

The Educational Rights of the Muslim Minority under Greek Law

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Abstract

The right of the Muslim minority of Western Thrace to receive education in the mother tongue is provided by the Treaty of Lausanne and the educational bilateral agreements—the Educational Agreement (1951) and the Cultural Protocol (1968)—signed between Greece and Turkey. Due to certain particularities in the educational system, however, minority students do not have adequate opportunities to gain knowledge of the Greek or Turkish language. The major problems the Muslim minority faces in education include: a mixed system of administration, outdated textbooks, poorly-educated teaching staff and the absence of an efficient school curriculum. This article will provide a critical analysis of the existing legislation on education provided to Muslim students in the minority schools of Western Thrace. Secondly, an examination will be made of the level and status of minority education in the light of current international human rights treaties documents for the protection of minorities. The existing inadequacies of the educational system will be addressed to provide a series of effective solutions and recommendations in favour of the advancement and improvement of education in minority schools. The article will therefore examine the principle that education needs to be made available and accessible at all levels to the members of a minority group and, most importantly, it needs to adapt to the socio-linguistic and cultural needs of minority students.

I. Introduction

Greece officially recognizes the existence of only one religious minority, the Muslim minority in Western Thrace.¹ The Treaty of Lausanne, which was signed between Greece and Turkey at the end of World War I, provides for the rights of the Greek minority in Istanbul and the Muslim minority in Western Thrace.

Administrative interventions on the part of the Greek government against the members of the Muslim minority up until the beginning of the 1990s, however, resulted in the socio-economic and political isolation of the Muslim minority in Western Thrace.² It is worth mentioning that the reformation of minority education is

¹ Western Thrace is a county in northern Greece, which is composed of three towns: Rodopi, Komotini and Evros. The Muslim minority is composed on an ethno-linguistic basis of Muslims-Turks, who speak Turkish; Pomaks (Muslim Slavs), who speak a Bulgarian dialect; and Roma, who have their own oral dialect.

² Dia Anagnostou, “Collective Rights and State Security in the New Europe: The Lausanne Treaty in Western Thrace and the Debate About Minority Protection”, in Constantine Arvanitopoulos (ed.), *Security Dilemmas in Eurasia* (Institute of International Relations, Panteios University of Social and Political Science, Athens, 1999), 131.

not only a problem for the Muslim minority but is also a wider issue in Greek society. The advancement and improvement of minority education would not only benefit the Muslim minority, it would also facilitate the minority's integration into Greek society, ultimately benefiting both the minority and the majority.

The persistence of the Muslim minority living in an isolated community can quite often create a sense of '*fanaticism*' among the members of the minority and cause tension between the Christians and Muslims of Western Thrace, as well as between the state and the minority.

II. The Right of the Muslim Minority to Use their Own Language under International Law

The right of the members of a minority group to use their own language has been recognized in international treaties even before the creation of the United Nations. In the case of the *Minority Schools in Albania*,³ the Permanent Court of International Justice suggested that the rights of minorities to operate private schools is consistent with the principle of assisting minorities, who might be disadvantaged by their status. These factors seem to confirm that if public authorities do not permit a minority to carry out its educational activities in its own language, the state may face great potential for destabilization.

Current international human rights instruments and treaties contain provisions concerning the right to education of minorities in a non-official or minority language.⁴ Article 27 of the International Covenant on Civil and Political Rights (ICCPR) appears to be a "long-established and continuous legal continuum" regarding the rights of linguistic minorities to use their language. One might argue that it also

³ For a more detailed analysis on this topic, see Permanent Court of International Justice, "Advisory Opinion on Minority Schools in Albania", Series A/B (1935), No. 64.

⁴ For example, see Article 14 of the 1995 Framework Convention for the Protection of National Minorities (FCNM); Article 8 of the 1992 European Charter for Regional or Minority Languages; and Article 4 of the 1992 UN Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities, adopted by General Assembly Resolution 47/135 of 18 December 1992. In regard to the right and value of education, see Manfred Nowak, "The Right to Education", in Asbjorn Eide, Catarina Krause and Rosas Allan (eds.), *Economic, Social and Cultural Rights* (Martinus Nijhoff, Dordrecht, 1995), 189–213; and Kate Halvorsen, "Notes on the Realization of the Human Right to Education", 12 *Human Rights Quarterly* (1990), 341–364.

includes the right to establish, manage and operate their own educational institutions where their language is used as the medium of instruction.⁵

The exact degree of use of a minority language as the medium of instruction required will vary according to the particular context of each situation; for example, the extent of demand for such instruction, the degree of use of the medium of instruction and the state's ability to respond to these demands. The mere presence of a small group of individuals would not automatically give rise to a right to receive instruction in a minority language in a public school.

The acquisition of the majority or official language must also form part of a state's non-discriminatory educational policy.⁶ It is essential that members of a minority learn the official language of the state, otherwise they would suffer from low fluency in the majority language, would be excluded from educational opportunities and ultimately suffer isolation from the rest of the community. This type of situation would constitute discriminatory practice against current international human rights standards. It is essential to reach some type of equilibrium between the overall number of individuals sharing the same language and a state's obligation to provide education in the minority language.⁷

Article 8 of the European Charter for Regional or Minority Languages (EChRML) provides that states must seek a level of use of a minority language that best fits their demographic reality, since Article 8 is applicable "according to the situation of each language". Therefore, the larger the number of speakers of a regional or minority language and the more linguistically homogenous the population in a region, the stronger the option that should be adopted to accommodate the linguistic and cultural needs of the population.

Several factors ought to be considered when examining the sufficiency of numbers of speakers in a territory, such as the geographical location, the availability of

⁵ Fernand de Varennes, *Language, Minorities and Human Rights* (Kluwer Law International, London, 1996), 158.

⁶ Charles Ammoun, *Study of Discrimination in Education* (United Nations, New York, 1957), 90. See also Article 14, FCNM; and OSCE, "Document of the Copenhagen Meeting of the Conference on the Human Dimension of the CSCE", para. 4, at http://www.osce.org/documents/odihr/1990/06/13992_en.pdf.

