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## **Citizenship and Education in the post-Yugoslav States**

**NATASA PANTIC<sup>1</sup>**

### **Abstract**

This paper explores interactions between citizenship and education in six post-Yugoslav contexts. The aim is to map out policies shaping the intended young citizens' identities, which might differ from their lived experiences of citizenship. Focusing on the ethnocentric, multicultural and civic dimensions of citizenship, the paper looks at how education governance structures and policies promote inclusive and exclusive citizenship by adopting and adapting international norms protecting group and individual rights. Universal and consociational education systems have been distinguished, with the ethnocentric and exclusive citizenship concepts reflected in the context-dependent status of different minorities, and in the language policies that perpetuate dominant ethnic groups. Inclusive elements have been recognised in the anti-discriminatory measures for inclusion of Roma students in mainstream education. Minority language instruction options reflect multicultural approaches to linguistic and cultural rights in education, although ethnocentric motives can be discerned behind their territorial implementation. Observance of the EU membership criteria and relevant norms are an important driving force for adopting social inclusion and minority rights in education-relevant legislation and policy documents. The study illustrates how the domestic consolidation and limited implementation of these norms created tensions between

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ensuring group rights in education and protection of individual human rights and non-discrimination.

**Keywords:** citizenship, education governance, minority rights, education policy, former Yugoslavia

### **Introduction: Citizenship and Education**

This paper examines the interactions between citizenship regimes and education governance structures and policies in six post-Yugoslav countries (Bosnia and Herzegovina, Croatia, Kosovo, Macedonia, Montenegro, and Serbia). Previous studies have identified the ethnocentric, multiethnic and civic dimensions of the citizenship regimes in these countries (Džankić, 2012; Koska, 2012; Krasniqi, 2012; Sarajlić, 2012; Shaw & Štiks 2012; Spaskovska, 2012; Vasiljević, 2012) based on the most salient features of their constitutions and functioning. In almost all of the post-Yugoslav countries, these studies have found a practice of ethnic engineering, described as the intentional policy of governments and lawmakers to influence the ethnic composition of their population in favour of their dominant ethnic group, whether this practice is legally codified (as in the Serbian constitution defining Serbia as the state of Serbs and others) or pursued through various institutional and administrative practices set within or against the existing laws.

Education is one of the public spheres in which ethnic engineering can be a powerful tool for favouritism of ethnic core groups and the exclusion of others, since political socialisation of citizens is one of its core functions (Gutmann, 1987). Who belongs to the state, nation or homeland is often implied in ideologies, narratives and beliefs that can be officially or unofficially endorsed through education policies and practices. Some of the

mechanisms through which inclusive and exclusive concepts of citizenship can be promoted include curricula and the use of languages in schools (Steiner-Khamsi, Torney-Purta & Schwille, 2002), which shape the institutional arrangements for students' experiences within education structures.

Central to the exercise of full membership in a society are citizens' rights and duties. EU membership criteria and observance of the relevant international norms are an important driving force for adopting social inclusion and anti-discrimination principles. In their education-related legislation and policies all post-Yugoslav countries have incorporated provisions protecting rights *to* and *in* education. The countries are signatories to a number of European and other international instruments<sup>1</sup> that protect individual rights, as well as grant various group rights, such as cultural and linguistic minority rights. For example, the UN Convention on the Rights of the Child grants individuals the right to equal access to compulsory and free primary education, free access to secondary education and higher education accessible to all (Art. 28)<sup>2</sup>. The key instrument protecting minority rights is the Framework Convention for the Protection of National Minorities (FCNM), which covers education on culture, language, history and the religion of minorities (Art. 12-14).

Some studies from the region identified over-emphasis of group over individual rights (Krasniqi, 2012; Pantić, Closs & Ivošević, 2011; Sarajlić, 2012; Spaskovska, 2012). Other studies from the Central and Eastern European countries (Agarin & Brosig, 2009) point to the tensions between upholding ethnic and linguistic minority rights, and developing inclusive education systems while respecting diversity. This paper explores how the ethnocentric, multicultural and civic dimensions of citizenship operate in education governance structures and policies. In particular, it explores the ways in which these structures and policies encourage inclusive and exclusive concepts of citizenship, officially or otherwise, and the

ways in which relevant ‘European norms’ are consolidated locally, e.g. whether groups are favoured over individuals in their entitlements to education rights.

A qualitative comparative methodology is used looking for cross-cutting themes that can be illustrated by all or some of the country cases. The data is collected through analysis and close textual interpretation (Merriam, 1998) of education policy documents, while informal interviews with the members from academia, governmental and non-governmental sectors were used to check the accuracy of these interpretations. All data has been collected between January and June 2012. The analysis involved an interpretative approach to determining meaning, salience and connections (Ritchie & Spencer, 1994) and identifying ‘themes’ by looking at the logics of particular country contexts as part of a wider regional context (Scheppelle, 2004).

### **Interactions between citizenship regimes and education**

The interactions between citizenship regimes and education are analysed applying three sets of interpretative frameworks that distinguish between three dimensions of citizenship:

- 1) Collective and individual identities
- 2) Ethnocentric, multicultural, and civic interactions between citizenship and education
- 3) Inclusive and exclusive concepts of citizenship

#### **1. *Collective and individual identities***

According to Joppke (2003; 2007) citizenship is essentially membership in a polity to which *rights* and *identities* are connected. The rights dimension of citizenship includes social rights, protection from discrimination and multicultural recognition. Anti-discrimination measures attempt to remove ethnicity or race as a marker of individual and group differentiation, whereas recognition seeks to perpetuate such differentiation (Joppke, 2007). Citizenship as

identity refers to individuals' acting and conceiving of themselves as members of a collective, or the normative conceptions of such acting and conceiving propagated by the state. Thus, citizenship as identity has two possible meanings - the official views propagated by the state, and the actual views held by ordinary people, which can differ (Joppke , 2007).

