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EUROPEAN CENTRE FOR MINORITY ISSUES

Managing Ethnic Diversity in Javakheti: Two European Models Of Multilingual Tertiary Education

Denis Dafflon

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Introduction

One of the ten regions of Georgia[1], Samtskhe-Javakheti, is often considered as a potential conflict zone and has been a region of major concern for the government since Georgia's independence in 1991. The region of Samtskhe-Javakheti, and especially the two *rayons* (districts) forming Javakheti, namely Akhalkalaki and Ninotsminda, are inhabited by a very large number of ethnic Armenians, who speak Armenian or Russian as their first language (according to 2002 Georgian government census the proportion of Armenians in the districts of Akhalkalaki and Ninotsminda are 94.3% and 95.8% respectively). In addition, smaller groups of Russian Dukhobors, Greeks and Georgians are settled in Javakheti. Of great concern to the region's population is not only the preservation of their languages and culture but also the future economic development of the region, which is today among the poorest in the country. Indeed, since the collapse of the Soviet Union, Javakheti has encountered particularly severe economic hardship and "industry […] has virtually ceased to function[2]". Between 1996 and 2001, industrial and agricultural production fell by 49.7% in the two *rayons* of Javakheti, as compared to 28.3% in the four *rayons* of Samtskhe[3]. Moreover, the Javakheti region, straddling the borders of Turkey and Armenia is topographically isolated from the rest of the country because of its mountainous location, and the harsh climate and poor road infrastructure makes its hard to access in winter.

The region is not only isolated geographically but also linguistically. Indeed, the overwhelming majority of the population of Javakheti does not speak Georgian and thus does not have command of the sole official language of Georgia. This situation has major consequences since the language barrier makes communication with the central authorities difficult. Whereas communication is possible in Russian between the different ethnic groups of the region, access to Georgian news and legislation remains a huge problem. As a result, most residents of the Javakheti region are poorly informed of what is going on in their country and tend to turn to Armenia or Russia as sources of information. Even though several projects are being conducted in the region by international organizations and NGOs in order to defuse ethnic tension and to promote regional integration into national structures[4], the language issue remains a major factor

[1] Georgia is divided into ten regions and two autonomous republics, Abkhazia and Adjara.
[2] WHEATLEY Jonathan, Obstacles Impeding the Regional Integration of the Javakheti Region of Georgia, ECMI Working Paper # 22, September 2004, p. 8.
[3] Ibid.
[4] One example is the work of the European Centre for Minority Issues (ECMI), which is trying to diffuse ethnic tension in the region and to enhance integration by developing the civil society sector and encouraging dialogue between the local community and the central authorities. The OSCE is also involved in the region, and among the organization's activities is a program offering Georgian language classes to 1st and 2nd year students at Akhalkalaki

preventing regional integration, especially as regards the field of education. Armenians in the region are naturally keen on maintaining Armenian as the language of education of their children. Whereas, as discussed below, education in Armenian and in minority languages in general is provided for by the Georgian legislation in primary and secondary schools, higher education is only available in Georgian. Since ethnic Armenians in Javakheti have a very poor command of the state language, they tend to attend university and other institutions of higher learning in Yerevan or in Russia and, consequently, the better educated segments of the population tend to remain abroad after completing their higher education. Out-migration of educated young people, therefore, is a major concern since it entails bleak consequences for the future development of the region. This situation raises two questions: How can the out-migration of the young and educated generation be avoided? And how can the Georgian authorities enhance ethnic diversity in higher education and attract students belonging to national minorities? The objective of this paper is to try to search for a solution to these problems. In doing so, it draws from examples of good practice in other European countries that face similar problems. The paper analyses the way the issue of access to higher education and ethnic diversity has been tackled in those regions of Macedonia and Romania that are inhabited by national minorities. These two countries are chosen because some private and public institutions of higher education here have developed policies that may serve as examples for the Javakheti region.

The first part of the paper provides an introduction to the educational situation in Javakheti. It is followed by a presentation of the tertiary education policies practiced in Macedonia and in Romania. In the conclusion some recommendations based on the examples of those two countries are made, which could be a source of inspiration for the Javakheti region.

Higher education in Javakheti

Article 7 of the new Law of Georgia on General Education[5] stipulates: "the State shall guarantee the right of a pupil to receive general education in the state or native language as close as possible to his residence". Thus, Russian, Armenian and Georgian language schools function in the Javakheti region, although the overwhelming majority of them are Armenian. Since the region is inhabited by more than 90% of ethnic Armenians, most schoolchildren attend

University. Development organizations such as UNDP, the US-based NGOs CHF International, Urban Institute and Mercy Corps are also present in the region, while the US funded Millenium Challenge Account is taking measures to implement a major road reconstruction project scheduled to begin in 2007.

[5] The Law of Georgia on General Education is available at http://www.reform.edu.ge/index.php?lang_id=ENG&sec_id=200&info_id=73.

