

**NEGOTIATION AND CAPACITY BUILDING
IN MONTENEGRO:
WORKSHOP ON EDUCATION**

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**ECMI WORKSHOP 4:
EDUCATION
PODGORICA, 27 JUNE 2002**

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I. Introduction

The ECMI project “Negotiation and Capacity Building in Montenegro” was launched with the aim to establish a Track II informal negotiation process providing a forum for interethnic dialogue between Serbian and Montenegrin communities, which includes minority communities from the Sandžak border region. Through a series of workshops, the project aims to help promote dialogue, identify issues of common concern and assist in delivering concrete benefits as well as building confidence between the communities involved. By focusing the debate on the concrete needs of these communities, the project seeks to facilitate thinking about future interethnic relations in a less charged atmosphere, irrespective of the deeper political questions on the future constitutional arrangements of the two republics.

The project engages political party representatives, government officials and civil society groups (NGOs) in dialogue, while placing particular emphasis on establishing a Track II process with broader civil society involvement across all communities. In this way, the process broadens public debate and can function even when official government-to-government contacts prove difficult or impossible. Through engaging international and local experts, the project also seeks to provide the participants with external guidance on policy options in relation to each of the issues under review.

In a preparatory phase during the summer of 2001, field missions to Belgrade and Podgorica were carried out in order to conduct discussions with politicians, scholars and minority representatives to enlist their support and help identify issues of particular concern to all communities. Several issues – education, freedom of movement and regional economic development, and the administration of justice – were eventually identified to be dealt with in four separate workshops. The present report relates to a second workshop held on education in Podgorica (Montenegro) on 27 June 2002.

II. Background to the Workshop

The ECMI negotiation and capacity-building project in Montenegro provides a forum for a structured stakeholder dialogue outside the confines of party or ethnic politics. By focusing on specific areas where concrete solutions to shared problems can emerge, the project delivers benefits outside the contentious issue of constitutional status which has affected Montenegrin politics and the relationship with Serbia. Nonetheless, the status negotiations were very much in the minds of participants of all ECMI workshops; the framework agreement reached between Serbia and Montenegro on 14 March 2002 under the tutelage of the European Union (and hence commonly called the ‘Solana agreement’) has not fundamentally changed that situation. However, the agreement followed the Yugoslav federal constitution in allocating responsibilities for education to the republics rather than the union/federation. This allowed the project to consider education issues without constant recourse to the uncertainty prevailing in Serbo-Montenegrin relations.

Of all the issues discussed in ECMI’s project, education may well be the most sensitive. Education is a special concern to governments and communities in ethnically divided societies alike. It affects the lives of all citizens, determines the preservation of traditional cultures, creates and transmits notions of nationhood and citizenship, and fosters economic prospects individually and collectively. Education issues are also particularly susceptible to being conceptualized as zero-sum games, where one community’s gain is the other’s loss in the competition for scarce educational resources. By contrast, it is easy to visualize the common benefits of economic development to entire communities, to name but one example. One participant noted the need to convince communities and their representatives that conferring a right *to* something does not imply a right *against* something, or diminish the same right for other groups: establishing minority rights does not take anything away from the majority. Education finally has significant long-term effects by determining an individual’s or a group’s chances to prevail in the labour and other markets, long-term effects that are less pronounced in other areas. It is only logical, then, that teacher education proved to be among the most contentious topics of debate.

Against this background, it is not surprising that the ECMI workshop on education held in November 2001 recommended ECMI organize a second, follow-on workshop on the same topic to discuss certain issues in greater detail, and to refine and add to the overall picture that emerged from the first workshop. This second education workshop, the fourth under the ECMI Negotiation and Capacity-Building in Montenegro Project, was held in Podgorica on 27 June 2002.