⁷ See UN Declaration on the Rights of Persons Belonging to National, Ethnic or Religious and Linguistic Minorities; OSCE, "Document of the Copenhagen Meeting ..."

transportation and the age of children.⁸ If one looks beyond the purely demographic factor, there are other reasons for a more favourable attitude towards a minority group; for example, the proximity of a kin-state and the political tensions in the region. States should adopt a more flexible and generous attitude towards the protection of minorities' rights in their territory, especially those minority groups that have been long established in a geographical area. This would seem to be a fair and balanced response to the special needs of a minority group constituting an educational policy based on the principles of equality and non-discrimination.

Even when the number of a minority is large enough to require public education in the minority language, the state would still be under an obligation to provide teaching instruction in the official or majority language. The state authorities would have to ensure that these individuals are not excluded from participating in the larger society in order to avoid any inequalities or to prevent restriction of access to resources and benefits available to the majority.

A state's non-discriminatory educational policy would have to provide public schooling in the primary language of the students, since it is recognized that one's primary language is the best medium of instruction in the early years of education.⁹ This policy of education must reflect the demographic and linguistic facts of the country where the minority group lives.

The UNESCO Convention against Discrimination in Education prohibits discrimination based on several grounds, including language.¹⁰ According to Article 1(2) of the Convention, education refers to all types and levels, including access to education. The right to education granted to "persons or group of persons" includes the establishment and maintenance of separate educational institutions to comply with the wishes of the parents of the students for religious or cultural reasons. This depends on the educational policy of each state, as long as it is not exercised in a manner that prevents the members of the minority from understanding the culture and language of the majority.

⁸ Varennes, *Language, Minorities and Human Rights ...*, 205.

⁹ *Ibid.*

¹⁰ Article 1(1), UNESCO Convention against Discrimination in Education.

A certain degree of uniformity has to be maintained regarding school policy on minority education. On the other hand, members of a minority group may require some form of autonomy in minority schools in order to carry out their own educational activities. The right to choose the type of education a group wishes to follow is directed for the benefit of the individual members of such a group. In essence, the right is effective only in the context of a minority group that is free 'collectively' to maintain separate schools, since the choice of different languages by members of the minority might lead to 'linguistic' or even 'cultural' confusion.

The ability of a minority to create and operate private schools where the minority language is used as the medium of instruction is one of great importance but one where, strictly speaking, neither freedom of expression nor non-discrimination would be of much assistance, especially if the establishment of such private schools were forbidden. Public authorities are not obliged to provide any financial assistance to private schools; however, if they decide to do so, minority educational facilities would also have to be treated in a non-discriminatory manner.

III. The Minority Educational System of the Muslim Minority under the Treaty of Lausanne

The Muslim minority in Western Thrace is the only minority group in Greece that enjoys a special educational status to receive instruction in its mother tongue and use its own language at school.¹¹ The Cultural Protocol of 1968 provides for the right to use the mother tongue in minority education.¹² The level of education provided to the Muslim students depends, on a legal and political level, on the standard of education provided for the Greek minority in Turkey on the basis of reciprocity.

The Turkish government has often exercised political persecution and economic discrimination against the Greek minority. As a result, the number and size of the minority population has decreased dramatically. The Greek minority witnessed the

¹¹ Memorandum of the Greek Government to the General Secretary of the League of Nations on the Status of the Muslim Minority in Western Thrace, "Comparative Examination of the Implementation of the Minority Provisions of the Treaty of Lausanne in Greece and Turkey", 5 March 1925, LN/C. 130.1925 VII. This memorandum was prepared by the Ministry of Foreign Affairs (MoFA) for the Greek Prime Minister Eleftherios Venizelos (Venizelos File, MMAEB/58).

¹² Part I, para. 1.2 of the 1968 Greek-Turkish Cultural Protocol expressly refers to the use and teaching of the minority language in the minority schools of Western Thrace.

closure of many of its schools. This situation has had a negative effect on the status of Muslim schools in Western Thrace.

The Muslim minority exhibits a very low level of education in comparison to the majority population in Greece. The principle of reciprocity upon which the minority educational system is based constitutes a serious obstacle to the constructive learning of Muslim students in minority schools. The text of the Treaty of Lausanne does not seem to correspond to the educational needs of the Muslim students. The minority system of education should be reconstructed according to the principles of *multiculturalism* and *multilingualism*. In this context, Muslim students will have sufficient opportunities to learn the official language of the state as well as to receive effective instruction in the Turkish language.

One of the main problems the Muslim minority in Western Thrace faces today is the very low level of education provided in the minority schools. Among the most dramatic consequences is the high level of Muslim students who tend to drop out because of the burdensome and inappropriate educational practices. Many Muslim students leave school at an early stage or choose to emigrate, usually to Turkey, due to the isolation they suffer in Greece from the general system of communication, including the Greek language, social values and the media.¹³

The right to education is provided by Article 16 of the Greek Constitution,¹⁴ which defines the scope and aim of education “for the development of an ethnic and religious consciousness”. The content might vary, however, according to the ‘ethnic consciousness’ the Constitution intends to promote, since it is not very clear if it refers exclusively to the ‘Greek ethnic consciousness’ or to each ‘minority ethnic consciousness’ that Greek citizens of a minority group share. According to the intentions of the legislature, it would seem that such a concept would have to refer to the promotion and development of a ‘Greek ethnic consciousness’. The Cultural

¹³ Ibrahim Onsunoglou, “Critique of Minority Education: The View of the Minority”, 63 *Synchrona Themata* (1997), 61–64.

¹⁴ Articles 16(1–2) of the Constitution of Greece.

