world, this can only be achieved through an investment in education. Here are new principles such as, lifelong learning, increased investment in human resources, raising the level of education for all young people and offering a wide range of training opportunities, improving the employability of young

people. The intervention of the Treaty that adopts a Constitution for Europe (Rome, 2004) defined other objectives, such as scientific and technological progress, respect for cultural and linguistic diversity.

As it turns out, education has been, and remains, an important challenge at European level, as was also specified by the working group. Knowledge, education, mobility are essential to achieve a fusion of civilizations, that are, true social integration, but also the development of skills.

Mobility was the key to a true social "fusion" and to create a European identity, so it was also noted in the medium-term report of the Erasmus + program.

Thus, today in a globalized market, education also seems to be 'globalized', but not uniform, since everyone must maintain the distinctive features of the institutional tradition of higher education and beyond.

European students must be able to make the most of every learning opportunity available in the EU, but at the same time the EU must make it possible to exploit these opportunities.

Today, without a doubt, the procedures for recognizing qualifications in the EU are more transparent, simpler, and in compliance with institutional autonomy, i.e. left to the discretion of individual institutions, because guaranteeing institutional autonomy and academic freedom can strengthen the principle democratic and equal opportunities. In this way, mobility is created in compliance with equal opportunities.

All this has made mobility easier, and the development in the European zone that the subject of higher education has had is considerable, becoming an intellectually competitive Europe.

Taking into consideration all the above issues, it can be considered that full European action is needed not only to bring this right to life but also to use it as a catalyst for social integration.

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