

INTRODUCTION

Transcarpathia

(in Ukrainian: Закарпатська область-Zakarpattia Oblast)
is the westernmost region of Ukraine.
It borders with four EU member-states
(Poland, Slovakia, Hungary and Romania),
while to the north and east, its neighbors
are the Ukrainian regions of Lviv and Ivano-Frankivsk.

The population is nearly 1.2 million people.
In today's Transcarpathia there are numerous
ethnicities and languages
which have been traditionally co-existing.

* This presentation is prepared with the assistance of materials of prof.
Csernicsko



INTRODUCTION

The 20th century history of this area is full of changes in state affiliation

The status of the Transcarpathian region in the 20th century and today

State affiliation	Period
Kingdom of Hungary in the Austro-Hungarian Monarchy	1867–1918
Czechoslovak Republic	1919–1939
Carpatho-Ukraine	1938–1939
Kingdom of Hungary	1939–1944
Ukrainian SSR in the Soviet Union	1945–1991
Ukraine	From 1991



The right to mother tongue medium education for minorities was guaranteed by all states between 1868-2017, until the adoption of the new Ukrainian Law on Education.

With Article 7 of Ukraine's new education law, Ukrainian lawmakers practically codified the exclusivity of the Ukrainian language in the field of education.



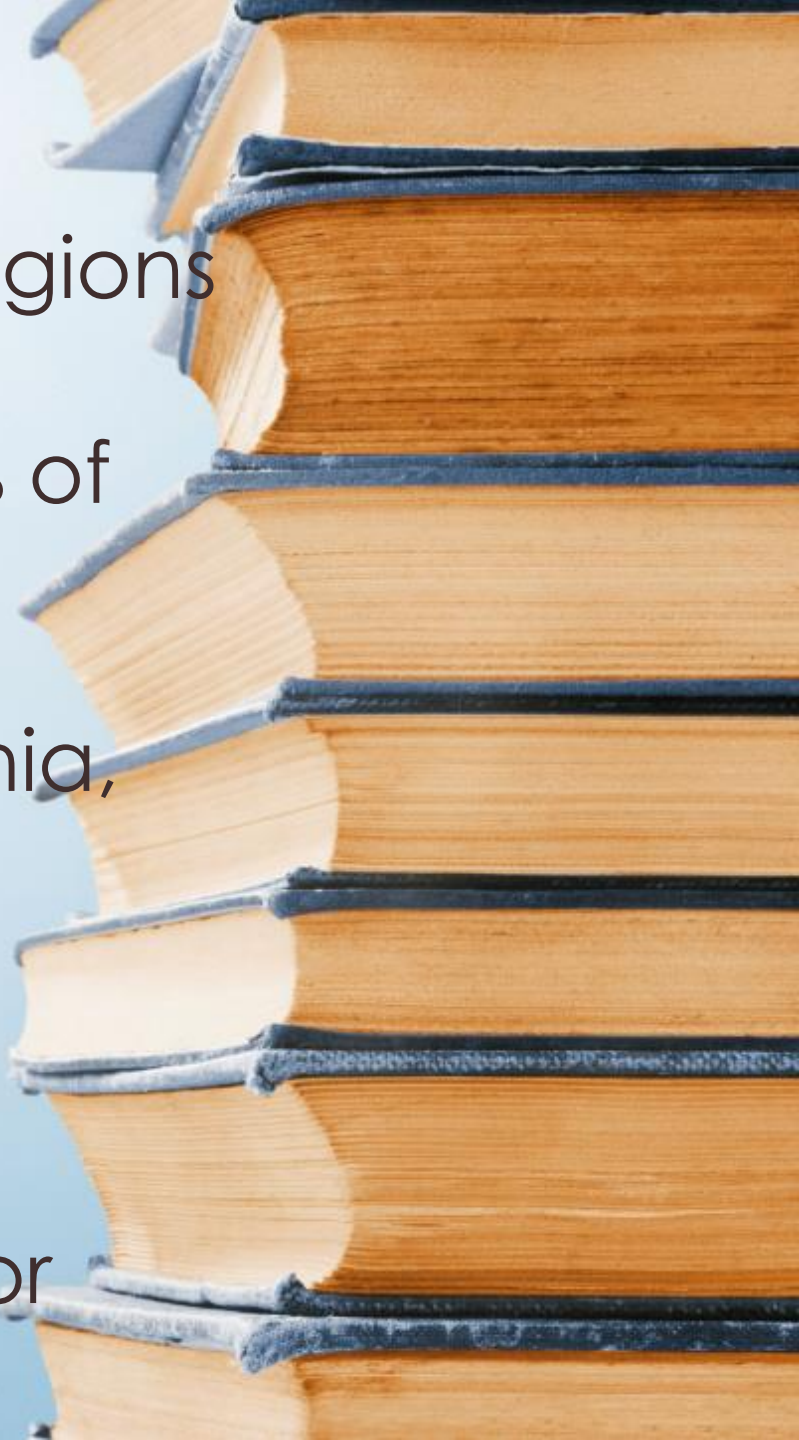
The present situation

Transcarpathia, one of the westernmost regions of Ukraine. A Hungarian minority of about 150,000 people live in this area, about 12% of the whole population of Transcarpathia

(Molnár and Molnár 2005)

Hungarian minority schools in Transcarpathia, teach three languages:

- Hungarian as the mother tongue of the learners;
- Ukrainian as the state language;
- and a foreign language, usually English or German



The present situation

In SHLI all the school subjects are taught in Hungarian, except for Ukrainian language and literature and the foreign language

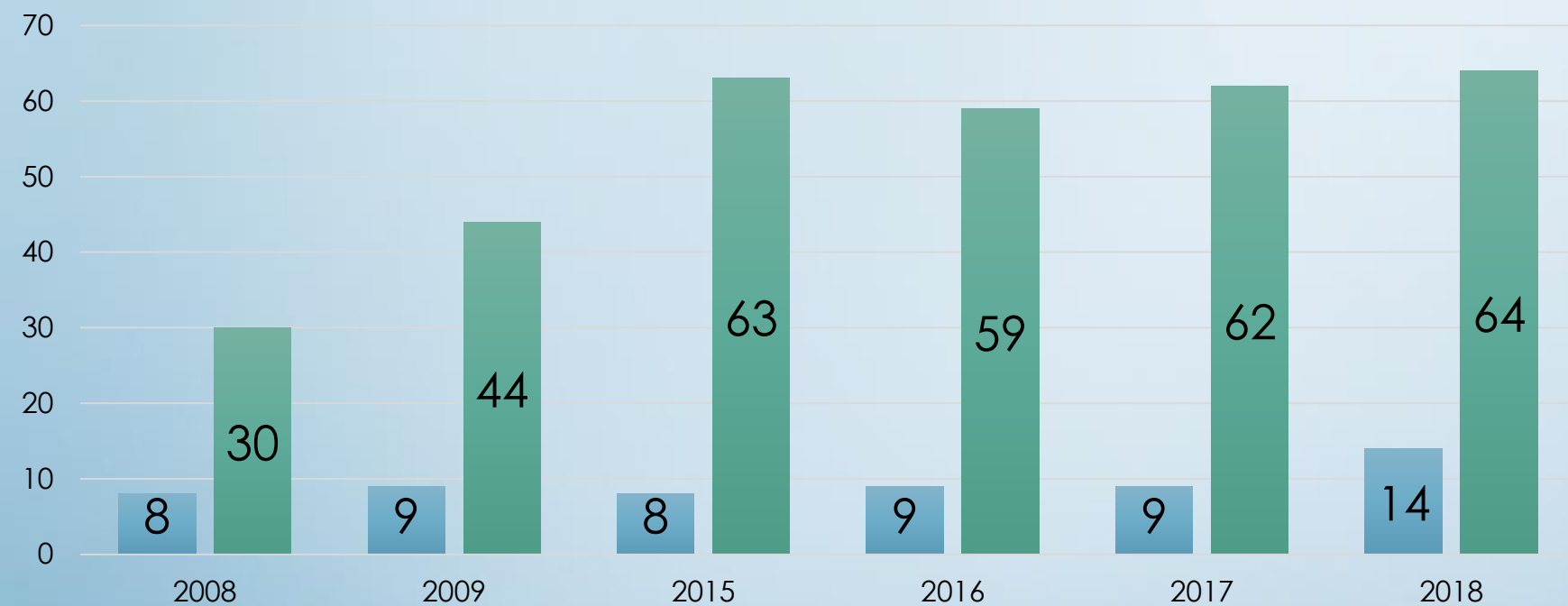
At the end of their studies in Form 11,
Learners