Protocol of 1968 provides for the principle of ‘non-interference’ with the ethnic identity and religious faith of Muslim students.¹⁵

The 1951 Educational Agreement signed between Greece and Turkey provides for educational exchanges between the two countries and allows mutual recognition of diplomas received in the other country.¹⁶ As a consequence, many Turkish-speaking people have left Greece to go to Turkey, where they can receive teaching degrees and return to teach in minority schools in Western Thrace. The Educational Agreement was characterized by the absence of concrete legal obligations.¹⁷ Most of its articles started with the phrase, “as they wish ...”, resulting in the absence of any specific legal obligations. Thus, the wording of the Educational Agreement was rather general and vague.¹⁸

The 1951 Educational Agreement was abolished and replaced by the Bilateral Agreement on Cultural Cooperation in 2000 (hereinafter “the Bilateral Agreement”). The Bilateral Agreement is based on the context of strengthening the political relations between Greece and Turkey on an educational level.¹⁹ The educational cooperation between the two countries is based on an international model of the Council of Europe, the OSCE and UNESCO.²⁰

IV. The Legal Status of the Minority Schools of Western Thrace

Article 40(1) of the Treaty of Lausanne established the framework for the minority education of the Muslim minority.²¹ The legal nature of the minority schools is based

¹⁵ Ministerial Decision No. 55369 of 16 May 1978, “On Issues of Registrations, Transfers, Studies, Examinations, Degrees and other School Issues of Minority Schools of the Muslim Minority in Western Thrace”, *FEK B'* (1978) No. 501. Article 17 of this Decision also provides for the principle of non-interference with the ethnic or religious identity of Muslim students on the basis of reciprocity, according to the principles of the Treaty of Lausanne.

¹⁶ Law No. 2073 of 1952, “On the Ratification of the Greek–Turkish Educational Agreement”, *FEK A'* (1952) No. 103 (abolished according to the Greek–Turkish Agreement on Cultural Cooperation on 4 February 2002).

¹⁷ According to the introductory report of the Greek government to the parliament, the Bilateral Agreement complies with the recommendations made by the Council of Europe to the member states to form educational agreements among them.

¹⁸ The only Article that was legally binding was Article 8 in the Educational Agreement.

¹⁹ See Article 1(1) of the Bilateral Agreement.

²⁰ See Article 3 of the Bilateral Agreement.

²¹ Konstantinos Tsitselikis, *The International and European Status for the Protection of Linguistic Minority Rights and the Greek Legal Order* (Ant. N. Sakkoulas, Athens, 1996), 361–362; Kiriakos N. Kiriazopoulos, *Restrictions in the Freedom of Teaching Minority Religions* (Sakkoulas, Thessaloniki, 1999), 343–345. See also Ministerial Decision No. Z2/0210 of 24 December 1987, “In Regard to the Registration of Muslim Students of the Religious Schools in Ehinós and Xanthi into Christian High

on a mixed legal status.²² Its provisions relate to both public and private education. Thus, the minority schools function with a semi-autonomous status. Laws No. 694 and 695 of 1977 provide the basic provisions for the structure of minority education.²³

The members of the Muslim minority view the mixed system of administration as a major detriment.²⁴ They believe it allows the state to interfere with the internal affairs of the minority without providing the necessary means of support. They further believe that the minority is not able to effectively participate in the decision-making process regarding minority education.²⁵

Article 41(1) of the Treaty of Lausanne applies exclusively to the Muslim minority in Western Thrace and the Greek minority in Istanbul. Thus, the terms ‘minority’, ‘minority member’ and ‘members of a minority’ refer exclusively to the Muslim minority of Western Thrace. The establishment of minority schools is connected with the territorial principle, meaning that a substantial number of Muslims must exist within a geographical area of Western Thrace for the provisions of the Treaty of Lausanne and the legal provisions on minority education to apply.

Considering modern circumstances of internal emigration, the territorial principle may no longer be sufficient in practice for the effective protection of the linguistic and

Schools” (unpublished); Law No. 2621 of 23 June 1998, “In Regard to the Regulation of the Organization and Function of Technological Educational Institutions and Other Provisions”, *FEK A’* (1996) No. 136; and Ministerial Decision No. C2/5560 of 25 November 1999, “The School Programme of the Religious Minority Schools”, *FEK B’* (1999) No. 2162. The right to establish and manage private schools or other educational institutions is also found in Article 16(8) of the Constitution and Law No. 682 of 1977, “In Regard to the Private Schools of General Education and School Accommodation”, *FEK A’* (1977) No. 224.

²² Pangiotis Poulis, “The Legal Framework of Operation of the Minority Schools in Western Thrace”, 5 *Dikoitiki Diki* (1994), 1001–1017.

²³ Law No. 694 of 1977, “In Regard to the Minority Schools of the Muslim Minority of Western Thrace”, *FEK A’* (1977) No. 264; and Law No. 695 of 1977, “In Regard to the Regulation of any Issues Concerning the Educational and Administrative Personnel of the Minority Schools and the Special Pedagogical Academy of Thessaloniki”, *FEK A’* (1997) No. 264.

²⁴ Onounoglou, “Critique of Minority Education ...”, 62; Mercil Erdogan, “The Educational Problem of the Turks in Western Thrace and the Greek Policy”, 4 *Turkish Culture* (1966).

²⁵ The minority schools are placed under the supervision of the MoERA according to Articles 3 and 4 of Law No. 694 of 1977. See also Ministerial Decision No. Z2/365 of 11 August 1992, “In Regard to Issues of the Coordinate Office of Minority Schools of Primary and Secondary Education”, *FEK B’* (1992) No. 44; Ministerial Decision No. Z2/239 of 11 June 1999, “The Structure of the Official Council of Minority Education”, *FEK B’* (1999) No. 1269; and Legislative Decree of 27 May 1953, “In Regard to the Appointment of Supervisors in the Muslim Schools of Western Thrace”, *FEK A’* (1953) No. 176. See also Lambros M. Baltiotis, “The Greek Administration and Minority Education in Western Thrace”, in Konstantinos Tsitselikis and Dimitris Christopoulos (eds.), *The Minority Phenomenon in Greece* (Kritiki & KEMO, Athens, 1997), 316–339.

cultural rights of the Muslim minority.²⁶ A substantial number of minority members have migrated to the major cities in search of better socio-economic opportunities. In view of the difficulties involved, it would be useful to extend the provisions for minority education outside the area of Western Thrace.²⁷

It is important to note that parents who are members of the minority have the option to register their children in Greek-speaking public schools.²⁸ In the last few years, the 'elite' of the Muslim minority has increasingly been sending its children to non-minority schools. It is a common phenomenon, however, that if a Muslim family decides to register their children at a Greek public school, they face exclusion from the rest of the minority. Very few students, mostly those who live in urban centres, study in non-minority schools. Those students often experience a cultural conflict directly between their family and their community and indirectly between the family itself and the Muslim minority.

