

Legal rights and educational policies for ethnic minorities in Romania¹

Prof. Poliana Stefanescu, Ph.D.

University of Bucharest

poliana@sas.unibuc.ro

1. Introduction

The ethnical stereotypes are usually based on a confusion between two relatively distinct dimensions: the ethnic dimension and the position of an ethnic population within a social-economic and political system. A population with an ethnic profile can occupy a certain position in a given society: oppression, marginalization, poverty, discrimination, or, on the contrary, it has some advantages, domination, privileged relations. When analyzing a population defined by a certain and distinct ethnic profile, it is necessary to ask a question: the characteristics of the respective population are social or ethnic characteristics? Or are they a mixture of those two?

If the position occupied by a population in a certain social system lasts a significant historical period of time, it can be assumed that in the cultural patterns specific to the respective population there are the effects and the adaptative reactions to the given position. It is not random the fact that in the ethnic conscience of the population one can identify a contradictory attitude given their own cultural patterns that have been historically based; on one side, the tendency of ethnic identification within these patterns which are given by a specific social position, and on the other side, the wish to eliminate some patterns considered and evaluated to be negative as the generating social situation is gradually eliminated.

The confusion between ethnic and social, associated frequently with ignoring the social characteristics, generates an inadequate definition for the nature of the problems, with severe consequences regarding the identification of solutions. Frequently enough, the ethnic conflicts are generated or at least amplified by the social problems. Solutions which are strictly taken from an ethnical point of view, such as non-discrimination and tolerance-risk do not give an answer to the real problems, having a low efficiency.

¹ Paper presented at the International week, ASFH, Berlin June 2005

2. Demographic structure of ethnic minorities

Within the ethnic communities from Romania, representing about 10.5% of the entire country's population, according to the 2002 census, a part of the minorities have their original country in Romania's neighboring states (Yugoslavia, Bulgaria, Hungary, Ukraine, Slovakia, Czech Republic, Russia, Poland, Greece, Turkey). Similarly, within these neighboring states there are significant Romanian communities (see the table in Annex 1).

In consequence, some of the developments related to interethnic rapports from Romania can produce substantial effects in the external politics sphere of the Romanian state.

The present chapter will briefly analyze the way in which the demographic indicators have evolved during a significant period of time. In this way, the image of the general evolution of the interethnic relations will provide the reader with additional information about Romanian's demographic situation from a historical perspective.

During time, the Romanians' percentage increased due to minorities' immigration (especially German and Jewish; Hungarians also, in the last years) and to assimilation process (mixed marriages that declared their offspring as Romanians). The 2002 census led to an 89,5 % percentage of Romanians in the population, which is the highest (Ghetau, 2002). The next table is displaying the evolution of the main nationalities, in the last 70 years and 6 censuses.

One can notice the dramatic decrease of the German and Jews components; the Hungarian population is also decreasing, but a new ethnic group not very large after the II-nd World War, is becoming very significant: the Rroma population or Gypsy.

The decrease of German and Jewish number began right after the Second World War. After 1960, their immigration was conditioned by specific negotiations between the communist regime and the destination country. The Jewish population left Romania constantly until quasi-vanishing from this country (0,03% in 2002). The German immigration was a late one and the peak was in 1990 (60.000 persons). The Hungarians immigrated especially after 1991.

The Rroma minority is on the second place among minorities in Romania according to the last two censuses (1992 and 2002). A question must be answered: is this increasing number a natural growth or a trend toward ethnic identity as "gypsy"? According to latest studies it is possible the two factors act together and that the census data are below

the real size of this ethnic group. Their number could be around 1,5 million people².

The Roma population deserves special attention not only because of their large number, but because they are struggling with difficult socio-economic problems, that could generate social conflicts.

Table 1. The population distribution based on the nationality criterion at censuses between 1930-2002 (absolute numbers and percentages)³

	1930	1956	1966	1977	1992	2002 ⁴
Romanians	11 118 170 77.9%	14 996 114 85.7%	16 746 510 87.7%	18 997 407 88.1%	20 408 542 89.5%	19 409 400 89.5%
Hungarians	1 423 459 10.0%	1 587 675 9.1%	1 619 592 8.5%	1 712 853 7.9%	1 624 959 7.1%	1 434 377 6.6%
Germans	633 488 4.4%	384 708 2.2%	382 595 2.0%	348 747 1.6%	119 462 0.5%	60 088 0.3%
Jews	451 892 3.2%	146 264 0.8%	42 888 0.2%	24 667 0.1%	8 955 0.04%	5 870 0.03%
Rroma (Gypsies)	242 656 1.7%	104 216 0.6%	64 197 0.3%	227 398 1.1%	401 087 1.8%	535 250 2.5%
Other	411 064 2.9%	270 473 1.5%	247 381 1.3%	248 838 1.2%	247 030 1.1%	253 196 1.07%
Total	14 280 729 100%	17 489 450 100%	19 103 163 100%	21 559 910 100%	22 810 035 100%	21 698 181 100%

3. Constitutional provisions regarding Romanian minorities

Ethnic minorities represent a significant percentage of Romania's population, 10,5%.

At this time, there are 18 ethnic minorities officially recognized. Every minority has a representative in the Parliament, in the Minorities Council, excepting the Hungarian minority. Because this last one got more than 5% of the voters (during legislative elections), the UDMR party (Democratic Alliance of Magyars from Romania) has its own deputies and senators in the Romanian Parliament (see [http:// www.cdep.ro](http://www.cdep.ro)).

