ROMANIAN EDUCATIONAL SYSTEM AND MULTICULTURALISM. CHALLENGES IMPLIED BY THE NATIONAL LAW IN EDUCATION: FROM ENSURING MINORITIES' RIGHTS TO SEGREGATION DANGER

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ABSTRACT. All educational programs that are based on the idea of multiculturalism must found on the principle of eliminating discrimination and of eliminating the dichotomy between the culture belonging to majority and the culture belonging to minority, as well as on a lot of approaches developed for preserving and valorizing specificity. The National Low in Education from Romania comprises a series of regulations regarding the way schools function, these schools being organized on ethnical criteria, thus, education language within these schools being the language of the respective minority. These regulations can lead, aspect underlined by this research, to segregation and isolation.

Keywords: multiculturalism, education, minorities' rights, segregation.

ZUSAMMENFASSUNG. Jeder Erziehungsprogramm, der die Idee der Multikulturalismus in Betracht nimmt, muss auf dem Prinzip der Aufhebung der Diskriminierung und der Dichotomie zwischen der Kultur de Mehrheit und der Kultur der Minderheiten, sowie auf einer Reihe von Verfahren, die die Aufrechterhalten und Verwertung der Spezifizität sich gründen. Das Gesetz über der nationale Bildung und Erziehung in Rumänien enthält eine Reihe von Bestimmungen hinsichtlich der Organisation der auf ethnische Kriterien gestalteten Schulen, wo der Unterricht in der Minderheitssprache gegeben wird. Die Bestimmungen können, so wie wir in diese Studie zeigen, zu Segregation und Isolation führen.

Schlüsselwörter: multikulturalismus, erziehung, minderheitsrechte, segregation.

Introduction

Pluralism represents a fundamental value in Romanian society, it implying respecting the difference among the various forms of cultural manifestation and, in the same time, consolidating all ethical communities' cultural identity. A national right ensured and guaranteed by constitution for all ethnical minorities from Romania is using mother tongue language within cultural and educational systems. People belonging to different ethnical minorities have the right to be different, serious efforts

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being conducted at the level of the whole social system, in general, and in particular at the level of educational, in order to prevent the annihilation of diversity. Education can be considered due to is anti-discriminating approaches, the guarantee for a multicultural functional society, factor for the democratic stability and for diminishing conflicts.

Legislative framework for using mother tongue language in education

Multiculturalism is a notion with multiple significant valances within the debates regarding educational and cultural policies referring to national minorities. This interpretation is not exclusively due to the reputation of the term and of the set of ideas related within the political and intellectual discourse, but also to a need emphasized by the intellectual debates, the need to find alternatives to the various restrictive discourses regarding the problem of handling ethnical and cultural diversity (G. Andreescu, 1999).

The ideology of multiculturalism promotes the recognition of cultural variety that can be identified within a society and a series of approaches that can be developed for preserving and valorizing specificity. The aim is to make well known, visible minority ethno-cultural groups and, as a consequence, to accommodate and to open perspectives for majority society regarding cultural models belonging to minority groups. This type of approach places on the first position values, objectives and strategies specific for the intercultural and multicultural education.

Education in Romania developed by using the national minorities' languages promotes multiculturalism and implicitly developing a multicultural education. The notion of „multicultural education" refers to the whole amount of educational programs that answer to the needs that comes out in the light due to the coexistence within the multi-ethnical environment. Its aim is to facilitate the affirmation of the ethno-cultural minority groups, and as a consequence, to facilitate the openness of the majority society towards the cultural models particular to them.

The notion of multicultural is to be found in the *National Law in Education from Romania* (2011), according to which people being part of the national minorities have the right to study and to fallow educational programs in their mother tongue language, at all the levels, types and form of educational program, from the pre-university educational system component. There are to be mentioned the public Institutions for Superior Education which also have educational programs developed in the language of national minorities, they having the status of multicultural and multilingual universities: Babeş-Bolyai University from Cluj-Napoca (educational programs are developed in Romanian, Hungarian and German languages), The University of Medicine and Pharmacology from Târgu-Mureş (it having educational programs developed in Romanian and Hungarian), the University of Drama Art from Târgu-Mureş (it having educational programs developed in Romanian and Hungarian). All Romanian citizens or citizens coming from European Union countries or from Swaziland confederation, despite their mother tongue language or the language they studied in previously can attend and can study being enrolled in all the educational programs developed in Romanian language, in National minorities languages or in any other international language.