The family itself will also suffer pressure from the wider Muslim community, since sending their children to a Greek-Christian school is perceived as constituting a rejection of the Muslim identity. According to the members of the Muslim minority, there is a strict separation between the minority schools for the Greek-Muslim students and the Greek schools for the Greek-Christian students.²⁹

The Muslim students who decide to study in Greek schools are treated with suspicion by the school authorities and face discrimination and prejudice. The students of primary education study in minority schools and are, therefore, not directly exposed to such discrimination.³⁰ However, this type of discrimination exists on an institutional level, in the educational system itself. It might be advisable that the Muslim students

²⁶ For example, the internal immigration of the members of the Muslim minority towards larger urban centres such as Athens in large numbers has increased demands from Muslim students to receive instruction in their own language to preserve their ethnic identity.

²⁷ See Council of Europe, "Explanatory Report of the European Charter for Regional or Minority Languages", 1993, at <http://conventions.coe.int/treaty/en/Reports/Html/148.htm>.

²⁸ *Ibid.* paras. 79–89.

²⁹ Onounoglou, "Critique of Minority Education ...", 63.

³⁰ See Legislative Decree No. 3065 of 1954, "In Regard to the Establishment and Function of the Turkish Schools of Basic Education of Western Thrace and the Regulations of Issues Regarding the Supervision of these Schools", *FEK A'* (1954) No. 239 (supplemented by Legislative Decree No. 1109 of 1972, "In Regard to the Modification and Replacement of Legislative Decree No. 3065 of 1954", *FEK A'* (1972)); and Ministerial Decision No. 1422951 of 1957, "In Regard to the School Programme of the Minority Primary Education", *FEK B'* (1957) No. 162.

attend minority schools during their primary education, as it is important for the preservation of their cultural and religious identity.

One can observe some form of ‘cultural’ conflict within the Muslim minority on a collective and individual level. The members of the minority fear that the majority language and culture would dominate within their community and ultimately lead to a ‘shift’ within the majority culture and language. It is in the personal interest of the members of the minority group to have a certain degree of competence and knowledge of the majority language to be able to profit from socio-economic opportunities. The members of a minority group must maintain a sense of ‘solidarity’ and ‘ethnic identity’ in harmony with their traditions and culture while becoming integrated within Greek society.

V. Secondary Education of the Muslim Minority in Western Thrace

According to the Treaty of Lausanne, the Greek government is obliged to provide a special system of education to the Muslim minority in their language during primary education. The Greek government, after World War II, expanded the special minority status to secondary education,³¹ since compulsory education was determined at the international level to be for at least nine years.³² Nowadays, there are two minority high schools: Celal Bayar High School in Komotini³³ and another in Xanthi.³⁴

They provide places for approximately 400 students, despite the fact that there are 8,500 students attending minority primary schools. The Greek government argues that, under the Treaty of Lausanne, they are only obliged to provide a bilingual education during primary school. According to modern needs, basic education is considered to be both primary and secondary. The shortage of spaces in the two minority high schools has effectively resulted in many students of the Muslim

³¹ Ministerial Decision No. C2/933 of 3 March 2000, “Timetable of Forms A, B and C of Minority Lyceums”, *FEK B'* (2000) No. 372.

³² Article 16(3) of the Greek Constitution.

³³ The Celal Bayar High School was established according to Legal Decree No. 2203 of 15 August 1952, “On the Establishment of a Secondary School under the Name of ‘Celal Bayar Secondary School’ in Komitini”, *FEK A'* (1952) No. 222 (and was modified by Legislative Decree No. 2256 of 1953, *FEK A'* (1953) No. 240). The minority high school in Komotini was the first minority school established in Western Thrace during the period of political rapprochement between Greece and Turkey in the 1950s; thus, it was named after the Turkish Prime Minister Celal Bayar.

³⁴ The high school in Xanthi was established according to the decision of the Minister of Education and Religious Affairs, Decision No. 2867 of 1965, “In Regard to the Function of the Minority High School of Xanthi”, *FEK C'* (1965) No. 142.

minority not completing the mandatory nine years of education, let alone entering higher education.

The shortage of spaces in minority high schools disproportionately affects girls, mainly due to religious and cultural factors. The Muslim religion does not allow the free association of male and female students in schools. A Muslim family in Western Thrace would not usually allow their daughters to attend a non-Muslim school. Under these circumstances, the female members of the Muslim minority do not possess sufficient knowledge of the official language. Consequently, Muslim women within the minority have very limited chances of employment outside the home and are usually dependent financially upon the male members of their family.

It is quite often the case that the male members of the Muslim minority do not go on to secondary education. They usually choose to emigrate to Turkey to continue their studies.³⁵ In any case, there are a substantial number of minority students who attend minority high schools or religious high schools. The Muslim students who choose to study in Greek high schools find it very hard to compete with their fellow Christian students, since they have poor and insufficient knowledge of the Greek language due to the ‘cultural’ and ‘linguistic’ isolation suffered within the minority educational system.³⁶

The existence of only two high schools in the region of Western Thrace prevents access to education for Muslim students.³⁷ The Greek government further abolished the introductory examinations into high school³⁸ and replaced them with a lottery system.³⁹ This type of decision needs to be reviewed on a legal basis, since education is compulsory for nine years in Greece.⁴⁰

³⁵ Association of the Friends of Nikos Raptis, “The School Education of the Minority in Thrace: According to the Experience of the Educators”, 63 *Contemporary Issues* (1997), 54–60.

³⁶ Evagelia Tressou, “The Minority Education in Western Thrace”, 63 *Contemporary Issues* (1997), 49–53.

³⁷ Eleni Kanakikou, *The Education of the Muslim Minority in Western Thrace: Critique of the Educational System and General Suggestions* (Ellinika Grammata, Athens, 1997), 95–96.

³⁸ Article 7(3) of Law No. 129 of 1967, “In Regard to the Organization and Structure of General Education and other Provisions”, *FEK A’* (1967) No. 163, provides that students will be admitted to secondary education provided that they have successfully passed their final elementary school exams. This law was abolished for all Greek schools, except minority schools; this went beyond the limits of constitutionalism.