One of the aims of education is to prepare citizens for civic participation and interaction with the state by developing their individual and collective identities (Bieber, 2007; Čorkalo Biruški & Ajduković, 2008; Gutmann, 1987; Spiecker & Steutel, 1995). Education for citizenship can also be seen at policy or social, and at the individual level (Steiner-Khamsi, Torney-Purta & Schwille, 2002). At the social level, education is often seen as political socialisation - typically understood to include processes by which states transmit political values and modes of behaviour to citizens (Gutmann, 1987). At the individual level, education is a process by which collective identifications are given private and personal meanings (Steiner-Khamsi, Torney-Purta & Schwille, 2002). These processes are mutually formative and interdependent as will be discussed later.

This study focuses on the interaction between citizenship regimes and the *policy level* of education for citizenship promoted by the state. It looks at the ways in which education governance structures and policies shape the intended space and dominant discourses within which citizens' internalise their identities, views and experiences of citizenship. However, individuals acquire knowledge and internalise values only partly through what is present at the broader, societal level (see e.g. Author 6 in this issue). Although the individual level is not the focus of this study, this point will be illustrated with other studies on the attitudes of students, parents, and teachers.

## ***2. Ethnocentric, multicultural and civic interactions between citizenship and education***



Ethnocentric, multicultural, and civic dimensions of citizenship are defined drawing on Gutmann's (1987) theories of 'a family state', 'a state of families' and 'a state of individuals', which are subsequently sought in the assumed (desired) relations between the collective and the individual in post-Yugoslav education systems and policies.

*Ethnocentric education for ethnocentric citizenship in 'a family state'*

The defining feature of 'the family state' (Gutmann, 1987, p.23) is that it claims exclusive educational authority as the means of establishing a constitutive relation between individuals and the social good based on knowledge. The family state seeks to create a level of unity and like-mindedness among its citizens (that can be expected only in families, and perhaps not even there) based on its status as the political parent of its citizens. In this perspective, the purpose of education is to cultivate such unity among its citizens by defining and transmitting educationally worthwhile knowledge.

Ethnocentric citizenship regimes seek to affirm an ethnic majority as the dominant conception of nationhood in a given country, which according to Joppke (2003; 2007) has little in common with the legal form of citizenship. In an ethnocentric version of the family state ethnic belonging comes forth as the defining feature of citizens' identity aligned with the idea of collective (ethnic) good. The purpose of education for the ethnocentric concept of citizenship would, then, be to prepare citizens to think of themselves within the framework of their ethnicity under which their individual ideas of a good life are to be subsumed. Some of the methods for building the ethnocentric nation state through education include establishing a state language and promoting a unified, homogenised historical narrative (Bieber, 2007) by controlling the sources of knowledge considered valid by the education authorities.

*Multicultural education for multicultural citizenship in 'a state of families'*

The family state's claim of an exclusive authority over education might never be questioned in a society whose members already agree about what is good and educationally worthwhile. In multicultural societies such claims are bound to constrain the choices among different ways of life and educational purposes, in a manner that is not always compatible with parents' cultural views. Radically opposed to the family state is 'the state of families', which places authority exclusively in the hands of parents to predispose their children, through education, to choose a way of life consistent with their familial heritage based on their cultural rights (Gutmann, 1987, p.28).

Multicultural citizenship regimes adopt a conception of minority cultures that grants certain collective rights to such minorities, although no single formula can be applied to all groups (Kymlicka, 1995). This entitlement has been challenged on the grounds that cultural community is a dynamic concept - centuries of contact will have had effects on the groups as they now exist (Tomasi, 1995; Čorkalo Biruški & Ajduković, 2008). Multiple identities and combining group and other identities are the norm in modern societies (Osler & Starkey, 2001). According to Tomasi (1995) each individual has a dynamic cultural membership equally. Thus it cannot generate special rights. The provision of basic education is also an individual right, so we need to distinguish between the instantiation of the principle of universal and free basic education for every child, and the granting of special, group rights to students of different cultural groups.

Multicultural education emphasises the need to preserve the specific cultures of minority groups, for example through linguistically and culturally sensitive curricula. To avoid the 'free-rider' problem and assure all children the freedom to choose in the future, the state of families limits parental supremacy by requiring schools to teach mutual respect (Gutmann, 1987) and intercultural dialogue (Čorkalo Biruški & Ajduković, 2008).

