

POLICY LANDSCAPE IN TURKEY ON SCHOOL BULLYING
AN EXPLORATION OF MAIN ISSUES AND SHORTCOMINGS FROM A
SOCIO-ECOLOGICAL PERSPECTIVE

OSMAN ADIKUTLU

OCTOBER 2019

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SOCIO-ECOLOGICAL PERSPECTIVE

A THESIS SUBMITTED TO
THE GRADUATE SCHOOL OF SOCIAL SCIENCES
OF
MIDDLE EAST TECHNICAL UNIVERSITY

BY
OSMAN ADIKUTLU

IN PARTIAL FULFILMENT OF THE REQUIREMENTS
FOR
THE DEGREE OF MASTER OF SCIENCE
IN
THE DEPARTMENT OF SOCIOLOGY

OCTOBER 2019

Approval of the Graduate School of Social Sciences

Prof. Dr. Yaşar Kondakçı
Director

I certify that this thesis satisfies all the requirements as a thesis for the degree of Master of Science .

Prof. Dr. Ayşe Saktanber
Head of Department

This is to certify that we have read this thesis and that in our opinion it is fully adequate, in scope and quality, as a thesis for the degree of Master of Science.

Prof. Dr. Ayşe Gündüz Hoşgör
Supervisor

Examining Committee Members

Assoc. Prof. Dr. Mustafa Şen (METU, SOC) _____
Prof. Dr. Ayşe Gündüz Hoşgör (METU, SOC) _____
Assoc. Prof. Dr. Mustafa Altunoğlu (Anadolu Uni., SOS) _____

I hereby declare that all information in this document has been obtained and presented in accordance with academic rules and ethical conduct. I also declare that, as required by these rules and conduct, I have fully cited and referenced all material and results that are not original to this work.

Name, Last name : Osman Adıktu

Signature :

ABSTRACT

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Adikutlu, Osman

Master of Science, Department of Sociology

Supervisor : Prof. Dr. Ayşe Gündüz Hoşgör

October 2019, 119 pages

This thesis argues – and will seek to demonstrate that – policy implementations regarding violence and bullying against children in Turkey are still far from being adequate. Despite the improvements, Turkey still fares poor in relation to the aspirations of the international standards. There exist significant gaps to be addressed and fulfilled in overall understanding of violence, in legislation and implementation at school settings. Within the framework of this observation, the thesis, by adopting a socio-ecological theoretical perspective, questions the social and institutional dimensions that determine the broad social policy framework and the quality of educational settings.

Keywords: Child Rights, Violence and Bullying, Education, Policy

ÖZ

TÜRKİYE’DE OKUL ZORBALIĞINA YÖNELİK POLİTİKALARIN GÖRÜNÜMÜ, SOSYO-EKOLOJİK PERSPEKTİFTEN TEMEL KONULAR VE SORUNLARIN AÇIKLANMASI

Adıkutlu, Osman

Yüksek Lisans, Sosyoloji Bölümü

Tez Yöneticisi: Prof. Dr. Ayşe Gündüz Hoşgör

Ekim 2019, 119 sayfa

Bu tez, eğitim ortamında çocuğa yönelik şiddet ve zorbalığı önleme politikalarının beklenen sonuçları üretmekte yetersiz kaldığını, uygulanan projelerin katkılarının sınırlılığına ve mevzuat değişikliklerinin uygulamadaki başarısızlığına ve/veya uygulamakla yükümlü kurumlardaki politik isteksizlikten doğan duruma ilişkin gözlemden hareket etmektedir. Bu gözlem çerçevesinde, tez, bir sosyo-ekolojik teorik bakış açısı benimseyerek, geniş sosyal politika çerçevesini ve eğitim ortamlarının niteliğini belirleyen toplumsal ve kurumsal boyutları sorgulamaktadır.

Anahtar Kelimeler: Çocuk Hakları, Şiddet, Zorbalık, Eğitim, Politika Ortamı

To My Beloved Family; Beril, Selin and Serpil

ACKNOWLEDGEMENTS

I would first like to express my sincere appreciation and gratitude to my supervisor Prof. Dr. Ayşe Gündüz Hoşgör for her guidance, continuous support, constructive comments and feedback provided throughout this research study.

Secondly, I am thankful to the examining committee Assoc. Prof. Dr. Mustafa Şen and Assoc. Prof. Dr. Mustafa Altunoğlu for their inspiring comments and contributions.

I would like to thank my professors at Sociology Department in METU, for the stimulating discussions we had throughout the years in undergraduate and graduate studies; Also, I am very grateful to Ms.Sündüs Aydın for her technical assistance that is gratefully acknowledged.

I owe a debt of gratitude to my former colleagues in the Ministry of National Education who do not hesitate to share their valuable knowledge with me during my research.

Finally, I gratefully express my special thanks and indebtedness to my daughters Beril Adikutlu, Selin Adikutlu; my classmate and my wife Serpil Adikutlu for their unfailing support and motivation and especially their concomitance and contributions to my research. Their love and continuous encouragement are my inspiration for life. This accomplishment would not have been possible without them.

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LIST OF ABBREVIATIONS

CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CFS	Child Friendly School (UNICEF)
CMK	Ceza Muhakemesi Kanunu
CP	Child Protection
CRC	Convention on the Rights of the Child
CSD	Coordination Strategy Document in Child Protection Services
EC	European Commission
ECOSOC	Economic and Social Council (UN)
EU	European Union
ILO	International Labour Organisation
MFLSS	Ministry of Family, Labour and Social Services
MFSP	Ministry of Family and Social Policy
MoH	Ministry of Health
MoJ	Ministry of Justice
MoNE	Ministry of National Education
NGO	Non-governmental Organization
SEM	Socio Ecological Model
TAT	Technical Assistance Team
TNSA	Turkish Demographic and Health Survey
UN	United Nations
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNICEF	United Nations Children's Fund
UNVAC	United Nations Against Violence to Children
VAC	Violence Against Children
VAW	Violence Against Woman
WB	World Bank
WHO	World Health Organisation
WSA	Whole School Approach

CHAPTER 1

INTRODUCTION

Childhood is not only a process of growth, but a very special period that involves complex dynamics in terms of mental, emotional and social development. From a sociological perspective, it is seen that there are differences in approaching “childhood” in society. In its broader sense, in traditional societies childhood is considered unnecessary period that must be completed rapidly. On the other hand, in contemporary societies, childhood is considered to be a very special stage that has different needs and expectations than adults; because childhood has unique biological, psychological and social characteristics; their problems are different than adults. In this respect, child(ren) rights have emerged with the recognition of human rights and constitutional fundamental rights to children. Therefore, it is not possible to address child rights independently of universal human rights. This thesis is also following the “rights-based” approach, with an emphasis to Convention on the Rights of the Child (CRC) pillars as protection, development, survival and participation rights of the child. Therefore, to work on child rights-related issues requires interdisciplinary approach. As this thesis is looking also to policies on protecting children from violence and developing policy recommendations, uses both sociology and social policy analysis tools. In its broader definition “social policy¹ is concerned with the ways societies across the world meet human needs for security, education, work, health and wellbeing. Social policy analyses the different roles of national governments, the family, civil society, the market, and international organisations in providing services and support across the life course from childhood to old age”. Support to solving child

¹ <http://www.lse.ac.uk/social-policy/about-us/What-is-social-policy>.

issues, education, poverty reduction, reducing inequalities, access to various services are among the aims of social policy.

Urbanization and economic development in Turkey have an impact on changing the roles and the value of the child. During the transformation from rural to urban life, a child became to have less economic contribution to the family. Thus, this refers to a tendency of having fewer children due to the decrease in the economic value of the child. Kağıtçıbaşı (2012)² argues that, “the child who contributed to his family by working in the field in rural life, became a consumer in urban life. However, the overall value of the child differs, the psychological value attributed to the child is increasing”.

Recent statistical data³ indicates people fewer children; total fertility rate in Turkey in 2018 is 1.99 which means 2 child per family. But the data also points out, there is a regional disparity aspect; Şanlıurfa province with 4.13 children has the highest fertility rate; Gümüşhane with 1,3, Kütahya, Zonguldak and Edirne provinces with 1,43 children has lowest total fertility rate.

In contemporary world, education is a very basic right for each child, no matter where s/he is born and live. That is education providing opportunity for the development of a child enables the child to improve creative talents and critical thing, gaining life skills and develop social relations. A child as an individual, has to grow with dignity, confidence and self-esteem. Schools offer to the children the opportunities of learning many values, tolerance, and respect to the other' s rights. Today, for many children school environment meaning a place in which they are exposed to violence in various form.

Violence takes place in many settings, and the school is not immune to it. Violence in the school mirrors social attitudes, including the still frequent perception of violence as a legitimate and needed form of child discipline; and it is also affected

² Kağıtçıbaşı, Ç. (2012). Benlik, aile ve insan gelişimi kültürel psikoloji (3.baskı İstanbul:Koç Üniversitesi Yayınları.

³ Turkey's Statistical Institute (TurkStat) Fertility Rate, 2018.

by the environment surrounding the school, including social unrest, availability of weapons and gang criminal activities.

Violence has serious emotional and health effects; it reduces children's learning abilities and school performance. Also, it inhibits positive relationships, provokes low self-esteem, trauma and depression; and often leads to risk-taking and aggressive behaviour and at times self-inflicted. Various UN and EU texts refer to the delinquency, violence in Turkey and the EU Commission points out the importance of developing research driven policies to address these problems.

1.1. Context of the Research

To begin with the “general and widely accepted” definition, the phenomenon of violence against children includes physical, social, emotional, and sexual violence. It includes the harm related to violence which is a multidimensional issue.

There are several and rich definitions of violence and it's been summarised on the Chapter 2 of this thesis. Different approaches emphasise various aspects of the phenomenon. But the most common element of the definitions is “*not focusing only the physical harm*”. As an example, UN Convention on the Rights of the Child (CRC) in Article 19 says “all forms of physical or mental violence, injury and abuse, neglect, or negligent treatment, maltreatment or exploitation, including sexual abuse. This includes extensive range of different forms of harm, from physical and mental violence, to maltreatment or exploitation, to negligence.

The literature review presented in the coming chapters show that, violence against children exists in every single country of the world; it is not a problem of only “poor countries” or a problem peculiar to specific religious groups, nor belongs to some cultures. And children from different class, ethnic, educational and religious groups are affected from violence and its results. From global and national human rights and child protection perspectives, violence against children, in any form, is a very serious problem. For being “hopeful for the future”, should be noted down, it

is always preventable thru a well-designed preventive measures, legislation and multi-faceted intervention programs.

1.2. The Scale of the problem: A short introduction to “Data”

A recent data source⁴ on the global outlook of violence indicates that, between 80% and 98% of children are suffering from physical punishment at home. Another figure from the same source is related to bullying at school; in the month preceding the research, over a third of children and in some cases 2/3 of the children, questioned had been subjected to bullying.

Finally, The UN Study on Violence against Children (UNVAC) identified *four main forms* of violence in schools: bullying, sexual and gender-based violence, physical and psychological violence.

Bullying in this study, has been defined as “a pattern of behaviour” rather than an isolated event and it’s been found that, *most common form of bullying is verbal*. The critical aspect of verbal bullying is that, if left unchecked can lead also to physical violence.

A comparable data from Turkey has been utilized in this thesis in order to see the magnitude; the prevalence of VAC issues under the light of elaborated various approaches. Under the EU funded *Technical Assistance for Fight against Violence towards Children Project 2013-2015*” a qualitative and quantitative survey⁵ has been carried out in 81 provinces of Turkey, with *4769 students, 2425 teachers and 2373 parents*.

The survey results has been discussed in Chapter 3 and here is to provide a short summary on critical findings which seem to be parallel with the global findings; outlook of violence indicates that, the rate of *physical violence (perception) in and*

⁴ Ending Violence in Childhood. Global Report 2017.

⁵ Şiddet Algısı Sıklığı Araştırması, MEB, 2015 (unpublished).

around the school setting” is 87.5%, 98.3%, and 89.5% for students, teachers and parents respectively.

The most striking result and a salient issue is **the ratio of those who are unsure/undecided**. In various questions, 33.3% to 35% of students are unsure/undecided *whether “verbal or emotional violence (yelling, calling names, emotional bullying etc.)” is violence or not*. To remind, the literature on VAC, clearly defines that, verbal and emotionally violent behaviours and bullying is violence.

Despite various domestic violence types are “uncovered by the survey”, **students declare as, they are not perceiving “other than physical violence” as violence at home**; this could be seen as “legitimizing or ignoring the domestic violence.

The existence of domestic violence is checked with an indirect technic thru questions asked to the teachers and striking results found. Physical abuse-beating of the child at home is 97.6% and jostling /pushing / nailing the child at home is 97.5%.

To sum up, the findings of the survey seem very important in giving some hints about the *“silent or hidden prevalence”* of violence against/ among the school age children.

1.3. Background and Significance of the Issue: Why Understanding Bullying is Important

Violence against children -in any form- is a violation of the most central rights of children. It is a social problem with extensive and long-lasting damages to both individual and society. School bullying (and victimization) is a particular and widely experienced form of violence against children. Bullying and victimization during childhood and adolescent years bring about several negative consequences both immediately and later in adulthood years in regard to physical health, mental health, and family/social relations (Cowie (2013); Copeland, 2013; Arslan et al,

2012; Allison, 2009) The fact that victims may often turn to bullying as a coping strategy makes this social problem even more complicated and self-perpetuating (Smokowski and Kopasz, 2004). Thus, school bullying is a significant topic and concern for educators, scholars and policy-makers everywhere (Rigby and Smith, 2011; Elias, 2013).

Along with the increased academic knowledge coming from new theoretical perspectives and solid empirical data especially since the 1970s on the causes and effects of violence in general and bullying in particular, there has emerged a parallel policy-perspective for protecting children before the damage is done (Olweus, 1993; Espelage and Swearer, 2004; Jimerson et al, 2009).

In a similar yet late-coming fashion, policy discourse in Turkey on violence and bullying shifted towards more pro-active strategies during the 2000s while at the same time child-protection legislation and procedures have become rewritten along the EU standards (Child Protection Law, establishment of separate prosecutors and police forces for crime against children, existence of counsellor during interrogation and testimony of children etc.). A number of legislative developments and national projects -inspired and funded by international organizations and implemented within the bodies of the Ministry of National Education and Ministry of Family and Social Policies and Ministry of Justice-sought to establish a preventive policy understanding.

In that regard, policies have become more in line with the standards of the global policy landscape. On the other hand, neither the level of violence at educational settings nor the school bullying as a form of violent behaviour has decreased. Turkey still fares very poor in relation to the expected outcomes of the legislative changes as well as by international standards. Empirical research about Turkey shows the high prevalence of bullying in Turkey and underlines school bullying as an ongoing issue that requires constant attention (Kepenekçi and Çingir, 2006; Kapçı, 2004; Pişkin, 2006; Pişkin 2010).

Kepekçi and Çingir (2006) observe that in an academic year, 35.3 percent of students in their sample reported to have been verbally bullied (mainly by name-calling) ; 35.5 percent physically bullied (mainly by pushing and physical force), 28 percent were emotionally bullied (mainly by humiliating behaviour), and, most worrisomely, 15.6 percent were sexually bullied. In other words, Kepekçi and Çingir (2006) find that in any year each and every student are subjected to bullying behaviour at least once. Similarly, the research conducted Yurtal and Cenkseven (2007) study finds that 75% of the students experienced some form of bullying by means of pushing, swearing, name-calling,intentional damage to personal items, and gossiping. Pişkin (2010) finds in their sample that 35.1 percent of students as victims (of bullying behaviour), 6.2 percent as bullies, and 30.2 percent as both victim and bully. A recent and wide-scale TÜBİTAK research conducted by a large team of researchers finds that 65 percent of students have been bullied by another student, while 50 percent report that they engage in bullying behaviour towards other students. (Pişkin, 2011) Kartal (2009) finds that that almost 80 percent of the 460 students involved in her sample school reported to have been subjected to bullying during the 1-month period preceding the survey (Kartal, 2009).

As it is mentioned in several part of this thesis, bullying is a crucial and most prevalent part of the violent behaviour in schools. Another recent research looked at the prevalence, types, places, times of bullying behaviours in primary schools and what the students do in the face of bullying behaviours. The research was conducted with a sample of 433 students (212 girls (49%), 221 boys (51%)) aged 10–14 years. As a result of the research, the bully behaviours encountered in the school were “pushed”, cursed to me”, I was called with dislikes”, al mocked with me”, my clothes or my belongings were damaged”, gossiped about me”.

Boys exposed to bullying more than girls most frequent place of bullying was the “school yard and the highest time was on the way home from school”. Bullying behaviours in the school were mostly from the male and older students (Yurtal and Cenkseven, 2016).

A research conducted by Çuhadaroğlu, et al, (2004) aimed at to develop a profile of normal adolescent development provides supportive findings and recommendations on violence issues in schools. These issues need to be handled by training teachers and headmasters of schools. Schools counselling services needed to be developed further. Changes in academic programmes are also needed. It is very important to look for the reasons of dropout rates in the schools. Mental health problems and drug and alcohol use are more common in these groups. Parental education is found to be an important factor for adolescent mental health. Parental education programmes need to be enhanced and new programs should be developed concerning specific issues like family violence. The research is shading light on to gender issue as its been found out, the school boys from low socio economic status are more frequently exposed to violent situations. Protective programmes should be developed for this risk groups.

1.4. Aim and Objective of the Research

Motivated by the above observations about Turkey, this thesis seeks to develop answers to the following question: **What could be the larger sociological and institutional factors (beyond and above the individual/psychological dimension) contributing to the prevalence of bullying and the failure of legislative changes in generating the expected outcomes in Turkish schools?** In other words, the thesis tries to pull out and discuss the underlying sociological and institutional dimensions among factors responsible for poor outcomes on school bullying. In doing so, the thesis uses the socio-ecological model, as its theoretical framework (For further information: Chapter 2 for various approaches to understand/explain school bullying and the relevance of socio-ecological perspective for the purposes of the thesis).

Utilizing the socio-ecological framework, the thesis underlines the 1) the lack of political will, 2) existence of a strong familistic⁶ and gendered perspective in the policy landscape and in society, 3) a wider normalization of violence at the

⁶ Familistic is briefly defined in literature as the “subordination of the personal interests and prerogatives of an individual to the values and demands of the family”.

societal and children level, 4) the level of poverty and the socio-economically disadvantaged population as factors, responsible for situation in Turkey.