Besides Hungarians, in the Romanian parliament there are representatives of the following minorities: German, Rroma(Gypsy), Jewish, Ukrainian, Russian, Serbs, Poles,

² Zamfir, C, Preda, M. –coordinators,2002, p. 13

³ Cornelia Muresan, Evolutia demografica a Romaniei. Tendinte vechi, schimbari recente, perspective (1870-2030) , Editura Presa Universitara Clujeana, 1999, page 94 , for the data between 1930-1992

⁴ For the data from 2002 we have used data from [http:// www.recensamant.ro](http://www.recensamant.ro)

Greek, Czech, Albanians, Italian, Turkish, Armenian, Bulgarian, Slovak, Tatar, and Croats.

In order to present the constitutional articles with regard to Romanian minorities, it is important to say that the fundamental law has been adopted firstly in 1991 and secondly in 2003. The 1991 constitution has been considered as the basis of the Romanian democratic state after the fall of communism, and the 2003 constitution has modified the previous document in order to provide the necessary laws for the European Integration. The latest Romanian Constitution has been validated by the referendum from 18-19 October 2003 and it contains very important provisions with regard to minorities, most of them taken from the previous document with small modifications.

It must be stated before we analyze these fundamental documents, that Romania is one of the countries in which minorities have obtained a lot of rights from the authorities.

The education in the minority language is already an established fact and young people can also learn in their own language until the end of high school. Moreover, there are universities in which they can also continue their education in their mother tongue.

Secondly, it must be stated that from a political point of view, the Hungarian Party (Democratic Alliance of Magyars from Romania) has been in the governing coalition since 1996 and it is also now one of the main parties in the Parliament.. Furthermore, the Constitution adopted in 1991, also states that for minority members there should be a representative in the Parliament. Although, they may not exceed 5% (the electoral threshold), a minority member is appointed in Parliament to look for their interests.

As I have mentioned earlier, the last modification of the Constitution has taken place in October 2003 and contains very interesting articles regarding minorities (see Annex 2).

From the text of the Romanian constitution, we can draw the main constitutional rights of the Romanian minorities:

1. The right to their identity, which means the freedom to practice their own religion, to speak in their own language and the freedom to express their own cultural values
2. The right to learn their mother tongue in schools and to be instructed in their mother tongue. It must be stated that the education costs are paid by the Romanian State.

Also, minority youth can continue their training in universities using their own language (for example, in Babes-Bolyai University in Cluj-Napoca)

3. The right to use the minority's language in legal proceedings and the use of interpreters or translators in courts.
4. The use of their own language in the public administration in the towns where the minority's proportion is significant.
5. The minority's right to be represented in Parliament, if the ethnic group may not obtain the necessary votes to be elected. A representative is then appointed into Parliament.
6. The principle of local autonomy with regard to the local administration

It must be specified that the largest ethnic minority in Romania is the Hungarian minority, which is about 7% of the entire population. Also, they are very concentrated in two counties: Harghita and Covasna, according to the last census from 2002. This can prove to be a problem to the state authorities, because in that region the Hungarians represent the large majority and the Romanian citizens the minority. The constitutional provisions encourage the use of the Hungarian language and not the use of the Romanian language in those regions and some residents do not speak Romanian very well.

The principle of local autonomy has long been debated in the political life. Pressures have been made in this direction from the Hungarian party, one of the main political parties in Romania.

The right of a minority to be represented in Parliament without obtaining the necessary votes is one of the unique measures provided by a European constitution. This law only applies to ethnic minorities and it implies a positive discrimination policy of the state authorities, as the Romanian parties who do not obtain the threshold do not get into the Parliament.

The right that the minority speaks its language in administration and in court is a very important issue. In the previous constitution, these groups could only speak through the use of interpreters and translators. The current modification means that members of the administration and of the judicial system have to learn the minority's language if that represents a significant proportion in that region.

The use of interpreters is one of the rights included also at the European level and in the European laws and it provides the means to the free access to the justice process.

Beside the constitution, there are other laws regarding minorities.

The Romanian Government has founded by the Governmental Decision 137/1993 the National Minority Council, with attributions in regard to the consolidation of the cultural, religious, educational and social institutions belonging to national minorities. Eighteen minorities are represented in this council. Although, initially, this council had the same status as a public ministry, and its secretary had the rank of a ministry and was part of the government, this is no longer true. In the last few years, the government structure has been modified a few times with the transformation of various ministries.

The laws 69/1991 and 70/1991 ensure a wide administrative decentralization in regard to the local taxes and local incomes with positive impact on the local communities. The most convincing fact with regard to the positive and harmonious inter ethnicity in Romania is the active participation of the communities in political life, including through their own parties and organizations representing the Hungarian, German, Ukrainian, Turk or Gypsy minority.⁵

The fact that Romanian officials have included many European provisions into the constitution (the use of interpreters and translators, the principle of local autonomy), proves the country's direction towards the EU integration. It must also be stated that, in the 2003 Constitution there are some laws in place that will provide the basis for the European acquis.

It should be mentioned that Western Europe considers the attitude towards the national minorities one of the evaluations criteria regarding a country's real degree of democratization and this is applied to all candidate states when accepted into European Community structures. The Romanian progress in regard to the laws of the minorities is considered to be a very significant one, as it already attains the European standard.

“Relation with other minorities did not present major problems during the reporting period. The law providing for bilingual signs has been applied, including in the localities where the minority population is less than 20% (the threshold indicated in the law). After the constitutional revisions introducing the rights for citizens to use their mother tongue in civil courts cases, Hungarian is extensively used in certain areas. The law on the statute of police officers allows the recruitment of officers speaking minority languages, but the number of police officers with this skill remain relatively low.”⁶

⁵ Dan Constantin Radulescu, Aspecte privind indicatorii demografici ai comunitatilor etnice (Aspects regarding the demographic indicators of the ethnic communities), p.111-112

⁶ European Commission 2004 - Regular Report on Romania's Progress Towards Accession

In the following there is the structure of the present Council for Minorities at the Romanian Parliament- Chamber of Deputies. As presented earlier, every minority has one representative in this Council, excepting the Hungarian minority that is legally represented in the Parliament both chambers, according to the 2004 elections.