### *Civic education for civic citizenship in 'a state of individuals'*

In the civic understanding citizenship is a territorial constructs connected to the states' obligations to individuals based on international law (e.g. protection of human rights and non-discrimination), and a de-coupling of the state from nation-building (Joppke , 2003). As in the family of states, in a civil society many loyalties and affiliations are tolerated or encouraged (including family, cultural and religious denominations), but cultural difference appears through individual rather than through group rights (Joppke, 2007). In 'the state of individuals' (Gutmann, 1987, p.33) a desired educational authority is the one that maximizes future choices without prejudicing children towards any conceptions of a good life. This conception of education adopts Rawls' view of citizenship in a constitutional democracy, which regards its citizens as free and equal (Spiecker & Steutel, 1995). Two layers of citizens' identity can be distinguished: a political identity based on the rights and duties of sustaining fair social cooperation over time, and citizens' 'deeper aims and commitments' – their non-institutional, moral identity (Rawls, 1993, p.30). Citizens must adjust and reconcile these two aspects of their identity in order to affirm the values of justice and see them embodied in political institutions. The role of education is to help children become cooperating members of society, ready to 'propose fair terms of cooperation it is reasonable to expect others to endorse', and be 'willing to abide by these terms provided others can be relied on to do likewise' (Rawls, 1993, p.81).

### ***3. Inclusive and exclusive concepts of citizenship***

Among the drivers of educational reforms in the region are EU's agendas for social inclusion and regional reconciliation through education as part of Thessaloniki agenda promoting regional peace, stability and prosperity. The European Commission (2004) defines social inclusion as a process that provides people exposed to the risk of poverty and social exclusion

with the opportunity and means for full participation in economic, social and cultural life of the society in which they live. There is a distinction to be made between peaceful coexistence of differences in society ensuring the welfare of all its members, and the capacity of a society to minimise disparities and avoid polarisation, referred to as social cohesion (McGinn, 2008), which involves harmonious inter-community relations and trust (Green et al., 2003) that can be affected through socialisation, civic participation and cross-cultural understanding, e.g. by exposing children to the ways of life that are different from those of their parents, through intercultural contact and interaction, learning with and about others and learning the different languages of fellow citizens.

The extent to which inclusive or exclusive concepts of citizenship are encouraged in education policies is recognised in how they promote human rights and shared values, make positive references to cultural diversity, and the ways they conceptualise minorities. Exclusion is reflected in discrimination against groups or individuals (e.g. by ethnicity, mother tongue, social class, religion etc.), preventing full participation, intolerance, and support of *us* and *them* attitudes (Osler & Starkey, 2001, p. 292). The inclusive or exclusive concepts of citizenship are greatly dependent on the contexts. The same phenomenon can be interpreted as inclusive and exclusive as will be seen in the contexts under study.

### **Citizenship and education governance in post-Yugoslav states**

In line with Gutmann's (1987) suggestion that the central political question of how a society shapes its future citizens through education needs to look at the ways authority over educational institutions is allocated, this inquiry focuses on the education governance structures. Specifically, it looks at the ways individuals are incorporated in educational systems, universally or consociationally (Tomsic 1995, p. 581), the ways minorities are defined

and provided for at different levels, and the way education perpetuates the dominance of particular ethnic groups at different levels, in particular through language policies.

### ***Universal and consociational education systems***

Some of the ways in which post-Yugoslav citizenship regimes operate in education relate to the ways these countries define their minorities (e.g. as ‘nationalities’, ‘communities’ and ‘(constitutive) peoples’). These definitions relate to the arrangements for (minority) rights *to* and *in* education. While the six states grant universal access to primary and secondary education, in some countries this right is *de facto* exercised consociationally by some ‘minorities’<sup>3</sup>. For example, in their constitutions Croatia and Serbia define themselves as countries of the Croat and Serb majority respectively, and of ‘national minorities’ who are granted certain group (linguistic and cultural) rights within one centrally governed system of education. Montenegro’s civic constitution (although it does not define the country’s majority) also grants all ‘members of minorities’ a right to public education in their language with one central curriculum sensitive to minority cultures and their histories (Art. 79).

In contrast, examples of the consociationally exercised right to education are found in Bosnia and Herzegovina, with special arrangements for a linguistically and culturally sensitive education of the three ‘constitutive peoples’, who are also *de facto* minorities in parts of the country, along with other minorities. In Kosovo, members of the Serb ‘community’ are educated in a parallel system managed by the Serbian Ministry of Education. In Macedonia the Albanian ‘community’ exercises the right to education in a separate system of schools and classes in the Albanian language.

### ***Context-dependent status of different minorities***

Granting of the cultural rights to ‘minorities’ in the region is an example of the adaptability of systems, or the governing elites, to act in compliance with the international norms while adapting these norms to advance their local agendas. Commentators of minority policies in post-communist countries sometimes argue that in general the policies shifted from those of assimilation aimed at the desired socialist homogeneity, to a greater concern for the protection of human and minority rights as a more appropriate arrangement in multicultural contexts (Angelovska & Skenderi, 2009; Nikolić, 2009). At the same time such policies have been criticised for reinforcing the ethnic divides and distance among school children, and sometimes leading to segregation due to the misinterpretation of the rights of communities (MESRM, 2009; Swimelar, 2012).

A variety of arrangements for the education of different minorities can be found in the region, ranging from the noted cases of separate education systems for some minorities (or ‘communities’ and ‘peoples’) to those reducing minority identities to folk dances (Bieber, 2007). Different treatments of different ‘minorities’ in education can be linked to the post-conflict contexts, and to the history of minority protection and relations with kin states.