- have to sit the same examination in the form of the External Independent Testing (EIT) from Ukrainian language and literature
- and meet the same requirements

SHLI - schools with Hungarian as the language of instruction



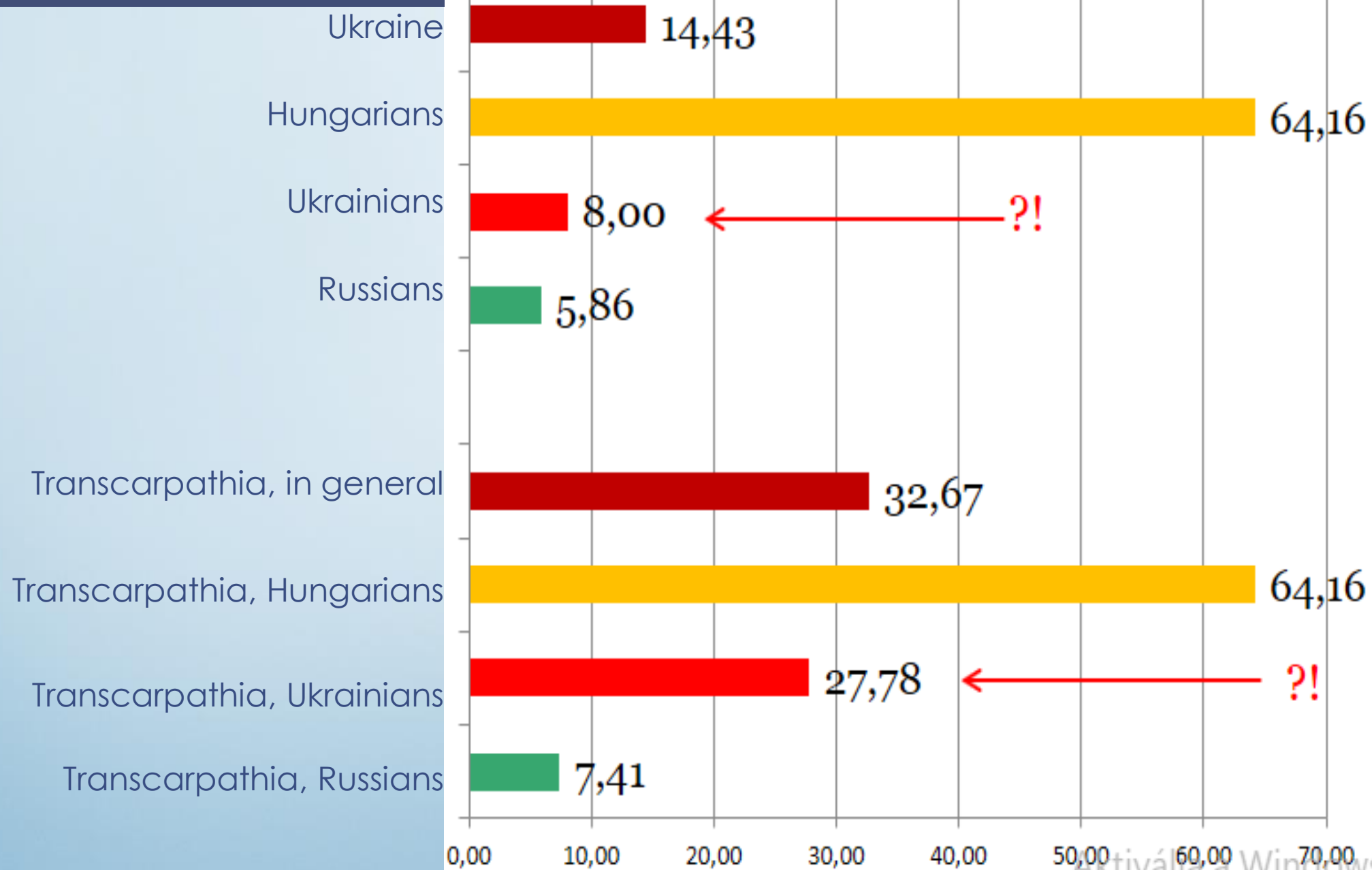
The often-heard phrase: „Transcarpathian Hungarians cannot speak Ukrainian” !?