Chamber of Deputies - Parliamentary Group of the National Minorities

1. **Armenians** Union of Romania
2. **Jew's** Communities Federation in Romania
3. **Hellenic** Union of Romania
4. Union of **Bulgarians** in Romania
5. **Turkish** Democratic Union of Romania
6. Cultural Union of **Rutens** in Romania
7. Democratic Union of **Slovaks** and **Czechs** in Romania
8. Union of **Serbs** in Romania
9. Community of **Lipovan Russians** in Romania
10. Union of **Poles** in Romania "Dom Polski"
11. **Albanians** League in Romania
12. **Rromas'** Party
13. Union of **Croats** in Romania
14. Democratic Union of **Turkish-Muslim Tartars** in Romania
15. **Slav Macedonians** Associations in Romania
16. **Italian** Community in Romania
17. Union of **Ukrainians** in Romania
18. Democratic Forum of **Germans** in Romania

4. Formal education system in the native languages of ethnic minorities

The Census data regarding mother tongues reflects the decrease of the mother tongue for significant proportion of the ethnic minorities.

Table 2. Population of Romania: ethnic group vs. mother tongue (census 2002)

Minority	Ethnic group		Mother tongue	
Total	21.698.181	100%	21.698.181	100%
Romanian	19.409.400	89,45	19.741.356	90,98
Hungarian	1.434.377	6,61	1.447.544	6,67
Rroma	535.250	2,47	241.617	1,11
Ukrainian	61.353	0,28	57.593	0,27
German	60.088	0,28	45.129	0,21
Russian-lipovan	36.397	0,17	29.890	0,14
Turks	32.596	0,15	28.714	0,13
Tartar	24.137	0,11	21.482	0,10
Serbian	22.518	0,10	20.377	0,09
Slovaks	17.199	0,08	16.108	0,07
Bulgarians	8.092	0,04	6.747	0,03
Croatian	6.786	0,03	6.355	0,03
Greeks	6.513	0,03	4.146	0,02
Jewish/Yiddish	5.870	0,03	1.100	0,01
Czech	3.938	0,02	3.339	0,02
Polish	3.671	0,02	2.755	0,01
Italian	3.331	0,02	2.563	0,01
Armenian	1.780	0,01	0	0,0
Other ethnic group/ mother tongue	18.950	0,09	16.021	0,07
Not known	5.935	0,03	5.345	0,02

In the table above, use of mother tongue has a lower proportion than the self-identification as group member. Exception: ethnic Romanians and Hungarians. The conclusion is Romanian and Hungarian languages are mother tongues not only for the corresponding groups but for other ethnic groups as well. It is mainly the Roma minority

that declared Romani languages as native language in 45 % of the entire Roma community.

The education in the minority language is already an established fact and young people can also learn in their own language until the end of high school. Moreover, there are universities in which they can also continue their education in their mother tongue.

The Education law (no.84/1995, republished in Monitorul Oficial no. 606, 10-12-1999) includes a special Chapter XII: *Education for the persons belonging to a national minority* (see Annex 3).

In Romania the educational system for ethnic minorities corresponds to the general one and includes kindergarten, primary and secondary school, vocational school and high school. As state education is free of charge, the State covers the expenses for learning of and/or teaching in the native language at all levels, including state university.

4.1 Primary and secondary education

Education for minorities is supervised by the General Directorate for education in the languages of minorities, which is a unit within the Ministry of Education. The main tasks of this Directorate are:

- real insurance of basic education in the educational system for minorities;
- permanent actualization of school curricula and their adaptation to the necessities;
- basic competencies for study the languages and cultures of minorities in Romania;
- harmonization of the quality of education for minorities to the standards of European Union;
- reorganization of school network for minorities;
- supply with textbooks in the languages of minorities;
- elaboration and monitorization of programs for protection and educational maintenance of persons belonging to marginal categories.

According to the Ministry of Education there are three types of education for ethnic minority children in Romania:

- Educational structures with complete tuition in the mother tongue for the Czech, Croats, German, Hungarian, Serbs, Slovaks and Ukrainian minority
- Education structures with partial tuition in the native language, characteristic for the Croats, Turkish and Tartar children, for whom some vocational subjects are also taught in the mother tongue;
- Educational structures in Romanian language where the native languages are studied too. Such structures are organized for Armenian, Bulgarian, Greek, Italian, Poles, and Roma. Russian, Czech, Croats, Hungarian, Serbian, Slovak, Turks-Tartar and Ukrainian minorities.

In the localities with population belonging to different ethnic groups, the state ensures the organization and functioning of education with tuition in the languages of national minorities.

The next two tables show the number of students and the number of schools with respect to the language of study in two different school years: 1993-1994 and 2002-2003 (full tuition in the native language).

The first remark is the number of schools increased for most minorities, except Hungarians and Germans. On the other hand, the number of children decreased for all minorities. The demographic decline of the whole population has the first impact in the educational system.

Education for main ethnic minorities has a long tradition in Romania. Schools of Hungarian minority have a tradition back in the centuries. Many of them celebrated 3 or 4 hundred years of existence, like Reformed College in Cluj established 1560 or the Hungarian college from Aiud in 1662. In 2002, the German School celebrated 250 years of activity in Romania⁷.

After 1989, a special attention was drawn towards the Roma minority that can be considered as social minority, too. Later in this paper will be discussed the educational programs developed by the state and by the civil society in the benefit of this community.

Teachers for the educational system of national minorities are also trained abroad, in Hungary, Ukraine, Slovakia, Turkey, Bulgaria, Serbia and Croatia. Mobility grants have been awarded by the Romanian Government as well as by the foreign Governments.

⁷www.edu.ro

For example, the Hungarian Government announced a monthly allowance for the teachers in Romania (from Hungarian minority or other) who uses Hungarian language in teaching (during academic year 2004-2004) at all educational levels.