In developing its analysis, the thesis reviews a number of projects implemented and the new policies introduced during the 2000s within the bodies of the Ministry of National Education, Ministry of Family and Social Policies and the Ministry of Justice. It presents and discusses the institutional and ideational underpinning of the policies by looking at the project documents, policy processes, legislative and institutional outcomes, in the light of the tools provided by the socio-ecological perspective.

1.5. Methodology of the Thesis

Due to its complicated “nature”, violence against children has a multifaceted structure and it can be -and has been- studied via several scientific disciplines such as sociology, psychology, economics, public policy, social work, educational science, medicine and law. All of these disciplines, in a variety of ways, feed the perspective and discussions of this thesis. Yet, at its basis level, the main approach that guides this thesis is an inter-disciplinary sociological perspective.

As seen in Figure-1, the sociological perspectives is constructed on the theories of Attachment Theory and Social Learning/Social Cognitive Theory as a basis for framing the children concept and continue with focusing on the violence against children. In this respect, the main theoretical approach stands as the socio-ecological theory and framework for understanding bullying. Also, the contemporary practices and strategies of European Charter for Democratic Schools without Violence, Seven Strategies for Ending Violence against Children: INSPIRE and Whole School Approach, also covered to frame the violence against children problem in a comprehensive manner in this thesis.

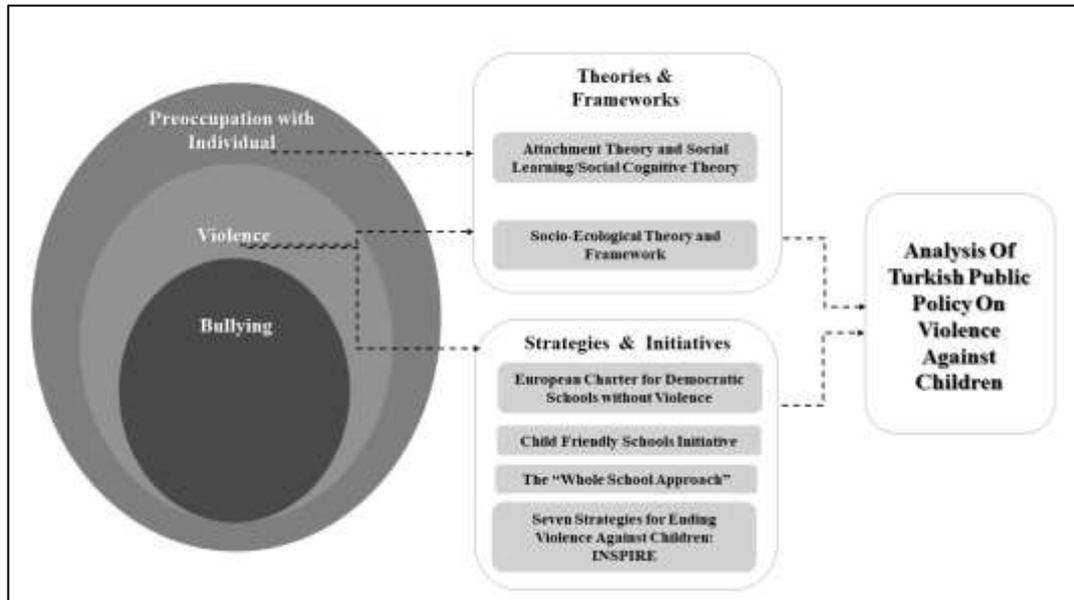


Figure 1. Graphical Representation of Framework of Analysis Utilized

1.5.1. Expected Outcomes of the Research

While addressing the gap between policy and the practice levels, and by utilizing the socio-ecological framework, the thesis attempting to understand, to interpret what could be the larger sociological and institutional factors contributing to the prevalence of bullying and the failure of legislative changes in generating the expected outcomes in Turkish schools.

At the end, it is expected to develop recommendations on the gaps of the legislative and institutional developments which failed to produce a meaningful transition in the policy and implementation landscape on violence against children.

1.5.2. Data Collection

This thesis based on a systematic review of available selected documents (academic articles, reports, studies, action plans etc.). It adopts a broad definition of violence against children including physical, sexual and psychological forms of violence, and it analyses the most recent and solid sources, from different national institutions such as Ministries, Universities, and NGOs etc., from international

organizations such as EU, UNICEF, WHO, UNESCO etc., on violence against children in at home, in society, workplaces and schools.

This thesis is concerned with the violence against children in general across the whole policy landscape, but it pays special attention to the topic of violence in the form of bullying at school settings which includes the family. This is because, first, schools, on a number of issues, takes place at the intersection of family, society and state dynamics; and second, violence at schools is an important and worrisome issue in Turkey. Section 1.2 of this thesis provides proofs and data on the issue.

1.5.3. Structure of the Thesis

This thesis is structured in 5 chapters including this introductory paragraph which in the main concepts, the context and the methodology of the research is introduced. Following the introduction chapter, chapter two review the theoretical approaches to school bullying and sets up the theoretical perspective adopted in this thesis. It also demonstrates the leading practices and approaches for protection children from violence on the basis of the central notions and primary goals behind these approaches. This Chapter provides definitions of bullying since Olweus' pioneering studies (1978) along with the enrichment of its definition with other contributions. By explaining these leading theories, a framework of analysis is drawn based on the literature reviewed. Sub-sections of this chapter include the pioneering theoretical approaches derived from both academic sources and also commonly accepted definitions of violence from international conventions and/or thematic reports.

This literature review chapter is followed by Chapter three where the policy landscape in Turkey on violence against children is reviewed for providing a picture of major policy developments, national projects and strategy documents during the 1990s and especially the 2000s.

Based on the theories and approaches regarding violence against children and the policy review of Turkish context the analysis of the Turkish policies about violence against children in the school context is structured in nine sections within Chapter Four discusses the main problems and shortcomings in these projects and policies of the 2000s and elaborates on why unless these problems and shortcomings are addressed and an ideational and institutional shift in Turkey occurs, it is almost impossible to reduce school bullying. Lastly, Chapter five wraps up and concludes with pointing out the missing parts in legislation and also proposes “doable strategy / action points” from the perspective of socio ecological model.

1.6. Concluding Remarks of Chapter 1

Chapter 1 is the designed as to summarize the road map of the thesis. It starts with an introduction paragraph which summarizes the outlook of the research problem. Then it is developing thru elaborating on the aim and objective of the research, methodology of the thesis, expected outcomes of the research, problems faced and availability of data and finally summarizes the structure of the thesis.

CHAPTER 2

THEORETICAL PERSPECTIVES ON DEFINING AND UNDERSTANDING VIOLENCE AGAINST CHILDREN-BULLYING: MAIN CONCEPTS, DEFINITIONS AND APPROACHES

Chapter two starts with the dictionary definition, of violence against children and then review the conceptual definition for creating a common ground of understanding the concept. This is followed by defining bullying as this research focuses on bullying in the school environment. Then, following parts demonstrates the leading practices and approaches for protecting children from violence based on the central notions and primary goals behind these approaches. By explaining these leading theories, a framework of analysis is drawn based on the literature reviewed.

2.1. Violence Against Children

This section starts and evolves around discussing and compiling the definitions regarding violence against children. Selected theoretical perspectives on understanding and explaining violence against children in the form of bullying has been reviewed in detail. The Chapter concludes with elaborating on “how various approach, strategies are useful in understanding and responding to violence against children at schools.

2.1.1. What is Violence and what are the Main Types of Violence?

To begin with, most English dictionaries define violence as follows: “(1) the use of physical force to injure somebody or damage something; (2) the illegal use of

unjustified force, or the effect created by the threat of this”⁷. Another commonly used definition has been coined by Olweus who writes that “Violence or violent behaviour is: aggressive behaviour where the actor or perpetrator uses his or her own body or an object (including a weapon) to inflict (relatively serious) injury or discomfort upon another individual”⁸

Finally, since the launch of the WHO World report on violence and health in 2002, several international organizations, scholars and practitioners have begun adopting the World Health Organization’s definition of violence as the standard one. The WHO defines violence as:

The intentional use of physical force or power, threatened or actual, against oneself, another person, or against a group or community, that either results in or has a high likelihood of resulting in injury, death, psychological harm, mal-development or deprivation⁹

This definition covers a broad range of outcomes, going beyond physical acts. The definition reflects a growing recognition of the need to address violence that does not necessarily result in injury or death, but that nonetheless imposes a substantial burden on individuals, families, communities, and health care systems worldwide.

Accompanying the WHO definition there follows a typology demonstrating violence in three broad categories according to the *agent* committing the violence¹⁰:

- Self-directed violence is subdivided into suicidal behaviours including suicidal thoughts, attempted suicide, and completed suicide; and self-abuse including acts such as self-mutilation.

⁷ Encarta World English Dictionary, 1st edition, 1999, edited by Anne Soukhanov.

⁸ Olweus 1999, p.12.

⁹ Who World Report on Violence and Health, 2002.

¹⁰ Preventing violence and reducing its impact: How development agencies can help. WHO 2008; http://whqlibdoc.who.int/publications/2008/9789241596589_eng.pdf.

- Interpersonal violence is subdivided into family violence (including child abuse and neglect, intimate partner violence, and elder abuse) and community violence (including youth violence, rape or sexual assault involving strangers, and violence in institutional settings such as schools, workplaces, prisons, and nursing homes).
- Collective violence is subdivided into social violence including crimes of hate or terrorist acts committed to advance a social agenda; political violence including war and related violent conflicts, state violence and similar acts carried out by larger groups; and economic violence including attacks by larger groups motivated by economic gain.

In brief, across definitions and typologies, violence is defined as harmful or damaging act, or at least it threatens to give harm and/or damage; and it is intended.¹¹

UNICEF describes and categorizes violence against children as a specific type of violence targeting children, under the four main headings and their particular definitions¹²:

- 1) **Physical Violence:** all corporal punishment and all other forms of torture, cruel, inhuman or degrading treatment or punishment as well as physical bullying and hazing by adults or by other children.
- 2) **Sexual Violence:** any sexual activities imposed by an adult on a child against which the child is entitled to protection by criminal law. This includes: (a) The inducement or coercion of a child to engage in any unlawful or psychologically harmful sexual activity; (b) The use of children in commercial sexual exploitation; (c) The use of children in audio or visual images of child sexual abuse; and (d) Child prostitution, sexual slavery, sexual exploitation in travel and tourism, trafficking for purposes of sexual exploitation.

¹¹ *Violence reduction in schools – how to make a difference: A Handbook*, Council of Europe.

¹² *Hidden in Plain Sight: A statistical analysis of violence against children*, UNICEF, 2014. P.5.

- 3) **Mental Violence:** psychological maltreatment, mental abuse, verbal abuse and emotional abuse or neglect. This can include: (a) All forms of persistent harmful interactions with a child; (b) Scaring, terrorizing and threatening; exploiting and corrupting; spurning and rejecting; isolating, ignoring and favouritism; (c) Denying emotional responsiveness; neglecting mental health, medical and educational needs; (d) Insults, name-calling, humiliation, belittling, ridiculing and hurting a child's feelings; (e) Exposure to domestic violence; (f) Placement in solitary confinement, isolation or humiliating or degrading conditions of detention; and (g) Psychological bullying and hazing by adults or other children, including those conducted via information and communication technologies such as mobile phones, social media, the Internet etc.
- 4) **Neglect and Negligent Treatment:** Failure to meet children's physical and psychological needs, protect them from danger or obtain medical, birth registration or other services when those responsible for their care have the means, knowledge and access to services to do so. It includes: (a) Physical neglect: failure to protect a child from harm, including through lack of supervision, or to provide a child with basic necessities including adequate food, shelter, clothing and basic medical care; (b) Psychological or emotional neglect, including lack of any emotional support and love, chronic inattention, caregivers being 'psychologically unavailable' by overlooking young children's cues and signals, and exposure to intimate partner violence or drug or alcohol abuse; (c) Neglect of a child's physical or mental health: withholding essential medical care; (d) Educational neglect: failure to comply with laws requiring caregivers to secure their children's education through attendance at school or otherwise; and, (e) Abandonment
- 5) **Violence in work settings:** There are little data on violence against child workers, especially those in the informal sector. International standards, such as ILO Convention No. 138 (1973) concerning Minimum Age for Admission to Employment preclude children under the minimum age of employment from being in the workplace.

Across all regions, violence — physical, sexual and psychological — affects many millions of children who are working, all over the world, both legally and illegally. It may be used to:

- **Coerce children to work,**
- **Punish or control them within the workplace.**

Some categories of illegal work have been identified as the “worst forms of child labour” and therefore constitute violence against children.

Information on acts of workplace violence against children suggests that most cases are inflicted by “employers”, although perpetrators may also include co-workers, clients, foremen, customers, police, criminal gangs and, in the case of sexual exploitation, pimps.

The largest employment category for girls under 16 is domestic work which often takes the form of unregulated employment and exploitation, and sometimes servitude or slavery¹³. Several countries have designated it a “worst form” of child labour under ILO Convention No. 182 (1999)⁹ concerning the “*Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour*”. Child workers report indicates that maltreatment such as physical punishment, humiliation and sexual harassment, and being consistently humiliated.¹⁴

Main social settings in which violence against children take place are the following:

- Families and Homes
- Schools and all kinds of educational/training sites.

¹³ Abuses Against Child Domestic Workers in El Salvador, Human Rights Watch, vol. 16, No. 1(B) (2004); Always on Call: Abuse and Exploitation of Child Domestic Workers in Indonesia, Human Rights Watch, vol. 17, No. 7(C) (2005); Human Rights Watch, Inside the Home, Outside the Law: Abuse of child domestic workers in Morocco, Human Rights Watch, vol. 17, No. 12(E) (2005); and T. Blanchet, Lost Innocence, Stolen Childhood (Dhaka, University Press Limited, 1998).

¹⁴ Child domestic workers: A handbook on good practice in programme interventions (London, Anti-Slavery International, 2005), pp. 5-6.

- Caregiving institutions, foster care, orphanages
- Healthcare institutions, hospitals, clinics
- Prisons
- Workplaces, offices, factories
- Any public space, streets, parks, sports organizations, sports activities, associations,
- Virtual (online, cyber) sites such as social media, Facebook, Twitter, Instagram, Reddit, online forums, online news and discussion sites, homework sharing sites, torrents, online video games.

It must be noted that most of the literature on violence against children assumes that violence is exercised by parents or other relatives inside home or within community. Thus, compared to the level of documentation at home, violence at school and educational settings may remain undocumented and widely **‘invisible’**¹⁵. This is also partially related to the general acceptance that schools are automatically safe and protected places. However, schools – like other social contexts – are sites of power relationships among teachers, non-educational staff, and students, and also among students themselves. Sometimes, these relationships can be lived in highly abusive ways. Difficulties of data collection at schools, different definitions and varying measurements techniques in different countries and provinces also make it harder to provide the fullest picture of violence at schools and other educational settings.

However, as *Violence Reduction in Schools Handbook* prepared by the Council of Europe reminds:

There are good reasons to be concerned about the issue of violence in schools. Firstly, it is immediately damaging – to those persons who suffer the violence, or to the school environment in cases of vandalism and secondly, it can create insecurity and fear that works against the purpose of the school; a climate of violence in school is the opposite of the education for citizenship that we broadly aim for, and it goes against the rights of pupils and young people to live free from fear and intimidation.”¹⁶

¹⁵ Main source: N. Jones, K. Moore, E. V.-Marquez, E. Broadbent, (2008) *Painful Lessons: The politics of preventing sexual violence and bullying at school*, working paper 295, London.

¹⁶ *Violence reduction in schools – how to make a difference: A Handbook*, Council of Europe.

Due to the importance of violence at school, and, as noted in the beginning of this chapter, due to the high prevalence of the violence at schools in Turkey¹⁷, this thesis pays special attention to violence at schools.

The conventional academic and policy terrain of child protection, for a long time, focused on particular instances and categories of violence along with particular groups of vulnerable children as victims of violence, such as children experiencing bullying at school, children experiencing sexual violence at domestic settings or educational settings, children subjected to female genital mutilation, enforced to being married as child brides, children affected by enforced migration, displacement and dispossession, victims of child trafficking, children from allegedly high-risk families (i.e. lower social economic status, lower education, low parenting skills).¹⁸

This can perhaps be called as a patchwork approach. One central and increasingly obvious repercussion of such approach has been patchwork policy responses, instead of integrated ones. Although it was certainly true that certain types and groups of children were exposed to higher risks of violence and they deserved particular attention, there has been an expanding consensus among academic and activist communities since the 1990s that these particular issues must be places in a larger context of child-protection and violence-preventions regimes.¹⁹

¹⁷ More data on this will be provided in further chapters, as can be expected.

¹⁸: Landgren, Karin (2005) "The Protective Environment: Development Support for Child Protection", *Human Rights Quarterly*, Vol. 27. pp. 214–248; Frienda, Colleen; Aron Shlonsky; Liz Lambertc, (2008)." From evolving discourses to new practice approaches in domestic violence and child protective services", *Children and Youth Services Review*, Vol: 30, No:6.

¹⁹ Wulczyn, Fred et al (2010) *Adapting a Systems Approach to Child Protection: Key Concepts and Considerations* UNICEF Publications. New York: UNICEF. Davies, Liz and Nora Duckett (2009) *Proactive Child Protection and Social Work* London: Sage Publications, Learning Matters Series.

A recent UNICEF lecture by Poirier aptly puts that any effective child protection regime should to be based on:²⁰

- increased coverage, by serving all children while maintaining a focus as well on those most at risk;
- reduced fragmentation of programmes and policies and therefore increased coherence;
- Greater efficiencies through the creation of synergies in administration and targeting;
- Greater focus on prevention;
- Holistic approach that allows us to see a child and her/his vulnerabilities from multiple angles;
- Involvement of many professionals who bring different expertise and perspectives.

2.1.2. Defining Bullying as A Common Type of Violence in School Environment

It is interesting that until the early 1980s most studies in developed countries about the violence against children were inclined to assume that violence is exercised by parents or other relatives inside home or within community. Thus, compared to the level of documentation at home, violence in general and bullying in particular at school settings had become relatively less documented and remained unrevealed. (Jones et al, 2008)^{21 22} However, schools – like social structures they are embedded in – are places of power relations. Difficulties of data collection at schools, different definitions and varying measurements techniques and self-reporting instruments utilized in different

²⁰ UNICEF Opening speech at the Ministerial Conference, by Marrie-Pierre Poirier, *Towards Integrated Child Protection Systems through the Implementation of the EU Agenda for the Rights of the Child*, 2013.

²¹: N. Jones, K. Moore, E. V.-Marquez, E. Broadbent, (2008) *Painful Lessons: The politics of preventing sexual violence and bullying at school*, working paper 295, London..