Examples of fragmented, divided and politicised systems and institutions include post-war Bosnia and Herzegovina, ethnically divided Macedonia and Kosovo, and post-conflict areas within countries, such as the area of Vukovar in Croatia. Bosnia and Herzegovina has the most fragmented education system with thirteen education ministries in the two entities, the ten Federation cantons, and the Brčko district. The right to a culturally and linguistically sensitive curriculum is mostly practised through mono-ethnic schooling of the constituent peoples. The most notorious examples are those of segregated schooling of Bosniak and Croat children in ‘two schools under one roof’ in which teachers and students of the two groups are physically separated, use different curricula, and sometimes also ‘linguistically’ arranged shifts, different entrances, different staff rooms and even different break times<sup>4</sup>. The way such

divided spaces are used for creating and transcending boundaries between the two ethnic groups is illustrated in the next paper of this special issue. In Macedonia's linguistic (ethnic) separation of schools and classes, Albanian students are reported to be most isolated, while students from non-Albanian ethnic communities attend schools in the Macedonian language (UNICEF, 2009). In Kosovo's heavily politicised education system non-Albanian communities are caught in a cross fire between the Albanian majority and the Serb community which does not recognise the Kosovo authorities (Bieber, 2007).

Segregated schooling for some minorities does not always imply that students are disadvantaged. In some cases, linguistically separate education for some minorities can mean that pupils enjoy an advantage in terms of support from and mobility towards kin states for post-school opportunities. These cases link to the history of some nationalities (*narodnosti* in Yugoslavia) that enjoyed substantial autonomy and minority rights in education. For example, Italian schools in Istria have more favourable student-teacher ratios than an average number of students per class in Croatia overall, and are better equipped thanks to financial support from Italy (Pantić, Closs & Ivošević, 2011). The Hungarian minority in Serbia inherited high levels of autonomy with entitlement to education in their language from primary through to university education, especially in Vojvodina where minority protection is generally reported to be higher than in Serbia proper, with National Councils representing minorities more systematically consulted in education matters (Bieber, 2007; OSCE, 2008).

Specific treatment is evident in all countries of the Roma minority, for whom being a minority often coincides with a low socio-economic condition. The segregation and exclusion of sometimes extremely impoverished Roma children is reported across the region (Bieber, 2007). Drop-out rates due to poverty are significantly higher among Roma, often educated in schools and classes for children with special needs (Bieber, 2007, p. 63).

In the recent reforms of their education systems all countries have introduced affirmative measures to target inclusion and desegregation of Roma, often supporting anti-discriminatory practices rather than promoting recognition of the cultural and linguistic rights of the Roma minority, which does not neatly link to a culture or language (Agarin & Brosig, 2009). All six countries joined the Decade of Roma Inclusion (2005-15) and developed action plans to improve access and bring Roma children into regular education through the introduction of Roma assistants in schools, providing free textbooks and scholarships, and expanding pre-school attendance (Pantić, Closs & Ivošević, 2011). Sometimes these measures removed barriers for access to education of Roma children, for example by allowing enrolment without proof of parents' residence in the new legislation in Serbia (ZOSOV, 2009). Sometimes measures targeting Roma students have contributed to building anti-discriminatory educational practices more generally, for example through use of handbooks supporting anti-discriminatory school cultures (Pantić, Closs & Ivošević, 2011).

In a study of the integration of Roma in Macedonia, Nikolić (2009, pp.286-287) remarked that the majority of ethnic Macedonians 'do not perceive Roma as intimidating or threatening when put in the context of the persistent tensions with the much larger and politically stronger Albanian minority'. This might explain why it is politically less controversial to embrace policies aimed at including the Roma than other, post-conflict minorities. Where examples of nascent conciliatory practices have been reported, they resulted from efforts of conscientious teachers and school principals, in spite of, rather than in response to education policies (Pantić, Closs & Ivošević, 2011).

### ***The use of education to perpetuate the dominance of particular ethnic groups***

All the six countries use education in their ethnocentric nation-building projects, but the loci of ethnic engineering varies from the national level (Croatia, Montenegro and Serbia) to



varying levels of decentralised education governance (Bosnia and Herzegovina, Kosovo and Macedonia).

In the states with one dominant constitutive majority, the ethnic, cultural and linguistic interests of the 'state-bearing' group are embedded in the design of policies and institutions. For example, in Croatia and Serbia the constitutions establish the state language and script, and policies promote a homogenised narrative most obviously through the national curricula. The central management of these education systems allows high levels of control over educationally 'valid' knowledge by the education authorities at the national level. Thus, young citizens learn almost exclusively about the majority group's narrative, history, culture and religion, while minorities usually seek to secure their group's linguistic and cultural rights in education. Their levels of success and involvement of the bodies representing a given minority in curricular design vary, depending on the group's integrity, stability, political clout, and relations with kin states.

While education reforms in all the six countries included strategies for the transfer of some authorities in education to the school level, in the consociational systems, the powers were also transferred to the lower levels of education authorities such as entities and cantons in Bosnia and Herzegovina, and municipalities in Macedonia and Kosovo. Proponents of group rights recognise decentralisation and autonomy for local authorities in education as a positive force allowing groups to practice and protect their cultural identity, language, and religion (Kymlicka, 1995). However, in these post-conflict contexts, the decentralisation of educational authority has often meant greater power for local nationalists and less involvement by school staff, parents and students. In some cases, as in Bosnia and Herzegovina, pressure and/or manipulation from administrators and authorities have resulted in parents themselves pushing for educational segregation (Swimelar, 2012), which illustrates the interdependent and formative relations between the intended and internalised identities.