German government is also much involved in promoting the study of German language in Romania. In 2002, the Romanian-German Government Committee Protocol for the assistance of ethnic Germans in Romania showed:

“The German officials consider the Romanian model of education with tuition in German language as a native language exemplary for East and Central European countries and highly appreciated the support and commitment of the Romanian government for the Center for the Continuous training in German Language from Medias “.

Native language tuition for smaller ethnic groups like Serbs, Slovaks, Czechs or Croats is organized in collaboration with their community organizations.

Schools with long tradition were reopened after 1989, like Turkish and Tartar schools (closed in 1957-1959), Polish schools (opened 1948, closed in 1960) or the Armenian school from Bucharest that has operated in 1817-1962.

Bulgarian language tuition was never interrupted in the Timis County where there lives a compact population of ethnic Bulgarians. In 1999/2000 a secondary school was opened in Bucharest at the initiative of Romanian and Bulgarian governments.

Children belonging to ethnic minorities participate every year in national Olympics contests on disciplines, including their native language. Some of them get international awards; for example, children from the Russian-Lippovan community in Romania took part in the International Olympic Contest of Russian language in Moscow, were they got gold and silver medals (source Ministry of Education: <http://www.edu.ro>)

Table 3. The number of students and the number of schools with respect to the language of study 1993-1994

Language of study	No. of schools	%	No. of children and students	%
Total number	28941	100	4286083	100
Total minorities	2867	9.9	234749	5.5
Hungarian	2541	8.5	211317	4.9
German	302	1.0	19690	0.5
Ukrainian	23	-	778	-
Serbian	37	0.1	1011	-
Bulgarian	1	-	148	-
Slovak	30	0.1	1355	-
Czech	7	-	204	-
Croat	4	-	130	-
Turkish	3	-	116	-

Table 4. The number of students and the number of schools with respect to the language of study 2002-2003

Language of study	No. of schools	%	No. of children and students	%
Total number	23519	100	3900489	100
Total minorities	2648	11.25	208146	5.33
Hungarian	2322	9.87	186218	4.77
German	245	1.04	19076	0.48
Ukrainian	10	0.04	685	0.01
Serbian	32	0.13	788	0.02
Slovak	32	0.13	1191	0.03
Czech	4	0.01	111	-
Croat	3	0.01	77	-

Unlike in other countries, before 1990, in Romania there had been a specialized traditional framework within the Ministry of Education and the educational system regarding the teaching in the minority languages or weekly optional lessons of language and literature in different mother tongues, such as those with an educational tradition (Hungarian, Slovakian, Serb, Ukrainian, Russian-Lipovan, Turkish, Bulgarian, Croatian, Tartar, Greek, etc.)

Table 5. The number of students belonging to a minority who study in schools with studies in the Romanian language and who learn, on request, their mother tongue for 1993-1994

The mother tongue	No. of schools	Students				Total no. of professors
		Total	from which			
			I-IV grade	V-VIII grade	IX-XII grade	
Ukrainian	54	7738	3714	3971	53	88
Russian (lipovan)	13	1694	741	871	82	18
Turkish	44	1682	949	707	26	52
Polish	7	380	121	159	-	6
Bulgarian	6	612	246	224	142	16
Serbian	15	603	261	324	18	29
Slovak	4	70	32	38	-	4
Czech	4	191	36	155	-	5
Croat	5	439	156	283	-	10
Greek	1	9	5	4	-	1
Rromani	11	375	320	-	55	8
Total	164	13793	6581	6736	376	237

The next comparison will show an emerging situation at the schools with partial tuition native language/Romanian. In 1993-1994 the Roma language was taught in 11 schools, while in 2002-2003 it is taught in 135 schools. The number of teachers ‘exploded’ from 8 to 257 Roma teachers.

Other small groups' native languages like Greek started in one school in 1994 and increased to 4 schools eight years later. Armenian language started in 2002-2003 in one school, too. Both have courses at the primary and secondary schools.

Table 6. The number of students belonging to a minority who study in schools with studies in the Romanian language and who learn, on request, their mother tongue for 2002-2003

Mother tongue	No. of schools	Total no. students	from which			Total no. professors
			I-IV grade	V-VIII grade	IX-XII grade	
Total	970	38118	18951	16199	2968	1408
Hungarian	623	7110	2239	2643	2228	831
Ukrainian	63	7360	3280	3826	254	122
Russian (lipovan)	24	1780	737	1008	35	33
Turkish	65	2792	1441	1351	-	59
Polish	8	446	207	194	45	10
Bulgarian	4	603	147	186	270	7
Serbian	11	571	240	331	-	12
Slovak	3	162	87	40	35	5
Czech	7	153	50	103	-	7
Croat	8	466	203	263	-	6
Greek	4	185	129	56	-	5
Rromani	135	15708	9846	5771	91	257
Armenian	1	23	11	12	-	2
German	14	759	334	415	10	52

4.2 Higher education

The universities in Romania are encouraged to organize sections of study and specialization in the languages and culture of national minorities as follows (state universities):

- University of Bucharest : Hungarian, Slovak, German, Turkish, Russian, Bulgarian, Romani, Ukrainian;
- Babes-Bolyai University of Cluj-Napoca ; Hungarian, German, Romani and Yiddish;
- Szentgyorgy Istvan Academy of Dramatic Art of Targu-Mures: Hungarian;
- Academy of Art of Timisoara: German;
- Lucian Blaga University of Sibiu, Theatrical Art Department: German;
- Medical and Pharmaceutical University of Targu-Mures: section Hungarian
- Politehnica University of Bucharest: German;
- Politehnica University of Timisoara: German
- Academy of economic Studies of Bucharest: German;
- West University of Timisoara: Czech and Serbian;
- University of Suceava: Ukrainian and Polish;
- Ovidius University of Constanta: Turkish.