Armenian schools. However, Georgian language and literature is a compulsory subject in all schools of Georgia. All schoolchildren are supposed to master Georgian after completion of the eleven obligatory school years. The reality, however, is quite different since schoolchildren in Javakheti have a very poor command, if any, of the state language when graduating from minority language schools. Several explanations can be given for the failure of Javakheti's pupils to learn Georgian. Some of them pertain to the general educational system of Georgia while others are specific to the Javakheti region. As to the first set of factors, one of the main reasons for the failure of pupils to learn Georgian is the general decline of the education system in the country following independence. The lack of financial means is a frequent target of criticism and is usually given as the major explanation for the poor level of education in Georgia. Regarding more specifically the teaching of Georgian to non native-speakers, there is a lack of a satisfactory teaching methodology based on interactivity, i.e. encouraging communication skills. In most schools, the Soviet methodology based on learning subjects and phrases by heart is still in use, although it is not considered to be particularly effective.

As mentioned above, some problems related to the teaching of Georgian are specific to the Javakheti region. The first explanation pertains to the school infrastructure. Whereas the state of school buildings is not particularly good throughout the country, it is alarming in Javakheti. In a 2004 general overview of the Javakheti region, Jonathan Wheatley noted that "many schools have not been repaired for at least fifteen years; the roofs of school buildings are often in a degraded state and in some schools glass is even lacking in the windows[6]". Consequently, heating is a major problem in this region where minimum temperatures can fall to minus 30 degrees in winter. Since there is no central heating system, "children have to bring their own wood to school in order to supply the wood stove, which is usually the only source of heat in school premises[7]". The teaching environment is thus rather bad and has major consequences on the quality of education. Second, there is a lack of qualified teachers of Georgian as a foreign language in the region. Despite the high salary offered in 2004/05 by the Ministry of Education to forty young teachers for teaching Georgian in Samtskhe-Javakheti and Kvemo-Kartli[8], Georgian language teachers are still quite reluctant to move to this remote region because of the harsh climatic conditions, especially in winter. In addition, these teachers are heavily criticized by the local population for what is locally perceived as a lack of motivation and an inability to

[6] WHEATLEY Jonathan, op. cit., p. 34.
[7] Ibid.
[8] Kvemo-Kartli is another Southern region of Georgia inhabited by a large number of persons belonging to national minorities, of which the largest is the Azerbaijani minority. There are also Armenians and Greeks, especially in the district of Tsalka.

teach Georgian effectively as a second language. Third, because of the ethnic composition of Javakheti, it is almost impossible for Javakheti's children to use Georgian outside school. Finally, and more importantly, since many young Armenians from Javakheti see their future in Armenia or Russia, they lack the will to learn a language that in their opinion will not give them any career opportunities in the future.

This situation has major consequences for access to higher education in the region because the only teaching language in higher education allowed in Georgian state-funded universities is Georgian, according to article 4 of the Law on Higher Education[9]. The Akhalkalaki rayon has a branch of Tbilisi State University; it was opened in 2002 and offers education in Georgian. Akhalkalaki also has some Armenian-language institutions of higher education but they are either private or branches of Yerevan State University and thus not accredited by the Georgian authorities. Consequently, many Armenians in Javakheti tend to leave the region and study in Yerevan, where they can be educated in their native language. This tendency is likely to increase in the next few years following the introduction, in 2005 of unified national university entry examinations. These examinations, as stipulated by article 89.4 of the Law on Higher Education, were to be held in four subjects – Georgian Language and Literature, General Abilities, Foreign Languages and mathematics – for the academic year 2005-2006, and would be extended to other subjects for the year 2006-2007. As no provisions are foreseen for students graduating from minority language schools, most of them tend to fail the examination because of the language barrier. The unified national examinations took place for the first time in 2005 and showed catastrophic results in Akhalkalaki district. Out of the 64 Armenian speakers taking part in the Georgian language entry examination in Akhalkalaki district, only two (sic!) passed it[10]. Even though the Ministry of Education intends to introduce an easier exam for persons belonging to national minorities in 2006, access to university remains uncertain for Armenians in Javakheti. Any specific concessions to non-Georgian speakers are likely to be insufficient to prevent young Armenians from leaving the country if they are not accompanied by more all-encompassing measures. Therefore, a new approach to the access and integration of persons belonging to national minorities into the Georgian system of higher education is much needed. The two models illustrated below which are taken from Macedonia and Romania, may provide some useful ideas for future policy development.

[9] According to the Georgian Law on Higher Education, Abkhazian is also officially a language of instruction in higher education on the territory of the autonomous of Abkhazia in parallel with Georgian (although Abkhazia remains *de facto* independent). There also exist in some regions of Georgia university departments with Russian as the teaching language, as provided for by article 4 of the Law on Higher Education, which stipulates that "instruction in other languages, except for individual study courses, is permitted provided that this is envisaged by international agreement or is agreed with the Ministry of Education and Science of Georgia."

[10] In Ninotsminda rayon, 19 Armenian students prepared the unified national examination but only one passed it.