The % of the pupils who failed the Ukrainian exam
In general / Hungarians
(examination in the form of the External Independent Testing)



Examination in the form of the EIT from Ukrainian language and literature (failed)



reality ... **low-efficiency** **of Ukrainian language teaching!!!**

1. Lack of adequately qualified teachers
2. Lack of appropriate textbooks
and the improper curriculum
1. Lack of the appropriate approach
and the method based on it
2. Different situations, same requirements



THREE OPTIONS FOR MINORITIES:

INTEGRATION?

ASSIMILATION?

SEGREGATION?



„Invisibilisation”



- Invisibilisation is the deliberate removal, or concealment, of the overt signs of the existence a particular culture or language, with the aim of rendering that culture or language invisible. It is part of the logic of invisibilisation that the policy and its implementation remain covert, because overt formulation would mean increased visibility (cf. Haig 2004: 123).
- The *invisibilisation* is one of the tactics used in linguistic discrimination and linguistic genocide. Dominated languages, cultures, and peoples are being made invisible, with several different means

The latest „developments”?!

1. ratification of the new law ‘On Education’
by the Ukrainian Parliament
on 5 September 2017.

2. Law ‘On ensuring the functioning of
Ukrainian as the State language’ (2019 ?)



Language Laws in Ukraine (1989–2019)

- ❑ Law On Languages in the Ukrainian Soviet Socialist Republic (1989–2012). (LL_1989)
- ❑ Law On Ratification of European Charter for Regional or Minority Languages (2003). (ECRML-UA)
- ❑ Law On the principles of the state language policy (2012–2018) (LL_2012)
- ❑ Law On ensuring the functioning of Ukrainian as the State language (2019?) (LEFUSL)

Languages covered by the four laws

LL_1989	ECRML-UA	LL_2012	LEFUSL_2019 ?
All languages of national minorities in Ukraine, i.e. approximately 130 languages	13 languages of national minorities: Russians, Belarusians, Moldavians, Crimean Tatars, Bulgarians, Hungarians, Romanians, Poles, Jews, Greeks, Germans, Gagauz, Slovaks.	Mother tongue speakers of 18 regional or minority languages: Russian, Belarusian, Bulgarian, Armenian, Gagauz, Yiddish, Crimean Tatar, Moldavian, German, Greek, Polish, Romani, Romanian, Slovak, Hungarian, Rusyn, Karaim and Krymchak.	Only Ukrainian as the State Language of Ukraine. However, indirectly, the law affects all languages used in Ukraine.

What are the levels of government administration
official use of minority languages will be allowed at

LL_1989	ECRML-UA	LL_2012	LEFUSL_2019 ?
If the ratio of the national minority exceeds 50%.	Does not define a demographic benchmark.	If the native speakers of a regional or minority language meets a 10% threshold.	Makes the use of the state language mandatory in all public situations.

At what levels of education is it possible to teach in the mother tongue?

LL_1989	ECRML_UA	LL_2012	LEFUSL_2019 ?
From kindergarten to university at all levels. The choice of the language of education is the right of citizens.	From kindergarten to university at all levels.	From kindergarten to university at all levels. The choice of the language of education is the right of citizens.	Education in minority language is possible in kindergarten and primary education. The education on 5-12 grades are bilingual (limited use of mother tongue). In vocational and higher education, the mother tongue can only be a subject. Citizens' right to choose the language of education ceases.