As we can see from the following tables, private universities have a lower percentage of students belonging to ethnic minorities than the public universities.

Table 7. Public universities (2002-2003)

Total number of students	457 259	100%
Total minorities students	25 544	5,58%
Hungarians	21 259	4,64%
Germans	1 533	0,33%
Other minorities	2 752	0,60%

Table 8. Private universities (2002-2003)

Total number of students	139 038	100%
Total minorities students	5 140	3,64%
Hungarians	4 503	3,23%
Germans	348	0,25%
Other minorities	289	0,20%

Young people from Roma minority were encouraged to enroll at the University. The first attempt was made in 1992/1993, at the University of Bucharest when 10 places were requested for Roma candidates at the Department of Social Work. They were admitted according to the minimal criteria of enrollment (mark of 5). In the same time an independent section of Romani language was established at the Faculty of Foreign languages and literature, University of Bucharest.

This was the start of a successful strategic program of the Ministry of Education for building up of a Roma intelligentsia by attracting young Roma in the higher education.

Soon, more universities in Romania opened their courses for Roma candidates.

In the 2004-2005 academic year, University of Bucharest had 35 places for Roma candidates, distributed as follows: 20 places for Social Work, 5 places in foreign languages, 5 places in Romani language and another 5 places at the Rectors disposal.

The author of this paper has a long experience in working with Roma students in the first year of study. Although the beginning as ‘‘freshmen’’ is rather timid, once they enter in the University they become hard working and try to study in the same pace with the rest of the schoolmates. Soon, their academic performances are at a normal level, and they become active as volunteers within the Roma organizations or in other social programs.

5. Programs and projects regarding the access to education

Several comparative studies between Romanian and foreign educational systems have been conducted. In this context, the school dropout rate is considered to be an efficient way to operationalise the access to education. In Romania, according to the Ministry of Education, the annual dropout rate is around 1% and ranging up to 45%, depending on the level of study (elementary study, secondary education, higher education), as well as on the size of the city, the minority group, the gender and geographical area. The economical disadvantages can best be seen in the case of Roma children, where the drop out rate is around 45%, according to data presented at the OSCE Conference from 2001 (Bucharest). Currently, the educational policy regarding the school dropout rate has been coordinated under the direct supervision of the Department for Education in the Languages of National Minorities and the Access to Education. This department within the Ministry of Education is the main actor in creating a unified policy towards the equal access to education of different ethnic groups.

The problem of the education of children, school students and youth (aged 15-18 years old) which belong to a disadvantaged social group or who find themselves in risk situations is one of the main priorities for policy makers, being one of the key points in the Romanian political, social and economic agenda. From this point of view, several documents have been adopted to serve as guidelines, such as *The Strategy to Improve the Situation of The Roma Minority*, *The National Program Against Poverty*, as well as other laws which are intended for the prevention of any type of discrimination.

One of the main objectives on the political agenda is to create a comprehensive approach towards eliminating the inequality in the access to education. This goal is

attained by ensuring the basic and secondary education of disadvantaged social groups in an effort to help them continue their education and to be integrated in the society. A second measure is to create educational policy for the students in risk situations. An efficient policy is also to contain provisions regarding the preservation of the students' cultural identity. Although, at the present time, education in the minority's mother tongue is always conducted in schools, the current situation can also be improved so that the ethnic minorities could profit from this. A special attention is given to the Roma children who are the most disadvantaged with regard to education. Another option regards the identification of the vulnerable categories by a series of studies who can offer solution to the problems encountered by these social groups. The Ministry of Education intends to create a more flexible educational system for the disadvantages categories.

At the present moment, there are some activities regarding the equal access to education. In the case of the Roma population, there is the *Ministerial Commission for the Roma Minority* (MCRM). For this minority, MCRM's activity includes the main policy areas, including the educational system. This commission is one of the main links between the policy makers and the policy implementation of the current educational strategy.

The Ministry of Education has several programs under development:

1. Studies regarding the educational policy regarding Roma children

Several annual analysis have been conducted regarding the school drop out rate. One of the main projects on this issue was "The School Participation of the Roma Children", coordinated by the Ministry of Education, UNICEF Romania, The Institute for the Quality of Life and the Institute for Educational Sciences.

2. Programs initiated and coordinated by the Ministry of Education regarding the children from economical and social disadvantaged environments.

A pilot program on this subject has been conducted in a partnership with UNICEF Romania in the city of Giurgiu. This program entitled *Zones for Priority Education* (2003-2004) points out to the necessity to extend the educational system at national level. It must be mentioned that the most disadvantaged children originate in the rural areas, where the number of schools and the opportunities to education have significantly diminished in the past years.

3. Programs and project initiated and coordinated by the Ministry of Education regarding the prevention and elimination of any form of discrimination

From this perspective, the project "Steps towards tolerance" (September, 2001) was also coordinated by Romani Criss (an NGO involved in the elimination of the social exclusion of the Roma minority). This project was developed for a period of 2 years and its objectives were to involve by a campaign of information and sensibilisation the Romanian majority population in the process of changing the situation of the ethnic minority. Within this project, several unqualified school teachers belonging to Roma minority have obtained training which lead to a full qualification.

4. Prevention and elimination of the labor of children

- The development of the capacity of the Roma communities to redraw their children from dangerous work conditions and to integrate them in the educational system"

- ILO/IPEC " The National Plan for Action for the Elimination of the Exploitation of Children labor"

6. Educational projects for Roma minority

Rromani language is a significant support for Rromani culture and identity. According to the latest official numbers, about 11 000 children learn Rromani language. This led to the development of several projects coordinated by the Ministry of Education or by ethnic organizations.