Macedonia: the Strategy of "Flexible Use of Languages"

Context

A multiethnic State, Macedonia gained its independence in 1992. According to the 2002 census[11], Macedonia is made up of persons of the following ethnic origins:

- Macedonians 64,1%
- Albanians 25,2%
- Turks 3,8%
- Roms 2,6%
- Serbs 1,8%
- Bosnians 0,8%
- Vlachs 0,5%
- Others 1,2%

Albanians mainly reside in the Western part of Macedonia. For instance Tetovo, one of the largest cities in the country, is inhabited by 70% of ethnic Albanians. Until 2001, the Constitution defined Macedonia, in its preamble, as the

> (…) [N]ational State of the Macedonian people, which guarantees the full civic equality and permanent co-existence of the Macedonian people with the Albanians, Turks, Vlachs, Roma and the other nationalities (…).[12]

This definition of the Macedonian State was strongly contested by national minorities, especially Albanians who considered themselves the second constitutive people of the Republic[13]. This led to a change in the Constitution in 2001, following the Ohrid agreement that was devised to settle ethnic tensions between Macedonians and Albanians.

According to the Constitution of 2001, Macedonian is the only official language at the state level[14]. Despite signing the European Charter for Regional or Minority Languages in 1996, Macedonia has not ratified it yet. The Framework Convention for the Protection of National Minorities was ratified in 1998.

[11] For data of the census, consult http://www.stat.gov.mk/pdf/kniga_13.pdf.
[12] BRUNNBAUER Ulf, "The Implementation of the Ohrid Agreement: Ethnic Macedonian Resentments", *Journal of Ethnopolitics and Minority Issues in Europe*, Issue 1/2002, http://www.ecmi.de/jemie/download/Focus1-2002Brunnbauer.pdf, p. 5.
[13] Ibid.
[14] There can be other official languages at the regional level, as will be illustrated in the sub-chapter on the "Ohrid Agreement".

The Ohrid Agreement

The short history of Macedonia as an independent State is characterized by acute ethnic tension, especially between Macedonians and Albanians. The former, constituting the majority of the population, fear that by granting too wide-ranging rights to national minorities (especially language rights to Albanians), Macedonian territorial integrity might be in jeopardy. Albanians, on the other hand, refuse to be considered second-class citizens in an "ethnic democracy" (c.f. Sammy Smooha) based on the privileged position of the Macedonian majority. This situation led to a "*violent conflict between Macedonian security forces and armed Albanian extremists in the country. The fighting had begun in February 2001 and resulted in more than 200 casualties, among them over sixty Macedonian soldiers and policemen. More than 100,000 persons were exiled or internally displaced, and relations between the ethnic Macedonian majority of the country and the Albanian minority reached a record low*[15]". To prevent the crisis from developing into a full-fledged civil war, an agreement between the government and parties representing the large ethnic Albanian minority was reached on 13 August 2001. One of the main points of the Ohrid Agreement, as it has become known, concerns the status of the Albanian language. "*The Agreement met the Albanian demands with regard to establishing the official status of the Albanian language*[16]*"*. Indeed, despite the fact that "*the official language throughout Macedonia and in the international relations of Macedonia is the Macedonian language*" (art. 6.4), the Agreement grants large language rights to national minorities in its article 6.5:

> Any other language spoken by at least 20 percent of the population is also an official language, as set forth herein. […] Any person living in a unit of local self-government in which at least 20 percent of the population speaks an official language other than Macedonian may use any official language to communicate with the regional office of the central government with responsibility for that municipality; such an office will reply in that language in addition to Macedonian. Any person may use any official language to communicate with a main office of the central government, which will reply in that language in addition to Macedonian.

This article applies directly to Albanians since they are the only minority that fulfils the 20 per cent condition. Article 6.6. adds that *"With respect to local self-government, in municipalities where a community comprises at least 20 percent of the population of the municipality, the language of that community will be used as an official language in addition to Macedonian*". The Ohrid Agreement also guarantees higher education for the Albanian minority since it stipulates in its article 6.2 that "*state funding will be provided for university level education in*

[15] BRUNNBAUER Ulf, op. cit., p. 2.
[16] Ibid., p. 5.

languages spoken by at least 20 percent of the population of Macedonia, on the basis of specific agreements". It is in the context of severe ethnic tension that the Ohrid Agreement was signed, and it is in this same context that the education policy must be analyzed.

Policy on Tertiary Education

The issue of education in minority languages is less acute in primary and secondary education than in tertiary education as article 48 (4) of the Constitution states that "*members of communities have the right to instruction in their language in primary and secondary education, as determined by law. In schools where education is carried out in another language, the Macedonian language is also studied*". According to the SALTO-YOUTH network[17], classes in Albanian are conduced in 128 primary schools (out of 344) and in 22 high schools[18]. The situation is quite different in higher education and for years it was a source of significant tension, as discussed below.

From independence in 1991 up until the 2001 Ohrid agreement, tertiary education in minority languages such as Albanian was banned; the only facultative language in the two State universities, St. Kliment Ohridski University and St. Cyril and Methodius University, was Macedonian. In 1994, the Albanian minority founded the University of Tetovo (hereafter UT), an institution of higher education with Albanian as the teaching language. For years, however, it was not recognized by the Macedonian authorities, which led to serious tensions with the Albanian minority. It was only in 2004 that the University of Tetovo was legalized by the state authorities, although it had been functioning *de facto* since its establishment. The legalization of the University of Tetovo took place mainly due to pressure from the international community and following the success of the South-East European University in Tetovo (hereafter SEEU); an institution created in 2001 that came to function as a model for integration in the region.

