

Roma in Czech Schools Before and After 1989

*After months of arduous work collecting data for a survey of Roma in the Czech education system, OSI Policy Fellow David Čaněk, 25, has already seen his efforts pay off in the best possible ways: his research is being used as evidence in a major lawsuit on behalf of Roma in Czech schools assisted by the European Roma Rights Center (ERRC; see sidebar) and his draft paper **Ethnic Minorities in Czech Schools, 1945-1998** will be published in a collection of upcoming articles by the prestigious London-based publisher Macmillan. Mr. Čaněk has benefited from cooperation with his mentor, ERRC lawyer and new OSI Deputy Director James Goldston, who put him in touch with ERRC's representative in Prague, Markus Pape, and another ERRC lawyer, Deborah Winterbourne. "They gave me access to their knowledge on the situation of Roma in Czech schools, and I supplied them with the data that I have," he wrote in his interim report. "This, indeed, seems like an ideal example of networking." By the end of the year Mr. Čaněk's survey of Roma in the Slovak education system will yield at least preliminary results of their educational circumstances in that country as well. He hopes to maintain some funding from a Soros foundations network program next year in order to continue his survey research on Roma education in Slovakia as well as his cooperation with network programs.*

BY DAVID ČANĚK

In 1958, the Central Committee of the Czechoslovak Communist Party decided that the 'gypsy question,' as it used to be called, would not be tackled within the legal and political framework designed for national minorities since, according to the Committee, Roma were not a national minority and could not become one. The essence of the 'gypsy question' was, therefore, the contradiction between 'the high cultural level of a socialist society on one hand and the exceptionally low level of social life of the population of gypsy origin.' This contradiction was to be tackled by an intentional policy of assimilation.

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Since Roma were not recognized as a national minority under communism and were subject to the official policy of assimilation, schools with Romani as the language of instruction were out of the question—regardless of whether Roma would actually wish to attend such schools. This does not mean, however, that no special provisions were created for Roma in the educational sector. In fact, throughout communism as well as after its collapse, the authorities thought it necessary to provide Romani children with some special assistance in order to help them prosper in schools. The effectiveness of such policies varied enormously.

Slovak Roma, who migrated to the Czech lands after World War II, usually came from very poor backgrounds with little or no education at all. While basic literacy courses were organized for alphabet grown-ups primarily in the 1950s and 1960s, special schools or classes for Romani children only were set up from 1952 on. These were, however, not comparable to other minority educational institutions.

The language of instruction was Czech and the reason for their establishment was to collect 'neglected' Romani children in order to teach them some basic skills that were considered necessary for school attendance. These schools and classes were conceived as a temporary measure and their pupils were to be placed in mainstream schools later on.

Some teachers criticized the exclusion of some Romani pupils from mainstream classes as 'discrimination.' They particularly condemned the frequent assignment of Romani children to schools for the intellectually deficient and pointed out that the affected Romani pupils were, in most cases, actually not intellectually deficient. The official reasons why they were assigned to such schools were perhaps the following: their knowledge of Czech was poor and/or they lacked various basic skills which other children had upon enrollment in an elementary school. In addition, their class attendance was irregular. Until 1958, 'neglected' Romani pupils could be placed in schools for the intellectually deficient even if they actually did not meet the requirements for enrollment in such an institution. Ironically, after 1958, although such practice was not considered legal any more, the proportion of Roma in these schools kept rising throughout the communist period and reached its peak in the 1980s.

It would be wrong to think that the communist authorities disregarded the problem of schooling Roma. It was believed that placing Romani children in kindergartens prior to their enrollment in a school would increase their future educational chances. Thus, preference to be placed in a kindergarten was granted to children from Romani families in some areas. Some significant achievements in Romani preschool education were made. The number of illiterate Roma in the post-war generation decreased significantly. Still, the overall situation was not at all good.