Educational development in Roma communities (1998-2000) financed the first **Primer** Manual for Rromani language (*ABC- Anglutno lil*), recognized by the Ministry of Education. This manual is structured according to the pedagogical standards and offers teachers and pupils a common background. Two other books were published , one for children (*Dujto Lil Rromano*) and the other for teachers (*Stories from my life*) , as a contribution to the development of Rromani culture and vocabulary.

Education 2000+ (1999-2002) financed Roma minority participation to education. It includes the following projects:

1. **KHETANES program** supports the Roma teachers (in collaboration with KHETANES Association). Its main objectives are to help the professional development

of Roma teachers as well as the professors working in schools with Roma students. KETHANES association has as main goal to promote and protect the cultural identity of the Roma minority and to encourage civic cooperation. This organization intends to encourage the education in Rromani language, the intercultural education, to prevent school discrimination, to support the Roma children and youth who show special abilities and to help develop the policies which responds to the educational needs of Roma children.

2. *CREDIS scholarships* are intended to train professors in Rromani language within Credis department, University of Bucharest - distance learning. These courses contain information regarding the cultural, historical background of Roma minority, as well as Rromani literature.

3. *Intercultural education projects* in which Roma teachers and communities, as well as policy makers and professors from schools with Roma students have been trained.

4. *Summer schools for Rromani language* provided an opportunity for the training of professors teaching Rromani language in schools .

5. Young people from western countries are invited to join *Cultural festival* organized by the Roma community as the festival from Timis county: Euro- Satra.

7. Ethnicity issues in contemporary Romania

In Romania, Ceausescu's communist regime did not promote ethnic intolerance before 1989, but ethnic relations were, in a way, "frozen". The state ideology was avoiding to display any internal problems, including ethnical ones. In fact, the ethnic debates were forbidden. The democratic regimes after 1989 promoted more tolerant inter-ethnic relationship. The presence of Democratic Alliance of Hungarians from Romania

(Hungarian Party) in the political coalition that formed the government between 1997-2000 led to an open debate and to mutual understanding regarding the ethnic problems.

As ethnic identity is one of the most consistent form of identity, it influences strategies and life choices that could affect the socio-economic status (SES). SES is influenced also by the access to certain resources and by the "networking" that support group members in finding jobs (e.g. the Jewish community) or to get immediate help (e.g. the "neighborhoods"- Nachbarschafts, for the Saxen ethnic group).

In these circumstances, the Roma minority belongs to poor social strata, with the following characteristics: low income, higher rate of unemployment, low level of education, low prestige, etc. Researchers are talking about an “ethnicization of poverty” in Eastern Europe, after 1989, which affects the Roma minority.

It is proven by comparative research the relationship between the ethnical identity, the social stratification and ethnic attitudes in South-Eastern European countries (Tufis, 2001).

Important empirical research, in multiethnic societies, proved a relationship between ethnic groups’ affiliation and the position on the social scale, depending on occupation. Another interesting relationship is between the majority group and the degree of ethnic tolerance. The Romanian ethnical landscape does not allow a fair statistical analysis because of the low representation of the ethnic groups, excepting the Hungarian and Roma minorities.

Studies concerning the ethnic minorities from Romania have been conducted in the last years. Some important conclusions are presented in this paragraph.

- There are ethnical stereotypes regarding the ethnic minorities; some of the most stereotyped are the persons belonging to Roma minority.
- In the case of inter-ethnic conflicts, a very important cause relates to the historical background of that minority in Romania, as well as to different living conditions and different acquired wealth.
- Studies regarding the minorities’ education, point out the importance that the children identify themselves as belonging to an ethnic group; also, the fact that teachers should be aware if their students have problems related to the aforementioned situation
- In a research about that Roma minority made on a representative sample, it has been concluded that their living standards are very low and that makes it very difficult to follow their education. The study pointed out that the poverty is always enhanced with the aggravation of the economic situation.
- Summer 2004 was the time of a national monitoring of the TV channels performed by the Center for Media study and New Communication Technology, University of Bucharest, at the request of National Council of the Audiovisual (<http://www.can.ro>).

The topic was: Evaluation of violence representation in TV broadcasting. In the 730 hours monitored, the content analysis identified only one violent sequence in the frame of

ethnic stereotypes during the news. The monitoring will be repeated in fall, during the pre-election period.

- The Department of Inter-ethnic relations from the Ministry of Education celebrated in 2004 the Year of Minorities youth. This was the opportunity to organize cultural and informal educational events for the young people. The last event is the competition “games and colors” and will award the finest pictures painted by the children belonging to the ethnic minorities. An exhibition was opened for the public in November 2004.

Specific issues related to ethnic minorities are also revealed by the printed or electronic media .

In 2003 media brought into public attention the story of a 13 years old girl, from the Roma community who was forced by her parents to marry. She belongs to a wealthy and very influent family in the Roma community in Romania, but her parents were following the Roma tradition of marriage (the girls was about 13 and the boy was 16). This case was much mediatised (newspapers photos and articles, TV-show) internal and abroad. The European rapporteur for Romania, at that time, accused the parents of child abuse and ask formal penalties (according to the Romanian law the legal age for marriage is 18, but the minimum of 16 is allowed with parental approval). Eventually, the scandal ended ‘live’ in a TV show: the father promised to respect the law and to give up the premature marriage. Moreover, he promised to promote the rule of law within the Roma community.

Social campaigns against discrimination and social marginalization of different groups on ethnic, gender or age ground were sustained by the media. Two social campaigns related to the Roma minority have been successful, mainly because they relayed on very inspired and professional TV spots: “ The Accordion” and “ Gypsy Heart”. The former was dedicated to encourage Roma children attendance in schools and the latter was an anti-racism manifesto (see <http://www.mma.ro/publicatii/Romana/>).

Within a Civil society project in 2004, the British Embassy financed a documentary about the everyday life of a Rroma family , with 10 children, fighting with poverty and marginalization, but succeeding to sending five of them at the University (see <http://www.euractiv.ro/section/readstory/>).