South-East European University

The South-East European University was founded in 2001 in Tetovo with the goal of redressing discrimination against national minorities and the misbalance in their access to higher education that resulted from the fact that many Albanian-speakers could no longer enroll at university because of the language barrier. Indeed, until 2001 only 56% of Albanian-speaking school-leavers who went on to higher education applied for university places in recognised institutions as opposed to 94% of the Macedonian-speaking majority[19]. SEEU was set up to help to solve the

[17] SALTO-YOUTH is a network working on European priority areas within the youth field. It is part of the European Commission's Training Strategy within the YOUTH programme.
[18] http://www.salto-youth.net/download/313/Country%20profile%20Macedonia.pdf
[19] http://www.seeu.edu.mk/english/general/history.asp

problem of under-representation of Albanian-language students in higher education in Macedonia while being open to students from all ethnic groups. It was established as a private institution. OSCE and the Council of Europe played a major role in the process as they managed to convince the Macedonian authorities of the need for such a university.

The goals, objectives and principles (as stated in its statutes) of SEEU are, among others:

-to be open to all on the basis of equity and merit regardless of ethnicity;

-to contribute to the solution of the problem of Albanian language higher education;

-to promote inter-ethnic understanding;

-to ensure a multilingual and multicultural approach to teaching and research[20]

Contrary to UT, SEEU does not aim to create an almost exclusively 'Albanian language' university. "By contrast, [it] was planned to be open to all, offering courses taught according to Western models, with a high quality infrastructure and with flexible use of languages, a more expensive option sustainable only through relatively high tuition fees backed by transitional donor support[21]." The SEEU could be established thanks to a compromise proposal put forward by the then OSCE High Commissioner on National Minorities, HE Max van der Stoel, "in which Albanian would be authorized to be used in 'private' institutions, that is, those not directly funded by the State and, apparently, as permitted by the Constitution of the Republic of Macedonia, although some local experts disputed this. […] It was hoped that within a few years the University would take its place as a predominantly Albanian but nevertheless multi-ethnic and multi-lingual institution as part of a reformed Macedonian state higher education system[22]".

Language policy at the South-East European University[23]

The teaching languages at SEEU are Albanian, Macedonian and English. SEEU adopted a so-called strategy of "flexible use of languages". The goal of such a strategy is to encourage students to learn how to communicate effectively in both local languages of the region as well as in English and/or other international languages. This policy of language use, in contrast to the usage of one language as the exclusive language of instruction, was seen as a core asset of SEEU.

The so-called "flexible use of languages" implies usage of the Albanian language, with the prerequisite of using Macedonian as well as English. Therefore, SEEU requires students to have

[20] See statutes at http://www.seeu.edu.mk/files/Statute.doc
[21] http://www.seeu.edu.mk/english/general/history.asp
[22] http://www.seeu.edu.mk/english/general/history.asp
[23] All these explanations on the language policy at SEEU are based on the information available on the SEEU website (http://www.seeu.edu.mk/english/general/history.asp).

a solid knowledge of the Albanian, Macedonian, and English languages. "The University's key mission from its inception was to help to address the under-representation of Albanian speakers in higher education in the Republic of Macedonia. Therefore the great majority of teaching in its first years of operation had been in Albanian. Special arrangements were made for the very few non-Albanian speakers in 2001-2002, and gradually the University had recruited both non-Albanian speaking students and staff competent to teach in Macedonian. All students had been encouraged to learn the second local language, whether Albanian or Macedonian", while studying at the SEEU.[24]

In the following table the existing structure of the SEEU in terms of its faculties and the language of instruction is illustrated:

Third Cycle (PhD)		English	English	English	English	
Second Cycle (MA)		English or Albanian	English or Albanian	English or Albanian	Flexible use of Languages	**?**
First Cycle (BA)	IV Year	Albanian	Albanian	Flexible use of Languages (English in Private and Public International Law Yrs 3&4)	Flexible use of Languages	Flexible use of Languages
	III Year	English	English			
	II Year	Flexible use of Languages	Flexible use of Languages			
	Preparatory Year					
		BA	**CST**	**LAW**	**PA**	**PMT**

BA : Business Administration
CST : Communication Sciences and Technologies
PA : Public Administration
PMT : Pedagogical Methodology Training

Source: http://www.seeu.edu.mk/english/general/introduction/languagePolicy.asp

[24] http://www.seeu.edu.mk/english/general/history.asp

"The flexible use of languages" is mainly realized as a part of the curriculum in all University faculties with the help of a modern Language Centre.

According to the European University Association (EUA) evaluation "the University has an impressive policy of languages. Students have the right to learn in their native language but they also have to learn the language of the other ethnic community. In addition, students are also supposed to learn the English language (or German, French or Italian language)".