The June workshop was the first to be held after the implications of the Solana agreement on future relations between Serbia and Montenegro had become more apparent. (A previous workshop on economic development had been held a week after the agreement of 14 March 2002.) The agreement, although not containing a detailed description of future relations, maintains the common state under the name of Serbia and Montenegro with limited joint competences, notably including the protection of national minorities. In consequence, the ongoing drafting of the new constitution may be of direct relevance to the issue of education even though education as such is not among the competences of the union. The need to keep discussions ongoing and relevant to recent developments was noted by several workshop participants, not just in connection with constitutional issues but also, for example, regarding the drafting of new textbooks as well as legislation that are currently being worked on.¹ Capturing the dynamics of reform will be a challenge to which regular workshops – as well as the frequent use of case studies, surveys, and other tools of transmission of best practices – might be the appropriate answer. Education was stressed by participants to be part of a dynamic process, embedded in transition and only understandable in that context.

¹ Draft legislation provides for 25% of educational content to be determined by local communities.

III. Aim and Format of the Workshop

The workshop, held in Podgorica on 27 June 2002, had two main goals. First, it allowed a more focused debate to take place on questions that had been raised in the previous workshop of November 2001. Second, it sought to identify additional problems that may be effectively addressed through a consultative policy dialogue which ECMI proposes to provide in the medium term.

The workshop gathered civil society leaders, educators, and representatives of relevant ministries of various backgrounds. The workshops sought to keep the group relatively small to enable a focused and in-depth discussion. Proceedings started with the presentation of a background paper exploring different aspects of the issue. The paper was based on several weeks of field research and drafted by the Humanitarian Law Centre in Belgrade, which also presented the paper to workshop participants. The two background papers drafted for the November and June workshops together provide a comprehensive overview over the problems faced by minorities in education, while also taking into account systemic problems affecting all participants in the education system.

IV. Discussions of the Workshop

The background paper drew attention to the differential fate awaiting minorities in the Montenegrin education system. Different ethnic groups will encounter different treatment by education administrators and other government structures – differences in fact that also exist between ethnic subgroups. While the legal standing of minorities in education does not seem to be a major concern, problems persist and must be addressed. Education policy may be an example where a non-discriminatory legal environment gives rise to discriminatory practices. Minority problems may in fact often be due to an incompletely developed education sector, highlighting the difference between outright discrimination and generalized, systemic problems that may affect minorities more than others. Serious issues of substance and quality continue to afflict public education in Montenegro independently from the minority question. Thus, a reform of the education sector is pressing for both minority and

majority communities. While this is an arduous task and requires massive resources – financial and political – the workshop was convinced that positive change can be achieved under the right political constellation. A prime example is the regional recognition of diplomas, an issue that could be resolved very easily and quickly, as many participants stressed, if the international community applied the right amount of pressure on governments.

Some participants cautioned that Montenegro's size and financial situation made the universities of Pristina, Sarajevo, and Zagreb the best choice for the respective minorities, rather than waiting for the establishment of their own poorly funded and easily politicized institutions. At the same time, consensus existed that education – as many other aspects of public policy in this formerly socialist society – needed to be decentralized and more responsive to the local community. Local autonomy would be a positive development but certainly not a panacea, and implementation would need to be closely monitored to ensure standards and prevent the marginalization of minorities without a firm geographical base, i.e. with no local majorities. Regional cooperation would need to be maintained to address overarching issues. Generally, expectations towards governments to solve community problems must be lowered; often, communities may have better solutions to pressing problems than inherently intransparent and unaccountable bureaucracies. At the same time, such community-driven models create their own problems of exclusion, and settlement patterns and political constellations are important factors in the cultural discussion.

Several participants warned against unrealistic expectations. It may be relatively easy to achieve consensus around a table that consists of individuals committed to the values of an open society and tolerance, but transmitting this consensus into the community may prove much more difficult as public opinion in Montenegro frequently is intolerant and the media sensationalist. These issues must also be raised with governments and not just within civil society; without sensitizing governments no reform can be achieved. The financial viability of specific reform initiatives must be carefully determined as underfunded efforts might prove counterproductive; Montenegro's size, its lack of a firm fiscal basis for education, and the lack of in-country economic prospects for university graduates all make reform more pressing and more problematic at the same time.