³⁹ Ministerial Decision No. Z2/205 of 20 May 1993, “In Regard to the Procedure of Registration of the Students in Minority High Schools”. See also Human Rights Watch, “The Turks of Western Thrace:

Article 2(1) of Law No. 1566 of 1985 states that primary and secondary education is compulsory. In particular, Article 2(3) provides that anyone who has custody of a student and omits the registration or supervision of his or her studies is to be punished according to Article 458 of the Criminal Code. In the case of the members of the Muslim minority, the current system of entrance to secondary education contradicts the provisions of the Criminal Code and national legislation, as it does not provide equal opportunities to the members of the minority to obtain a high school education.

The establishment of pre-school education is not provided even though it forms part of primary education. The adoption of pre-school education in the special educational system of the Muslim minority would help the minority students to adapt more easily to their bilingual and bicultural environment. The concept of pre-school education has not been established in the education of the Muslim minority, despite the fact that it constitutes an essential condition for the minority students to familiarize themselves with the majority language and culture.

Pre-school education would help to function as a 'bridge' of cultural reconciliation for the Muslim students. On the one hand, it would help minority students to develop their own culture within their family and community environment. On the other hand, it would provide students with the necessary tools to adapt and familiarize themselves with the culture of their wider social environment. Any efforts made by the Greek government to establish pre-school minority education has been met with strong resistance by the members of the Muslim minority, who believe this type of an educational establishment would constitute assimilation into Greek society and the loss of their ethnic identity.

In any case, the very few minority kindergarten schools operating in Western Thrace have produced some remarkable results. They are recommended at this early stage to help prevent confusion among Muslim students as to their ethnic identity.⁴¹ The Greek government, in the context of establishing minority pre-school education, should consult members of the minority, whose consent and guidance on these matters is crucial for harmonious relations between the minority and the state.

Denying Ethnic Identity”, 11(1) *Human Rights Watch Reports* (1999), at <http://www.hrw.org/reports/pdfs/g/greece/greec991.pdf>.

⁴⁰ Tsitselikis, *The International and European Status ...*, 357–358.

⁴¹ Kanakikou, *The Education of the Muslim Minority ...*, 108.

VI. Higher Education of the Muslim Minority in Western Thrace

The previous system of introduction into higher education that indirectly led to the exclusion of Turkish-speaking students from minority education has been greatly improved.⁴² The Greek government, in a positive step, adopted Law No. 2341 of 1995, which aims to overcome the almost prohibitive obstacle of insufficient knowledge of the Greek language that had created difficulties for Muslim students wishing to enter Greek universities.⁴³

The provisions of Law No. 2341 of 1995 permit the Minister of Education to give special consideration to Muslim students for admission to universities and technical institutions.⁴⁴ A positive result has been the decrease in the number of Muslim students graduating from Turkish universities; ultimately, this means a decrease in Turkish ethnic ideology 'imported' from Turkey. The influence of Turkish ideology within the Muslim minority has quite often resulted in tension in relations between the state and minority on a cultural and political level.

The provision promotes the principle of equal opportunities and aims to positively integrate future generations of the Muslim minority into a higher educational status. It has been observed that students of the majority who continue their education to university level are of a higher socio-economic status than their counterparts of the Muslim minority.⁴⁵

⁴² According to Legal Decree No. 460 of 10 August 1983, the language of the university entrance exams was Greek. Therefore, due to the insufficient knowledge of the Greek language, most minority students chose to continue their studies at universities in Turkey.

⁴³ Law No. 2341 of 1995, "Regulations of Issues of the Educational Personnel of the Minority Schools of Thrace and the Special Pedagogical Academy of Thessaloniki and other Provisions", *FEK A'* (1995).

⁴⁴ According to Konstantinos Tsitselikis, *The International and European Status ...*, 359, a university entrance quota (0.5%) and special examinations for admission to universities has been fixed to raise the educational status of the minority and facilitate its integration into the social fabric of the country.

⁴⁵ Giles Howard, *Language, Ethnicity and Intergroup Relations* (Academic Press, London, 1977), 269; and Ebeirikos *et al.* (eds.), *Linguistic Heterogeneity in Greece* (Alexandria & Minority Research Group, Athens, 1998), 40 and 64. The government seems to pay attention to the improvement of the skills of Muslim children in the Greek language. Two research programmes funded by the European Union were launched in 1999 and both seemed to produce positive results. In fact, bilingual education programmes can facilitate the integration process by assisting Muslim students with a smooth transition into the Greek-speaking mainstream system.

VII. The Educational Status of Teachers in the Minority Schools

In minority schools, the teaching personnel are composed of Christian and Muslim teachers.⁴⁶ The Christian teachers are appointed for the teaching of Greek-speaking classes, whereas the Muslim teachers are appointed for the teaching of Turkish-speaking classes. Legally, the Christian teachers, whether they are permanent (*monimoi*) or temporary (*prosorinoi*), are public employees,⁴⁷ whereas the legal context regarding the position of the Muslim teachers is rather more complicated.⁴⁸

The Muslim teachers, who are graduates of the Special Pedagogical Academy of Thessaloniki (EPATH), are hired as public employees. On the other hand, there are a substantial number of Muslim teachers who work on a private contract. They are hired for one to three years in minority schools, according to the provisions of Article 7(1) of Law No. 694 of 1977.⁴⁹ This type of contract financially burdens the minority schools, which are subsidized by parents, the minority itself or the government. It further contradicts Articles 2(6) and (8) of Law No. 1566 of 1985, which provides that “primary education is available free from the government” and “the functioning of the schools is subsidized by the government to the local self-administration authorities, which have the responsibility of managing the money”.

According to the 1951 Educational Agreement, Greece and Turkey may exchange 35 teachers to provide instruction in minority schools. Greece has limited the number of teachers to 16 because of the small number of teachers required by the Greek minority schools in Istanbul, due to the rapid decrease in the size of the Greek community.

⁴⁶ Ministerial Decision No. Z2/103 of 8 April 1996, “In Regard to the Appointment of Teaching Personnel in the Minority Schools”, *FEK B'* (1996) No. 327.

⁴⁷ Presidential Decree No. 39 of 1992, *FEK A'* (1992) No. 19. In the context of primary minority education, 760 teachers are hired, of which almost 430 are Muslims. The procedure for hiring Christian teachers is determined according to the provisions of Article 15, Chapter A of Law No. 1566 of 1985, “In Regard to the Structure and Function of Secondary Education and Other Provisions”, *FEK A'* (1985) No. 167. The process of hiring teachers for both primary and secondary education is subject to the decision of MoERA.