Statistical evidence from 1970 shows that the proportion of Roma in the postwar generation (16-30 years of age) with at least some secondary education was only 1.7 per cent.¹ Many Romani pupils were not even able to complete elementary school. In 1970 only about 15 percent of them reached the last,

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Lawsuits Filed By Roma Challenge Racial Segregation in Czech Schools

BY JAMES GOLDSTON

On June 15, 1999, a group of Romani children in the Czech city of Ostrava, assisted by local counsel and the European Roma Rights Center (ERRC), filed legal complaints in Czech courts to challenge their segregation in special schools for the mentally deficient. The lawsuits are filed simultaneously with the publication by ERRC in both English and Czech of the Country Report:

A Special Remedy: Roma and Schools for the Mentally Handicapped in the Czech Republic.

The lawsuits, filed with the Czech Constitutional Court and the Ostrava School Bureau, charge the Czech Ministry of Education and local school authorities with segregating the plaintiffs and numerous other Romani children into remedial special schools for the mentally deficient because they are Roma. The result has been a denial of equal educational opportunity for most Romani children. The complaints demand a judicial finding of racial segregation, the establishment of a compensatory educational fund, and the development and adoption of a plan to achieve racial balance in Ostrava schools within three years. Racial segregation and discrimination in education violate the Constitution of the Czech Republic, the Czech Charter of

Fundamental Rights and Freedoms, other provisions of domestic law, and numerous binding international treaties including the European Convention on Human Rights.

The evidence documented in legal complaints shows that, in the district of Ostrava, Romani children outnumber non-Roma in special schools by a proportion of more than twenty-seven to one. Although Roma represent fewer than 5% of all primary school-age students in Ostrava, they constitute 50% of the special school population. Nationwide, as the Czech government itself concedes, approximately 75% of Romani children attend special schools, and more than half of all special school students are Roma. This extraordinary racial disparity constitutes what a United Nations committee of experts has condemned as 'de facto racial segregation' in the field of education, which is inconsistent with the government's obligations under international law.

As a result of their segregation in dead-end schools for the "retarded," the plaintiffs, like many other Romani children in Ostrava and around the nation, have suffered severe educational, psychological and emotional harm, including the following:

- ▶ they have been subjected to a curriculum far inferior to that in basic schools; they have been effectively denied the opportunity of ever returning to basic school;
- ▶ they have been prohibited by law and practice from entrance to non-vocational secondary educational institutions, with attendant damage to their opportunities to secure adequate employment;

ninth, grade, while others dropped out sooner.² A significant proportion of Roma was enrolled in schools for the intellectually deficient. Comprehensive statistical evidence documenting this is available from the late 1960s to 1990 (see Table 5).

A dramatic increase—proportional as well as absolute—of Roma in schools for the intellectually deficient in the course of the late 1970s and the 1980s was due to major educational changes introduced in 1976. The duration of elementary school was cut by one year to eight years total. In addition, the curriculum became more difficult. Consequently, demands on pupils increased and after the introduction of the reforms those who could just make it through elementary school before 1976 were often sent to a school for the intellectually deficient. It can be argued that this reform—condemned by many Czech and Slovak teachers as well as educational experts—caused an enormous setback in the accomplishments of Romani pupils and erased much of what had been achieved prior to 1976.

Table 4: Roma in the Czech lands³

year	1945	1966	1970	1980	1985	1991 ⁴
number	1,000	56,519	60,279	88,587	132,167	32,903

Table 5: Roma in the Czech elementary education system⁵

year	in mainstream schools	in schools for the intellectually deficient	ratio between columns 2 and 3
1967	12,934	3,228 ⁶	4.01:1
1972	12,810	5,866	2.18:1
1973	13,272	6,445	2.06:1
1974	13,301	6,709	1.98:1
1975	14,105	5,105	2.76:1
1976	14,076	4,829	2.92:1
1977	13,650	5,993	2.28:1
1978	13,477	6,812	1.98:1
1979	13,254	7,792	1.70:1
1984	13,611	12,615	1.08:1
1989	15,483	13,196	1.17:1
1990	15,207	12,444	1.22:1