Ethnic Distribution at SEEU

In the first year of its existence, very few non-Albanian speakers enrolled at SEEU. However, the percentage of non-Albanian speakers increased over the years. According to the SEEU website, "SEEU's contribution to inter-ethnic understanding had been based on a steady increase in the number of students from ethnic groups other than Albanian, so that the overall student population from these groups made up about 20% of the total". 5300 students were registered at SEEU in 2004/5.

Applicability of the SEEU model in Javakheti.

In terms of ethnic distribution, Western Macedonia resembles Javakheti. Therefore, SEEU could serve as a model for tertiary education in Javakheti. The following summarizing remarks, however, must be made:

- SEEU is a private university. As stated on its website, it is a "recognized and accredited autonomous higher education institution which was established in 2001 by agreement between international donors, the government of the Republic of Macedonia and the local academic community".
- SEEU is almost entirely financed by international donors. It is a rich university seeking to conform to Western standards. Without huge financial means from the international community and international donors, such a project seems difficult to implement since education in 3 languages (Albanian, Macedonian and English) requires a substantive budget. It must also be noted that the cost of studies is rather high, from 605 EUR to 825 EUR per semester depending on the department;
- Since it is a private university, this model can by no means be attributed to the Macedonian state. On the contrary, the Macedonian government was for a long time opposed to such a project since it opposed tertiary education in Albanian. This means that this model is the exception rather than the rule: the two main State universities, St. Kliment Ohridski University and St. Cyril and Methodius University, only offer

education in Macedonian. The University of Tetovo (offering education exclusively in Albanian), the third State university, was recognized by the State authorities only in 2004. SEEU is the only institution of higher education with such a multicultural and multilingual approach;

- The so-called strategy of "flexible use of languages" could, however, be a source of inspiration because it enabled an increase in the number of ethnic Albanians completing higher education in Macedonia rather than in their kin state of Albania. Since students are required to learn the other local language as well (Albanian or Macedonian) to obtain their degree, it enhances integration and mutual understanding between the communities. This multilingual and multicultural approach could be interesting for Javakheti. However, finance would most probably pose a problem. Further studies of the practical applicability of the SEEU model in the specific context of Javakheti would be necessary to determine whether the model could be implemented here..

Romania: A Multicultural Approach as applied at the Babeş-Bolyai University

Context

Like many other Central European countries, Romania is characterized by the presence on its soil of many national minorities. This is largely due to border redefinitions following World War I and World War II. Even though Romanians make up a large majority, a significant number of Hungarians and Roms live in Romania, as confirmed by the data of the 2002 census: [25]

- Romanians 89,5%
- Hungarians 6,6%
- Roms 2,5%
- Germans 0,3%

Hungarians mainly live in Transylvania, a central region of Romania the country gained from the Austro-Hungarian Empire after the 1920 Trianon Treaty, and which is today inhabited by around 20% of ethnic Hungarians[26]. In certain counties such as Covasna or Harghita however,

[25] It is noteworthy that the percentage of Roms is much bigger than that given by the census. According to some sources, Roms could in fact represent as much as 7 to 9% of the population. However, for various reasons, but especially because of the discrimination they face in everyday life, they tend to re-identify as Romanians or Hungarians. For data from the 2002 Romanian census, see http://www.insse.ro/rpl2002rezgen/rg2002.htm.

[26] According to the 1992 census, Hungarians made up 20.8% of the population of Transylvania. The 2002 census reveals a decrease in the share of Hungarians in the region (19.6%). In the city of Mures for instance, Hungarians represent 39.3% of population, as compared to 41.41% in 1992. Nationwide, Hungarians make up 6.6% of the population, as compared to 7.12% in 1992.

Hungarians represent respectively as much as 73.8% and 84.6% of the population, making the situation quite similar to that of Javakheti.

Whereas Romania has been working hard on advancing the protection and integration of national minorities since 1990, it openly applied, under the Ceausescu regime, a very nationalist and anti-Hungarian policy. Following Ceausescu's accession to power in 1965, Hungarian cultural centers, theaters, schools and the Hungarian language university were progressively forced to close down and cultural links with Hungary were reduced drastically. As a result of this repressive policy, minority issues became very sensitive in the aftermath of the 1989 revolution. The situation was particularly tense in Transylvania, where immediately after the breakdown of the Communist regime ethnic Hungarians demanded minority rights, including especially the right to use their mother tongue at all levels of education. Since the early post-revolutionary Romanian governments strongly opposed these demands, the situation escalated into violent inter-ethnic confrontations in the city of Targu-Mures. These events gave a very clear impetus to the central authorities to place minority governance on the top of the political agenda. Thus, over the years Romania has adopted very comprehensive legislation on minority issues and the country is today considered by many to be "an example of good practice in this highly sensitive matter[27]".

Undoubtedly, pressure from European and Euro-Atlantic institutions (European Union, Council of Europe and NATO) has been crucial to convince the Romanian authorities to adopt legislation which is accommodating to the needs of national minorities. The condition of complying with the Copenhagen Criteria in order to join the EU has been of utmost importance, as one of these criteria pertains to the protection of national minorities. As a member of the Council of Europe since 7 October 1993, Romania signed the Framework Convention on the Protection of National Minorities on 1 February 1995 and ratified it on 11 May 1995. However, despite signing the European Charter for Regional or Minority Languages on 17 July 1995, Romania is yet to ratify it. Nevertheless, in the country's internal legislation many highly significant improvements have been made.