“ Positive developments were particularly notable in the education sector. In order to support a non-discriminatory and inclusive approach, an increased number of teachers

specialized in supporting the educational needs of the Roma children, where active participation of parents was encouraged, and where improved school curricula were developed. Moreover, in the context of the National Strategy to Improve the Situation of the Roma, local development plans have been drawn up and the problem of segregated education is being tackled. The measures related to health, employment and the police represent a positive basis for future activities. The health mediators hired and trained during the last reporting period are increasingly becoming involved in addressing a wide range of health issues, including access to health insurance. The organization of job fairs for Roma by county employment offices in collaboration with Roma NGO offices has continued”⁸.

⁸ European Commission 2004 - Regular Report on Romania's Progress Towards Accession

Annex 1.

Romanian Population and Ethnic Groups (Census-2002)

	Abs. value	Percent
TOTAL	21698181	100
ROMANIAN	19409400	89,5
MAGYAR	1434377	6,6
RROMA (GIPSY)	535250	2,5
GERMAN	60088	0,3
UCRAINIEN	61091	0,3
SARB	22518	0,1
TURKS	32596	0,2
TATAR	24137	0,1
SLOVAK	17199	0,1
JEWS	5870	*
RUSSIAN-LIPOVAN	36397	0,2
BULGARIAN	8092	*
CZECK	3938	*
CROAT	6786	*
GREEK	6513	*
POLES	3671	*
ARMENIAN	1780	*
SLOVENIAN	175	*
RUTENIAN	262	*
CARAOVENIAN	207	*
ITALIEN	3331	*
CHINEESE	2249	*
ALBANIAN	520	*
GAGAUTZIAN	45	*
MACEDONIAN-SLAV	731	*
CEANGAN	1370	*
OTHER ETHNIC GROUP	13653	0,1
NOT DECLARED	5935	*

* - below 0,1%

Annex 2.

The 1991 Romanian Constitution:

Article 6 the right to identity⁹

Paragraph 1.

⁹ Constitutia Romaniei, Editura Banea Press, Editura Morosan, Bucuresti, 2000, page 7

The state recognizes and guarantees to the persons belonging to a national minority the right to preserve, develop and express their ethnic, cultural, linguistic and religious identity.

Paragraph 2.

The protective measures taken by the state in order to preserve, develop and express the identity of the persons belonging to a national minority should be in accordance with the principles of equality and non-discrimination regarding the other Romanian citizens.

Article 23 Individual Freedom¹⁰

Paragraph 5

*The person who is questioned or arrested by the authorities is informed **in the language that he/she understands** of the reasons for his arrest or questioning, and of the indictment, in the shortest possible period of time; the defendant's informing about his/hers indictment takes place only in the presence of a lawyer.*

Article 32 the right to education¹¹

Paragraph 3.

*The right of the people belonging to a national **minority to learn their mother tongue and the right to be educated in that mother tongue** are guaranteed; the ways to exercise these rights are established by the laws.*

Article 59 the choice of the Chambers of Parliament¹²

Paragraph 2

*The organizations of the citizens belonging to national minorities, which **do not obtain in the elections the necessary number of votes to be represented in the Parliament, have the right to a deputy chair in the conditions provided by the electoral law.** The citizens of a national minority can be represented only by one organization.*

Article 127 the right to an interpreter¹³ [in the legal proceedings]

¹⁰ Constitutia Romaniei, Editura Banea Press, Editura Morosan, Bucuresti, 2000, page 13

¹¹ Constitutia Romaniei, Editura Banea Press, Editura Morosan, Bucuresti, 2000, page 19

¹² Constitutia Romaniei, Editura Banea Press, Editura Morosan, Bucuresti, 2000, page 31

¹³ Constitutia Romaniei, Editura Banea Press, Editura Morosan, Bucuresti, 2000, page 65

Paragraph 1

The judicial procedure takes place in the Romanian language.

Paragraph 2

*The citizens belonging to national minorities , and the persons who do not understand or speak the Romanian language have the right to be informed of all the court's proceedings, to speak in court and to make conclusions by using an **interpreter**; in the penal trials, this right is free of charge.*

The 2003 Romanian Constitution

Article 119 Basic principles [of local public administration]¹⁴

Paragraph 1

*The public administration from the administrative-territorial units is based on the principles of decentralization, **local autonomy** and public service non-concentration.*

Paragraph 2

*In the administrative- territorial units in which the citizens belonging to a national minority are in a significant proportion, **the state ensures the use of the respective minority's language in written and oral form in the relations with the local public administrative authorities and with the public service, in the conditions provided by the organic law.***

Article 127 the use of the mother tongue and of the interpreter in judicial courts

Paragraph 2.

The Romanian citizens belonging to national minorities have the right to speak in their mother tongue in front of the judicial courts, in the conditions provided by the organic laws.

Paragraph 3

*The way in which the right presented in paragraph (2) is to be exercised , including **the use of interpreters and translations**, is to be established so that it will not interrupt the good administration of the justice process and it will not involve additional costs to the people involved*

Paragraph 4

The foreign citizens and the persons without a nationality who do not understand or speak the Romanian language have the right to acknowledge the judicial proceedings, to speak in the court and to make conclusions by using an interpreter; in the penal trials, this right is free of any financial charge.¹⁵

Annex 3.

The Education Law no. 84/ 1995, republished in Monitorul Oficial no. 606, from 10 December 1999

Chapter XII: Education for the persons belonging to a national minority

Article 118

The persons belonging to national minorities have the right to education and training in their mother tongue at all educational levels, as well as for all types of education for which exists a sufficient demand as provided by the current laws.

Article 119

(1) In accordance with local needs, it can be organized on request as provided by the laws groups, classes, sections or schools with teaching in the languages of the national minorities.

(2) The provisions of paragraph (1) will be applied without endangering the study of the official language and the teaching conducted in that language.