Questions on the implementation of the language article of the Law on Education and Article 5 of the Law on General Secondary Education, for which is needed more information and

- For how long will the implementation of Article 7 of the Law on Education be postponed??
- Does Article 7 of the Law on Education apply to private educational establishments?
- With regard to the entry of the Law on Education into force, may there still be educational institutions with minority language of instruction?
- Will there be significant changes to the education of Ukrainian language and literature in minority language schools and the state standards for assessing the level of knowledge in these subjects?
- Who determines the proportion of subjects taught in Ukrainian and do these include the Ukrainian Language and Ukrainian Literature?
- Who is entitled to determine the amount and proportion of subjects taught in Ukrainian?
- How will the rights of high school students be equal with regard to the right to acquire a foreign language in case of a minority language of instruction?

Draft Law of Ukraine

“On General Secondary Education” (2019):

The use of minority languages is limited

Share of mother tongue in the educational process (in %)	Grades 1-4	5th grade	9th grade	Grades 10-12	Who are these?
representatives of majority	100	100	100	100	Ukrainians
indigenous people	100	100	100	100	Crimean Tatars
minorities, whose language is official in the EU	100	80	60	40	Hungarians, Romanians
minorities, whose language is NOT official in the EU	100	20	20	20	Russians



- Human and citizens' rights and freedoms affirmed by this Constitution are not exhaustive.
- *Constitutional rights and freedoms are guaranteed and shall not be abolished.*
- *The content and scope of existing rights and freedoms shall not be diminished in the adoption of new laws or in the amendment of laws that are in force.*

Article 22 of The Constitution of Ukraine

Suggestions of the Transcarpathian NGOs and societies for the Draft law «On Full Secondary Education»

1. In secondary schools, the language of instruction is the state language.

Everyone who is studying in a secondary school in Ukraine learns the state language in the given educational institution according to state standards for secondary education. Those standards should include the requirement for a proficient level of knowledge of the state language for secondary school graduates.

Individuals of indigenous and minority nationalities, as well as those whose native language is not Ukrainian must learn the state language in accordance with the state standard Ukrainian As a Foreign/second (non-native) Language: (level A1 for primary schools, A2 for elementary, and B1 for secondary schools).

Suggestions of the Transcarpathian NGOs and societies for the Draft law «On Full Secondary Education»

2. All secondary school students and graduates have the right to an education in the state language in state-owned, municipal and private educational establishments.

3. Representatives of indigenous peoples and national minorities have the right to study the language of an indigenous nationality or a national minority, as well as to receive education in that language in local state or private educational establishments or with the participation of national cultural organizations.

4. Individuals of indigenous ethnicities living in Ukraine have the right to study and to graduate in the language of the indigenous nation in addition to the state language in state-owned or private secondary schools.

Suggestions of the Transcarpathian NGOs and societies for the Draft law «On Full Secondary Education»

5. Individuals of national minorities living in Ukraine have the right to study in the language of a given minority in state-owned or private elementary schools in addition to the state language.

6. Individuals who enjoy the rights listed in points 4 and 5 of this Article shall receive elementary education in local state-owned and private educational establishments in accordance with the relevant state standard, in at least 10 per cent of the annual number of hours; this proportion should be gradually increased until it reaches 20 percent of the total annual number of hours.

This contradicts the Law On Education, which guarantees the right to receive education in one's native language.

Suggestions of the Transcarpathian NGOs and societies for the Draft law «On Full Secondary Education»

7. Representatives of a minority nation whose language is one of the official languages of the European Union and who enjoy the right to primary and secondary education in a national minority language shall receive education in accordance with state standards; they also have the right to study one, a few of all the subjects (except Ukrainian language and literature) on that language of that particular national minority, which happens to be one of the official languages of the EU.

The list of subjects taught in the state language and in the language of the national minority should be determined according to the curriculum of the given educational institution, the resolution of an authority within that institution, while respecting the state standards for secondary education and taking into account the specificities of the given language environment.