Enhancement of national legislation since 1989

While the Constitution adopted in December 1991 declares that Romania is "a sovereign, independent, unitary and indivisible National State[28]", it also declares that "the State recognizes and guarantees the right of persons belonging to national minorities to the preservation,

[27] SERGIU Constantin, *Lingustic Policy and National Minorities in Romania*, Autumn 2004, p. 1
[28] Article 1 of the Constitution of Romania.

development and expression of their ethnic, cultural, linguistic and religious identity[29]". Despite the fact that Romanian is the only official language at State level (art. 13), many language rights are granted by the Constitution and organic laws to persons belonging to national minorities. One of the most important rights obtained by minorities in the early 1990s pertains to representation in Parliament. The principle of minority representation in Parliament became a constitutional provision in 2003 and was included in the new article 62 (2) which reads:

> Organizations of citizens belonging to national minorities, which fail to obtain the number of votes for representation in Parliament, have the right to one Deputy seat each, under the terms of the electoral law. Citizens of a national minority are entitled to be represented by one organization only[30].

Following the 1996 elections and the signature of a Basic Treaty on Understanding, Cooperation, and Good-Neighborliness between Romania and Hungary in September 1996, the political organization of the Hungarian minority (the Democratic Alliance of Hungarians in Romania,[31]) has even been included in the governmental coalition[32], which helped to raise minority issues within the government.

Significant changes also took place in the administrative sphere, the most remarkable one of which occurred in 2001 with the parliamentary vote on the new Law on Public Administration (nº 215/2001) "*which provides for the use of minority languages in administrative-territorial units where a minority represents at least 20% of the population*[33]". In addition, the amendment of the Constitution in 2003 brought significant changes regarding the use of minority language in the courts. Whereas the provision of former article 127 guaranteed the right to make oneself understood in court through an interpreter, new article 128 provides for the right of "*Romanian citizens belonging to national minorities (...) to express themselves in their mother tongue before the courts of law, under the terms of the organic law*".

Despite the positive evolution of the past ten years, some issues very clearly remain on the minority agenda. According to Romanian scholar Constantin Sergiu, three main issues awaiting a political decision can be identified: a framework law on national minorities, the ratification of the European Charter of Regional or Minority Languages and the establishment of a State

[29] Article 6 of the Constitution of Romania.
[30] Article 62 (2) of the Constitution of Romania.
[31] For more information on the organization, consult http://www.rmdsz.ro/script/mainframe.php?lang=eng.
[32] In 2005, there are 4 members of government designated by the DAHR.
[33] SERGIU Constantin, Lingustic Policy and National Minorities in Romania, Autumn 2004, p. 4.

University with tuition in minority language(s)[34]. Indeed, the issue of language in education is probably one of the most sensitive in multiethnic states and Romania is not an exception in this regard. Therefore, an analysis of the rather successful way in which the Romanian authorities have handled this issue, especially in Transylvania, is useful as it can give some guidance for the development of a new approach towards higher education in the Javakheti region. Although the focus of this paper is tertiary education, a short presentation of language policy in primary and secondary education is necessary.

Language policy in education

While there is a specific article in the Constitution stating that "*the right of persons belonging to national minorities to learn their mother tongue, and their right to be educated in this language are guaranteed*[35]", the main provisions regulating language in education are part of the Law on education no 151/1999[36]. According to this law, persons belonging to national minorities have the right to study and receive education in their mother tongue, at all levels and forms of education where there is an appropriate request (article 118). Article 119 stipulates that "taking into consideration the local need, groups, classes, sections or school units with teaching in the language of national minorities can be established but without prejudice to the learning and the teaching of the official language". As far as one can understand, this means that there are no separate national minority schools (such as a Hungarian school for instance) but only school units in the minority language. Central authorities have always been very reluctant to allow the opening of Hungarian schools, especially in Transylvania, fearing this would lead to claims for autonomy.

According to the Ministry of Education and Research, there are three types of education for ethnic minority children in Romania[37]:

- Educational structures with tuition in the native language for the *Czech, Croatian, German, Hungarian, Serbian, Slovakian and Ukrainian* minority. These structures include 2,732 educational units throughout the country in which 209,842 children and pupils are taught[38].

[34] Ibid., p. 11

[35] Article 32 of the Constitution.

[36] The Law on education was primarily adopted in 1995 (Law no 84/1995) but was then first amended by Governmental Urgency Ordinance no 36/1997 and in 1999 by Parliament.

[37] "The Present Time in the Education of National Minorities in Romania, Achievements in 2001-2002 School Year and Perspectives", Romania Ministry of Public Information and Ministry of Education and Research, 2002, p. 8.

[38] These figures are from 2002.