²² Perhaps, this could also be partially related to the modernist assumption that schools are safer and protected public places than family/community.

countries and provinces also make it harder to provide a high-resolution picture of bullying and its forms in educational settings (Atik, 2011).²³

More solid and academic understanding of school bullying as observed in the current state-of-the-art became possible with the introduction of concepts such as *bullying*, *bully*, *victim*, *victimization* in the literature and with the emergence of empirical research adopting these concepts during the 1980s. Following the pioneering studies of Olweus (1978) formerly used terms such as or *mobbing* have been dropped and replaced with *bullying*, *victimization* (Harris and Petri 2003²⁴; Smith et al, 2002²⁵ in Atik 2013).²⁶

Dan Olweus (1978)²⁷, in his classical study, initially defined bullying as “*the systematic use of physical or mental aggression by one or more children against a peer*”

Mishna (2012)²⁸ underlines that this initial definition did not include an understanding of power (power imbalance), intention a motivation, which several researchers,

²³ Atik, G. (2011). Assessment of school bullying in Turkey: A critical review of self-report instruments. *Procedia Social and Behavioral Sciences*, 15, 3232– 3238. doi: 10.1016/j.sbspro.2011.04.277.

²⁴ Harris, S., & Petrie, G. F. (2003). *Bullying: The bullies, the victims, the bystanders*. Lanham, Maryland: Scarecrow Press.

²⁵ Smith, P. K., Cowie, H., Olafsson, R. F., Liefhoghe, A. P., Almeida, A., Araki, H., Wenxin, Z. (2002). Definitions of bullying: A comparison of terms used, and age and gender differences, in a fourteen-country international comparison. *Child Development*, 73(4), 1119-1133.

²⁶ Atik, G (2013) *Student and School Level Factors in Victimization of Middle School Students: An Ecological Perspective*, Unpublished PhD Thesis, Graduate School of Social Sciences, Middle East Technical University, Ankara.

²⁷ Olweus, (1978) *Aggression in the schools: Bullies and whipping boys*. Washington and London: Halsted Press.

²⁸ Mishna, F. (2012) *Bullying: A Guide to Research, Intervention, and Prevention* Oxford Univ Press. University Press Scholarship. DOI: 10.1093/acprof:oso/9780199795406.001.0001.

including Olweus himself, added later on. (Besag, 1989²⁹; Bosworth, Espelage, & Simon, 1999³⁰ in Mishra, 2012; Olweus 1991 and 1993).

Later, in his widely-used and widely-translated study, Olweus (1993) enriched the definition of bullying as the following:

A person is being bullied when he/she is exposed, repeatedly and over time, to negative actions on the part of one or more other persons. Negative action is when a person intentionally inflicts injury or discomfort upon another person, through physical contact, through words or in other ways (Olweus, 1993).³¹

Despite various disagreements among researches in regard to boundaries of the concept of bullying, during the late 1990s and 2000s a minimal consensus about bullying emerged: Bullying is a form of aggression, it can be direct or indirect, it includes physical, verbal, or psychological and relational acts, it is intentional, it occurs in relationship of power imbalance, and it is repeated over time. (Mishra, 2012) (See Figure 2).

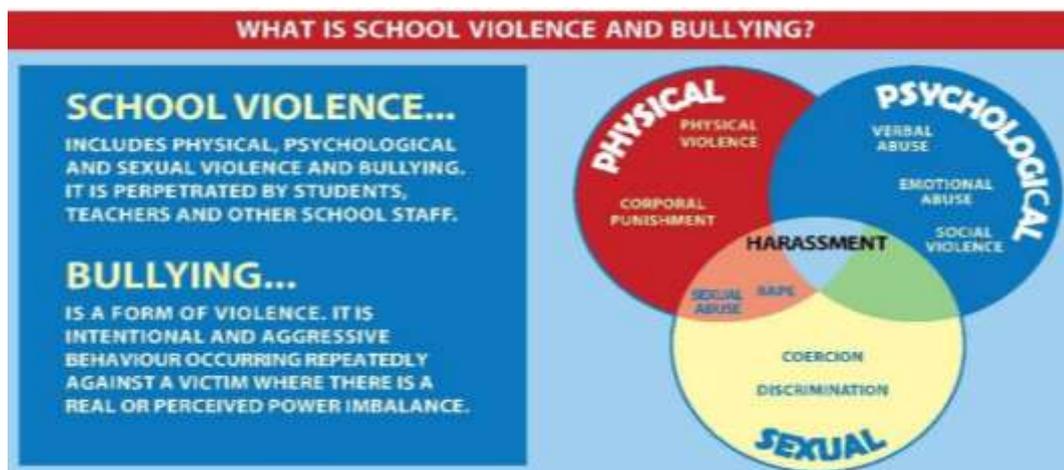


Figure 2. What is School Violence and Bullying

²⁹ Besag, V. (1989), *Bullies and victims in schools: a guide to understanding and management*, Open University Press.

³⁰ Bosworth, K., Espelage, D. L., & Simon, T. (1999). Factors associated with bullying behaviour in middle school students. *Journal of Early Adolescence*, 19, 341-362.

³¹ Olweus, D. (1993). *Bullying at school: What we know and what we can do*. Oxford, UK; Cambridge, USA: Blackwell.

2.2. Theoretical Perspectives on Understanding and Explaining Violence Against Children in the form of Bullying

Among the disciplines of social science there have been several theoretical perspectives developed in order to understand, explain, measure, predict, compare and understandably prevent bullying. The range of theories on bullying vary from the most minute, namely genetic, biological, psychological, individual level to broadest, societal, political, governmental and global level. In this chapter we will review a few representative perspectives. Then, we will focus on socio-ecological perspective as one seeking to integrate several components of bullying and its relevance to this thesis.

2.2.1. Preoccupation with the Individual: Attachment Theory and Social Learning/Social Cognitive Theory

One of the most basic level engagements with the Individual come from Attachment theory. According to Attachment Theory, the first years of relationship between the mother (or care-provider) and the child may have life-long formative effects on the way a child and /or adult behaves (Bowlby, 1969/1982; Sroufe, 2005). In other words, the theory suggests that early bonds- or their lack thereof in the form of insecure attachment- determine the later bullying/victimization behaviours and anti-social behaviour (Klaus, Kennel and Klaus, 1995³² ; Furukoa et al 1999).³³

Social learning theory has become another very significant theoretical approach by which researchers seeks to make sense of bullying. It still functions at the individual level, but in a way that is relatively - not fully- more sociological than Attachment Theory.

³² Klaus, M. H., Kennell, J. H., & Klaus, P. H. (1995). *Bonding*. Boston: Addison-Wesley.

³³ Furukawa, T., Yokouchi, T., Hirai, T., Kitamura, T., & Takahashi, K. (1999). Parental loss in childhood and social support in adulthood among psychiatric patients. *Journal of Psychiatric Research*, 33, 165-169.

Social learning lens is based on the notion that children learn and develop behaviours through repeated modelling of certain forms of actions. The key point, however, not that witnessing a particular action, i.e. witnessing aggressive behaviour just once or twice necessarily make a child automatically a bully. Yet, observing –and learning/modelling- that various aggressive behaviour gets rewarded in the form of social status, popularity/respect among peers (Mishra 2012; Bernstein and Watson, 1997).

In one of the leading experiments forming basis of social learning theory, children were made to witness adults engaging in aggressive behaviour towards bobo dolls. One group of children was shown that the aggressive action towards dolls gets rewarded whereas the other group did not observe anyone being rewarded for their aggression. At the end and, those who observe the rewarding were found to be more likely to engage in similar aggressive behaviour (Bandura 1977, Bandura, Ross and Ross, 1961).³⁴

Social learning theory has found many applications in the learning of bullying behaviour in the family, at school, via mass communication, media. Most importantly, in recent decades, social cognition theory, which was derived from social learning theory, in order to make it more sociological than psychological, used especially in order to better explain the effects of media and mass communication in the development of bullying and other violent behaviour. In the words of Bandura (2001):

Social cognitive theory provides an agentic conceptual framework within which to analyse the determinants and psychosocial mechanisms through which symbolic communication influences human thought, affect and action. Communications systems operate through two pathways. In the direct pathway, they promote changes by informing, enabling, motivating, and guiding participants. In the socially mediated pathway, media influences link participants to social networks and community settings that provide natural incentives and continued personalized guidance, for desired change. Social cognitive theory analyses social diffusion of new styles of behaviour in terms of the psychosocial factors governing their acquisition and

³⁴ Bandura, A., Ross, D. & Ross, S.A. (1961). Transmission of aggression through imitation of aggressive models. *Journal of Abnormal and Social Psychology*, 63, 575-82; Bandura, A. (1977). *Social Learning Theory*. Englewood Cliffs, NJ: Prentice Hall.

adoption and the social networks through which they spread and are supported (Bandura, 2001)³⁵.

2.2.2. Socio-Ecological Theory and Its Importance to Understand Bullying Sociologically

The level of engagement with the individual or his/her relationship with his/her environment espoused by attachment theory and social learning/cognitive theory is not sufficient for fully sociological understanding. For, they do not take into account the social context in which individual is being formed. Nor do they make have room for the dynamic relationship between the individual and social institutions, cultural environment, legal system, political structures. In this regards, socio-ecological perspective provides a wider and deeper insight into the complexities of bullying.

Socio-ecological theory is not one frozen approach that has remained the same since its inception. Rather, even the founder of the ecological approach, Bronfenbrenner, has reformulated the theory -especially in terms of the relative role of biological factors in the making of individual - more than one way since his initial studies during the 1940s (Atik 2013; Rosa and Tudge, 2013)³⁶. Furthermore, since the 1940s, several studies contributed to socio-ecological theory, as will be briefly shown below.

Simply put, socio-ecological theory is based on the – basic but often avoided-outlook that understanding and explaining human behaviour requires a multi-dimensional understanding into several layers of human development, such as individual, interpersonal, community, organizational, governmental layers. Saying this is very simple and basic on the one hand, once can say. However, using multiple variables, translating them into empirical research, measuring them and

³⁵ Social Cognitive Theory of Mass Communication Albert Bandura 10.1207/S1532785XMEP0303_03 Media Psychology, Volume 3, Issue 3 August 2001 , pages 265 – 299.

³⁶ Rosa, E. M. and Tudge, J. (2013), Urie Bronfenbrenner's Theory of Human Development: Its Evolution from Ecology to Bioecology. *Journal of Family Theory & Review*, 5: 243–258.

explaining them in relation to each other are not easy (Swearer and Espelage, 2004).³⁷

In Bronfenbrenner's (1986) words:

The ecology of human development is the scientific study of the progressive, mutual accommodation throughout the life course between an active, growing human being and the changing properties of the immediate settings in which, the developing person lives. [This] process is affected by the relations between these settings and by the larger contexts in which the settings are embedded (Bronfenbrenner, 1986³⁸ in Johnson 2008).³⁹

The ecosystem of human development is based on four systems which are interacting with each other in several ways:

Microsystem is the basic level of the individual and its near environment. It includes pattern of activities, roles, and interpersonal relationships experienced by a developing person in a particular setting with particular physical and material features and containing other persons with distinctive characteristics of temperament, personality, and systems of belief (Bronfenbrenner, 1995⁴⁰ in Johnson 2008; Atik 2013).

Mesosystem is the bi-directional relation and interaction of the two or more microsystems in the development of individual and formation of human behaviour. Home, family, classroom, school, peer groups are the primary environments for the child individual; and family, workplace, social circles are the environments for the adult individual (Johnson, 2008; Atik 2013).

³⁷ Swearer, S. M., & Espelage, D. L. (2004). Introduction: A social-ecological framework of bullying among youth. in D. L. Espelage & S. M. Swearer (eds.), *Bullying in American schools: A social-ecological perspective on prevention and Intervention*. New Jersey: Lawrence Erlbaum Assoc.

³⁸ Bronfenbrenner, U. (1986). Recent advances in research on human development. In R. K. Silbereisen, K. Eyferth, & G. Rudinger (Eds.), *Development as action in context: Problem behaviour and normal youth development* (pp. 287-309). New York: Springer.

³⁹ Johnson, e. (2008) *Ecological Systems and Complexity Theory: Toward an Alternative Model of Accountability in Education Complicity: An International Journal of Complexity and Education*, Volume 5.

⁴⁰ Bronfenbrenner, U. (1995). Developmental ecology through space and time: A future perspective. In P. Moen & G. H. Elder, Jr., (Eds.), *Examining lives in context: Perspectives on the ecology of human development* (pp. 619-647). Washington, DC: American Psychological Association.

Ecosystem is the wider social system, which incorporates social and political events, situations, contingencies, decisions of policy-makers, and policies on which the person cannot exert any influence and has no control. This could vary from a child's separation from his/her parents because they have to work in a different city, to a country being in a state of civil war, or living in an area of local disasters, living in a disadvantaged community etc. In this sense, exosystem administers a unidirectional impact on the individual who is subjected to it. (Eamon 2001⁴¹; Johnson, 2008).

Microsystems is defined as the “*cultural blueprint*”, i.e. social values, social norms, belief systems, cultural orientations, ideologies, education systems. They have impact not only individual and the microsystem but they influence mesosystem and ecosystem as well. (Eamon 2001; Bronfenbrenner, 2004⁴²; Johnson 2008; Atik 2013).

In his later studies, Bronfenbrenner (1989)⁴³ added the concept of *chronosystem* to some of his studies in order to make sense of changes occurring in the short-term and long-term in the life of the individual (Bronfenbrenner 1989 in Atik 2013; Johnson 2008).

2.2.3. Socio-ecological Framework Applied to Bullying

As can be seen from the brief exploration presented above, socio-ecological framework provides a highly dynamic approach in order to make sense of various components of human development and human behaviour. In this regard, it presents a useful framework for this thesis's attempt at sociologically understanding bullying in Turkey in social and political and policy contexts,

⁴¹ Eamon, M.K. (2001). “The Effects of Poverty on Children's Socio-Emotional Development: An Ecological System Analysis”, *Social Work* 46(3).

⁴² Bronfenbrenner, U. (1994). Ecological models of Human development. In T. Husen and T.L. Postlethwaite (Eds.), *The International Encyclopedia of Education* (2nd ed). New York: Elsevier.

⁴³ Bronfenbrenner, U. (1989). Ecological systems theory. In R. Vasta (Ed.), *Six theories of child development: Revised formulations and current issues*, Vol. 6, Greenwich JAI Press.

beyond the level of individual, psychological or socio-psychological factors. In this regard, school bullying becomes conceptualized as a relational and societal phenomenon rather than being merely about an individual's behaviour, learning, attachment, insecurity or situation.

Espelage's (2004)⁴⁴ suggests that one should even define bullying socio-ecologically:

[Bullying is] ... an ecological phenomenon that is established and perpetuated over time as a result of the complex interplay between the individual child, their family, peer group, school and community, as well as their culture (Espelage, 2004).

As aptly put by Mishra (2012):

An ecological systems framework provides an understanding of the reciprocal, synergistic contributions to development of all components of an individual's environment. This conceptual perspective can incorporate any number of theoretical models to explain each level of an individual's interactions and may help indicate the adaptations required for healthy development. Within an ecological systems framework, bullying dynamics are seen to extend beyond the children who bully or who are bullied. Bullying is recognized as unfolding within the social context of the peer group, the classroom, the family, the school, and the broader community and society (Mishra, 2012).

In this regard, this master's thesis focuses on various components of the *exosystem* and *macrosystem* (of the socio-ecological framework) as its main preoccupation in its exploration of the issues and problems responsible for the high prevalence of school bullying in Turkey. The EU funded VISTA project⁴⁵ has been among the major programs for understanding and responding to violence across the EU which was developed based on the socio-ecological framework. The VISTA adopts the ecological perspective particularly the version developed by Bronfenbrenner and Morris.⁴⁶ In order to understand why school violence occurs, VISTA

⁴⁴ Espelage, D.L., (2004), 'An ecological perspective to school-based bullying prevention', *The Prevention Researcher* 11, 3–6.

⁴⁵ VISTA - Violence in Schools Training Action; <http://www.vista-europe.org/>.

⁴⁶ Bronfenbrenner, U., & Morris, P. A. (1998). The ecology of developmental processes. In R. M. Lerner (Ed), *Handbook of child psychology*, Vol. 1, (5th ed., pp. 993-1028). New York: Wiley. Also see: Bronfenbrenner, U. (1995). Developmental ecology through space and time: A future perspective. In P. Moen, G. H. Elder, & K. Lüscher (Eds.), *Examining lives in context* (pp. 619-647). Washington, DC.

recommends an open and flexible approach rather than a simple cause-and-effect analysis. The four following contexts must be analysed and to each of them a policy action need to be developed:

- Individual context
- Interpersonal contexts
- School context
- The wider context

As a result, VISTA programs suggest that,

*the phenomenon of school violence is best addressed as a collective challenge, and not as a problem rooted in the individual. From this perspective, (it) involves as many actors as possible including children and young people, teachers, school management, non-teaching staff members, parents, governors, the local community, external organisations and wider society as a whole.*⁴⁷

In this regard, we can observe that the importance of the ecological framework and VISTA approach is simply that “*schools are not simply about schools but the issue is entirely sociological*”.

2.3. New Strategies and Initiatives to Prevent Violence Against Children

This section provides the contemporary practices and strategies targeting ending violence against children. For this purpose, the “European Charter for Democratic Schools Without Violence” and “Seven Strategies for Ending Violence Against Children: INSPIRE” documents were reviewed and discussed in the sections 2.3.1 thru 2.3.4.

2.3.1. European Charter for Democratic Schools without Violence (2004)

European Charter for Democratic Schools without Violence⁴⁸ has become a solid crystallization and political manifestation of the core theoretical ideas of

⁴⁷ What is VISTA?, http://www.vista-europe.org/what_is_vista.php Accessed on 30 July 2015.

⁴⁸ <http://www.coe.int/t/dgap/democracy/Activities/Previous%20Projects/EuropeanSchoolCharter/>.

Ecological Framework, and the policy-oriented perspectives of the UNICEF Child-Friendly School and, most importantly, of the Whole School Approach.

The Charter reads that:

- All members of the school community have the right to a safe and peaceful school. Everyone has the responsibility to contribute to creating a positive and inspiring environment for learning and personal development.
- Everyone has the right to equal treatment and respect regardless of any personal difference. Everyone enjoys freedom of speech without risking discrimination or repression.
- The school community ensures that everybody is aware of their rights and responsibilities.
- Every democratic school has a democratically elected decision-making body composed of representatives of pupils, teachers, parents, and other members of the school community where appropriate. All members of this body have the right to vote.
- In a democratic school, conflicts are resolved in a non-violent and constructive way in partnership with all members of the school community. Every school has staff and pupils trained to prevent and solve conflicts through counselling and mediation.
- Every case of violence is investigated and dealt with promptly, and followed through irrespective of whether pupils or any other members of the school community are involved.
- School is a part of the local community. Co-operation and exchange of information with local partners are essential for preventing and solving problems.