Multicultural states' constitutions and legislation often provide that lower level authorities shall respect certain nationally set standards while using their local powers. The Kosovo constitution obliges municipalities to respect the constitution and the applicable legislation in the areas of their own competencies including those in education (Art. 124). In Macedonia, the so-called 'Badinter majority' applies for laws that concern the use of languages and education. The Assembly adopts decisions by the majority of votes that is constituted from the present members, provided that the majority of votes comes from MPs who are members of communities that are not a majority in the state (Angelovska & Skenderi, 2009). However, at the local level, dominant groups – be they majority or minority – are reported to often make decisions with little consultation with others (Bieber, 2007). In these contexts decentralisation brings both opportunities for multicultural recognition and risks of discrimination against other groups or individuals due to doubtful local capacities, or simply due to local authorities not using their legal mandates to deal with daily school issues. For example, in Macedonia, school boards of mixed composition are reported to have had very little involvement in dealing with issues related to interethnic communication under their legal mandate (UNICEF, 2009). Intercultural solutions in day-to-day interactions between individuals with various cultural, ethnic and linguistic backgrounds remain a challenging task for schools in some places. In Kosovo, numerous attempts made by local and international bodies to develop educational cooperation between Serb and Albanian communities have failed, despite the report of 'general openness to discussion of all issues by school principals and teachers' (Rexhaj, Mula & Hima, 2010, p.35).

### ***Citizenship and language policies***

Language policies are among the most frequently employed mechanisms for promoting inclusive and/or exclusive concepts of citizenship in education. Legislation in the region

provides a number of language instruction options. In most cases the six states have opted for the promotion and recognition principles (designating certain selected languages as ‘official’ and according a series of rights to speakers of those languages), incorporated in constitutions, legislation and other statutory and policy documents. For example, the Kosovo constitution stipulates that members of communities have the right, individually or in community, to receive public education at all levels in one of the official languages, and to use their language and alphabet freely in private and in public (Art. 59).

The six countries provide different models for the implementation of linguistic rights in education. For instance, Serbian legislation (ZOSOV, 2009) affirms the practice of education of minorities in their first language in all subjects, and only in exceptional cases bilingually or in the Serbian language. In Croatia, the *Constitutional Act on the Rights of National Minorities* (2002) grants national minorities the right to education in their first language and script in pre-school, primary and secondary education. Minorities exercise this right through one of three models: model A foresees schooling in the national minority language and four hours of Croatian a week; model B envisages bilingual teaching, with the social sciences and humanities taught in the minority language and natural sciences taught in the Croatian language, again with four hours of Croatian a week; and model C enables nurturing of the mother tongue and minority culture through five hours per week of instruction in the given minority language (Batarelo-Kokić, Vukelić & Ljubić, 2010).

The choices of some ‘linguistic minorities’ clearly link to post-conflict contexts. For example, in the area of Vukovar in Croatia – where the Serb minority opted for model A (education in their own language) – Croat and Serb students were separated in different schools or shifts until September 2007, despite the five-year limit for this arrangement established by the *Erdut Agreement* in 1995. In Macedonia any community constituting 20% or more of the population of a municipality has the right to education in their mother tongue at

all levels, pursuant to the *Ohrid Framework Agreement* that sets an agenda for increased participation in public life, primarily by ethnic Albanians. The Constitution of Bosnia and Herzegovina and especially the *Interim Agreement on Satisfying Special Needs and Rights to Returnee Children* (2002) guarantee special rights in education to the members of any of the three constituent peoples forming a minority in areas that are predominantly populated by the members of another constituent people (Kafedžić, Džemidžić-Kristiansen and Pribišev Beleslin, 2010, p.32).

In these contexts, separate education for accommodating linguistic rights is based on the territoriality principle meaning that the availability of options depends on their geographical region (Kymlicka & Patten, 2003). In actual fact such linguistically separated education is also based on an ethnic ground in these post-conflict societies. Many of the claims to group rights are politically motivated, and may be less about the practicality of language use and communication, and more about the symbolic nature of language as a key to one's history and identity (Swimelar, 2012). This might explain the prevalence of the recognition principle over the norm-and-accommodation approach where the key priority is to enable communication between public institutions and citizens or residents with limited proficiency in the language in public use, so that the latter can access the rights to which they are entitled (Kymlicka & Patten, 2003). Montenegro is an interesting case in this regard, with the recognition principle built into the Constitution, yet with the norm-and-accommodation principle applied in the implementation of linguistic rights. The Constitution stipulates the official use of Serbian, Bosnian, Albanian, and Croatian languages along with Montenegrin (Art. 13). In practice, education in their own language is provided only for the Albanian minority for whom communication would not be possible in Montenegrin due to the degree of linguistic difference, and not for the other official languages commonly referred to as 'the mother tongue' (Bieber 2007; Milić, Marić, Bošković & Šćepović, 2010; VRCG, 2005).<sup>5</sup>

Language is in some cases both a real and a politicised question. The degree of linguistic difference between languages has implications for possible intercultural cooperation between segregated schools and classes. For example, given the willingness on the part of school staff and a given local community, such cooperation is easily practicable, e.g. for Bosniak and Croat students in Bosnia and Herzegovina or between Croat and Serb students in schools in Vukovar (Croatia), while intercultural cooperation between Albanian and Serb schools in Kosovo would require the mutual learning of languages.