Article 120

(1) The subject *Romanian language* is taught in primary education after the school syllabus and textbooks for that particular minority. In secondary education, the subject *Romanian Language and Literature* is taught after school syllabus and textbooks which are identical with the ones for the classes with education in the Romanian language.

¹⁴ Referendumul national privind revizuirea Constitutiei Romaniei (The National Referendum about the modification of the Romanian Constitution), page 42, www.presidency.ro (The Romanian Presidency)

¹⁵ Referendumul national privind revizuirea Constitutiei Romaniei (The National Referendum about the modification of the Romanian Constitution), page 43-44, www.presidency.ro (The Romanian Presidency)

(2) In primary school with education in the languages of national minorities, the subjects *Romanian history* and *Romanian Geography* are taught after identical syllabus and textbooks as the classes studying in Romanian language, with the obligation to write and learn the geographical and historical names in Romanian. In secondary education, Romanian history and Romanian Geography is studied in Romanian after identical textbooks and syllabus as the classes studying in Romanian. The examination for the Romanian History and Romanian Geography is conducted in the language in which these subjects have been studied.

(3) In the syllabus and textbooks for universal history and Romanian history, the traditions and history of the Romanian national minorities will also be presented

(4) In secondary education, can be studied on request as a subject *The History and Traditions of National Minorities*, which is taught in the mother tongue. The syllabus and textbooks for this subject have to be approved by the Ministry of Education

Article 121

The students, belonging to national minorities, who attend schools with teaching in Romanian, can study, on request and according to the law, the language and literature of their mother tongue, as well as the history and traditions of his/her national minority.

Article 122

In vocational, high school and post high school training, in which, on request and according to the law, the study is conducted in the mother tongue at the main subjects, it is obligatory to learn the scientific terms in Romanian as well.

Article 123

(1) Within state university education can be organized, according to the law, on request, groups, sections, colleges and faculties with study in the mother tongue of the national minorities. In this case, the learning of the scientific terms in Romanian is to be ensured. On request and by law, multicultural high education institutions can be created. The languages of study within these institutions are to be established in the law of the university's foundation.

(2) According to the law, it is recognized the right of persons from national minorities to create and administrate their own private institutions of higher education.

(3) The institutions of higher education with multicultural structures and activities for the promotion of intercultural life and for the national and European integration are strongly encouraged.

(4) At all educational levels in the Romanian language, as well as in the languages of the national minorities, any Romanian citizen can be admitted and may study, no matter what his mother tongue is and no matter what was the language in which he previously studied.

Article 124

At all levels of education and for all types of admission and graduation exams, the test can be conducted in the language in which the subjects have been studied, according to the law.

Article 125

The Ministry of National Education ensures for the study language, the training of school professors, as well as for textbooks and other study materials.

Article 126

In the case of the education institutions, where there are groups, classes or sections which study in their minority languages, at the decision level is ensured a proportional representation of the professors from the national minorities, respecting the criteria of professional competence.

References

Crowley, John, *The Political Participation of Ethnic Minorities*, International Political Science Review, Vol.22, No. 1, January 2001

Dragan , Ioan, Stefanescu, Poliana ,coordinators,(2004) *Evaluation of violence representation in TV broadcasting*, Research Report, Center for Media Studies, Bucharest, www.cna.ro

Ghetau Vasile, *Socul milionului*, Population and Society, No.4(34), An V, 2002

Larionescu, M., Sandu, D. (2001) , *The Challenge of Transition in Romanian Society and Sociology*, in N.Genov, Ulrike Becker eds., "*Social Sciences in Southeastern Europe*", ISSC-Paris, SSIC- Bonn/Berlin, p. 136-191

Maier, L. (1995), *Politica educationala in sfera minoritatilor nationale*, in C.Zamfir, E.Zamfir eds., "*Politici sociale. Romania in context european*", Ed. Alternative, Bucharest, p. 284-293

Muresan, Cornelia, *Evolutia demografica a Romaniei. Tendinte vechi, schimbari recente, perspective (1870-2030)*, Presa Universitara Clujeana, 1999

Radulescu, Dan Constantin, *Aspecte istorice privind indicatorii demografici specifici comunitatilor etnice din Romania*, in Calitatea Vietii, XII, nr.1-4, 2001, p. 109-126

Stefanescu, Poliana. (2004), Ethnic minorities in the Romanian Legal and Social Context, in N.Genov, ed. "*Ethnic Relations in South Eastern Europe. Problems of social inclusion and exclusion*," Lit Verlag Munster, p. 117-131

Stefanescu, Poliana.(2005), Ethnicity and Educational Policies in Romania, in N. Genov, ed. "*Ethnicity and Educational Policies in South Eastern Europe*", Lit Verlag, Munster, p. 154-171

Tufis, Paula , *Structura sociala si etnicitate*, in Sociologie Romaneasca, 2001, 1-4, p. 97-123

Zamfir, C., Preda, M. (coordinators) – *Romii in Romania*, Ed. Expert, Bucharest, 2002

******Verdammt zu Marginalitat. Die Roma in Rumanien*, Friedrich Ebert Stiftung, InterGraf Verlag, Resita, 2001

******The Roma Population in South Eastern Europe*, Friedrich Ebert Stiftung, InterGraf Verlag, Resita, 2002

******Constitutia Romaniei(The Romanian Constitution)*

Internet sources:

www.divers.ro (Online publication of different ethnic groups in Romania)

www.insse.ro (The National Institute for Social and Economic Statistics)

www.recensamant.ro (The data regarding the 2002 national census)

www.imas.ro(Institute of Marketing and Surveys)

www.cna.ro(National Council for Audiovisual Broadcasting)

<http://www.edu.ro> (Ministry of Education)

<http://www.cdep.ro> (Chamber of Deputies)

<http://www.senat.ro> (the Senate)