2.3.2. UNICEF's Child Friendly Schools Initiative

Schools have an important role in protecting children from violence. Today, despite lack of reliable data collected, even it is limited and may include suspicious-boosted data, a quick review of the media, shows us many children at educational settings exposed to violence and may teach them violence. They are

exposed to corporal punishment, many forms of psychological punishment, sexual and gender-based violence, and bullying.

UNICEF's "Child Friendly Schools" initiative addresses a wide range of issues influencing the quality of a child's education and violence in particular.

Very similarly to VISTA approach, from the perspective of UNICEF's Child Friendly Schools initiative, violence is one issue among several, including: school design and layout; the provision of water and sanitation; teaching strategies in the classroom; curriculum development; inclusiveness and gender sensitivity; school management and budgeting; links with the local community; and the actions of education authorities and governments. This approach unambiguously links the school to the wider community, recognizing, for example, that the protection and safety of children in their homes has a direct impact on children's capacity to attend class and to learn.

The five UNICEF principles of child friendly schools:⁴⁹

1. Schools are inclusive of all children
2. Schools offer good quality teaching and learning processes
3. Schools provide a safe, healthy and protective school environment
4. Schools are gender-sensitive and promote gender equality in both enrolment and achievement
5. Schools promote the participation of all stakeholders – children, families, communities.

2.3.3. The "Whole School Approach"

The *Whole School Approach* can be considered as an accumulated outcome of decades-long research and experimentation about violence in general and violence against children in particular.

It seeks to overcome institutional and bureaucratic obstacles and habits by addressing violence at several levels at the same time, via through legislation, policy

⁴⁹ UNICEF; Child Friendly Schools.

development, budgetary allocations, employment policy, teacher training, school administration and curricula development. School-wide, community-wide, and wider system-wide interventions are designed to reduce incidents of violence as well as to contribute to decreasing truancy, increasing academic achievement, and enhancing children's social skills and well-being"⁵⁰

In practice, therefore, Whole School Approach requires that schools would incorporate teaching and learning for child development not only through academic development-oriented curriculum but also by means of developmental school operations such as integrated governance, stakeholder and community involvement, long-term planning, monitoring and evaluation.

The whole school approach operationalizes prevention/intervention measures across *the whole school community*. Each type of prevention is described at the levels of pupils, staffs, classrooms, schools, physical environments, families and community. Actions are divided into promotion or primary, secondary and tertiary.

- *Primary prevention (proactive interventions)* refers to approaches implemented on a universal scale that aim to prevent the onset of violence and related risk factors.
- *Secondary prevention (reactive interventions)* refers to approaches implemented on a selected scale, for people at enhanced risk of violence, and are aimed at preventing the onset and reducing the risk of violence.
- *Tertiary prevention (curative interventions)* refers to strategies implemented on an indicated scale, once the problem is already clear evident and causing harm, e.g. for individuals or groups that have already demonstrated violent behaviour and / or been victimized by perpetrators of violence.

The 10 principles of the Whole School Approach that describes its overall logic as well as the operational pillars it relies on:⁵¹

1) Awareness of the effects of violence on children amongst all stakeholders (children, staff, school leaders and families) : The school should have

⁵⁰ *Tackling Violence in Schools: A global perspective, Bridging the gap between standards and practice*, UNICEF, SRSG VAC, 2011.

⁵¹ For the Whole School Approach, see: Discussion Paper prepared for the High-Level Expert Meeting on "Tackling Violence in Schools" Oslo, Norway, 27-28 June, 2011.

communication systems for developing a shared understanding of the effects of violent behaviour on children. This includes the frequency and severity of different forms of violence and the prevalence of bullying.

2) Regular school self-reviews of violent behaviour and the school's organisation for intervention: Simple, easy to administer reviews involving all stakeholders should be completed primarily to inform schools. The review should generate data about pro-social behaviour that can be encouraged as well as the anti-social behaviours that should be discouraged. The school's organisational capacity to make improvements should also be reviewed.

3) Effective whole school policies and strategies for creating a non-violent

Learning environment and addressing the causes of violence: National policy and resulting from the school review should inform an active policy created, owned, regularly reviewed and improved involving all the stakeholders. An action plan should follow that builds on strengths and addresses the most achievable as well as the most critical issues. The plan should include proactive strategies to create a non-violent environment and address the causes of violent incidents. The plan should include the school provision for 3 tiered interventions involving increasing counselling for children with additional needs.

4) School leadership for development: Applying distributed leadership. Identifying, promoting and enabling those staff most suited to lead whole school improvement by example and with an appropriate leadership style.

5) A taught and caught Social Emotional and Behaviour Learning Curriculum: A structured programme of violence reduction learning and teaching focused on Social and Emotional Learning for integration into the way that the national curriculum is taught without the need to change it. The creation of opportunities for extended social and emotional learning around the school in extra-curricular times (e.g. assemblies and play times) and particularly at points of transition around the school including travel to and from school.

6) Making schools and the surrounding environment safe: This applies to both the physical and emotional environment. The importance of protecting children at times of transition including to and from school. This includes safety in the

wider environment created by social media and the allied problems of cyber bullying etc.

- 7) **Staff training:** Training in learning behaviour improvement and violence reduction is essential for both teaching and non-teaching staff including their own attitudes and modelling, how to teach and what to teach. Training should include child protection from violence. How to identify and support abused children.
- 8) **Involving Children:** This includes giving children a voice in organizing school, advocating school rules by means of various participatory mechanisms, approaching children not as passive recipients of policies but also active agents. In its most basic form, it is about running schools democratically.
- 9) **Involving families:** This includes family training programmes to give children consistent messages and encourage family partnership with the school's initiative. Systems for communication and liaison with families are equally important.
- 10) **Engagement with and in the local community:** This includes awareness raising in the community and creating partnerships with other initiatives and opportunities for multi-agency working and tapping into resources that support schools.

2.3.4. Seven Strategies for Ending Violence Against Children: INSPIRE

When it comes to preventing violence against children or addressing violence against children, there's no single strategy that is effective in and of it. However, one of the most important things that need to be done to keep children safe is to put the right legal and policy frameworks in place. This is an issue that need to be addressed at the level of government. So, the strategy of implementing robust laws and policies is extremely important. While reviewing the main strategical legislative documents and the approaches towards ending violence against children, it is worth to mention here the INSPIRE package.

Despite many international or national legislations and /or strategies to date, its being found that, there is still a need to develop a new “instrument” to tackle the problem.

By the year 2016, the World Health Organization (WHO) initiated preparation of the INSPIRE in collaboration with the main players of the area. Following organizations are the partners and contributors of the package;

- United States Centres for Disease Control and Prevention (CDC),
- End Violence Against Children: The Global Partnership,
- The Pan American Health Organization (PAHO),
- The President’s Emergency Program for AIDS Relief (PEPFAR),
- Together for Girls,
- United Nations Children’s Fund (UNICEF),
- United Nations Office on Drugs and Crime (UNODC),
- United States Agency for International Development (USAID), and
- World Bank.

INSPIRE is defined as an evidence-based approach to preventing violence against children (WHO, 2016). “It is a resource for everyone committed to preventing and responding to violence against children and adolescents – from government to grassroots, and from civil society to the private sector.” (WHO, 2016).

INSPIRE aims to support the actions at both at the community and country levels. Within INSPIRE strategy; there are seven strategies that address the problem of effectively. It consists of group of strategies based on the best available evidence. The focus is to help development of prevention programmes and services with the greatest potential to reduce violence against children. Table-1 represents 7 strategies to comprehend the INSPIRE strategy better.

Table 1. INSPIRE 7 Strategies; Evidence-based Approach to Preventing Violence Against Children (WHO, 2016)

1. Implementation and enforcement of laws.	A special I emphasis is given to the law enforcement; includes actions which limiting access by young people to firearms/ weapons. INSPIRE here also suggest actions to be criminalized regarding the violent punishment of children by their parents and/or close relatives.
2. Norms and values	This intervention topic suggesting a better social atmosphere by changing beliefs and behaviours around gender roles which is supportive to violence.
3. Safe environments	Here it is suggested to improve the “physical” environment which creates violent “hotspots”. This may include improving housing.
4. Parent and caregiver support.	In order to prevent and reduce violence, providing “parenting training” is helpful.
5. Income and economic strengthening.	Provision of various credit or microfinance mechanisms which is combined with training around gender norms is another useful action point.
6. Response and support services	Delivery of treatment programmes for juvenile offenders creates partial but meaningful results.
7. Education and life skills	In this intervention action, it is suggested to establish a safe school environment and by doing this, to improve the children’s life and social skills.

Here again it is essential to underline the fact that, as represented in INSPIRE Strategy, violence against children is a multifaceted problem with causes at the individual, close relationship, community, and societal levels. Therefore, it needs to be handled simultaneously confronted on several different levels. The social ecological model focuses on the “risk factors and the causes” serves a dual purpose in this regard, as each level in the model represents a dimension where both risks and opportunities for prevention co-exist. In order to deal with violence against children thus, a solution strategy includes to implement measures as listed below and having multidimensional aspects. As a new multi-organizational collaborative result “practical strategy” derived from the social ecological model, the INSPIRE strategies cover all these key entry points and goes beyond as a practical implementation guide for preventing and responding to violence against children and adolescents.

Now, it would be better to focus more, to give examples at a glance and elaborate on the potential effects of each of the 7 strategies of INSPIRE. For this purpose, meaning of the acronym will be repeated below;

I: The objective of I is to ensure the implementation and enforcement of laws to prevent violent behaviours, reduce excessive alcohol use, and limit youth access to firearms and other weapons.

The (I) aim to reduce physical violence towards children; sexual abuse (ie. Forced and pressured sex, unwanted attempted sex and unwanted sexual touching) and sexual exploitation (including but not limited to trafficking, pornography and prostitution) of children; excessive and binge alcohol consumption; firearm-related deaths and non-fatal injuries. On the contrary, it aims to increase social norms and attitudes promoting gender equality and protecting children against all the aforementioned physical and psychological violence acts.

N: The strategy (N) targets endorsing norms and values that improve relationships of children and adolescents between peers and with the society and ensure formation of non-violent, respectful, nurturing and gender equitable relationships.

Changes in the norms and values would possibly increase the negative reaction shown for physical, psychological or sexual violence against women and children, reduce early and forced marriages, encourage gender equity in social and professional lives, encourage a non-violent approach to parental discipline, set a clear definition of abusive behaviour both towards partners and children and allow more people to intervene upon witnessing violent acts against children and partners.

S: Strategy (S), aims to create and sustain safe streets and other environments where children and youth gather and spend time, in other words reducing assault-related injuries and increasing safe mobility.

P: By focusing on parent and caregiver support this strategy targets creating a positive parent-child relationship. Thus, reduced proven maltreatment cases; abusive parenting applications especially for discipline; bullying and being bullied; exposure to physical, emotional or sexual violence by partners or peers; adolescence aggression and delinquency is expected. Positive parent-child

interactions and parental monitoring of child and youth safety are expected positive outcomes of this strategy.

I: By improving families' economic security and stability, reducing child maltreatment and intimate partner violence it is expected that, physical violence towards children by parents or any other caregiver or between intimate partners, number of children witnessing violence at home and number of girls forced to early and forced marriage will decrease; whilst the social norms and attitudes that disapprove partner violence will increase.

R: Strategy (R), targets reducing the long term impact of violent acts by improving access to good-quality health, social welfare and criminal justice support services for all children who need them – including for reporting violence –. Thus, it is expected that the recurrence of same type of violence in short term and later in life both towards same victim or within the society, trauma symptoms (such as PTSD, depression, anxiety), STIs and negative reproductive health outcomes will diminish.

E: Action item (E) targets increasing children's access to more effective, gender-equitable education and social-emotional learning and life-skills training, and ensuring that schools environments are safe and enabling. By ensuring these improvements, school attendance and academic success is expected to increase together with empowerment of both boys and girls in recognizing and protecting themselves against intimate partner violence. Aside from these improvements' child marriage, sexual assault, physical and sexual violence by partners, aggressive and violent behaviours, excessive alcohol consumption and drug use and bullying behaviours are expected to decrease.

Following part is a summary of what has been covered above sections regarding “interpersonal violence”. There are six main types of interpersonal violence and in most cases of violence against children involve at least of these types occurring at different stages of child development. These types are as;

- **Maltreatment** (including violent punishment) involves physical, sexual and psychological/emotional violence.
- **Bullying** (including cyber-bullying) is unwanted aggressive behaviour by another child or group of children who are neither siblings nor in a romantic relationship with the victim. It involves repeated physical, psychological or social harm, and often takes place in schools and other settings where children gather, and online.
- **Youth violence** is concentrated among those aged 10–29 years, occurs most often in community settings.
- **Intimate partner** violence (or domestic violence)
- **Sexual violence** includes non-consensual completed or attempted sexual contact.
- **Emotional or psychological** violence and witnessing violence includes restricting a child's movements.

Though programs and policies often address different forms of violence in isolation, it is important *to repeat and recognize that the different forms are inter-related*, as they share common root causes and can lead to one another.

An analysis of nationally representative survey data on the prevalence of violence against children in 96 countries estimates that 1 billion children globally – over half of all children aged 2–17 years – have experienced bullying, emotional, physical or sexual violence in the past year.

Despite its high prevalence, violence against children is often hidden, unseen or under-reported.

2.4. Concluding Remarks of Chapter 2

This chapter has started with elaborating on the definition of violence against children and specifically discuss the definitions of Bullying as the focus of the research is on this type of violence. Then, the chapter reviewed the leading practices and approaches for protection children from violence by operationalizing

causes and consequences of violence; strategies for preventing and addressing violence; tools of preventing and addressing violence. Later, its being discussed the classical conceptual theories such as the attachment theory and social learning/social cognitive theory, socio ecological theory. The discussion also included the new practices and strategies like “EU Charter for Democratic Schools” and “Seven Strategies for Ending Violence Against Children: INSPIRE” to end violence against children. Chapter 2 continues with explaining UNICEF’ unique role regarding “child” issues as the responsible United Nations Agency; and the Chapter 2 concludes with school-centred approaches/models to prevent and end violence/bullying at school settings.

CHAPTER 3

POLICY LANDSCAPE IN TURKEY ON VIOLENCE AGAINST CHILDREN DURING THE 1990s AND 2000s. WHAT HAPPENED? WHAT ARE THE SOURCES OF NEW POLICIES?

This chapter reviews and presents main development that took place in Turkey in order to increase legal and practical capacity in reducing and preventing violence against children, especially in the form of bullying. It proceeds in four sections. One, legislative developments; two developments in implementation i.e. the founding of the former Ministry of Family and Social Policies; three developments in the national education system aiming to prevent violence at schools; and four, developments aiming to increase the capacity of civil society institutions, NGOs, and the cooperation between state and the civil society.

3.1. Developments in the Legislative Field

One of the most important legislative fields was obviously the fact that Turkey signed the United Nations Convention on the Rights of the Child (CRC) in 1990 and ratified it in 1995. In Turkey like in several other countries adopting the CRC, ratification of the CRC was followed with a series of legislation, services, creation of some resources and introduction of administrative reform consistent with the legal rights envisioned in the CRS. This section reviews the most central ones:

The Optional Protocols on the sale of children, child prostitution and child pornography and on the involvement of children in armed conflict were initially

ratified by Turkey in 2000. Moreover, a series of legislative changes took place between 2002 and 2005 brought family law closer to the standards of the CRC⁵²:

Amendments to the Penal Code (Act No. 5237) and the Criminal Procedure Code (Act No. 5271), entered into force in 2005. They raised the minimum age of criminal responsibility from 11 to 12; brought in a probation system as an alternative to deprivation of liberty; decreased sentences for children.

The Child Protection Law (Act No. 5395), entered into force in 2005. This law aims at turning international standards into the national procedures and principles regarding children in need of protection, primarily the special arrangements for the sensitive treatment and protection of child victims, envisioning to increase the number of child courts, increasing the involvement of civil society institutions in preventing violence against children. It is the most important legislation governing the larger terrain of child protection and public services towards children. The Child Protection Law recognizes many of the principles contained in the Convention, including the right to life, development and protection, the prohibition of all discrimination, and the right to privacy and to a procedure that is fair, effective, swift and respectful of human rights.

McKinney and Salins (2013) in a recent publication, emphasize the importance of endorsement of Child Protection Law of Turkey. The Juvenile Protection Law passed in tandem with reforms to the Turkish Penal Code has led to further gains for rights of children and youth, including: raising the minimum age of criminal responsibility from 11 to 12, adding a provision of free legal assistance, introducing a probation system as an alternative to depriving a youth their liberty, increasing remission of sentences for children, encouraging more sensitive treatment of child victims, increasing protection for child victims, creating more juvenile courts, and adding a provision of protection for children generally by civil society.⁵³

Turkey signed the European Convention on the Exercise of Children's Rights in 1999 and ratified it. States parties to the Convention are obliged by paragraph 4 of

⁵² NGO Report on Turkey's Implementation of the Optional Protocol to the Convention on the Rights of the Child on Sale of Children, Child Prostitution and Child Pornography, Ankara Child's Rights Initiative, International Children Center, 2006.

⁵³ McKinney and Salins, 2013, "A Decade of Progress: Promising Models for Children in the Turkish Juvenile Justice System", *UCLA Journal of Islamic and Near Eastern Law*, 12(1), <http://escholarship.org/uc/item/0xz1n2q0>.

Article 1 to specify at least three categories of family cases before a judicial authority to which the Convention will apply. Turkey applied the Convention to the categories which are divorce, separation, custody of children, parental rights of access to the child, establishment of paternal affiliation by means of judicial decision.⁵⁴

Turkey has ratified the Council of Europe's Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse in 2010. The convention tackles many types sexual violence against children, including abuse perpetrated within the family, child prostitution and pornography, forcing children to participate in pornography and sex tourism.

Turkey was one of the first six countries promising to act for combatting child labour through the International Programme on the Elimination of Child Labour (IPEC) in 1992. It is also a member of six ILO conventions directly about children; including the Eliminating the Worst Forms of Child Labour Convention in 1999⁵⁵ (Turkey's success on these promises is dubious if not none, but that is the topic of another chapter) .⁵⁶

When Turkey became a party to the Convention on the Rights of the Child, the juvenile justice system was based on a patch of laws which were not all the time consistent with each other, such as Law No. 2253 on the Establishment, Duties and Trial Procedures of Juvenile Courts ('Law on Juvenile Courts'), the Criminal Code, the Code of Criminal Procedure and the Law on the Execution of Sentences and Security Measures.