### *Availability of minority language education*

Discrepancies are noticeable between learning the minority languages by the majorities and vice versa. For example, Macedonia introduced the learning of the Macedonian language for non-Macedonian students from grade one, while the introduction of local languages for Macedonian students is withheld (UNICEF, 2009). Learning a minority language is often challenging, especially if it is not the language of an economically or culturally attractive kin state or a foreign language with greater allure, like English (Bieber, 2007).

The option of education in the first language is usually provided, pending on a threshold number of students, favouring territoriality over the universal principle, and group over individual rights. All six countries (except Croatia) have established a requirement for a minimum number of students for establishing specific classes or schools for a minority (lower than normally stipulated for educational institutions). For example, in Serbia education in a minority language is granted for a minimum of 15 students or upon a request and with approval by the Minister for fewer than 15 pupils. Sometimes, the legislation is not precise about threshold numbers, like in Kosovo, although the application of a threshold of 15 in practice has been reported (Bieber, 2007, p.52).

According to Bieber (2007) imprecise definitions of numbers sometimes contribute to poor implementation of rights to education in minority languages. For example Bosnia's *Framework Law on Primary and Secondary Education* (2003) provides that "The language and culture of any major minority living in Bosnia and Herzegovina shall be respected and shall fit into schools to the largest extent viable, in line with the Framework Convention on Protection of Rights of Ethnic Minorities" (Art. 8). The provision is then integrated in various forms into the entity and cantonal legislation. For example, in *Tuzla Canton Law on Minorities* (2009) different thresholds apply for different modes of provision: 1/3 of a total number of pupils in a school for instruction in the mother tongue, and 1/5 of a total number of pupils in a school for additional classes of the minority language, literature, history, geography and culture, if this is requested by the majority of their parents (Art. 8). *Republika Srpska* had a threshold of 20 pupils that it abolished in 2004 upon the FCNM Advisory Committee's criticism that it was too high. Subsequently, local authorities are obliged to organise additional classes in a minority language, history and culture regardless of student numbers (Bieber, 2007).

In reality most schools function under a mono-ethnic curriculum given that most geographical units are themselves mono-ethnic, with minority student numbers usually too small for entitlement for curriculum in their language, or to form their own school. Thus, in most parts of Sarajevo where Bosniaks are the majority, the schools use the Bosniak curriculum, while in Banja Luka, *Republika Srpska*, students learn from the Serb curriculum. In some cases, if a teacher can be found and if there are enough students, separate classes for the group of 'national subjects' is created. It is also common that many Bosnian Serb parents living in Sarajevo send their children across the inter-entity boundary to *Republika Srpska* so that they can attend a school following the curriculum in Serbian, even if the quality of

education is lower and the distance greater, and even if children have to walk considerable distances along main roads (Swimelar, 2012).

The numerical threshold provisions inevitably limit the geographical scope of the right to education in a minority language - an Albanian speaker in Macedonia might be able to learn Albanian in Tetovo, but not in Štip (Bieber, 2007, p.16). These provisions also contribute to differences in the actual exercise of the right to education in one's own language by different minorities, notably withdrawal of such a right to less numerous or less vocal ones. Sometimes, the right to culturally and linguistically sensitive curriculum is denied on the pretext of 'technical limits' and lack of resources (teachers, textbooks, financing). Shortages of minority teachers are often due to their being trained abroad in kin states (Bieber, 2007, p.68), or for other context specific reasons. For example, the guarantee in the *Use of Languages in Kosovo Act* (2002) protecting the right of minorities to be educated in their own languages, is implemented for Turkish, Bosnian and part of Gorani community (who attend schools in the Bosnian language), while Serbs and part of Gorani who attend schools in the Serbian language, follow curricula from Serbia. Serbia offers full education in Hungarian, but only limited courses in Romani. In Macedonia Albanian, Turkish, Macedonian and Serbian languages are available as languages of instruction, while Roma, Bosniaks and Vlachs are offered optional subjects in their languages. The right to education is most often denied to the Roma minority whose members are as a rule educated in the language of the majority in the place where they reside. Thus, in Croatia, Roma attend classes in the Croatian language; in Kosovo, Roma who live in a predominantly Albanian environment attend school in Albanian, while Roma who live in Serbian enclaves attend Serbian language schools (Bieber, 2007).

In summary, although the language policies in the six states are broadly consistent with multicultural views of the need to grant cultural and linguistic group rights in education,

there is only limited promotion of the mutual respect and interethnic contact, and limited individual choice of the language of instruction by both majorities and minorities.

### ***Education governance, policies and citizens' identities – tales of two cities***

In post-war Balkan geographies the claims of collective linguistic rights potentially lead to exclusion and work at cross-purposes against universal human rights, civic ideals, non-discrimination and inclusion (Swimelar, 2012). Language is a significant stumbling block to the promotion of inclusive concepts of citizenship, often used for maintaining separation and exclusion, as can be illustrated by the Mostar Gymnasium case. On the other hand, the fully integrated school system in Brčko (Moore, 2013) suggests that the issue might not be insurmountable.

The international community initiated the integration of the Mostar Gymnasium (attended by Bosniak and Croat students), while the Croat political community claimed its cultural, and especially its linguistic rights (Hromadžić, 2008). The school has been administratively unified, but preserved separate curricula and the ethnic segregation characteristic of the 'two schools under one roof'. Hromadžić's study (2008) shows how this kind of concurrently shared and separated schooling shapes students' experiences and generates distrust among the young citizens in post-conflict Bosnia and Herzegovina.