In fact, problems of education, like those of access to justice, are just among some of the broader challenges Serbia and Montenegro need to address when redesigning their relations. Clarity in those relations will have a positive impact even on issues that are under the exclusive sovereignty of the individual republics. Decentralization will be a critical part of political reform, including in the education sector. Institutions at the local level must be systematically strengthened, which will also render the implementation of laws at the local level more consistent and equitable. Without such reform, application of even the best laws will remain haphazard and open to abuse.

Several participants warned against confounding minority problems in education with *language* issues. Some minorities – most prominently the Albanians – have a distinct linguistic identity, while others do not. Teaching of minority languages – or teaching the general curriculum in minority languages – does not by itself contribute to improved quality of teaching. Again, brain drain is a very serious issue in Montenegro, and has been for decades.

Since Albanians do not only make up Montenegro's largest minority but also its most culturally distinct, minority issues often get reduced to the Albanian issue, to the detriment of other minority groups in the republic. But the Albanian minority is also seen more than others as a *political* problem, not simply a cultural or social one. This perception is reinforced by the fact that international assistance is seen as biased in favour of the Albanian community in Montenegro and the wider region. In this regional context, the exact location of an Albanian-language teachers' college proved extremely contentious, with some claiming that quality was considerably more important than location and others saying that languages thrive within certain environments of communication (cinemas, newspapers, etc.) and that it does not make any sense to locate an Albanian-language teachers' college outside the Albanian language area in Montenegro. The issue is complicated by the fact that in SFRY Albanian was the language of education in many of these communities. Some panellists noted that the Albanian situation is highly specific and exceptional. In fact, as one representative of the Albanian community remarked, Albanians were able for five hundred years under the Ottomans to preserve their culture and language, but the last ten years have threatened both.

Some participants pointed to the need for a differentiated treatment of minority subgroups (social, cultural) since many minorities are not internally homogenous. This was especially noted with regard to the Roma, which consist of at least three distinct subgroups with varying levels of assimilation. Minority groups are sometimes not even clear what to call themselves (Bosnians vs. Muslims), and they do not necessarily all share particular goals. Thus, there is a problem of identity even *within* minority communities. But one participant also warned against “blaming the victim”, i.e. ministries claiming they do not have counterparts in minority communities since these do not have unified leadership. He also noted that it was curious that Serbs in Slovenia had no problems learning about other cultures, traditions, and histories while this should be impossible in Montenegro. Minority problems are ideologically charged, and there is a tendency to equate minority rights with secession as well as to see them as *additional* rights that some claim while others cannot enjoy them.

It is important that governments not just pay lip service to minority rights but actually listen to minority demands and invest in minority social capital (education, employment, etc.). Governments must deliver concrete improvements if they want to regain legitimacy with minorities. Similarly, while the formal conditions of education are important and good legislation would facilitate matters, actual reform is infinitely more pressing. New laws must foster tolerance and embody the values of an open society. It is critical there exist *trust* between government and citizens. In this regard, there exists a crucial difference between legislation and rule of law. Several participants also noted the continued heritage of socialism: communities and citizens expect too much from government and do not try to solve their own problems.

Several dissenting voices opposed the essentially benign picture of interethnic relations in Montenegro that some participants were drawing. Genuine reforms are impossible in education without reforms in justice and media. This is so since Montenegro is de facto a national state, multicultural only in theory. There is no institutional mechanism to advance multiculturalism. Some participants also noted with regard to overall reform that the issue of quality is used opportunistically by those who are opposed to reform. Why would minority teachers and judges be less able to deliver good quality? Why is the quality issue brought up every time

minorities ask for specific rights? It is important to recognize that minorities are not responsible for the present situation. While it is true that reform – especially minority education – costs money, it should be noted that this is an investment in future stability, and that, moreover, these are issues of human rights and democracy.