The Law on Juvenile Courts, which was initially adopted in 1979 and had been in use since 1982, was amended in 2003 to extend the competence of these

⁵⁴ <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/160>.

⁵⁵ <http://www.ilo.org/ipec/programme/lang--en/index.htm>.

⁵⁶ Child domestic workers: A handbook on good practice in programme interventions (London, Anti-Slavery International, 2005), pp. 5-6.

courts to those aged 15 to 18 years old. In 2005, the Law on Juvenile Courts was replaced by the Child Protection Law, which was created “*to regulate the procedures and principles with regard to protecting juveniles who are in need of protection or who are pushed to crime, and ensuring their rights and well-being.*”. A new Code of Criminal Procedure and a new law on the Execution of Sentences and Security Measures were adopted in 2005 too.

In 1997, a special unit of the National Police was created to deal with child victims. In 2001, this unit was converted into a division known as the Children’s Police, whose mandate includes all persons under age 18 involved in offences, both as perpetrators and victims.

Between 2010 and 2012, *National Children Rights Strategy Document and Action Plan* got prepared. In 2013 it was accepted by the Council of Ministers and adopted officially. On the one hand, it constitutes a useful baseline and policy reference. Civil society was consulted on the situation of children through national mechanisms or heard, for instance, in parliamentary hearings. However, civil society has been neither a full partner in policy development, nor in policy implement. Furthermore, there are several problems with this document and it is rarely referred by any government institution or other bodies. It is barely used to guide any policy action and/or regulation.

Overall, since 2005 following the Child Protection Law,⁵⁷

- Institutional capacity has been developed among judiciary staff and social workers for the implementation of the Child Protection Law.
- Pilot service models have been implemented in education, for children and families, including life skills-based education, catch-up education for out of school children and parenting skills training.
- Minimum standards have been introduced to improve and monitor the care and protection of children living without parental care.

⁵⁷ <http://www.mevzuat.gov.tr/MevzuatMetin/1.5.5395.pdf>.

- Needs analyses have contributed to awareness on the urgency of increasing and improving the quality of child protection services and the deficiencies of the services currently provided.
- Data on child abuse and domestic violence for putting in place protection and preventive measures for children at risk have been generated.

Turkey also acceded to the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), ratifying the Convention in 1985 and the Optional protocol recognizing the competency of the Committee on the Elimination of All Forms of Discrimination Against Women which was signed and ratified in 2000. It is worth to mention here that, Turkey, as an important part of broader attempt at improving legislation on all forms of violence, domestic violence and violence against women have also become a focus of attention.

The literature on violence against children clearly demonstrates that in several cases violence against children take place as highly embedded with violence against women.

In 2008, within the EU funded project “Promoting Gender Equality Project-Strengthening Institutional Capacity Twinning Project” the “National Action Plan Gender Equality 2008-2013” has been developed under the umbrella of the Ministry of Family and Social Policy.

This plan has been developed with a scope of covering the titles of “Women and Education”, “Women and Economy”, “Women and Poverty”, “Women and Health”, “Women and Power and Decision-making Processes”, “Women and Environment”, “Women and Media”, “Women’s Human Rights”, “Girl Children”, and “Institutional Mechanisms for the Advancement of Women”.

3.1.1. The Role of the EU and UNICEF and Cooperation Programs in Turkey

UNICEF-United Nations Children Fund has a unique role regarding “child” issues; it is the United Nations organization specifically charged with protecting children's rights globally. Therefore, child-related academic and policy level studies, should

keep an eye always to literature, annual reports, policy recommendations developed from this UN Agency.

In this regard, based on an international cooperation agreement endorsed by the Turkish Grand National Assembly (TBMM) UNICEF also works in Turkey to protect the rights of children and adolescents since 1951.

United Nations Convention on the Rights of the Child dated 1989 is the first international instrument to deal expressly with the protection of children against violence. Article 19 requires states to take ;

all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

The UN Secretary General's Study on Violence against Children (AJ61/299) addressed violence against children in five settings: the family, schools, alternative care institutions and detention facilities, places where children work and communities. The Study called for urgent action to prevent and respond to all forms of violence and presented a set of recommendations to guide the process of follow up.

At the level of the European Union (EU), on 4 July 2006 the European Commission launched the European Strategy on the Rights of the Child in which one priority is to ensure that all internal and external EU policies respect children's rights in accordance with the principles of Community law, and that they are fully compatible with the principles and provisions of the United Nations Convention on the Rights of the Child and other relevant instruments of international law.

A recent report published by the EU named as "How to Prevent And Tackle Bullying And School Violence" EU publications, 2016⁵⁸ states that;

⁵⁸ Downes, P., & Cefai, C. (2016). How to prevent and tackle bullying and school violence: evidence and practices for strategies for inclusive and safe schools: Naset II report. Luxembourg: Publications Office of the European Union.

School bullying concerns all EU member states. It is an affront to the common values of freedom, tolerance and non-discrimination. Its effects are serious and may be long-term. It is not only a problem for education policy to address. It is also a health and welfare issue relevant to child protection.⁵⁹

School bullying can affect the mental and physical health as well as the academic performance of children and young people and may lead to early school leaving. In many cases, bullying leads victims to suicide or attempted suicide, anxiety, depression and self-harm. Being a perpetrator of bullying is associated with later violent behaviour and anti-social personality disorder.

It is growing social problem across the globe and educational settings how to ensure school for children free from physical, verbal and psychological violence. Children experience of domestic and other forms of violence in their homes, in schools, in places of work and in their communities.

Turkish Parliamentary Research Commission's report (by TBMM- (Turkish Grand National Assembly), April 2007) determining precautions and investigating the violence tendency dramatically growing in schools has stated that; *"To remove all types of violence from our young people, every administrator, parent, even media have responsibilities. Initially; educational, health, social, cultural and economic policies, Central Policies for Children should be produced."*

Turkey has made progress to creating school free from physical, verbal and psychological violence. Turkey accepted Convention of the Rights of the Child (CRC) on 02.09.1990 and started to implement the actions on 02.10.1995. Besides, Turkey put in practice the Children Protection Law on 03.07.2005.

In September 2006 with the support of UNICEF, MoNE - Directorate General of Special Education, Guidance and Services prepared "Preventing and Reducing Violence in Educational Environments Strategy and Action Plan (2006-2011+). The implementation period of the action plan has ended by 2011. Following this, the new EU-funded project by finalizing the updating the plan, contributes the complementary and continuity of the activities of the strategy and action plan.

⁵⁹ See above.

UNICEF's support to juvenile justice reform has taken place a little too quick, indeed. It started without the preparation of a comprehensive situation analysis or a long-term strategy. It has rather been linked to the 2006–2010 Country Programme and the implementation of a series of European Union funded projects.

The first EU funded UNICEF project on juvenile justice took start in 2001, following the process that Turkey's report on the Implementation of the Convention on the Rights of the Child was examined by the Committee on the Rights of the Child.⁶⁰ This Project consisted of four major components: law reform, training/capacity development, data collection and research, and the development/strengthening of 'models' in the fields of legal services, mediation and the treatment of juvenile prisoners and detainees.

Substantial contribution to law reform was one of the main aims of the 2001–2005 EU funded UNICEF project titled '*Upgrading of the Juvenile Justice System in Turkey*'. Activities towards the generation of new law included the translation of key UNICEF publications on child rights, publication of reports on the harmonization of national legal system and regulations with the Convention on the Rights of the Child, close technical assistance by foreign experts and a series of training activities.⁶¹ UNICEF also supported the committees and working groups convened by the Ministry of Justice to prepare the draft legislation. The total impacts of such a support from the EU and UNICEF have been extensive. UNICEF also began to cooperate with a series of small projects on children rights and protection supported by the British Council and implemented by NGOs.⁶²

Another important project, titled '*Towards Good Governance, Protection and Justice for Children in Turkey*', which has a budget of € 6 million, took place between 2005 and 2008. The Ministry of Justice, the Ministry of Interior, the

⁶⁰ *Assessment of Juvenile Justice Reform Achievements in Turkey*, UNICEF, 2009.

⁶¹ https://ec.europa.eu/neighbourhoodenlargement/sites/near/files/pdf/turkey/ipa/tr_07_01_01_work_with_juveniles_victims_by_the_tk_probation_service_en.pdf.

⁶² *Assessment of Juvenile Justice Reform Achievements in Turkey*, UNICEF, 2009.

Ministry of National Education, the Ministry of Health and Social Services, the Child Protection Agency and the Turkish Bar Association were the implementing partners, while UNICEF provided the technical assistance. Then, another project of the European Union, ‘*Children First – Modelling Child Protection Mechanisms at Provincial Level*’, took place between 2008 and 2010.

As noted in several studies, and as can be expected, the government’s interest in the first half of the 2000s, in bringing Turkish juvenile justice system in compliance with international standards was primarily driven by its interest in accession to the European Union.⁶³

3.2. Developments in the Field of Implementation: Founding of the Ministry of Family and Social Policies

Ministry of Family and Social Policies in Turkey was established in 2011 as the primary public authority responsible, with its central and local (provincial) branches, for *coordinating all public central and local bodies, of all ministries, for the implementation of the Child Protection Law (CPL) and the all related legislation*. A total of six units take place within the Ministry: General Directorate of Family and Community Services, Social Assistance, The Status of Women, Child Services, Persons with Disabilities and Elderly Services, and Department of Fallen Soldiers’ Relatives and Veterans. The Ministry acts and coordinates in the following service areas)⁶⁴ :

- i. **Counselling services and measures:** Ministry of National Education and its provincial offices, Ministry of Family and Social Policies and its provincial offices, local governments (municipalities, etc)
- ii. **Educational measures:** Ministry of National Education and its provincial offices, Ministry of Labour and Social Security and its provincial offices.

⁶³ See above.

⁶⁴ UNICEF, Monitoring and Indicators, Vol 2.

- iii. **Care services and measures:** Ministry of Family and Social Policies and its provincial offices
- iv. **Health services and measures:** Ministry of Health and its provincial offices
- v. **Sheltering services:** Ministry of National Education and its provincial offices, Ministry of Family and Social Policies and its provincial offices, local governments (municipalities, etc).

As will be shown below, *the new Ministry has been an important and instrumental step in the protection of children rights and in improving the implementation of several policies concerning children and violence against children.* On the other hand, it must be noted that the founding of the new Ministry as one responsible for all women, family, children, disabled, veteran services have been rightly criticized, as a backward step, by several progressive and feminist organizations in Turkey. For, within such a framework of operation, gender issues may – and do- remain underestimated and secondary to the umbrella term family issues, and they cannot receive the legislative and executive attention they deserve on their own (This has some serious repercussion for the gendered nature of the violence against children too, as will be mentioned in the upcoming chapters).

3.3. Introduction of Ombudsman System

The Ombudsman is in principle an independent public organization responsible for supervising the government's procedures and actions but lacking legal authority to make binding decisions.⁶⁵ Its main tasks are presenting advice, arbitration and prescription in particular policy fields. Since 2010 Turkey has an ombudsman system, although its form, functions and autonomy are highly questioned and subject to criticism. UNICEF provided technical expertise to the Ombudsman Office in designing its child-friendly website, appropriate language, information for different age groups, complaint form and draft publicity booklet.⁶⁶

⁶⁵ <http://www.adb.adalet.gov.tr/Sayfalar/Teskilat/hakkimizda.html>.

⁶⁶ UNICEF COAR (Country Office Annual Report), 2013.

Since the beginning of the Ombudsman office, a number of NGOs working in the field of children issues stressed the need and demand to appoint an ombudsman for children to deal specifically with the rights of children. Currently, however, the issues of children are dealt by a branch of the Ombudsman Office along with the issues of women, the disabled, healthcare and tourism. There is not yet a separate ombudsman system for children and this need to be kept up on the agenda items as a potential awareness raising area.

3.4. The Coordination Strategy Document in Child Protection Services 2011–2015⁶⁷

Following the founding of the Ministry of Family and Social Policies, the Ministry of Justice Training Department transferred its responsibilities, in taking the measures specified in the Child Protection Law No. 5395 and facilitating their implementation and coordination, to the General Directorate of Child Services of the Ministry of Family and Social Policies.

One of the most valuable products of the Ministry of Family and Social Policy in dealing with violence against children has become the “*Coordination Strategy Document in Child Protection Services 2011 – 2015*”. It was developed by the Ministry of Justice with technical assistance of UNICEF Turkey within the framework of the project of “Children First: Provincial Level Modelling of Child Protection Mechanisms. It is worth mentioning here that, the “*Coordination Strategy Document in Child Protection Services-CSD*” is the first document in Turkey in which responsibilities and tasks between the different Ministries and their institutions are defined and distributed.

The CSD has three sections:

- i. The Coordination Model for the Child Protection Services for Turkey
- ii. The Strategy for the implementation of the coordination model
- iii. The Action plan for the implementation of the model

⁶⁷ Coordination Strategy Document in Child Protection Services 2011 – 2015; Republic of Turkey, Ministry of Justice, Department of Training; UNICEF Turkey.

It consists of two basic implementation areas:

1. Early Warning
2. Intervention

The CSD consists of four inter-institutional coordination areas in line with the Turkish public administration system as followed below:

- Central Coordination
- Provincial Coordination
- District Coordination
- Information Sharing System

Most importantly, its main strategic objectives are:⁶⁸

- The creation of a child protection model which is focused on prevention and which operates in coordination with the justice system
- The establishment of an early warning system that will operate focused on the recognition and prevention of the risks before they occur
- The elimination of the problems related to the introduction to child protection system in accordance with the universal child protection concept
- The provision of the effective operation of the mechanisms related to preventive, protective and supportive measures,
- The elimination of the problems related to the implementation and supervision of the protective and supportive measures,

The Coordination Strategy Document in Child Protection Services puts forward a highly comprehensive action plan that requires not only concrete involvement and day-to-day cooperation of several ministries in planning as well as implantation, but also it requires significant improvements in the way public institutions deal with any child-related issue in general and protecting children in particular.

⁶⁸ The Coordination Strategy Document, Executive Summary.

The Ministry clearly notes the failure of the previous models of child protection and hence presents the new strategy as follows⁶⁹:

The failure of the reactive approach, conventionally adopted in child protection services, to recover the troubles in children's life has recently strengthened the idea that the risks encountered by children can be identified and eliminated in the early period and accordingly children can receive support without "being in need for protection" and some steps have been taken accordingly. One of the most significant changes brought by the new model is the early warning system so that professionals working for / with children in the fields of education, health, law-enforcement and social services can recognize risk factors and inform the provincial/district social service units as soon as possible.

UNICEF-Turkey has been again very actively involved in the development of the Coordination Strategy. The initial preparation studies for Coordination Strategy were conducted under the coordination of the Ministry of Justice in the "*Children First: Modelling Child Protection Mechanisms at Provincial Level*" Project. They were implemented with the technical assistance of UNICEF and with the financial assistance of European Union. The revision of the Strategy Document came took place within the scope of "Justice for Children Project. It was actually a follow-up of "Towards Good Governance, Protection and Justice for Children in Turkey (2005) and Children First (2008) projects. Both were done with the financial support of European Union and technical assistance of UNICEF.

In 2013, when the National Coordination Strategy for Child Protection Services was being revised, its implementation plans got developed on the basis of 12 workshops. In 2013 the whole package was accepted by the National Board. Next, more than 400 administrators and child protection professionals were trained to put the strategy in practice 20 provinces. Child friendly interview rooms' mapping of needs, official recommendations and standards' development were completed. This made it possible for the Ministry of Justice to set up the first child-friendly interview room in a courthouse in Ankara. Such rooms are about to expand and they are introducing child-friendly court hearing and expert consultation processes within pedagogically suitable judiciary procedures.⁷⁰

⁶⁹ The Coordination Strategy Document, Executive Summary.

⁷⁰ UNICEF (Country Office Annual Report) - COAR, 2013.

Another on-going study of the Ministry of Family and Social Policies regarding violence against children is the “National Strategy and Action Plan on Violence against Children 2014-2018”. This document is currently being prepared. It is planned to take place under the umbrella Coordination Strategy reviewed above. It sets forth 8 *strategic objectives* and promotes basic international standards on the subject;

1. Increasing public awareness on violence against children
2. Regular monitoring the extent of violence against children
3. Strengthening legal grounds pertaining to violence against children
4. Preventing violence against children and strengthening children against violence
5. Strengthening organisational services for children who are victims of violence
6. Developing and implementing effective rehabilitation programmes for individuals who commit violence against children
7. Safeguarding the best interests of children on media and internet environment and developing broadcasting policies that respect children’s rights
8. Monitoring through a child-friendly reporting mechanism the implementations pertaining to the action plan on combating violence against children

The availability of such internationally-valid standards, of course, it is an improvement for Turkey; but those who fights for the full-fledge implementation of the CRC, should still keep the question on top of the agenda as *“what about the full operationalization of the items at the country context?”*

3.5. Developments in Education System: Violence against Children in Schools

3.5.1. Strategy and Action Plan in Preventing and Reducing Violence in Educational Environments 2006 – 2011+

An acceptance of – and a relatively concrete policy plan on- violence at schools and education settings in Turkey came with the publication of “Strategy and Action Plan in Preventing and Reducing Violence in Educational Environments

2006 – 2011+” by the Turkish Ministry of National Education.⁷¹ It was put into force with the contributions of related public bodies and NGOs. The action plan was developed with participation of several directorates of the Ministry of National Education and with a range of public bodies from the ministries of Health, Justice, Youth and Sports to the national statistical agency (TURKSTAT-former DİE), under the coordination of Ministry of National Education.

The Plan was based on eight principles:

1. Data-based governance notion
2. Multi sectorial and multi-disciplinary approach
3. Holistic approach
4. Developmental approach
5. Preventing, protection and intervention approach
6. Capacity building
7. Sustainable Services
8. Monitoring and evaluation

The plan foresaw several activities that are to take place in schools in particular but also in other social settings, requiring involvement of parents, children, members of the local community, municipalities and local administrative bodies. All over the school year, a number of preventive, awareness-raising and informing activities were to take place in schools. A memorandum of understanding aiming to develop a safer environment in schools was later signed between the Ministry of National Education and the Ministry of the Interior, Directorate General of Security (police forces).