Suggestions of the Transcarpathian NGOs and societies for the Draft law «On Full Secondary Education»

8. The right to education in the language of an indigenous and/or minority nation living in Ukraine is implemented via the creation of classes/schools in which the education is conducted in the minority language in addition to the state language; this does not apply to Ukrainian-speaking classes.

The establishment of a class/school in which education takes place in a minority language in addition to the state language is performed in accordance with the provisions of this Act and only if a sufficient amount of such requests (at least 5 students) is received from the students belonging to that minority or their parents.

9. Hearing impaired individuals have the right to learn in sign language as well as the right to learn Ukrainian sign language and the sign version of their parents' native language.

Suggestions of the Transcarpathian NGOs and societies for the Draft law «On Full Secondary Education»

10. The curriculum of some secondary schools may include the instruction of one, a few or all the subjects (except Ukrainian language and literature) in English or in another EU official language, in addition to the state language.

11. Private educational establishments that operate from financial resources provided by private and legal entities are free to choose the language of education (except institutions financed by public and municipal funds) and are obliged to provide their students with the opportunity to acquire the state language in the secondary school in accordance with state standard for education Ukrainian As a Foreign/second (non-native) Language

**On the state standard for elementary education,
amending the Law on Secondary Education,
the implementation of the language clause of the Law on Education,
from the KMPSZ (Trancarpathian Hungarian Pedagogical Association)**

With regard to the state **standard for elementary education** adopted in the Government Decree No. 87 on 21 February 2018, it would be reasonable to clarify several contradictions. According to point 6, the requirements for learning outcomes should be determined considering the competence-based approach to education. Point 7 lists these key competences, but also does, in many cases, ignore the needs of students who are not native speakers of the state language and contradicts the pedagogical principles of education, and does not ensure equality in access to education.

Point 7 of the state standard

7. The key competences are as follows:

knowledge of the state language,

including a clear and comprehensible expression in both oral and written form,

ability of understandable and well-grounded reasoning, love of reading, understanding of the word's beauty,

understanding the role of language in communication and cultural self-expression,

the ability to use Ukrainian as a native language in different life situations;

2) native language (non-state language)
and foreign language competence
has **enables the active use** of the given language
in different situations,

- including everyday life,
- the educational process,
- in community and cultural life,
- understanding simpler foreign-language expressions,
- intercultural communication skills;

9) civil and social competences that make possible the understanding of democracy, justice, equality of rights, prosperity, healthy lifestyle, the importance of equal rights and opportunities, cooperation with other individuals to achieve a common goal,

respect for the rights of others as well as ability to act in situations that are related to the various manifestations of discrimination

and **respect for the cultural diversity of different nations, as well as self-identification as a Ukrainian citizen.**



How could the problem be solved?

Bilingual education

?the best solution? for Hungarians in Ukraine
(the main position of Ukrainian Ministry of Education)

The possible instrument of integration:

- having a command of the majority language guarantees the opportunity of full-scale participation in social life,
- while mother tongue maintenances guarantees the preservation of one's own identity and culture.



How could the problem be solved?

?Bilingual education the best solution
for Hungarians in Ukraine?

BUT... Bilingualism

- is also a stage in the process of assimilation,
- but only as a transitional phenomenon.

It is only present until

- the minority community gradually undergoes a complete language shift
- and becomes a new part of the monolingual majority community,
- generally taking over the new culture and identity as well.



How could the problem be solved?

?Bilingual education the best solution for Hungarians in Ukraine?

„It becomes abundantly clear from the analysis, that ‘which language should a child be instructed in, L1 or L2, in order to become bilingual?’ poses the question in a simplistic and misleading way. The question should rather be: ‘under which conditions does instruction in L1 or L2, respectively, lead to high levels of bilingualism?’”

(Skutnabb-Kangas 1990: 17)



How could the problem be solved?

We believe that improving the standard and efficiency of the education of Ukrainian as state language in the schools of national minorities can be achieved through an education system where the language of instruction is the mother tongue of children, and the state language is taught at a high level by specially trained bilingual professionals, using modern curricula, textbooks and methods.