⁴⁸ Ministerial Decision No. 55368 of 16 May 1978, “In Regard to the Appointment of Muslim Teachers”, *FEK B'* (1978) No. 520 (abolished by Ministerial Decision No. Z2/19 of 1993, “In Regard to the Appointment of Muslim Teachers in accordance with Private Law Regulations”). See also Article 3(1) of Presidential Decree No. 1024 of 1979, “In Regard to the Position and Status of the Muslim Teachers of the Minority Schools of Western Thrace”, *FEK A'* (1979) No. 288.

⁴⁹ Ministerial Decision No. Z2/219 of 25 May 1993, “In Regard to the Appointment of Muslim Teachers in accordance with Private Law Regulations”, *FEK B'* (1993) No. 172 (modified by Ministerial Decision No. Z2/141 of 1994).

The Christian teachers are graduates of educational academies with a two-year degree. The training of Muslim teachers is conducted at EPATH, established in Thessaloniki in 1969;⁵⁰ EPATH's graduates are appointed as teachers in the primary minority schools.⁵¹ While the Christian teachers do not possess sufficient knowledge or expertise on the educational issues of minorities and find it difficult to teach in the minority schools, the Muslim teachers seem to lack effective educational training, as the majority have graduated from universities or higher institutions of a religious orientation.⁵²

The Christian teachers who work at minority schools have not been provided with efficient education, information or support to work in minority schools. In particular, they have not received any special training to teach students belonging to a different cultural or religious background. Thus, they seem to face difficulties working in a multicultural environment, due to the absence of any specialized knowledge on minority issues.

The teaching qualifications of the Muslim and Christian teachers must be set at very demanding criteria, requiring specialist knowledge on minority issues together with a strong desire to work in minority schools.⁵³ According to the provisions of Article 1(2) of Law No. 2341 of 1995, the teachers in minority schools are appointed provided they have passed a special examination to work in minority schools. In any case, the educational knowledge and abilities of the teachers to work in minority schools would have to be strictly defined to provide efficient teaching to the minority students.

⁵⁰ According to Royal Decree No. 31 of 22 October 1968, "In Regard to the Establishment of the Special Pedagogical Academy of Thessaloniki", *FEK A'* (1969) No. 8. See also Royal Decree No. 725 of 1969, "In Regard to the School Curriculum of the Special Pedagogical Academy of Thessaloniki", *FEK A'* (1969) No. 226; and Legislative Decree No. 842 of 1971, "Regarding the Organization and Function of the Special Pedagogical Academy of Thessaloniki" (supplemented by Legislative Decree No. 842 of 1971, "In Regard to the Reorganization and Supplementary Legislation of such Institutions"), *FEK A'* (1976) No. 37.

⁵¹ Ministerial Decision No. 61320 of 30 May 1978, "In Regard to the Duties and Tasks of the Directors, Vice Directors and Teachers of the Special Academy of Thessaloniki", *FEK B'* (1978) No. 523 (modified by Ministerial Decision No. Z2/1125 of 1980, "In Regard to the Entrance Exams of the Students into the Special Pedagogical Academy of Thessaloniki", *FEK B'* (1980) No. 308).

⁵² Ministerial Decision No. 61318 of 30 May 1978, "In Regard to the Organization of the Foundation Classes of the Special Pedagogical Academy of Thessaloniki", *FEK B'* (1978) No. 527.

⁵³ Anna Fragoudaki, Thaleia Dragona and Alexandra Adrousou, "In the Context of Bi-cultural Education and the Education of Teachers", 63 *Contemporary Issues* (1997), 70–75. See also Omilos Filon and Nikou Rapti, "The School Education of the Minority of Thrace: The Experience of the Educators", 63 *Contemporary Issues* (1997), 58–60.

In EPATH, the students have either graduated from high school or Muslim religious schools. The training of the students at EPATH can only be described as inadequate and unorthodox for the purposes of working in minority schools. This is mostly due to the fact that the language of instruction at EPATH is Greek, even though the teachers will be providing instruction in Turkish to the minority students. The local prefect enjoys exclusive discretion in appointing Muslim teachers to the minority schools, which is in contrast with the process of appointing Christian teachers in the same schools.⁵⁴

The practice of EPATH has been to exclude the minority teachers who have graduated from universities in Turkey. The Greek policy has mainly been to exclude teachers who ‘carry’ with them a Turkish ethnic ideology. In fact, the sharpest criticism on the part of the minority has been directed at graduates of the Academy. The Muslim minority believes that the Christian teachers who come from EPATH practice a policy of assimilation through education.

Most members of the Muslim minority do not accept teachers who are not of Turkish origin teaching at the minority schools, since they do not consider them qualified to teach minority students.⁵⁵ The main argument against the graduates of EPATH is that they do not have sufficient knowledge of the Turkish language and are also considered to be ‘state representatives’.

The members of the minority believe that the Muslim Turks of Western Thrace who have studied at Turkish universities should be the main teaching personnel in the minority schools. They refer to the 1951 Educational Agreement, which provides for educational exchanges between Greece and Turkey.⁵⁶ In the case of the minority in Western Thrace, the educational system should promote the cultural and linguistic expression of the minority. However, it fails to provide students with the necessary

⁵⁴ Article 4(2) of Presidential Decree No. 1024 of 1979.

⁵⁵ Konstantinos Tsitselikis, *The International and European Status ...*, 350–351. The graduates of the Turkish Academies have received ten years of education; the Greek Muslims, 11; and the EPATH teachers, 14. See Article 2 of Royal Decree No. 539 of 1969, ‘In Regard to the Entrance Exams into the Special Pedagogical Academy of Thessaloniki’, *FEK A*’ (1969) No. 165; and Article 3(8) of Law No. 695 of 1977.

⁵⁶ Ministerial Decision No. 6132 of 30 May 1978.

knowledge and skills for their integration into Greek society or to assist their future participation in the cultural, economic and social benefits of the country.⁵⁷

The absence of communication between the Muslim and Christian teachers is one of the main factors that contribute to the poor minority educational system provided in the minority schools. This kind of institutional gap between the Christian and Muslim teachers begins at an early stage, as they each receive education in different institutions, which ultimately prevents their future cooperation and association in the area of minority education.