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If within a certain territorial-administrative unity functions more than a single education institution, their activities being developed in the language of the national minorities, at least one institution has to prove judicial representation, for every mother tongue language, no matter the number of the pupils. If at the level of a town or at the level of a village the secondary or college education institutions are the single institutions that develop educational programs in the national minorities languages, they are being offered judicial representation, despite the number of pupils they have enrolled. If in the local home pupils do not have the possibility to study in their mother tongue language they are being covered the transportation costs to the nearest school where the education programs develops in their mother tongue language or they are being ensured for free accommodation and meal in the boarding room.

In pre-university education, teaching and learning activities in the case of native language and literature, in the case of history and the traditions of the respective national minorities and in the case of musical education, develop based on specific programs and methodologies elaborated by experts in that respective national minorities' language and cultural fields, they being approved according to the low. In the secondary education developed in national minorities' languages, *History and the traditions of the respective national minorities,* is introduced as studying object, it being developed in their mother tongue language. Moreover, within the syllabuses and textbooks for history is to be reflected the history and the traditions of the national minorities from Romania. If pupils belonging to national minorities groups attend the education system that develops in Romanian Language or in other language different from their maternal one, they can ask for fallowing as studying object *Native Language Literature*, as well as *History and the traditions of the respective national minorities*.

Within the primary, secondary and college education that develops activities in national minorities languages, the studying objects such as *Romanian history and geography* are being taught in these languages, fallowing syllabuses and textbooks identical with those for the classes taught in Romanian, mandatory being to write and to learn Romanian proper and toponymical names and in Romanian language, too.

Within pre-university education the admission and the graduating exams can be sustained in the language in which the studying took place, under the low conditions.

The didactical materials specific for the studying objects taught in maternal language are ensured by Ministry of Education, Research, Youth and Sport (M.E.C.T.S.). There is also possible to have textbooks elaborated in the teaching language of the national minorities, textbooks translated from Romanian or even imported textbooks, approved by M.E.C.T.S., in the situations when several titles are not edited due to the reduced number of exemplars from a certain edition.

National Minorities have the right to proportional representativeness according to the number of classes, at the management level in a certain education institution, county inspectorates or in equivalent institutions, as long as professional competences criteria are respected. Within the education institution in which the teaching language is also a minority language, one of the managers will be a teacher belonging to that respective minority, having into considerations the professional competences criteria too.

Teachers for the groups or classes that study in the language of the national minorities have to prove professional competence in the language of that respective national minority and have the right to attend training and improving sessions in the teaching language, sessions organized either in our country or abroad. An exception is represented by the teachers that teach Romanian Language and Literature. For ensuring an adequate internal communication and a proper relationship with the parents, in the education system developed in the language of the national minorities teaching language can be used.

Through these types of regulations Romanian educational system supports national ethnical communities for affirming their different culture, in order to facilitate the affirmation of all the citizens, members of our society, as well as for ensuring the affirmation of the ethno-cultural groups. The type of multiculturalism that is promoted in this way ensures tolerance, respect and the positive appreciation from the people towards different cultures from the one to which they belong.

The status of Romanian Language

At the level of pre-university education developed in the language of the national minorities all studying subjects are approached by appealing to their native language, an exception being made in the case of Romanian Language and Literature, this object being taught according to special elaborated, for that respective minority, syllabuses and textbooks. Studying Romanian Language as official language during schooling period is mandatory for all Romanian citizens, no matter their nationality. Romanian Language and Literature is taught at the level of the primary education according to special elaborated syllabuses and textbooks, for that certain minority. At the level of secondary education Romanian Language and Literature is taught according to syllabuses identical to the ones specific for the classes studying in Romanian language, in order to be able to implement this aspect there are specific textbooks for this situation. At the level of college education Romanian Language and Literature is taught according to syllabuses and textbooks identical with the ones specific for the classes studying in Romanian Language. The focus on establishing a conceptual unity between the syllabus and the mandatory feature of studying its thematic content is important in order to offer equal chances during the graduating exams for all pupils.