- Educational structures with partial tuition in the native language in 5 schools including 561 children and pupils. This form of study is characteristic for the *Croatian, Turkish and Tartar* minorities for whom some vocational subjects are also taught in the native language.
- Educational structures with tuition in the Romanian language and where the native languages are studied as a second language. This includes 387 schools with 30,964 pupils. Such structures are organized for the native languages of the *Armenian, Bulgarian, Greek, Italian, Polish, Romani, Russian, Czech, Croatian, German, Hungarian, Serbian, Slovakian, Turkish-Tartar and Ukrainian* minorities.

In 2001, the OECD called Romania a "world leader' in the realization of the right of minorities to be taught in their own language, probably because of "relatively even participation rates across levels of education, with the exception of the Roma minority[39]". According to 2001 research on minority rights in education, around half of the children belonging to the Hungarian minority receive tuition in Hungarian[40]. Four percent of primary and secondary education in Romania is in Hungarian, which is, however, still below the share of Hungarians in the population[41].

Higher education

The issue of instruction in the languages of minorities in higher education remains sensitive in Romania (as well as in most multiethnic states) since the central authorities are reluctant to create state-financed institutions of higher education in a minority language. However, according to article 123 of the 1995 education law, as amended by the Law on Education of 1999, higher education in the mother tongue is allowed in Romania:

> *(1) Within higher educational institutions run by the state, groups, sections, colleges, faculties teaching in the mother tongue may be organized, according to the law, at request. In this case, the acquiring of the specialized terminology in Romanian language shall be assured. At request and according to law, multicultural higher educational institutions can be established. The languages of teaching shall be determined in the foundation law.*
>
> *(2) Persons belonging to national minorities shall have the right to set up and manage their own private higher educational institutions according to the law.*

[39] WILSON Duncan, Minority Rights in Education: Lessons for the European Union from Estonia, Latvia, Romania and the former Yugoslav Republic of Macedonia, 2002, p. 67.
[40] Ibid.
[41] Ibid. The figures are from the OECD.

However, as it can be understood, the law merely allows the creation of state-financed teaching units in the minority language within Romanian-language or multicultural universities. As in Macedonia, the central authorities fear that the creation of a Hungarian-language university might entail unexpected consequences, such as claims for autonomy. Thus, the State faces the following problem: while it refuses to countenance the opening of minority language universities, it must also be careful not to develop a discriminative policy that could lead to a huge disbalance between the number of students from the majority and that of students belonging to national minorities[42].. Thus, it must apply a policy preventing persons belonging to national minorities from studying in their kin states[43]. The policies adopted by the central authorities are based on a so-called multicultural approach, which will be described below.

Another option for higher education in minority languages is, as in Macedonia, the creation of private institutions of higher education run by members of minority groups, as stipulated in the above-mentioned article 123 (2) of the Law on Education. "This was adopted under pressure from the international community, not least the OSCE High Commissioner on National Minorities[44]". Consequently a private Hungarian university, the Sapientia Hungarian University of Transylvania, was officially opened in October 2001. It is divided into four branch campuses throughout the territory of Transylvania[45]. The Sapientia University (as well as other Hungarian language universities in Romania) is heavily financed by the Hungarian government, which has allegedly paid around 16.5 m Euro annually until 2004[46], and the European Commission has criticized the Romanian government for its failure to comply with its earlier plans to found a public university teaching in Hungarian, German and Romanian, namely the Petöfi-Schiller University[47].

Whereas the establishment of institutions of higher education in the minority language may indeed satisfy the demands of national minorities, it may not be an appropriate tool for the integration of national minorities since it does not promote mutual understanding and the coexistence of ethnic groups and does not accommodate the linguistic integration of persons belonging to national minorities. In this context, the concept of a multicultural university developed by the Romanian authorities, therefore, seems of higher relevance for the Javakheti

[42] Which was the case for a long time in Macedonia.
[43] Which is the case in Javakheti for instance.
[44] WILSON Duncan, Minority Rights in Education: Lessons for the European Union from Estonia, Latvia, Romania and the former Yugoslav Republic of Macedonia, 2002, p. 73.
[45] SERGIU Constantin, *Lingustic Policy and National Minorities in Romania*, Autumn 2004 http://www.artsci.wustl.edu/~polisci/papers/duttlingera.pdf, p. 7.
[46] WILSON Duncan, op. cit., p. 71.
[47] Ibid.

region and could also be a source of inspiration for a new language policy in higher education in Georgia.

Multicultural approach in higher education

Since, as mentioned above, the Romanian authorities preclude the establishment of state-financed institutions of higher education, they pushed instead for the creation of multicultural and multilingual universities. Multiculturalism must be understood as a way to manage cultural diversity in multi-ethnic societies, stressing respect and tolerance for cultural differences. As applied in higher education, multiculturalism implies a flexible language policy and ethnic diversity among students, teaching staff and university bodies. A good example of this multicultural approach is that of *Babeş-Bolyai* University in Cluj-Napoca (Transylvania).