3.6. Education-Related Targets of the National Coordination Strategy in

Child Protection Services

National Coordination Strategy, some basic aspects of which were review in above pages, envisions a specific perspective on violence in schools and on the role of

⁷¹ Strategy and Action Plan in Preventing and Reducing Violence in Educational Environments 2006 – 2011+”, MONE (available both in Turkish and English).

education system in dealing with violence against children. The 15 main strategic goals identified in this context are:

1. The knowledge, attitude and skills of the staff in the institutions in working with the children and families will be increased.
2. It will be ensured that the society has awareness in prevention and has knowledge about the early warning and orientation mechanisms.
3. It will be ensured that the parents and children have awareness in prevention and have knowledge about the early warning and orientation mechanisms.
4. It will be ensured that the risk screenings are included in the e-school system and their implementation is rendered obligatory.
5. It will be ensured that the screenings regarding the identification and orientation of risk at school are included in the control system of the educational inspectors.
6. It will be ensured that a standard program to be used in preventive measures are developed in order to support the Guidance Research Centres (RAM) - Guidance and Psychological Counselling Services of the school.
7. The applications of the “Classroom Teacher” system will be strengthened in the schools.
8. Pre-assessment teams will be created and disseminated in the provinces; the standards for pre-assessment will be determined and it will be ensured that they are used by the teams.
9. Preventive services, family and adolescent counselling and neighbourhood-based social service will be established at the provincial level.
10. Intervention units (child protection centres) will be established and that will ensure the delivery of health care, social services and judicial services in a coordinated way in order to prevent the victims during the intervention processes.
11. A model will be developed to strengthen the cooperation of the judicial services and the social services in order to ensure an appropriate psycho-social support for children at all stages.

12. The mechanisms, which will ensure coordination among the institutions responsible for implementing the measures at the provincial and district level and which are envisaged in the law, will be strengthened.
13. It will be ensured that the all of the members of provincial coordination and district coordination receive training of knowledge, attitude, and skills for strengthening the role of providing coordination and cooperation among the institutions in the area of child protection.
14. Children's services coordination centres will be established also at the strategic level which will support the provincial coordination operationally for increasing the functionality of provincial coordination, which have specific powers, and which serve within governorships at the order of the governor (or deputy governor).
15. The reflection of the Child Protection Strategy Plan prepared by the central coordination on the action plans and implementations will be monitored, and it will be ensured that the strategy plan is implemented at the envisaged time.

3.7. Developments in Civil Society Sphere

The 1990s and 2000s have witnessed the increasing presence and involvement of civil society institutions on human rights and violence in general and on children rights and protection of children from violence in particular. Four types of civil society organizations can be said to constitute the landscape:

- Organizations providing child care, education and support services as well as those involved in child-rights monitoring and policy advocacy activities.
- Bar Associations (child rights commissions/centres, legal aid commissions).
- Organizations representing parents
- Wider civil-societal platforms and partnerships bring the three types of organizations above. (Democratic Schools Projects, Partnership Network to Prevent Violence against Children; Reinforcing the Participation of Civil Society in Preventing Violence against Children; etc)

3.8. UNICEF Support to Civil Society Involvement in Monitoring and Protecting Child Rights

UNICEF continued its support to the NGO Partnership Network organizations, by disseminating their capacity-building tools and convening active members for joint actions in advocacy and reporting. With the Project for “the Protection of Children from Violence in South East Europe Project”, the EU and UNICEF Regional Office for Central and Eastern Europe aimed to increase the participation of both national and international NGOs to the policy-making processes by means of increasing awareness raising and capacity-improvement training in the data-collection, monitoring, and evaluation activities. The Project activities sought to reinforce partnership and knowledge-sharing between civil society and public policymakers, especially by making monitoring violence against children more independent and objective with a set of clearly defined and relevant indicators. It was anticipated that, via such partnerships, the accountability and responsiveness of the public administration both at the national and local levels can be increased. One concrete output of the Project has become the creation of a broad based NGO coalition named “Partnership Network for Preventing Violence against Children”. The Partnership Network for Preventing Violence against Children has undertaken a number of activities since its founding. These included not only networking of more than 70 NGOs, but also publication of policy-papers and training kits to improve public knowledge and acting capacity for recognition and reporting of all forms of violence against children in Turkey.

3.9. EU Funded Project for Preventing Violence Against Children 2013-2015

In 2013, “Technical Assistance for Fight against Violence towards Children Project” took start. Its budget was 3 million euros and it covered a range of programs and activities to be implemented across 10 pilot provinces.

According to its defining documents, the “*Technical Assistance for Fight against Violence towards Children Project*” aimed to “contribute to the protection of children against all forms of violence of a physical, emotional,

verbal and psychological nature to attain high level of health protection, wellbeing and social cohesion in school settings.”⁷²

More specifically, the Project was based on three components each of which uniquely contribute to prevention of violence primarily in schools and also in larger social settings as well.

Component 1: In order to improve guidance and counselling services in schools by developing policies to take legislative measures, prevention and monitoring services capacities increased. This component focuses on the improvement of the institutional capacity of the Ministry of National Education and all structures involved in the fight against violence in education. The component also included the Promotion of Counselling Services in the pilot schools and in this context, it will contribute to the Prevention studies in long term.

Component 2: Developing a Model School "Students with Self Confidence and Developed Life Skills" which is free from physical, emotional, verbal and psychological violence. This component focuses on *“reducing violence among and towards children at schools”* by developing a Model School "Students with Self Confidence and Developed Life Skills" which is free from physical, emotional, verbal and psychological violence and implementing the model in selected pilot schools.

The Model School "Life Skills for Students with Self Confidence" is an attempt to bring together these fundamental rights that are listed in the Convention on the Rights of the Child in these ways:

- Model Schools are child centred.
- They are inclusive.
- They are gender-equitable and celebrate all cultural backgrounds and languages.
- They are effective - that is, in Schools children are learning and being educated.

⁷²<https://www.normconsulting.com/projects-portfolio/technical-assistance-for-the-fight-against-violence-towards-children-in-turkey/>.

- Model Schools are protective, safe, healthy environments
- They are characterized by democratic participation.

There are three things a school must do to ensure that *children are as safe as possible, that they are protected and healthy*. These three things are prediction, prevention, and preparation.

Component 3: Prevention violence against the children outside school

This component focuses on Increasing the awareness of parents, NGO members, non-teaching staff, teaching staff and students through organizing seminars, trainings and conferences on preventing and reducing violence towards children. This also means implementation of critical conferences, fostering the family training programs and preparing, publishing and distributing promotional materials to increase awareness among and within the stakeholders and the general public.

3.9.1. Contribution of the Project as to Provide Empirical data on Violence Against Children: The Survey and its Summary Results

As it emphasized before in various parts of the thesis, violence, is in general a phenomenon with social and cultural dimensions. There are practical difficulties and it is not easy to determine how violence is perceived both in different demographic or cultural contexts (for example, at home, at school, around school, and in virtual/cyber environments) and by different actors (students, parents, teachers, etc.).

Pioneering studies show that for tackling “violence, perception, prevention issues” it is necessary to have clear and reliable data collected and analysed. Although a rich literature is available and has been reviewed in this thesis, there are relatively scarce resources regarding “collected, analysed, reliable, fresh and nationally representative data” on violence at school setting. To work on and deal with violence issues for “policy development/recommendations” it is required to use quantitative and qualitative data.

In this regard, at this point of the thesis, there is a summary from a survey which was conducted under the EU funded Violence Against Children Project 2013-2015.⁷³

Despite the availability of the text only in Turkish language, a comprehensive summary-translation and an analysis on the related to issues tackled in this thesis provided at the following paragraphs.

Since the author-student of this thesis has been involved in the survey as the responsible-managing expert, the “unpublished yet” survey results have been used, for enriching the analysis and also for setting the basis for some recommendations.

The survey has been carried out in 81 provinces of Turkey, following the professional sampling data received from TURKSTAT. Further to pilot implementations, tests and revisions of the survey instruments -the questionnaire forms - were applied to *4769 students, 2425 teachers and 2373 parents in 81 provinces.*

As qualitative data, two-day workshops were organized with participants from different categories from selected provinces and the perception of violence and legitimation of the related participant groups were observed, analysed in detail. In the technical aspect, qualitative and quantitative research designs were used, interview protocols and triple Likert type scales specific to each participant group were used as data collection tools.

The aim of this survey was to determine “how violence is perceived and how it is not understood comprehended as violence” and how legitimation levels differ among the following three categories:

STUDENTS: the perceptions of violence types, perceived levels of violence and perceived violent behaviours by the students from the 4th grade to the last year of

⁷³ “Şiddet Algısı-Sıklığı Araştırması ve Risk Haritası, Ocak 2015 (unpublished report).”

high school; 1652 students from 4th, 5th, 6th grade and 2986 students from 7th, 8th grades; **4638 in total responded.**

TEACHERS: who attend classes from the 4th grade to the last year of high school; the sampling size was **2425 for teachers** and, the analysis was carried out with 2381 valid respondents.

PARENTS: of the students included in sampling; parents who have their children as students in these classes; **2357 parents** responded the questionnaires.

There are important findings of the study. As a result of the data analysis, the most striking results are discussed below. This finding of the survey seems very important in giving some hints about the “*silent or hidden prevalence*” of violence against among school age children.

These results is a evident that *these behaviours are predominantly physical violence and occur in school environment and at home; here are the figures for “around the school category” for students, teachers and parents respectively (87.5%), (98.3%), (89.5%)* which means “*violence perception in and around the school*” is dramatically high and close to 90%. Following are the detailed percentages/categories provided below for further reference.

Perception of violence by the;

STUDENTS

Highest perceptions of violence among the students were as follows:

- Beating a child around the school (87.5%),
- Hitting a child around the school (86.1%),
- Teacher beating a child at school (85.4%),
- Schoolmates beat a child (peer bullying) (84.3%), and
- Pushing a child at home (77.8)

To sum up, for students, *violent behaviours generally occur in schools in the form of “beating”*.

TEACHERS:

Perception of violence and observed violence experiences of teachers are as follows;

- Physical abuse -beating of a child around the school environment (98.3%),
- Physical abuse -beating of the child at home (97.6%),
- Jostling /Pushing / nailing the child at home (97.5%).

PARENTS:

Perceptions of violence by the parents are as follows:

- Physical abuse of a child around the school (89.5%)
- Physical abuse of a child by his friends / peers at school (88.3%)
- Physical abuse of the child at home (88%)
- Jostling/Pushing / pulling a child at school (82.7%)
- Jostling/Pushing / poking the child at home (84.2%)

The awareness and “perception of violence” by the **parents is mainly focused on “the use of brutal force / physical violence”**. At this point, there is one category from the survey elaborated below indicates some “silent waves” regarding violence as the behaviours, which are reported as “non-violence” by the three participant categories. The percentages representing respectively the students and the parents;

Five items reported as **non-violence at home**, are as follows:

- Cutting of pocket money due to child behaviour (61.4%), (65.5%)
- Going through children's personal belongings without his permission (43.6%), (51.9%)

- Parents' comparison of children with others (41.1%) (34.5%),
- Preventing children from doing things they like at home (40.3%), (55.8%),
- Not allowing a student to play with other children at school (38.3%)

In addition, there is a great parallelism among the three categories; the teachers' opinion as "non-violent behaviours at home" are also striking; teachers see cutting the pocket money due to the child's behaviour is not a violent act by 63.7%; and preventing the child from doing what s/he likes at home is not perceived as violent act by the parents by 53.9%. This may in fact turn into normal perception and legitimation of domestic violence today and in the future.

Above findings are striking with regards to the "awareness of the teachers" on what is and what is not a violent behaviour/action; and a short note will be included at the recommendations part of this thesis.

Most frequently perceived as violence are mostly of physical nature and occur in school. The ratio of teachers who define as violence the more veiled behaviours or behaviours that can be regarded as *emotional violence* is relatively lower. The first five behaviours labelled by teachers as non-violent, correspond with disciplinary behaviour; this also found as "*approved / justified by students*".

When the environment in which violent act occurs is considered, it can be said that the highest rates were roughly ranked as school, home and online-cyber environment. *The number of students who reported that they were exposed to violence online was lower than that of students who reported being exposed to violence at home and school.*

On the other hand; in terms of behaviours that could be labelled as **verbal and emotional violence**, students and even a portion of teachers are unsure. The ratio of those unsure in all groups cannot be underestimated. It is very important to note that, *unsure adults (teachers and parents) cannot intervene to prevent violence when necessary and unsure students cannot make sense of behaviours exhibited against them and fail to ask help from adults or protect themselves.*

Bullying in the internet is a relatively new form of bullying by using e-mails, online chat platforms, blogs or personal web pages, SMS or text messages and sharing of images – is increasingly becoming a source of concern in nowadays world also a concern in Turkey. Innovative technologies offer opportunities to create new platforms of communication, interaction and to develop new forms of socialization for the children, On the other hand, these technologies make children potentially vulnerable to harassment and bullying. This is an important and a new phenomenon which requires attention to be paid for prevention. Survey results point out relatively low percentages to above mentioned issues, the frequency of exposure to online violence varies between 11.8% and 20%.The number of students who reported that they were exposed to cyber-violence (cyber) was lower than that of students who reported being exposed to violence at home and school.

One point that draws attention in the process of establishing a legitimate vision is that most of the students do not find the physical violence behaviours justifiable. On the other hand, justified behaviours are behaviours that can be considered as punishment / disciplinary instruments and more passive-aggressive behaviours. In this age group, shouting is generally considered normal. The most legitimate situation is the restriction / prohibition of doing “something that s/he likes” as a means of discipline. This is followed by a comparison behaviour with others/peers, friends.

Again, those “**justified behaviours**” as “**punishment / disciplinary instruments and more passive-aggressive behaviours**” both at home and at schools, need to be highlighted in bold fonts for the attention of policy making bodies as expected to develop “violence prevention” policies.

To conclude with the survey and its highlights;

- Like many countries, violence and bullying in schools is a fact in Turkey.
- Efforts like this survey are a must to try to understand different appearances, perceptions and frequency of violence as well as to prevent and minimise its negative effects.

- As *social ecological model* states, violence prevention is a multifaceted issue and for prevention, **data is very crucial** in order to see the greater picture.
- Violence prevention/improvement efforts can succeed only when it is based on scientific survey findings.
- This survey proves that; perception of violence differs in certain areas for students, teachers and parents.
- Even it is not touched upon in details here, comparative analysis results show that the most significant factor in this difference is **gender mainstreaming**.
- Further to data-findings listed in the previous pages, **despite various domestic violence types are “uncovered by the survey”, students declares as, they are not perceiving “other than physical violence” as violence at home**; this could be seen as “legitimizing or ignoring the domestic violence. There is a **potential danger** here as the **reproduction of domestic violence** in future by those students, in their future life.
- A special emphasis should be given to this aspect of “prevalence” of violence.
- Differences can be observed between students, teachers and parents in terms of violence the **students become subjected to**.

Besides the contributions of this survey, there is a point of criticism; the survey, provides limited information on gender aspect of the nature and causes of this differentiation. The type of violence and its outcomes might differ based on “*gender mainstreaming*”. Work on violence in school cannot be independent from the variable of gender mainstreaming. Thus, **there is urgent need for work that focuses on violence and gender mainstreaming**.

Improvement and prevention work in the future should be carried out on the basis of community/culture and gender mainstreaming should be addressed as risk/protective factor because it might be encountered gender mainstreaming roles in every field as a reflection of social prejudices. This survey shed the light on such behaviours used by parents for punishment at home as the “*possibility of not considering as violence and legitimising the verbal and emotional violence*”.

Lastly, cyber bullying which is a new type of violence should be carefully monitored and precautions should be taken. Literature on this type of violence has just started to come into existence. Work done on its prevalence among the types of violence is quite recent. Cyber bullying which has been coming to the forefront recently, yielded interesting ratios through the survey. On top of that, the chance of catching and punishing the perpetrator is lower.

3.10. Concluding Remarks of Chapter 3

In the Chapter 3, it has been reviewed and elaborated on the main development that took place in Turkey in order to increase legal and practical capacity in reducing and preventing violence against children. The chapter evolved in four sections. First one is that legislative developments; second, the developments in implementation i.e. the founding of the former Ministry of Family and Social Policies; third part is about the developments in the national education system aiming to prevent violence at schools; and fourth one is covered the developments aiming to increase the capacity of civil society institutions, NGOs, and the cooperation between state and the civil society. A balance has been seek throughout the chapter as to provide all necessary information regarding the macro level international and national legislation; and on the other hand, aimed not to blur the perspective with micro level examples from the a survey, project(s) data, strategy papers, implementation tools of the legislation.

CHAPTER 4

ANALYSIS OF TURKISH PUBLIC POLICY ON VIOLENCE AGAINST CHILDREN: CAPACITY SHORTCOMINGS AND BEYOND

This chapter first attempts to review the general problems and shortcomings in the legislative field, which covers the perception and normalization of violence in the society. Second, looks to institutional capacity, governance problems regarding the two critical ministries; MONE and Ministry of Family, Labour and Social Services. Third part is devoted to problems beyond the institutional capacity and fourth part is touching upon the situation civil society and scholarly involvement in policy making.

4.1. Analysis of the Legislative Field in Turkey

As reviewed in the second chapter, in terms of law and regulations, they have been considerable progress in protecting children in general and in preventing/reducing violence against children in particular. Furthermore, some constitutional amendments in 2010 recognized some positive discrimination for women, the elderly and children. However, they do so without explicitly referring to their specific rights of children and women, hence put them all in the same basket (similar to the lack of a ministry on women and gender). UNICEF Reports finds that *“Turkish legislation, which has been drawn up and amended at various times, is still working on the need of considering children as elements of the family, the education system or the society rather than individuals.”*⁷⁴

In 2014, the Third Optional Protocol, on Communications Procedure, of the Convention on the Rights of the Child entered into force. This protocol sets out an

⁷⁴ UNICEF , 2015 Country Report

international complaints procedure for child rights violations, allowing children, from the states which ratified it, to bring complaints about their rights' violations directly to the UN Committee on the Rights of the Child. Turkey has not yet ratified the Third Optional Protocol.

In recent years, the number of juvenile courts increased to 117 and the number of juvenile court judges increased to 113. However, only around 90 juvenile courts are active and more than 50 per cent of children coming before a court or being detained are still addressed under adult trial systems. Although all child victims and offenders are entitled to mandatory free legal aid, this aid is not sufficiently specialized. Such aid is also not granted to child witnesses either.⁷⁵ It is not possible to say that Turkey has a proper “*child law and child prosecution legislation*” on par with the top international standards.