The first exception, teaching Romanian Language and Literature is organized based on the textbooks used in the education institutions in which Romanian language is the studying language, as a response to parents' or legal representatives' request, as a response to the request elaborated by the national minorities' organization which is represented in Romanian Parliament, to the parliamentary group of national minorities, in case when that respective minority has not parliamentary representativeness. The assessments for Romanian Language and Literature are elaborated based on the special program and the assessment tests, the exams contents, no matter the type of examination, developed at the level of the pre-university and the semester examinations for the pupils who attend an education system developed in national minorities' languages, are elaborated based on the didactical-methodological requests established through the National Curriculum.

Multiculturalism and the segregation danger

Curricular documents adopts multicultural and intercultural education as a positive valorizing tool of the differences and of reciprocal improvement, through the possibility of knowing the other, through the exchanges that are based on reciprocal respect. In this way the dichotomy between majority and minority culture can be eliminated with the aim of a positive attitude, opened towards cultural diversity.

Multicultural education, promoted through the curriculum addressed to the education based on Romania national minorities' education, represents a complex process which requires:

a) the acceptance of equal rights and the elimination of the discriminatory practices;

b) reciprocal knowledge through inter-cultural knowledge;

c) interest towards others problems, promoting the tolerant attitude and reciprocal understanding;

d) renouncing to stereotypes or false believes and developing „the culture of living together";

e) organizing common activities, collaboration and reciprocal help, making decisions and problem solving-all of these developed together.

The open perspective towards other cultures than the one belonging to majority represents one of the directions towards Romanian education system orientates as school is an optimal place for national minorities' affirmation. Thus, pupils belonging to these minorities are ensured the right to express their own identities, being created, in this way, the premises for demolishing false believes and stereotypes. It also has to be underlined that despite the level or the objectives concerning the debates regarding multiculturalism, ethnical boundaries constantly reproduced along time. Even if there are not to be mentioned relationships marked by inter-ethnical tensions, the difference representations facilitated the perception of distinct differentiating lines among ethical groups. This type of distinction that can generate tensions is to be identified at the level of the entire education system, aspect perceived by everyone. In order to prove this aspect we can mention what one of the deans from Babeş-Bolyai University underlines: „For a multicultural university, the way Babeş-Bolyai is, the tensions induced by interpretable regulations referring to the national minorities' rights become dangerous as they can enforce separation. In the XXIth century, when e should surpass the stage of working side by side and we should embrace the stage of working together, promoting real value, no matter the ethnical feature, we are force to step back due to specific favors and momentum political interests" (C. Dobrotă, 2010, p. 128).

An important source for inter-community tensions can be the division of school based on ethnical criteria, education becoming a factor for separation and not for integration, aspect that question its status. The separation process is due to the fact that pupils socialize by using totally different languages, they study by using different textbooks, handling different types of pieces of information, in separated environment, being given financing according to different criteria. The process through which social relationships are weakened and pupils' intercultural interactions are divided is encouraged

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in this way. In other words legislation offers the adequate framework for a certain educational politics that has already been functioned, a politics regarding finishing segregation on ethnical criteria at the level of Romania educational system, it spreading negative effects upon the entire society.

Social system can be seen as a combination of cultural models that offers the person techniques for living into society, techniques that allow social interaction and integration, according to certain expectances absolutely necessary in order to socially adapt. It is unanimous accepted that every culture has its own behavior patterns, they being for other people coming from different cultural surroundings strange. This is why every culture has to be studied within the constraints of its own meanings and values, being avoided the ethno-centrically approach, it being defined as ,,judging the other cultures by comparison with your own" (A. Giddens, 2000, p. 33). All the discourses that assume the requests of the late modernism will approach the term of ,,multiculturalism" as being in correlation with the one of ,,inter-culturalism". A certain culture, according to C. Cucoş (2000), comes out to light by comparison with others, this comparison meaning transfers of values, generator of new practices, it being a source of reciprocal enrichment. The way education in national minorities' languages in Romania is conceived implies this type of comparison, but it also opens the possibility of ethnical segregation. Education, especially in the case of Hungarian education, turned in even a more segregationist educational practice, it promoting numerically reduced intercultural communication relationships. In this way, Romanian pupils are separated from the Hungarian ones, ,,not only from a physical point of view, but also from a cultural one, everyone studying his own culture, turning the backside towards the others' culture" (A. Miroiu, 1998, p. 59). Instead of multicultural programs for multi-ethnical schools and instead intercultural programs that could fit into the national curriculum, in Romanian educational system proves the tendency for segregation, for reclusion within mono-ethnical and ethno-centrically communities. If at a fist level the result allows pupils to preserve their ethnical identity, at the second level we will have to face ethnical groups that knows nothing about each other, they tend to ignore themselves and to be defined by the lack of communication among them. Thus, instead of pluralism and integration by promoting the difference we tend towards assimilation or isolation.