The Babeş-Bolyai University

The Babeş-Bolyai University indeed presents itself as a multicultural and multilingual university. In this respect, "it promotes an innovative policy based on the principles of university autonomy, of organized diversity, of managing ethnic differences, and of intercultural competence[48]". The Babeş-Bolyai University today has more than 45,500 students from different ethnic backgrounds (Romanian, Hungarian, German among others) studying in 21 faculties, 15 of which provide both a Romanian and a Hungarian curriculum, and 9 of which provide both a Romanian and a German curriculum[49]. "Two faculties (the Faculty of Reformed Theology and the Faculty of Roman-Catholic Theology) provide courses in Hungarian only. More precisely, the University proposes long and short-term academic studies for 105 specializations in Romanian, 52 in Hungarian, 13 in German and 4 in English. This multicultural structure is the same in the case of the post-graduate and the short-duration curricula offered by the University's network of 18 colleges in Transylvania[50]". Students belonging to the Hungarian and German minorities also have the possibility to elect representatives to the Council of Professors and the University Senate.

This multicultural approach not only applies to the language of tuition but also concerns the ethnic and linguistic distribution in the university structure itself, which is probably one of the most important and interesting aspects of this multicultural strategy. The following quotation from the Babeş-Bolyai University website gives a clear idea of the policy:

[48] http://www.ubbcluj.ro/www-en/despre/pl.htm
[49] Information gathered from the Babeş-Bolyai University website: http://www.ubbcluj.ro/www-en/despre/multicultural.htm.
[50] Ibid.

In order to respect this multicultural structure, all university bodies (and in particular the governing bodies) are organized so as to take into account the three ethnic and linguistic components. The deputy dean or the scientific secretary of each faculty must belong either to the Hungarian or to the German minority in order to administer their respective line of study. Moreover, at the central level, each of these three groups is represented by a vice-rector, who is also a member of the Senate's College, and by a specific general secretariat. Therefore, the university's executive board comprises 20 representatives of these ethnic groups holding offices such as those of vice-rectors, deans, deputy-deans, scientific secretaries and heads of department[51].

The Babeş-Bolyai University uses several instruments to implement its language policy. One of the most interesting of these is the introduction of double specialization in related areas, thus there is a degree combining human sciences (sociology, anthropology psychology, political science or law) and languages. Another strategy worth mentioning is the "introduction of a linguistic and cultural component in the curriculum of any leading to any specialization[52]". Finally, the Babeş-Bolyai University also adopted a so-called principle of "language transversality", which can be understood as a "means of interaction between the so-called humanities and the scientific and technological disciplines[53]".

Lessons learned from Romania

Like Georgia, Romania also opposes the creation of state-funded universities in minority languages. However, to avoid discrimination in the access to higher education and to allay the tension around the language issue, the Romanian authorities had to develop a policy that could satisfy both the Hungarian minority constituencies (at least the moderate ones) on the one hand, and the Romanian public and Romanian national movements on the other. The philosophy behind the creation of the Babeş-Bolyai University is the outcome of this compromise and seems rather successful. Indeed a policy based on multiculturalism combining a multilingual approach to education and ethnic diversity among teaching staff and university bodies may be an example to follow for Georgia

Conclusion

[51] Ibid.
[52] http://www.ubbcluj.ro/www-en/despre/pl.htm.
[53] http://www.ubbcluj.ro/www-en/despre/pl.htm.

After a short overview of the problematic situation with regard to access to higher education in the Javakheti region, this paper has sought to find examples of good practice from other European countries facing similar problems. It must be conceded that despite the similarities between the regions, for example in terms of ethnic distribution and potential for conflict, many differences remain and it is thus impossible to simply cut and paste models applied in Macedonia and Romania. One of the main differences concerns the financial resources and, consequently, the level of education which institutions can provide. Indeed, as SEEU and Babeş-Bolyai University are institutions of higher education seeking to attain the highest quality of teaching, they require a large budget and are to some extent (at least as far as SEEU is concerned) financed by the international donor community. However, these differences do not mean no lessons can be learnt from the South-East European University and Romania. On the contrary, some ideas could most certainly be a source of inspiration for Javakheti and other regions of Georgia inhabited by a large share of persons belonging to national minorities. Thus, this paper will conclude with some considerations that may be useful for the development of a new strategy for the integration of national minorities in tertiary education in Georgia:

- The establishment of state (or private) institutions of higher education with national minority languages as the sole language of education following, for example, the University of Tetovo model, is not an adequate measure for minority regions in Georgia. Whereas it may satisfy the demands of some national minority organizations, it is not commendable as it seems to lead to communitarianism and not to regional integration. Since Armenians from Javakheti are quite isolated from the rest of the country, it is of the utmost importance for them to learn Georgian;
- The establishment of a multilingual policy, as is the case at SEEU and Babeş-Bolyai University, is highly relevant and could be a useful model for Georgia's minority populated regions. It could be based on variable language requirements in the curriculum of each faculty. An approach combining double specialization (languages and human sciences) could also be considered;
- The concept of ethnic distribution among teaching staff and university bodies should be taken into consideration;
- National entrance examinations that (albeit unintentionally) discriminate against students belonging to national minorities should be adapted. Since education in minority languages is permitted, it seems quite appropriate to foresee special measures regarding access of these students to higher education;

- A solution to tackling the problem of language proficiency could be to require from students belonging to national minorities to focus predominantly on learning the Georgian language from the first year.

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