The establishment of a Pedagogical Department of Primary Education (PDPE) in the national universities has increased the educational gap between the two institutions;⁵⁸ this means that the graduates of the pedagogical department receive a four year education, whereas the graduates of the Special Academy only receive a two year education.⁵⁹ The upgrade of studies in EPATH to four years will improve the education received by the Muslim students. It is important that both Muslim and Christian teachers receive training in teaching and working in minority schools for the effective improvement of the educational system of the minority students regarding their cultural needs.

VIII. The School Curriculum of the Minority Schools

Article 41(1) of the Treaty of Lausanne obliges the Greek government to provide adequate facilities in primary minority schools for the teaching of Muslim students in their own language. The teaching of the Turkish language constitutes an important part of the cultural identity of the Muslim minority. The provisions of the Treaty of Lausanne provide for a bilingual system of minority education in Western Thrace, where students receive instruction both in the minority language and the official language.⁶⁰ The use and development of the Turkish language as the ‘mother tongue’

⁵⁷ Evagelia Tressou, “The Minority Education ...”, 50.

⁵⁸ Pinelopi Stathi and Evagelia Tressou, “University Education for the Muslim Minority Education”, 63 *Contemporary Issues* (1997), 68–69.

⁵⁹ *Ibid.*

⁶⁰ Legislative Decree No. 2567 of 1953, *FEK A'* (1954) No. 239. The right to establish and manage private schools or other educational institutions is also found in Article 16(8) of the Constitution and Law No. 682 of 1977. Konstantinos Tsitselikis, *The International and European Status ...*, 353. See also Ministerial Decision No. Z/15 of 9 November 1985, “In Regard to the Teaching of Environmental Education in the Minority Muslim Schools of Western Thrace”, *FEK A'* (1985) No. 20.

of the wider Muslim minority has reinforced the ethnic consciousness of the members of the minority, transforming it into a 'cultural entity'.

The books used for the Turkish part of the school curriculum are provided by Turkey, according to the 1968 Greek–Turkish Protocol. There are quite often delays in the delivery of the books and, thus, it has become common practice to use photocopied material. The Muslim students come into contact with the Greek language, officially, for the first time at the school level. The books used for the Greek part of the school curriculum are designed for students who are familiar with the Greek alphabet and Greek language through their family and socio-lingual environment.

One may conclude that, according to these standards of education, the Muslim students do not have adequate opportunities to gain sufficient knowledge of the official language. This may result in inequality of treatment in the minority system of education by providing minority students with the same facilities and textbooks as those students who are already familiar with the Greek language. The teaching material available to the Muslim students for the teaching of the Greek language is wholly incomprehensible and almost meaningless, since these students often feel excluded from the educational system of Greece.

Under these circumstances, it is not possible for the Muslim students to follow the school curriculum in secondary education. A great number of minority students drop out of high school, leaving a very small percentage of students who actually graduate from high school and continue on to higher education. This kind of situation further prevents the integration of the members of the Muslim minority into Greek society and contributes to their marginalization and isolation from the majority population.

The cultural and linguistic composition of the wider Muslim minority does not correspond to the current legal implementation of the Treaty of Lausanne. The exclusion of the other two minority languages used by the Pomaks and Roma violates the right of these groups to learn and use their language in education. They most often experience difficulties adapting to a bilingual education organized in Greek and Turkish. According to the Treaty of Lausanne and the two bilateral educational agreements, the Turkish language became the 'official' language of the minority, used as the language of instruction in schools as well as in relations with administrative and

judicial authorities. This is despite the fact that half of the students attending the minority schools do not belong to the Turkish-speaking group.

For a great number of students, Turkish is not even their own language, since the Pomaks speak a Bulgarian dialect and form a distinct linguistic and cultural group. According to the 1968 Cultural Protocol and the principle of reciprocity, Greece was obliged to conduct the school curriculum in Greek and Turkish, to the disadvantage of the other two groups. The Pomak language became the ‘secondary’ minority language and the Romani language is in an even worse position. The Turkish language and culture have been allowed to dominate within the Muslim minority in Western Thrace, mostly through the use of the Turkish language and politics within the minority, as well as between the minority and the state.

The Turkish-speaking group has been quite hostile to any attempts by the Greek government to introduce the Pomak language into the minority schools curriculum. They believe that the increase of the Turkish-ethnic consciousness among the minority through the mediums of language and religion would facilitate the official recognition of the Muslim minority as an ethnic minority. Even though a substantial proportion of the minority identifies itself as ‘Turks’, it does not prevent the differentiation of these groups regarding their identity or culture.⁶¹

The relation between nationality and language is a rather complicated one. In the context of the particular geographical area of Western Thrace, the choice of criterion during the compulsory exchange of populations was religion and not ethnicity or even language. The status and position of the official language needs to be realized within a social and cultural context. Considering the socio-economic value of language, it is essential for the members of the Muslim minority to learn the official language of the society within which they are living.

The status of minority education is apparently very low, since it does not provide sufficient opportunities for the Muslim students to learn the official language or even the minority language and ultimately increases the socio-economic inequalities between the members of the Muslim minority and the Greek–Christians. The two basic elements that describe the majority and minority group, language and religion,

⁶¹ Ebeirikos *et al.*, *Linguistic Heterogeneity in Greece ...*, 32.

do not constitute a source of enrichment and development. In contrast, they are factors that result in illiteracy, rejection and social exclusion of the Muslims.

A. The Position of Religious Classes in the Minority Schools

According to Article 39 of the Treaty of Lausanne, religious classes are offered in the minority schools. The teaching of religious classes in the minority schools includes the teaching and interpretation of the Koran, which is directly related to the role religion plays within the internal relations of the Muslim minority.

The teaching of religious classes in the minority schools is highly valued by the members of the Muslim minority, as it provides an understanding of the ethnic identity of the members of the minority within Greek society. According to Article 2 of Ministerial Decision No. 14251 of 1957, it aims towards the “development of a religious identity” among the Muslim students. In addition, the Turkish language, especially through the teaching of religious classes, has developed a symbolic dimension for Muslim students. The students, however, also need to realize the practical and social significance of the Greek language, mostly through the means of education.