In contrast, the integration of schools in the Brčko district has been cited as an example of a concerted effort of the international community, education authorities, professionals and communities to overcome the divides along ethnic lines (OSCE, 2007). In 2001 the Brčko Supervisor<sup>6</sup> imposed the district level *Law on Education* and a newly developed curriculum. The law set a platform for integrated education by stipulating that students of the three ethnicities receive instruction in their own languages in the same classroom, and use the Latin and Cyrillic alphabets on equal terms in curricular and



extracurricular activities. The law also stipulated that the ethnic composition of teachers should reflect that of the students in a school. A comprehensive public awareness campaign was run parallel to policy measures obliging teachers to use all three languages when teaching, and to sign a Code of Conduct accepting the reform principles. Such policies were accompanied by incentives<sup>7</sup> and an offer of short-term (annual and bi-annual) contracts to teachers in Brčko with a view towards ensuring sustained commitment to the reform principles. In the 2001/2002 school year children of the three ethnicities started to go to the primary schools together with some separate classes for the ‘national subjects’. Integrated schooling of the secondary students was achieved gradually over four years and a public opinion poll conducted in 2004 showed that parents in Brčko were more in favour of integrated schooling than parents in Bosnia and Herzegovina on average (OSCE, 2007).

The cases of Mostar and Brčko illustrate how citizens’ views and attitudes are at least to some extent shaped by the institutional arrangements and policies. A well-known ‘contact thesis’ put forth by Allport (1954), and noted by scholars in the region (Čorkalo Biruški & Ajduković, 2008; Swimelar, 2012), points to the importance of interpersonal contact for reducing prejudice and building tolerance. Ordinary citizens, including children and young people, seem to be aware of the importance of interethnic contact in education. A survey in Macedonia showed that the majority of citizens felt that education, alongside Macedonia’s membership of the EU, is the most significant factor for improving interethnic relations in their municipality (Angelovska & Skenderi, 2009). In a study of the perceptions of the role of education in reconciliation (Magill et al., 2009) young respondents from Bosnia and Herzegovina tended to emphasise the need for contact between schools with pupils of different ethnicities. A subsequent study of the attitudes of parents, teachers, and students towards separate education of Croats and Serbs in the Vukovar area showed more positive attitudes towards integration in 2007 than in 2001, although all groups, except the teachers of

the curriculum in Croatian, were still mostly in favour of separate education (Čorkalo Biruški & Ajduković 2008).

### **Influences of ‘Europeanisation’?**

It is difficult to say to what extent the governance structures and policy choices have been influenced by the countries’ aspirations for EU membership, given the dynamic nature of the process and wide range of potential effects (Grabbe, 2001). Some influence of the observance of the ‘European norms’ can be discerned in the promotion of human and minority rights in the institutional solutions and of social inclusion in the education policy documents, both with a distinctly local take.

In the absence of an *acquis* on education *per se* EU has little leeway in influencing the reforms of the education systems. The most tangible effect of EU’s conditionality has been identified in the area of minority rights promotion. For example, Petričušić (2008) argues that in Croatia the policy towards minorities has been unquestionably due to the European integration process, as the issue of minority rights has been given particular attention in the screening of the *acquis* by the Commission that requested passing of a comprehensive action plan for the implementation of *the Constitutional Law on the Rights of National Minorities*, in order to proceed with the negotiations. However, Stubbs and Zrinščak point in the paper of this special issue, that changing of the discriminatory laws in the EU accession process had little impact on *de facto* discrimination of Croatian Serbs. Similarly, different treatment of different minorities presented in this paper suggests that this compliance might be instrumental and symbolic, rather than a principled commitment to the promotion of the cultural and linguistic rights of the minorities.

The question of any EU influence needs to be considered distinguishing between formal change, e.g. of legal rules, and the behavioural change through their implementation,

application and enforcement (Sedelmeier, 2006). Education is one of the areas where there is an apparent gap between the values adopted in the legislation and policies and their implementation (Pantić, Closs & Ivošević, 2011). Promotion of human rights and social inclusion, and the protection of minority rights are seen as essential for progress towards integration in the EU. Significant majority of the populations see their future within the EU, with the integration process reported to have had a catalytic effect on the consolidation of strategic planning under a more systematic approach (see, e.g. UNDP and ORI, 2007). An appeal to 'Europe' is commonplace in policy documents and education reform strategies, but the EU has no specific test of institutional change or compliance with its requirements (Grabbe, 2001). In this situation it is not unusual that adjustments are patchy and selective especially in policy areas with limited concrete EU demands, or that the domestic actors use EU requirements to justify institutional and policy choices in line with their own priorities (Grabbe, 2001; Sedelmeier, 2006).

The main mechanism for influencing policy transfer in education, if any, seems to be provided by social learning (Borzel & Riese, 2003) with actors motivated by internalised values and norms, rather than bargaining about the conditions and rewards (Sedelmeier 2006; Schimmelfennig & Sedelmeier, 2004). The EU's main mechanisms for effecting change in the area of education is benchmarking and monitoring, and technical assistance involving intensive interactions between domestic officials and experts with EU counterparts. EU Agencies and other international organisations together with the growing civil sector have been essential in the promotion of minority rights in the region, but also reported to have contributed to minority integration not always being valued for its intrinsic worth (e.g. as positively affecting institutional performance) but as representing, rather, a symbolic engagement to comply with international demands (Agarin & Brosig, 2009).