Separations and reciprocal closed perspectives towards the others, approaches that lack fertilization and are even generators of conflicts, can be surpass through knowledge, comprehension, approval and respect proved to others' culture. If the respect and the approval manifested towards the ethno-linguistic minorities' culture do not represent a problem at the level of Romanian Educational system, the actual knowledge that the majority population has regarding the minority population is insufficient. In a great number of situations, it happens so that minority ethnical groups do not have knowledge about majority culture, the way it is presented through curricular documents such as syllabuses and textbooks.

Within nowadays school curriculum, beginning with *Abecedary,* going to humanistic disciplines, proper names belonging to other ethnical groups, non-Romanian creators, the other ethnical groups contribution to Romanian history are not

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to be identified. The Hungarian, German or Ukrainian writers do not appear in the mandatory textbooks, as if the single creators from Romania have and will have Romanian origin. On the other hand, minority ethnical groups sustain the separation of the schools or at least the separation of the distinct specializations within the schools where studying develops in Romanian language, as well as curricular differences at all levels. The main identified concerned in the case of majority groups which can be characterized through a strong unity is to claim an almost complete extension of mono-lingual politics and to isolated themselves within their own educational community. Intense political efforts are made in this respect, especially by the Hungarian political representatives of the minority they belong, they constantly invoking the right of cultural autonomy and even more.

 Assuming cultural pluralism implies the recognition of the fact that every culture produces universally valuable significances, starting from a particular experience. Cultural pluralism raises not only the problem of defending diversity, but also the problem of cultural dialogue in the case when cultures recognize, going beyond the differences that exist among them, that all of them contribute to the enrichment of human experience and that all of them represent an effort of universalizing a particular experience. Promoting multiculturalism through educational system, as a way of defending minorities and their rights, often can lead to opposed situations, to a „closed community, hostile towards the existence of different cultures" (A. Touraine, 1996, p. 292). The right for being different, isolated from all the reflections on intercultural communication, can lead to cultural relativity, it being charged of conflicts.

Restraining the practice of Romanian writing and speaking in school only in the case of Romanian Language and Literature will transform Romanian language status as marginal element at the level of national minorities' education, it gaining the status of foreign language. Under the circumstances in which there are no ethical constraints, putting into practice the legislation regarding minorities' representativeness at the school and county inspectorate management level is considered unnecessary. But by applying these regulations local (Hungarian) ethnical minorities are offered supplementary rights, this leading to the situation in which majority ethnical group (Romanian) will be disadvantaged.

Regarding the problem of special textbooks addressed to national minorities, textbooks that could be even imported from abroad. In these circumstances children coming from national minorities groups can face problems in adapting to the social and institutional constraints. This aspect emphasizes willingness in losing control over several cultural processes part of the internal state order.

The main consequence of reducing the use of Romanian language within pre-university education is stressing segregation. Romanian, but also Hungarian young children recognize the existence of different ethnical tensions, they identifying the separation among schools based on linguistic criteria as the main cause for these problems and tensions. Regarding the teachers, both Romanian and Hungarian ones, they identify the same problems and the same solutions: the main source of tensions is the schools separation, this aspect leading to a politically imprinted feature for history textbooks. In other words, Hungarian responsible, teachers and school inspectorates

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have already underlined that history textbook has been already politically imprinted; printing it abroad will increase the political-ideological content as curricular control system will depend on different political groups, according to legislation.

National education law (2011) approves that the number of pupils belonging to a certain minority to be lower, for having a studying group in minority's maternal language, in the small localities, than the required number. Pupils who have no access to studying in their maternal language in their local homes have the right to be ensured transportation to the nearest school where teaching develops in their maternal language or to be ensured accommodation and meal within those schools boardrooms. This is a type of super-discrimination. Through these regulations minority pupils are enrolled in a discriminating supplementary process. By putting into practice these differences we can face abnormal situations regarding the fact that theoretically there are no restrains concerning the number of kilometers within which a pupil is ensured transportation in order to be facilitated the possibility of studying in his maternal language, whereas any other pupil has a 50 kilometers established limit. Supporting pupils by covering transportation, accommodation and meal costs are other forms of over-support, this leading to a mechanism of privileges by comparison with majority.