Before the 'reform' the proportion of Roma in schools for the intellectually deficient was actually decreasing, but with its inception it began rising dramatically. By the mid 1980s, almost every other Romani child attended such a school. Before the reform, this figure was not even every fourth Romani child. This was, of course, an enormous proportional increase. At the same time, one should question the significance education actually had under communism. Although the communist authorities stressed the importance of a highly educated society as a whole, from an economic point of view, it made very little or no difference at all whether an individual had a university degree or was a graduate of a school for the intellectually deficient.

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At the same time, socialist Czechoslovakia, along with some other countries of the communist bloc, had very small disparities between wages for manu-

al and intellectual work. In fact, unqualified manual work on construction sites was often better rewarded than work for which educational qualifications were necessary. This created an environment unknown to capitalist societies. Those with very little education could make relatively good earnings. A 1972 survey carried out in the northern Bohemian city of Most with a substantial Romani population showed that the salaries of only 15 per cent of the Roma there—mainly women—were below average. Almost 50 percent of the Roma in Most earned above average salaries.⁷

Such a situation in earnings did not, of course, stimulate motivation within the Romani community to strive for higher educational status. Although communist officials repeatedly declared that a highly educated society was a priority for them, they did not seem very alarmed by the ever-increasing number of pupils who were placed in schools for the intellectually deficient. While in 1946 there were 5,249 pupils in such institutions, by 1988 the number had climbed to 43,067 in the Czech lands. This rise was not perceived as disturbing; on the contrary it was described as 'favorable' by the Ministry of Education. It also appears that officials were not alarmed by the increasing segregation of Roma in these schools in the late 1970s and the 1980s. Such an attitude contrasted with concerns voiced frequently by communist authorities in the 1950s and 1960s about the overproportional representation of Roma in schools for the intellectually deficient.

The Romani community was undoubtedly very harshly hit by the changes from which the educated gained and those with little education lost.

With little educational status on average, Roma were not ready for the democratic changes of 1989 that introduced capitalism to the Czech lands. After 1989 many Roma were forced out of the construction business by guest workers from the former Soviet Union who were willing to work for very little pay, for example. The Romani community was undoubtedly very harshly hit by the changes from which the educated gained and those with little education lost.

The arrival of democracy, however, also brought about the official recognition of Roma as a national minority in the Czech lands (Resolution No. 463 of 13 November 1991). Those who supposed that such a step would initiate some kind of great revival of Romani culture and language within the community were wrong. In the 1991 census on national minorities, only about 33,000 persons declared themselves to be of Romani nationality in the Czech lands. Meanwhile, estimates of the total size of the Romani community in 1991 were around 150,000. Some Romani leaders suggested even much higher numbers.

The census may have suggested that the majority of Roma more or less accepted the policy of assimilation which was promoted by the communist regime. This was, of course, in stark contradiction to the efforts of many prominent Romani intellectuals who, immediately after 1989, emphasized the need to introduce classes in which the

language of instruction would be Romani.⁸ Promoters of this policy sometimes admitted that it would not, in fact, be welcomed by most Roma.

To date, there is no Romani elementary school in the Czech Republic and efforts are not being made to establish one—neither by the government, nor by Romani leaders. What Romani leaders and some international organizations have criticized, however, is the high proportion of Roma in schools for the intellectually deficient. This problem persists despite a new assignment procedure that has been introduced after 1989. Under communism, a district authority had decisive power in the process of placing a child in a school for the intellectually deficient, but since 1991 parents have had the last word in this procedure.⁹ The problem persists nevertheless and appears to be a complex one that cannot be blamed solely on racial prejudice of Czech teachers or psychologists who test children. In 1997, the Czech Minister of Education was assigned the task by the Czech government to stop the too frequent assignment of Romani pupils in schools for the intellectually deficient (Resolution of Czech government No. 686 of 29 October 1997). The effects of this effort have yet to be examined.