A final thread throughout the debate was the ultimate goal of education: should it be to educate adolescents into authoritarian Croats, Bosnians, Serbs, Albanians etc., or should it be to educate them into democratic and civic-minded individuals that are conscious of their identity?

V. Recommendations

ECMI should spearhead an international campaign for the mutual recognition of school and university diplomas in the countries of former Yugoslavia, as well as in neighbouring countries. The panel agreed that if pressure were applied to the relevant governments, this issue could be resolved very easily.

The public must be made aware of minority rights and the fact that they do not infringe on the majority. Majority and minority rights are not a zero-sum game, and attempts to portray them as such must be countered vigorously. Especially important in this regard are the media, since they are often parochial and sensationalist. At the same time, they are often simply a reflection of their readers' attitudes. We – as civil society collectively – should think about ways of how to change such perceptions. So far, and to the knowledge of the panellists, no complaints had been brought in Montenegro against specific media for incitement of hatred.

Since Montenegro is so small and by itself hardly has the intellectual and financial resources for development, linking educational institutions with international counterparts is an important aim, and one where ECMI could be of direct assistance. Links to international teachers' associations would be especially useful.

Reform of minority curricula should be part of a comprehensive, strategic reform of the education sector as such, as isolated reform will remain haphazard and ineffective.

An effective reform, in contrast, must build on the values of pluralism and tolerance. This means that/in addition, communities should be given greater autonomy over education, and universities must become autonomous institutions of higher learning.

VI. Follow-up Activities

The participants in the workshop expressed the importance of continued monitoring of developments in the field of education. The situation is evolving, and few (if any) international bodies are studying the issue in Montenegro. Monitoring should not be a goal in itself, however; ECMI could provide a critical link between local community institutions and resources available internationally. Teachers' exchanges as such are not the most promising way of tackling the issue since no performance criteria are applied and no control takes place of whether teachers pass on newly acquired skills.

Follow-up Workshops

Many participants expressed the wish to continue discussing education and other vital issues of minority rights in the open forum of an ECMI workshop.

VII. Annexes

A. Programme of the Workshop

TIME	ACTIVITY
Thursday, 27 June 2002	
10:00-10:15	Opening Words and Welcome Tobias K. Vogel, ECMI
10:15-11:45	Session 1: Presentation and discussion of background paper Goran Miletic, Humanitarian Law Centre, Belgrade
11:45-12:15	Coffee Break
12:15-13:00	Session 2: Discussion of key problems identified
13:00-14:00	Lunch
14:00-15:30	Session 3: Discussion of possible solutions
15:30-16:00	Coffee Break
16:00-17:00	Closing Session of the Roundtable: Summary of sessions and drafting of recommendations
19:00	Dinner

B. List of Participants

Name	Organization
DJUKANOVIC, Bojka	University of Montenegro
CAMAJ, Kolë	Montenegrin Helsinki Committee for Human Rights 'Illyricum'
DELIC, Sabhuda	Minister for the Legal Protection of National and Ethnic Groups
JANJIC, Dusan	Forum for Ethnic Relations
KEROVIC, Atvija	Almanah Group
ZLATANOVIC, Ivana	Ministry of Education (Serbia)
CAMMAROTA, Paolo	Office of the High Commissioner for Human Rights
MILETIC, Goran	Humanitarian Law Center
PEROVIC, Dzemal	Centre for interethnic relations and minority rights
RASTODER, Serbo	University of Montenegro
JELENCIC, Jadranka	Fund for an Open Society Serbia
ZIGMANOV, Tomislav	Open Society Foundation, Novi Sad
GJOKAJ, Lukë	Foreign Ministry

ECMI Staff

Name	Position
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