## **Conclusions**

The study reported in this paper offered the following insights into the themes of the analysis of the education system governance structures and policies in the post-Yugoslav countries.

### *Collective and individual identities*

Strong primacy of group over individual rights is evident in the minorities' entitlements to education in their own language with most of the countries having adopted the principles of promotion and recognition of linguistic rights, and favouring territorial over universal principle in the implementation of these rights, by providing education in the first language depending on threshold numbers of students. In the post-conflict contexts this has created problematic multicultural solutions that led to minimal intercultural contact and prevalence of static concepts of diversity and essentialised (ethnic) groups. The problem with homogenising groups for policy purposes – even where there is a degree of interaction between the groups – is that interactions take place between individuals who classify each other predominantly in terms of belonging to specific ethnic or cultural communities.

### *Ethnocentric, multicultural, and civic interactions between citizenship and education*

Ethnocentric and multicultural elements of citizenship regimes can be identified in the education system governance structures and education policies, while the ethnocentric ones prevail in the ways policies are implemented. Multicultural policy options are most obvious in the recognition of the right to linguistically and culturally sensitive curricula, although ethnocentric motives can be discerned behind their territorial implementation, and in the varied arrangements for some minorities, communities and peoples in the systems of education. On the one hand, classes and schools separate pupils linguistically even where there is an almost complete mutual understanding, as in Bosnia and Herzegovina, and Croatia.

On the other hand, there is little evidence of a genuine intention to ensure bilingual education where language does represent a real barrier for building inter-community trust, as in Kosovo and Macedonia. This leads to a conclusion that the promotion of multicultural language policies might be more of a symbolic value than about genuine concern for citizens' cultural recognition and communication.

#### *Inclusive and exclusive concepts of citizenship*

The 'linguistic' policies are often used to support the development of different ethnic identities, while examples of anti-discriminatory policies are rare. Attempts to make education more inclusive can be recognised in the measures to increase access and prevent segregation of Roma minority in all countries. Exclusive conceptions of citizenship are reflected in the separate ethnic narratives promoted in separately governed systems and the messages students might be getting from hidden curricular practices preventing intercultural contact.

Paradoxically, these practices are sometimes legitimised by the multicultural policies promoting linguistic and cultural rights in education – an example of coexistence of the inclusive and exclusive conceptions of citizenship in education policies.

#### *Influences of 'Europeanisation' process*

The observance of 'European norms' is mainly seen in areas of minority rights and declared social inclusion policies, while their application in practice is limited to the use of different languages in education, with poor understanding of mutual respect and acceptance of differences. In the absence of systematic monitoring of protection of individual human rights and non-discrimination practices the EU requirements seem to be used to justify institutional and policy choices in line with the domestic nation-building priorities. The upholding of

rights to a culturally sensitive curriculum and schooling in the mother tongue, has sometimes inadvertently led to segregated education.

In summary, the interactions between citizenship and education policies in the post-Yugoslav states can be characterised as the rise of *ethnocentric*, on the pretext of ensuring *multicultural* education of young citizens in line with the European ideals of respecting cultural and linguistic diversity. The cases of Mostar and Brčko illustrate how, for better and worse, the governance structures and policies might contribute to the shaping of citizens' identities, and how this might be mediated by schooling environments and teachers. Hromadžić (in this special issue illustrates how ethnic governance of the Mostar gymnasium could be at least partly disrupted if not completely transformed through teachers' actions, just as Brčko students and teachers might embrace nationalistic narratives despite the policies aimed at integration. Moreover, the same teachers might resist and embrace such narratives at different times.

Post-Yugoslav societies, like others, are stratified by different interrelated layers of diversity, e.g. living conditions in urban and rural environments, social and family cultures, religious and secular views, gender, and so on. Which particular dimensions of diversity come to the forefront in public debate and policy agendas is guided by the political concerns of the moment. The post-conflict education debates have been dominated by the issues of linguistic and cultural rights. However, many of the concerns about the quality of education, such as pupils' functional knowledge and employability, are shared by all parents. The increasing presence of these substantive issues in education debates and media might shift the foci of public pressure and the priorities of education authorities.

## Notes

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<sup>1</sup> These include the European Convention on Human Rights (1950); the UNESCO Convention against Discrimination in Education (1960); the UN Convention on the Rights of the Child (1989); the Council of Europe Framework Convention for the Protection of National Minorities (1995); the revised European Social Charter (1995); and the European Charter for Regional or Minority Languages (1992).

<sup>2</sup> The study covers primary and secondary education which is granted as free and universally accessible in these countries. Primary education is also legally compulsory, while secondary is compulsory only in Macedonia.

<sup>3</sup> It is sometimes suggested that there is no majority ethnic group in the region as a whole and that all groups should be regarded as minorities in some sense (OECD, 2003).

<sup>4</sup> Recently, the first court decision ruled that the segregation in ‘two schools under one roof’ is a violation of the Law against discrimination in Bosnia and Herzegovina.

<sup>5</sup> Recently, heated debates over the name of this common language produced a composite name for the school subject called *Montenegrin-Serbian, Bosnian and Croatian Language and Literature*.

<sup>6</sup> A supervisory body established by the Brčko Arbitration Tribunal and administered by a Deputee High Representative for Brčko.

<sup>7</sup> At the time teachers’ salaries in Brčko were twice the average teacher salary elsewhere in Bosnia and Herzegovina.

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