To improve the educational status of the Romani minority, the Ministry of Education in 1993 also set up several preparatory classes in which Romani pupils prepare for their enrollment in an elementary school (in the school year of 1995-96 there were 36 such classes). Since the communist and postcommunist statistics on Roma in schools are not compatible, it is impossible to determine exactly what happened after 1989 with the Romani community in schools. Data that are based on the subjective declaration of Romani nationality show that in the school year of 1995-96 there were no Roma at institutions of higher education, 580 were in elementary schools and 1,176 in special schools (the majority in schools for the intellectually deficient).¹⁰ Of course, many would argue that these numbers on Roma in the Czech education system represent just a fraction of all Romani pupils in Czech schools.

After 1989 all parents were empowered with the right to participate in the selection procedure determining whether special education would be more suitable for their child. When Romani parents are told that they should enroll their children in special schools, they do not have to accept the recommendation, although there have been cases of coercion. The precise standing and the new developments concerning the Romani community in the education system after 1989 have yet to be fully examined. At present it is clear, however, that the Romani community suffered enormously from the dramatic changes that took place after 1989, in particular from the ever-increasing value of education combined with the inability of many Roma, for a variety of reasons, to meet this challenge.

¹ 'Povinn školn doch zka cik nsk ml deze v CSR v letech 1970-1971', *Statisticko-ekonomick informace*, (Praha: Cesky statisticky rad 1972) p. 2.

² V. Srb and J. Job, 'Nekter demografick ekonomick a kulturn charakteristiky romsk ho obyvatelstva v CSSR 1970', *Demografie*, XVI (1974), p. 179.

³ V. Srb and A. Andrl, 'Romsk obyvatelstvo v Česk republice podle sc t n lidu 1991', p. 286.

⁴ The number of Roma was so low in 1991 because for the first time after 1945 it was based upon a subjective declaration of Romani nationality of a person. Prior to 1991 Roma were recorded by officials. The 1991 figure is low because only about 33,000 persons declared themselves to be of Romani nationality. Estimates of the total size of the Romani community in 1991 were about 150,000 and perhaps much higher.

⁵ Data taken from *Statistika školstv* (Prague: ŠD) of the respective years and from 'Cik nsk obyvatelstvo k 31.12.1967', *Československ statistika*, vol. 21 (1968) p. 30.

⁶ Number of Romani pupils in all types of special schools including those for intellectually deficient pupils.

⁷ K. K ra (et al.) *Ke společensk problematice Cik nu v CSSR* (Prague: ČSAV, 1975) p. 310.

⁸ The demand for introduction of the Romani language into schools was also raised by the Romani Civic Initiative in its 1992 election prospectus.

⁹ See Announcement of the Czech Ministry of Education No. 399/1991 of 13 September 1991.

¹⁰ V. Srb, 'Skolarizace romsk ml deze', *Demografie*, XXXII (1997) p. 40.

► they have been stigmatized as 'stupid' or 'retarded' with effects that will brand them for life, including diminished self-esteem and feelings of humiliation, alienation and lack of self-worth;
 ► they have been forced to study in racially segregated classrooms and hence denied the benefits of a multi-cultural educational environment.

Race-neutral factors fail adequately to explain this gross racial disparity. Thus, few openly maintain the fiction that Roma, as a race, are genetically less intelligent. Those who do are confronted with a virtual consensus among government officials and acknowledged experts that many Roma assigned to special schools are not, in fact, mentally deficient. In addition, evidence that will be produced by the plaintiffs demonstrates that the evaluation mechanisms employed to assess 'intelligence' are flawed and unreliable...

Failure to secure effective remedies in domestic courts will result in an application to the European Court of Human Rights in Strasbourg.

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