Political and ideological considerations, especially in the case of Hungarian communities, increase the efforts for developing educational structures, which under the cover of the principle of autonomy based on ethnical criteria raise the segregation risk. Majorities' language and specific values are often neglected, with the aim of preserving identity, being artificially built barriers in front of communication and inter-ethnical knowledge. In an epoch of internationalism, globalization, integration, the separation and closeness tendencies based on ethnical criteria, are more than anachronic. No serious construction in the education field can admit a „ghetto" education, segregation on language, ethnical and religious criteria. A multicultural perspective characterized by presenting a human group in an autarchic manner, without the possibility of comparison or of „contamination" with other cultures may lead to the situation of fitting own limits and possibilities. An education system which allows the minorities' cultures affirmation must encourage, in the same time, a reciprocal integrality and openness, a certain familiarization with the other's specificity. Multiculturalism that comes out from the foundation of several separated schools or classes for minorities, where education in certain languages is ensured and the transmitted culture mainly focuses on the specific community is not enough. The multiplication of the contacts and of the reciprocal exchanges, possible to be realized through intercultural education, constitutes the manner through which is gained a welcomed inter-knowledge at the level of ethnical communities, a way of valorizing their cultural specificity.

Interculturalism necessity

Education in the perspective of openness towards multiple cultural directions represents a completely justifiable approach as it aims person's a better insertion in a polymorphic spiritual world. This type of openness foresees the individuals' objectives by valorizing several particular or society features ensuring it a certain coherence,

solidarity and functionality degrees. Community solidarity is increased through the way symbols reproduction is handled within the respective cultural space, but also through the way the openness towards others socio-cultural structures. Through intercultural education the human bring can be trained for perceiving, for accepting and for respecting the other's cultural specificity. Intercultural education implies that the very educational process to be developed in an interactional environment, by putting face to face the generators of the different cultural expressions.

Intercultural communication at the level of Romanian education system represents the values exchange accompanied by the corresponding significances among persons or groups that are part of different cultures. These exchanges can take place at idealistic, verbal, non-verbal, behavioral, organizational levels. Regarding intercultural communication C. Cucoş (2000) underlines that it implies two different components: personal communication and social communication. The first one claims the accomplishment of a certain competence, structured on three dimensions:

1) cognitive (the capacity of knowing the creations belonging to different cultures one meet, the history, traditions, institutions, believes, conceptions, moral rules, specific connecting modalities);
2) affective, emotional (the willingness express in order to adapt from an intercultural point of view by gaining emotional and motivational capacity to be empathic with the others);
3) operational (one's capacity to behave in a certain way, to try positive intercultural behaviors etc.).

The deeper intercultural communication is, more different would be the dimensions both for the knowledge about the others coming from different cultural settings and their acceptance. Knowing the others, one would get a better knowledge about himself that is way intercultural learning represents an important coordinate for every educational program.

Intercultural education is supposed to direction child's attention towards others' experience, towards his own identity and towards universal human values. A suitable educational politics regarding this aspect have to be based on the fact that if one belong to a certain community this fact doesn't necessary imply he completely identify himself with that certain community, on the idea of equal chances regarding education for all the groups within a certain society and on a curricular innovation that takes into account community features, but also community knowledge and inter-community communication. Ethno-cultural tensions, the intolerance and discrimination phenomenon can be avoided through intercultural education, a type of education which can improve the relational aspect in nowadays settings, inter-humane relationships being given a new dimension.

Conclusions

Romanian Educational system allows the education of the persons belonging to the national ethnical minorities in their own language by acquiring their own culture. Both the legislation framework and the school curriculum promote multiculturalism,

allowing pupils' knowledge about their native culture. All in all, an educational system based on multiculturalism faces different risking situations, situations that have been presented, among which there can be mentioned: separation, segregation and isolation, all of them based on ethnical criteria. In order to prevent this types of risks intercultural education is a necessity, this meaning that within this type of education everybody will benefit on the presence of the pupils having different ethno-cultural backgrounds in order to valorize one's own culture and in order to get their attention towards their own cultural specificity, and, in the same time, towards the social cultural diversity. School has to teach pupils to leave together in a universe with different values but those co-exist and are based on reciprocal complementarities.

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