A Muslim priest, who has acquired a symbolic role for the religious identity of the Muslim students within their community, has been appointed for the teaching of religious classes in the minority schools. This high degree of religiousness and the preservation of a particular way of life are more easily reproduced in a small and isolated social environment such as the Muslim minority in Western Thrace. Any prospect of integrating into Greek society becomes much more difficult to achieve and further limits the ability of the members of the minority to participate in the economic, political and cultural life of Greece.

B. The School Textbooks of the Muslim Minority

The poor quality of textbooks used for the Turkish part of the school curriculum is quite evident; most of the books are outdated and there are long delays in distribution to the minority schools. The 1968 Cultural Protocol provides for the production and use of textbooks in minority schools for both the Muslim minority of Western Thrace

and the Greek minority in Istanbul.⁶² The text of the Protocol is formed on the basis of a series of recommendations, which provide for its flexible implementation. Although both states recognize the need to improve the education provided to both minority groups, they have not yet reached an agreement to introduce a substantive set of rules into their legislation on minority educational issues.

The implementation of the Cultural Protocol is based on the principle of reciprocity, which quite often is used by either state to avoid complying with their respective obligations under the justification that the other state has failed to fulfill its requirements. Both minority groups ultimately suffer in the area of education through the use of ineffective educational agreements between the two states.

The climate of cooperation between Greece and Turkey for writing and publishing school textbooks has not been in compliance with the spirit of the Cultural Protocol. In particular, Turkey has not honoured its international obligations under the Cultural Protocol, since it does not regularly provide the minority students with updated versions of textbooks.

In 1992, the Ministry of Education took a positive initiative and published school textbooks to be used in the minority schools for the teaching of the Turkish language. There was an organized reaction movement by the Turkish-speaking group of the Muslim minority not to accept these textbooks. Ahmet Sadik and Hadjiorhan Ahmet organized massive intrusions into the schools, destroying the textbooks and any other educational materials that were intended for distribution in the minority schools. They were accused under Article 191 of the Criminal Code as the principal perpetrators of incitement of citizens to sow discord, disturbing the public peace and theft.⁶³

The books that are unilaterally published by the Greek Ministry of Education are the same as those used and distributed to the Greek schools. They do not meet the special linguistic and cultural needs of the students because they are not designed for non-ethnic Greek students who are not familiar with the Greek language or socio-

⁶² See also Ministerial Decision No. Z2/238 of 8 November 1982, *FEK B'* (1982) No. 888; Article 15 of Ministerial Decision No. 55369 of 1978; and Article 7(1)(e)(2) of Law No. 694 of 1977.

⁶³ For the political action and cases against Ahmet Sadik, see ECtHR, *Ahmet Sadik v. Greece*, judgment of 15 November 1996, Series A, Vol. 10, No. 19; and Talip Kucukcan, "Re-claiming Identity: Ethnicity, Religion and Politics Among Turkish-Muslims in Bulgaria and Greece", 19(1) *Journal of Muslim Minority Affairs* (1990), 63–64.

linguistic system of communication. The non-adaptation of the school textbooks to the particular demands of the Turkish-speaking students constitutes an important factor in the significant ineffectiveness of the current education provided to the minority schools.

The correct and in-depth teaching of the mother tongue of the Muslim minority, as well as of the official language, is not very difficult to achieve. What is actually needed is to revise the school curriculum by paying particular attention to the school books used by the Muslim students to ensure they correspond to the educational needs of students who come in contact with the Greek language for the first time. The new books would need to take into consideration the fact that neither the mother tongue of these students nor the culture, tradition and ethics of the social environment in which they live, are Greek.

The training of teachers should emphasize the need to be able to work in a multicultural environment. It would also be advisable to increase the teaching hours of the Greek language in order to help students cope with any difficulties they might be having in learning and understanding Greek. Under no circumstances, however, should this be done at the expense of the Turkish language; rather, it should be done in the context of the efficient learning and teaching of both languages within a multicultural system of education.

IX. Concluding Remarks

The existence of a separate educational system for the members of the Muslim minority in Western Thrace has resulted in creating an exclusive Turkish ethnic character among its members to the exclusion of the other two groups, the Pomaks and Roma. Further, it has contributed to the cultural and social isolation the minority has suffered, which has, in turn, prevented the integration of the members of the Muslim minority within Greek society.

The system of minority education in Western Thrace does not provide an adequate level of knowledge and teaching to the Muslim students. On the contrary, it seems to operate as a rather 'dysfunctional' system, due to the absence of political will of both sides, Greece and Turkey, to improve their bilateral relations in order to improve the education provided to the two minority groups. It is essential for minorities to learn

the official language of the state while at the same time maintaining the minority language to preserve their religion and culture on the principles of multicultural education on a regional and international level.

In the field of education, the Treaty of Lausanne does not seem to provide a sufficient system to educate the Muslim students to acquire a proper and efficient knowledge of the Greek or Turkish language. A review of the Treaty of Lausanne, as well as the Educational Protocols, is required to determine, in a decisive manner, the future of minority education beyond the formal rules that such instruments contain, which, in any case, may no longer apply to modern times.

The improvement of the teaching of the Greek language as well as the training of both the Muslim and Christian teachers is deemed necessary for the protection of minorities under international human rights standards. The educational system of the Muslim minority in Western Thrace needs to be upgraded to meet the educational demands of the students to learn efficiently both languages and secure a better future within the socio-economic and educational framework of Greek society.

The Greek government must look beyond the administrative control of the educational system of the minority and realize the substantial importance of providing effective education to Muslim students. The demonstration of a strong political will is required to restore equal opportunities in education. In order to accomplish this, the members of the minority group need to realize there is no potential 'threat' of assimilation and loss of identity if they learn and use the official language of the state.

The political and cultural reality of the region of Western Thrace and the special status of minority education requires a very careful approach towards the improvement of educational planning. Minority education requires effective cooperation between the Christian and Muslim teachers to create educational programmes for the Christian and Muslim population. Although there are several cultural elements that differentiate between these two groups, there are others that unite them.

A culture of respect must be maintained to protect the right to be different and the principles of non-discrimination and equality in educational level. The accomplishment of such a goal requires a satisfactory level of education that takes

into consideration the special social and cultural needs of the members of the Muslim minority in Western Thrace and the Greek minority in Istanbul and aims at the positive and effective integration of both groups in the society in which they are living.

Biographical Note

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