Turkish education legislation has not been in parallel with the legislative developments that occurred during the 2000s. First of all, it does not have sufficient regulations to prevent various types child labour and keep children away from working. Second, it does not sufficiently help to keep especially girls from early marriages which are a much gendered form of violence against children. The “marriage makes a person adult” provision is still in place in Turkish education legislation. There is need for more disincentive content to keep girls from drop out and early marriages.

A central problem, observed by many researchers and institutions, is that despite the legislative improvements in Turkey, these changes have NOT been translated into proper improvements in implementations.⁷⁶ In other words, the overall attitudes of bureaucracy working with children have not changed enough. They are still widely structured by a highly gendered and not-sufficiently-child-friendly worldview and professional habits. Thus, in children rights there exists a discrepancy between the legislation on paper and the reality in practice.

⁷⁵ UN Country Team Report 2015.

⁷⁶ See: above.

4.2. Perception and Normalization of Violence in Turkish Society

Children in Turkey, regardless of age-sex-region, experience violence mostly from their fathers at home and from their teachers at school and on the street from the people they know. These children exercise violence that they have learned from the adults over each other mainly at school and in various environments.⁷⁷

In elementary education, 1 out of 3 students experiences violence regularly and this violence is usually in the form of bullying; in high school physical violence takes the form of bullying⁷⁸. Teachers also admit that they use violence when their knowledge, skill or capacity is not enough.⁷⁹

Physical and emotional violence against children is approved as a common way of disciplining and issued by parents at home and officers in the institutions. The fact that children approve the violence they experience indicates that these children internalize violence. Several studies in Turkey find that a considerable proportion of students think particular types of violence based on punishment for disciplinary purposes are not violence⁸⁰. In this regard, EU-funded Project for preventing violence against children 2013-2015 has a modest contribution by providing fresh data on violence prevention and perception of violence in Turkey. A survey has been conducted in 660 schools of 81 provinces of Turkey. Total number of respondents were 10.200.

Survey results shows that, it can be regarded as such behaviour are internalized and inevitably normalized by children. In terms of behaviours that could be labelled as verbal and emotional violence, students and even a portion of teachers are reported as unsure. However, violence scholarship clearly underlines that unsure adults (teachers and parents) cannot intervene to prevent violence when necessary. Unsure students cannot make sense of behaviours against them hence

⁷⁷ UNICEF. (2015) Country Report

⁷⁸ MEB. (2006). Okullarda Şiddetin Önlenmesi ve Azaltılması Raporu..

⁷⁹ Semerci et al. (2012). Childhood in an Unequal Society (Eşitsiz Bir Toplumda Çocukluk). İstanbul Bilgi Üniversitesi Yay.

⁸⁰ Şiddet Algısı Sıklığı Araştırması, MEB, 2015 (not published yet); also see: Eğitim Dergisi.

they fail to ask help from adults or protect themselves.⁸¹ Furthermore, even if students do ask help from their parents and adults, there is also the possibility of running into adults who are unsure in terms of verbal and emotional violence, thus remaining unresponsive and not taking appropriate measures. To support the discussion above, following example shows that, when 4th, 5th and 6th graders were questioned about their *own experiences of violence*, it has been revealed that the most frequent violent behaviours the students reported as saying “I have experienced” are **verbal behaviours** (bullying) in schools.⁸²

Another salient issue with the ratios of those who are unsure is that the ratio of behaviours involving verbal or emotional violence (yelling, calling names etc.) is higher than that of physically violent behaviours. The ratio of those who are unsure in terms of verbally violent behaviours decreases when more obvious statements of verbal violence such as “insulting” or “swearing” are included. Other than physical and verbal violence, students have no information on the types of violence.

Aside from beatings in school and at home, domestic violence is not regarded as violence by the students. This actually can be considered as normalizing and legitimizing domestic violence in the future. .⁸³

UNICEF Research⁸⁴ finds that:

Ethnic minorities and disabled children are at a higher risk in terms of school-education environments and closed institutions. For girls, there is a high risk of sexual violence including virginity control. Poor children, homeless children, sexual minorities and immigrant or refugee children are at a higher risk in terms of group and street environment. Boys are at a higher risk in public jobs in terms of work

⁸¹ See above.

⁸² Şiddet Algısı Sıklığı Araştırması, MEB, 2015(not published yet).

⁸³ Şiddet Algısı Sıklığı Araştırması, MEB, 2015 (not published yet).

⁸⁴ UNICEF, 2009.

environments. Girls are at a higher risk in terms of domestic work and sexual violence, mainly commercial sexual abuse.⁸⁵

Violence, mainly the one in the family, is gender based. In Turkey 1 of 3 women experience physical violence; more than 40% are exposed to physical or sexual violence at a time in their lives; 1 of 10 women experience serious physical violence from their husbands during pregnancy. Gendered attitudes towards violence are extremely common, as established by several studies.⁸⁶ Turkish society's tolerance towards boys' violent behaviour is one of the major causes of the domestic violence in adult years as well.

4.3. Analysis of the Institutional Aspect

4.3.1. Policy-Formation and Implementation Problems/Shortcomings across the Education System and Education Governance: Institutional Capacity

One structural problem of Turkish education system in dealing with violence is due to its lack of monitoring mechanisms and problems in data and indicators. Turkish education ministry has not had any repeatable and sustained survey research based on common and clearly defined methodology and indicators. No systematic effort in Turkey regarding the monitoring children in general and monitoring violence in particular has taken place. Furthermore, existing monitoring mechanisms in Turkey are not very effective due to lack of clear indicators and due to personal differences of interpretation on violence. Those institutions engaged in monitoring (mostly NGOs) have no right to impose sanction either.⁸⁷

The institutional capacity of the Turkish Ministry of National Education in dealing with violence against children is also very weak. One dimension of the weakness is related to the physical infrastructure of schools. Actual physical infrastructure shortcomings of schools and other educational settings (including boarding public

⁸⁵ UNICEF, 2009.

⁸⁶ UNICEF, 2009.

⁸⁷ UNICEF, 2012.

schools) make it very difficult to meaningfully engage in a pro-active approach since these places themselves pave the way to violence themselves and they are an act of violence against children.⁸⁸ Second, as reported by teachers themselves and found in many studies, the skills and abilities of teachers to not only recognize violence but also to act against it, by communicating with children and their families are far from satisfactory. Third, the current level of resources devoted to psychological guidance and counselling services at schools are far from satisfactory.⁸⁹ There are thousands of schools without any counsellor teacher; and in those who have a counsellor teacher, the student-to-teacher ratios are very high.⁹⁰ Fourth, at the local level, schools in general and teachers and principals in particular are not positioned in a larger operational field which is responsive to their needs in order to deal with violence. As stated in many reports, in province level coordination meetings bringing together all public bodies led by the governor, the demands and needs of schools and students does not fare at the top.⁹¹

Only very recently, and again within the framework of a EU-funded project, Turkish Ministry of National Education (MONE) **has engaged in a more comprehensive analysis and policy-reform on violence in education.** With the “Technical Assistance for Preventing Violence Against Children Project”, there have been efforts to set up a number of indicators to monitor violence and conditions paving way to violence at schools and in society.⁹² Furthermore, first time the notion of Whole

⁸⁸ For significant problems in physical infrastructure in schools in Turkey, see:, Köse, Ayşen, Üçkardeşler, Emre, ve Dinçer Alper. (2014). *Devam Oranlarının Artırılması Teknik Destek Projesi: Şanlıurfa-Mardin-Van-Muş İllerinde Devamsızlık Durum Analizi*. İlköğretime Devam Oranlarının Artırılması Teknik Destek Projesi kapsamında hazırlanmış, yayımlanmamış Niceliksel ve Niteliksel Durum Analizi Raporu. Ve Eğitim Reformu Girişimi (2015) Eğitim İzleme Raporu 2014, Sabancı Üniversitesi.

⁸⁹ See above.

⁹⁰ See above.

⁹¹ Technical Assistance for Preventing Violence Against Children Project,2013-2015.

⁹² Technical Assistance for Preventing Violence Against Children Project,2013-2015.

School Approach has been introduced and utilized to guide policy debates.⁹³ Teachers were provided in-service training classes on catching early warning indicators.⁹⁴ A number of workshops have been held in order to collect the views and interpretations of teachers, school principals, bureaucrats from different ministries.⁹⁵ These workshops fed the development of a new and revised Strategy Action Plans on Violence. Although, the Project has been limited to pilot schools (across 10 provinces), its outcomes may provide roadmaps for national policy-making. Any development towards concrete policies, however, is contingent upon the Ministry's willingness to take up the outputs of the Project and implement them nationally. This is yet to be seen and many observers are not very optimistic about it.

4.3.2. Policy-Formation and Implementation Problems/Shortcomings in Ministry of Family and Social Policies and other Ministries: Institutional Capacity and Coordination Problems

Putting it simple, the Ministry of Family and Social Policies prepared great reports and strategy papers but it does NOT have human resources or financial resources to implement most of the targets established in these strategy papers. For example, almost no concrete steps towards the establishment of pre-evaluation teams (for children suspected of being a victim or perpetrator of violence) in all provinces have been taken. Province and district level coordination for child protection services among different public bodies that are expected to be led by the Ministry are still very low, and in some provinces it is none⁹⁶ In that regard, the transition to pro-active framework in implementation has not been able to follow the framework in legislation. The National Child Rights Monitoring and Assessment Board, which was presumably the most ambitious national coordinating entity for child rights implementation, is not functional as it must be.

⁹³ Technical Assistance for Preventing Violence Against Children Project,2013-2015.

⁹⁴ Technical Assistance for Preventing Violence Against Children Project,2013-2015.

⁹⁵ Technical Assistance for Preventing Violence Against Children Project,2013-2015.

⁹⁶ Kayseri, Konya, Adana Workshops Proceedings Report.

Ironically, major problems underlined by the Ministry of Family and Social Policies are:⁹⁷

1. The institutions cannot fulfil the function of orientation of the children and their families living under risk conditions mainly because of the lack of structured social services provision and preventive measures at local and provincial level.
2. Inadequate resources and staff are allocated for prevention activities at all levels.
3. There is no coordination at a sufficient level among the prevention programs offered by different institutions and the existing resources/capacities for prevention and intervention measures are not known by all professional staff in the institutions and also not known by the clients.
4. The tendency not to guide the children under risk or not to report to the respective authorities makes prevention and intervention measures insufficient.
5. There is no multi-disciplinary assessment system in place which will assess the situation of the child in need of protection by receiving the notices from the court
6. There is not a “single entrance gate” at the intervention level and a standardized procedure for intervention in place
7. A monitoring system about protective and supportive measures is not established and implementation standards for monitoring are not developed
8. In the education system priority is not given to preventive measures; the preventive services existing in the province are not really known from the children and families and they cannot access them effectively
9. There is not a enough family training and family intervention programs available in the provinces.
10. The time of the teachers for making the screenings, conducting detailed interviews and do action plans with the student and his/her parents, is very limited due to the intensity of their workload.
11. The home visits from the health workers or from the teachers to conduct detailed observation cannot be made due to the lack of time and their workload.

⁹⁷ The Coordination Strategy Document, p.9.

12. The children have little opportunities to spend their time outside the schools in safe environments
13. The courts are making injunctions without an adequate social analysis of the child and their families and preparing insufficient reports
14. The courts and prosecutors' offices do not have a common system of data recording and sharing in the context of child protection
15. The Provincial Coordination who has the main duty to ensure the coordination among the institutions cannot work effectively as they lack administrative and professional support. The participation in the provincial coordination meetings from high level representatives from the state institutions is poor. The participation of experts from the universities, non-governmental organizations or the court judges and prosecutors has to be established.

4.4. Problems Beyond (or Before?) Institutional Capacity: Familistic Understanding⁹⁸

We can say that one very central issue beyond the problems in the poor performance of public administration on dealing with violence against children is more about ideas and ideology inherent in the Ministry of Family and Social Policies. The Ministry has been established from a familistic, or “family-centred” point of view, i.e. prioritizing the notion of holy family and its so-called integrity, rather than from a more comprehensive rights-based perspective. What is sacrificed – at least blurred- in such a framework becomes both women rights and child rights, inevitably. Thus, the overall operation logic often misses both conceptual and practical clues in monitoring violence against children and violence against women. As long as a gendered understanding of violence is missing and a family-based understanding is dominant in policy debates and policy actions, neither the institutional capacity would be increased, nor would further reform be possible.

⁹⁸ Familistic is briefly defined as the “subordination of the personal interests and prerogatives of an individual to the values and demands of the family”.

Despite the positive contribution of the Child Protection Law No.5395 which has been in force to ensure the rights and wellbeing of children, there still are problematic areas in the legislative structure. There are findings shows that, legislation related to children is highly scattered. This could be commented to create a disadvantageous climate for children to access justice.

Also, there still problems are visible since the legislation is not harmonized in line with the CRC -Convention on the Rights of the Child and Child Protection Law; such as, defining “the child”.

The current legal framework does not recognize the child as an independent person; Its protectionist nature protects the family or the state, not the child in particular. For example, because the Convention on Cybercrime is not integrated into Turkish law, there are obscenity clauses in the Turkish law.

Turkish legislation itself discriminates against children on the basis of their age. For example, Article 323(2) of the Turkish Penal Code gives parents or guardians a right to discipline.

During AKP Government(s) era, there are many positive contributions to improve and change the legislation in favour of the child; AKP governments has initiated many developments, approved legislative documents concerning child rights like preparing the Strategy of Child’s Rights is one of the leading improvements. But, surprisingly, when the former Minister of Family and Social Affairs Fatma Şahin, while signing the “Strategy”, mentioned that, she is viewing children as ‘**a human capital**’. When it is looked from the CRC perspective, labelling and considering children as a human capital, means repeating the vision as the child is a commodity of the family and the state. Recommendations subtitle of this thesis includes analysis and statistical figures regarding the policy landscape.

4.5. Lack of Civil Society and Scholarly Involvement in Policy Making and in Training and Awareness-Raising: Bureaucratic Doors are Still Not Open to Academy and Civil Society

EU Guidelines for the Promotion and Protection of the Rights of the Child states that country strategies must be including, among many others, the following;

Advocacy and support needed for the capacity building measures, for those who work with and for children to enhance the protection of the children from violence and prevent, detect and respond to all forms of violence against children.

4.6. Civil Society' Role and Protecting Children from Violence

The role and importance of civil society in improving public and social capacity for protecting children from violence and promoting and strengthening child rights is undeniable. It is well-known that the primary strength of civil society institutions is their context-specific information and first-hand knowledge. If there exists a participatory decision-making mechanism in a polity and if policy-makers would be truly open to civil society, such knowledge is extremely useful to arrive at truly-informed policy decisions. Furthermore, especially in issues like violence and protection of children, NGOs engage in activities, varying from fostering public debate, advocacy and raising awareness, to training of professionals, and providing care, rehabilitation and support for victims of violence.

The “**Stepping up Progress in Combating Violence against Children**” Conference held in Ankara in November 2012, was an important platform in Turkish policy debate on violence against children. In that conference, results from a survey among about 40 NGOs in Turkey were presented. Some of the challenges for NGOs in working with public institutions were highlighted. Among them, the most highlighted points were the lack of trust between the administration and civil society, and the lack of tradition of any substantial partnership beyond procedural formalities between government and non-government agencies in child policy in Turkey. The pre-conference survey suggested that all actors involved in preventing violence against children whether public institutions or civil society actors, should

take joint responsibility and the involvement of civil society in the government's development of child rights policies should be institutionalized without delay.

Following are the basic recommendations of the "Ankara Conference" regarding the NGOs:

- A relationship based on trust must be built between all actors involved in the work of ending violence against children.
- To ensure that the role of civil society actors in tackling violence against children is taken seriously, states should set up clear rules that guarantee the involvement and/or consultation of such actors in the development of child protection policies.
- Assessment of state measures should be effectuated on a periodical basis by independent institutions

It is difficult to argue that despite the observable and substantial increase in the activities of NGOs focusing on violence against children, the barriers to their activities have been sufficiently removed in Turkish policy-making landscape. In that regard, main issues and recommendations raised in the Ankara Conference still valid and waiting to be addressed.

4.7. Education and Awareness Raising

Despite long-standing international recognition of children's right to be protected from all forms of violence, children in conflict with the law continue to face acts of aggression and abuse at every stage of their involvement with the justice system.

Children in all corners of the globe are needlessly arrested, brutally interrogated, unfairly convicted, and summarily imprisoned for weeks, months, years or even lifetimes. Although there have been sincere efforts in Turkey, guidance and encouragement to address this growing crisis, distinct attempts to combat violence against children remain underdeveloped, underutilized, under-resourced and

underappreciated. All too often, promises of positive, healing interventions into children's lives have collapsed into inevitable violations of their rights.

Education and training to change public (especially media) and professional perceptions of violence against children in schools and responses to it are missing to support systemic change and promote early intervention and prevention efforts. Campaigns aimed at changing societal attitudes towards school-based violence including physical, sexual and psychological forms of violence, are required. It is the MoNEs obligation to provide information about school violence and its impact on the society.

This entails in particular:

- Incorporating prevention measures/activities into school curricula and promoting a child rights approach in education at all levels;
- Raising awareness, by means of public information and media campaigns, on prevention of violence in schools, including the right to be protected from all forms of violence, the right to respect for human dignity and physical integrity and the right to be heard and taken seriously.

One of the projects objectives is also preventing domestic and all other forms of violence against children outside the schools through increasing the awareness of parents, NGO members, nonteaching staff, teaching staff and students through organizing seminars, trainings and conferences on preventing and reducing violence towards children.

Also, it is worth to mention here that, besides print media materials, didactic short films could be functional on awareness raising to feature as a public spot in TV channels. *MoNE should (also together with other Ministries like the Ministry of Family and Social Policy, The Ministry of Health or the Ministry of Justice) develop and implement integrated, multi-faceted public awareness campaigns to be conducted at the national and local levels about prevention of school violence and its impact on the child/society.*

All the institutions working with and for children (MoNE, General Directorate of Child Services, and other related organizations) must be backed up with trainings, cooperative measures, better and more operational cooperation with NGOs and similar activities for building their capacity on preventing, detecting and responding to all forms of violence against children.

4.8. Concluding Remarks of Chapter 4

What has been discussed under Chapter 4 can be summarized as follows; First of all, a review was made on the general problems and shortcomings at the legislative field which covers the perception and normalization of violence in the society. Secondly, looked through the institutional capacity, governance problems regarding the two critical ministries; of MONE and Ministry of Family, Labour and Social Services were discussed. In the third part, problems beyond the institutional capacity were dwelled on. Last but not the least, in the fourth part civil society's situation and its scholarly contribution in policy making were reviewed.

CHAPTER 5

CONCLUSION: WHERE DOES TURKEY STAND IN REGARD TO WHOLE SCHOOL APPROACH AND INTERNATIONAL STANDARDS?

5.1. Learning Outcomes: Legislation Review and Findings in line with the CRC

As the literature has been reviewed in this thesis, indicates that, as long as a gendered understanding of violence is missing and a family-based understanding is dominant in policy debates and policy actions, neither the institutional capacity would be increased, nor would further reform be possible.

Despite the positive contribution of the Child Protection Law No.5395 which has been in force to ensure the rights and wellbeing of children, there still are problematic areas in the legislative structure both in domestic law and in international law in terms of preventing violence against children. There are findings shows that, legislation related to children is highly scattered. This could be commented to create a disadvantageous climate for children to access justice.

Violence is also invisible among many reasons, either because “not perceived as violence” , “culturally accepted discipline measures”, “*not visible in many cases, due to the “neighbourhood pressure”*” or due to there are no safe or trusted ways for children or adults to report it.

In some parts of the world, may be in Turkey, some people do not trust police, social services or others in authority. Particularly rural areas, there is no accessible authority to which one can report. Literature touches upon and gives only clues as the domestic violence and/or sexual abuse cases are the most problematic, difficult to report cases to authorities. At the school level, school staff is rarely aware of

how to recognize cases of violence and know whom to approach and refer violence cases. There must be a clear contact protocol for police and other authorities in the case of serious incidents of violence. Only the top of iceberg is over the sea until today. This could be another area of research for in-depth analysis and policy recommendations.

It is important to note that, the current legal framework does not recognise the child as an independent person with agency; Its protectionist nature protects the family or the state, not the child in particular. For example, because the Convention on Cybercrime is not integrated into Turkish law, there are obscenity clauses in the Turkish law.

Despite approval, ratification of many international conventions, in some parts, Turkish legislation itself discriminates against children on the basis of their age. For example, Article 323(2) of the Turkish Penal Code gives parents or guardians a right to discipline child in Turkey;

It is clear that, there is a confusion of authority and duties among ministries, and the importance and necessity of establishing a central structure and organization in preventing violence against children. This central structure can be provided within a single ministry, for example within the Ministry of Family, Labour and Social Services or the Ministry of National Education, or by a joint authority-organ structure to be established by both ministries and partly by the Ministry of Justice, or a separate and new Ministry, like the *Ministry of Children and Youth*, its creation can be an important step towards a centralized structure.

Above mentioned findings are very much related to what SEM (socio-ecological model) suggests; in its “institutional level” suggests, the formal institutions, organizations and services that are governed by a set of rules, policies or protocols, expected to determine how things function. Also, at the societal level, it’s suggested to look at the broader societal factors such as “social policies, that help create a climate in which violence is encouraged or inhibited and help to maintain

economic or social inequalities between groups in society”. Policy improvement regarding the “educational policies” clearly indicated under this level of SEM.

The staff of various Ministries involved in particular for our research problem, the Ministry of National Education bureaucratic system and its staff do not adequately understand, implement or undermine or take into account the relevant legislation; or the possibility that the legal arrangements remain on paper,, in other words, that the current legal situation and reality differ from each other

In order to prevent violence, it is important to implement programs and policies that can reduce risk factors and increase protective factors at each of the different levels in the SEM model. Violence in school can be regarded as the considerable reflection of violence (and its reproduction on all kinds of media) in the wider community. Students learn from adults around them through observation and taking them as examples.

5.1.1. Research Findings

It cannot be denied that in Turkey there has been growing awareness and attempts in recent years towards proactive approaches on violence against children and towards institutionalization of more comprehensive mechanisms for child protection. The modern approach and comprehensive understanding is best defined in the Whole School Approach and Ecological Framework in theory. And, in practice, it is best crystalized and politically-described in the European Charter for Democratic Schools without Violence and UNICEF policy recommendations. As reviewed in the third chapter of this thesis, especially during the 2000s a number of international ideas and policy frameworks have diffused into Turkish policy landscape. The main “carriers” of such diffusion was UNICEF acting along with – and with support of – the EU. Especially the projects such as “*Upgrading of the Juvenile Justice System in Turkey*”; “*Towards Good Governance, Protection and Justice for Children in Turkey*”; “*Children First – Modelling Child Protection Mechanisms at Provincial Level*” “*Technical Assistance for Fight against Violence towards Children*” left indelible marks and shifted the overall policy

landscape towards evidence-based and scholarly-driven international standards, not only in discourse but also in legislation and institutionalization. One major institutional outcome has been the founding of the former Ministry of Family and Social Policies, and the legislative outcome the Child Protection Law.

Nevertheless, these legislative and institutional developments have yet failed to produce a meaningful transition in the policy and implementation landscape on violence against children. As stated in the fourth chapter of this thesis, one reason for that is related to, what can be defined as, “the social construction of what is violence and what is not”. It is observed that not only children but also parents and teachers and bureaucrats themselves are at worst accepting or at least fuzzy about violence. Regardless of whatever is written in law and established in mechanisms, such acceptance and fuzziness make further progress difficult.

5.1.2. Recommendations

- a. If the analysis is correlated with *the Societal level*, of The Social-Ecological Model, needed to look at the broad societal factors, such as health, economic, educational and social policies, that help create a climate in which violence is encouraged or inhibited and help to maintain economic or social inequalities between groups in society.
- b. “The climate in which violence occurs” is related with major outlook of the political landscape in the country. Political atmosphere might have a negative impact on the “violence”; it may create a discrepancy between the legislation on child protection in general (and specifically in violence against children) and the implementation in Turkey. Either within the family “domestic violence” or in the school settings, violence against children, mostly intentionally or unintentionally hidden, not visible in many cases, due to the “neighbourhood pressure”. (Şen, 2010).⁹⁹ In his article, Ayata, (Ayata, 2017)¹⁰⁰ reviews recent

⁹⁹ SEN, Mustafa (2010) Transformation of Turkish Islamism and the Rise of the Justice and Development Party, Article in Turkish Studies.

¹⁰⁰ AYATA, Sencer (2017) Manevi Kalkınma İddiasından Toplumsal Çöküntüye; AKP tarzı Muhafazakârlığın Sonuçları, 9 December 2017, Article published in <https://t24.com.tr/>.

statistical data published by Turkish Statistical Institute (TurkStat) which could be used here to enrich analysis regarding violence climate. Ayata compares TurkStat figures between the years 2003 -2016 and as he points;

- People declares as they are happy: 12.1 % in 2003 and decreased to 7.6 % in 2016,
- Use of antidepressant medication rose from approximately 17 million cans in 2008, to 43.5 million cans in 2015
- Divorce rate in Turkey has left behind the population growth rate.
- Violence against women in this period increased by 1,400 percent
- Those who committed crimes such as blackmail, harassment, sexual abuse and extortion was 1.2% in 2012 increased to 3.8%. As a matter of fact, in parallel with these developments, as declared, people do not feel safe even at home.
- Total number of prisoners and detainees in prison was 59,429 in 2002, reaching 177,262 in 2015 (ie before the attempt on July 15 coup), reaching 200 percent an increase has occurred.

To sum up with Ayata's analysis, these are the important initial "clues" which VAW and VAC studies must to look in further researches via using in-depth and SPSS (correlation, ANOVA, etc) to uncover the factors pertaining "the climate in which violence occurs". Another tragic and striking set of figures are announced by Şanlıurfa Bar Association is indicating the desperate situation of children in this locality. As it has been declared,¹⁰¹ between January 1, 2018 and August 21, 2019, according to the CMK defendant and victim defence assignments; reported that, **1,292 people** have been subjected to *sexual abuse and attack* and whom **1, 216 were children**; and the age range of the children is most striking;

- 418 children are below the age 12;
- 407 children between 12-15 years and,
- 391 of them in the range of 15 to 18.

¹⁰¹ S.Urfa Bar Association Press release, 23.08.2019,
<http://www.sanliurfabarosu.org.tr/Detay.aspx?ID=120064>.

As this thesis is focused on the period of “90s and 2000s”, below table included to provide more data which may help to see the greater picture on justice system and “the climate in which violence occurs”. The gradual increase in the total number prisons in Turkey between the years 1998 and 2017 is quite shocking; a change from 66,096 prisoners to 232,340 prisoners; an increase rate of 290.41% at the said period. This looks as a crucial picture in which researchers must look into the details for developing policies preventing VAW and VAC thru further academic analysis, studies.

Table 2. Prison Statistics (TurkStat, 2017)

Number of Convicts and Prisoners, 1998-2017			
Prison population, 1998-2017			
Yillar Years	Toplam Total	Erkek Male	Kadın Female
1998	66 096	63 576	2 520
1999	67 676	65 278	2 398
2000	50 628	48 758	1 870
2001	55 804	53 732	2 072
2002	59 512	57 398	2 114
2003	63 796	61 594	2 202
2004	58 016	56 062	1 954
2005	55 966	54 128	1 838
2006	70 524	68 075	2 449
2007	90 732	87 553	3 179
2008	103 435	99 842	3 593
2009	115 920	111 853	4 067
2010	120 194	116 002	4 192
2011	128 253	123 648	4 605
2012	136 638	131 732	4 906
2013	144 098	138 906	5 192
2014	158 690	152 902	5 788
2015	177 262	170 754	6 508
2016	200 727	192 354	8 373
2017	232 340	222 444	9 896
Kaynak: Ceza İnfaz Kurumu İstatistikleri, 2009-2017			
Source: Prison Statistics, 2009-2017			
Not. Bilgiler 31 Aralık tarihine göredir.			
Note. Data are given as of 31 December.			

Well, no hope at all? To some extent, yes there is an attempt regarding the improvement in policy landscape. The Ministry of Justice has prepared a new “Judicial Reform Strategy”¹⁰² paper and announced to public (to be discussed and

102 Ministry of Justice, (2019). http://www.sgb.adalet.gov.tr/ekler/pdf/YRS_TR.pdf.

endorsed at TBMM), includes total **9 goals** to be achieved. As it is stated in the introductory remarks, *the document is an outcome and output of Turkey-EU accession process; and Turkey, sees the EU membership as a strategic target and committed to it.* This could be a plus at hand towards improvements at legislative atmosphere in general and particularly improvements in the policy landscape of prevention of VAC and VAW. Due to time limitations of the thesis write up stage as and the “draft/under discussion” status of the strategy document, no in-depth review has been done. Despite the potential for general improvements in legislative field, one critical observation made and criticised within the limits of this thesis, as follows;

- a. A quick text analysis is done and found that, child (children) is mentioned only 31 times and unfortunately, mostly in the context of *children in conflict with the law*; 1 time CRC is mentioned as a “name/noun” but nothing to its contextual meaning,
- b. Among 9 goals, only 1 sub-item under goal-7.4 mentioned as “*The juvenile justice system will be restructured with a restorative justice approach and a victim-oriented approach will be adopted*”; somehow mentioned but, yet to be fulfilling the EU accession process expectations.
- c. Research findings from the EU funded project shows that, school administrators have a tendency to hide violence against children may occur in their school, try to not be heard to escape the “danger of diminishing the “prestige” of their school in comparison with the neighbouring schools. This is another expression of “neighbourhood pressure” at institutional level.
- d. Since there is a confusion of authority and duties among ministries, and the importance and necessity of **establishing a central structure and organization** in preventing violence against children; such as “the *Ministry of Children and Youth*”. Its creation can be an important step towards a centralized structure.
- e. At this point, it is necessary to underline the recent development at the highest policy level which may affect child-related policies and implementation issues in Turkey; two ministries merged as the “Ministry of Family, Labour and Social Services”. Only a short period of time has passed since this “unification/merging”

of the Ministries and there is no satisfactory data at hand. Given the heavy duties and responsibilities of these two line ministries, it is suspicious what will be the impacts on child rights implementation and CRC monitoring in Turkey. From the both violence prevention and CRC implementation perspective, this must be monitored very closely.

- f. At provincial level regarding the violence prevention, how the **coordination** will be established, which administrative structure and legal basis will be established, and which ministry will be within the responsibility and administrative link, should be determined correctly. It will also be important for the relevant central coordination unit to work in harmony and coordination with the relevant ministries and to ensure that accurate **data** is transferred to them. Also, a centre for the prevention of violence against children with a restructuring the system an “early warning system” should be created, and this system should be extended all over Turkey.
- g. Another reason pertaining to violence prevention is the lack of **capacity and adequate resources devoted to child policies** in public administration. Thus, under the umbrella of SEM, proposing here a rights-based child policy. It is worth to repeat here that, a rights-based and a complete child policy is the most important tool to reverse this negative situation. By developing a rights-based child policy, there may be a **child-centred structure** that *considers the child as an “individual”* and gives importance on sustainability, persistence and coherence in implementation of child rights in Turkey. One clear example of this appears in the discrepancy between the aspirations stated in the Strategy Documents and actual power and capacity of the Ministry of Family and Social Policies. The failure to produce a strong policy about violence against children, however, is not merely a matter of public administration powers. Since, again as briefly mentioned in Chapter Four of this thesis, a familistic approach to the rights of children and women prevents not only to understand the gendered and complex nature of violence against children but also to act properly about it. In such a framework, the pro-active and integral policy framework, such as the one espoused in **Whole School Approach and Ecological Framework**, The INSPIRE Seven strategies to end violence against children and EU/UNICEF aspirations cannot be fully translated yet into practice in Turkey.

5.2. A Model of Child Protection System

A system which targeting to protect children consist of a set of components that, when well-coordinated, strengthens the protective environment for children. It is a system that both prevents and responds to risks to children. This thesis emphasizes that, school bullying and violence against children, in general, need to be considered, handled towards solution under such a systemic approach. The system must involve education authorities, local and national government. This also means that physical spaces in and around the school need to be adequately supervised and present no danger to children.

Table 3. A Model Child Protection System

Actors in a child protection system:
• The child
• The family
• The community
• State
• Civil society organizations
• International organizations
Principles of a child protection system:
• Emphasis on prevention and coordination
• Child right to protection and participation
• Promotion of the best interests of the child
• Non-discrimination and inclusion
• Sensitive to children’s ages and developmental stages
Components of a child protection system:
• Rules, laws and policies
• Coordination across services and sectors
• Preventive and responsive care
• Workforce roles and capacities
• Community, civil society and social norms
• Financing
• Data

5.3. Limitations of the Research

This thesis based on a systematic review of available selected documents (academic articles, reports, studies, action plans etc.). The period under investigation is limited to 1990-2000s and mostly 2000s. Following the Ratification of the CRC by mid-1990s, the new policies introduced mostly during the 2000s within the bodies of the Ministries.

Another limitation is about the “selected literature”. Despite a rich academic literature on the subject matter, for not losing the focus and to keep the material at a manageable size, a systematic selection has been made. Thesis, adopts a “broad enough” definition of violence against children including physical, sexual and psychological; all forms of violence, and it analyses the most recent and solid sources, from different national institutions such as Ministries, Universities, and NGOs etc., from international organizations such as EU, UNICEF, WHO, UNESCO etc., on violence against children at home, in society, workplaces and schools.

This thesis is concerned with the violence against children in general across the whole policy landscape, but it pays special attention to the topic of violence in the form of bullying at school settings which includes the family.

One more limitation; it has been elaborated within the limits of a sociology thesis but a *CRC-based review and determination of areas for enhancement in legislation*, starting from clearing the “child” definition, stands as another independent and important area of further research. Data-driven monitoring of CRC implementation with an emphasis on VAC could be a critical part of it.

Empirical data is limited to citations from few academic articles reviewed as “secondary data source” and the only primary data is and used from the “unpublished yet survey findings” of the EU funded “Technical Assistance for Fight against Violence towards Children Project 2013-2015”.

5.4. Discussions and Options for Future Research

2000s characterized both with the EU accession process and developments which realized under a continuing single party governance; achievements and lacking aspects of AKP period touched upon under the policy landscape discussions shortly. This is because; the thesis is not an attempt to make pure and fully political system/party analysis. It might be another research problem for a new research.

5.5. Addressing Children and their Rights in Politics

Political parties are among the key players in the policy landscape of a country. In this respect, even if it was not focused in the research question of this thesis, an “interesting data” found during the literature review which could be another “comparative research” area. It has been noted that, for the first time in the 2011 general elections, the “child issue has become the focus of the parties and was included in the election declarations. (Later elections’ political party declarations remain as uncovered). Only three declarations of 2011 and four declarations of 2015 elections have been presented here as an example.

In 2011 General elections,

- AKP Election Declaration lists recommendations for improving and expanding basic public services for the child, establishing an early warning system and establishing an ombudsman system.
- CHP Declaration states to create a child budget, to raise social awareness about children's rights, to eliminate inequalities, to establish child centres, to provide free and qualified education and health services to every child, to implement social state practices for children as soon as possible and to prevent child labour.
- MHP Election Declaration aims to end child abuse.

In 2015 General elections, 4 of the parties which take place in the Turkish Grand National Assembly had explicitly or indirectly included in their election declarations the “children’s rights”.

- AKP’s headline was an indirect one as “Family, Child and Dynamic Population”
- CHP had a headline as “Children who look to the future with hope”
- MHP’s headline was “Woman, Child and Family” and,
- HDP’s headline was “Child rights to be protected”

Since a detailed analysis of the election declarations is not planned to be a primary aim of this thesis, only an initial comparative analysis has been done. Despite lack of clear definition of it, all four parties clearly mentioning that, all forms of violence against children will be prevented. From a rights-based approach, regarding the policy landscape issues, this has to be taken into consideration as a “positive” aspect included in the election declarations. But, a more detailed and structured analysis on the political party election declarations, stays as incomplete analysis, study needed for further recommendations regarding education, violence and gender issues.

Gender mainstreaming by itself is a very critical and broad area of inquiry; a tool for analysis too. It’s being discussed in some parts of this study while elaborated on data (available survey data) issues. It is a known fact; violence prevention strategies will be more effective when supported with national efforts tackle structural causes of violence. This includes social norms, gender and all other discrimination and inequalities. However, due to lack of data collected on “sexual and gender-based violence” and limited time for analysis on the matter, led to limited analysis regarding “gender issues in violence prevention”.

International and national legislative framework reviewed within the limits of a thesis; but there still is an ocean-like areas to be studied. It remains, as a new and challenging area of research, to develop *a deeper understanding of to know about the connection between VAW and VAC*; violence against women and violence against children in Turkey. Gender equality training program in MoNE could be another area of interest towards analysis of policy issues and barriers faced during implementation.

5.6. SEM, Whole School Approach and INSPIRE

SEM, Whole School Approach are relatively proven / successful “tools” on violence prevention supported with a rich literature and implementations behind in various countries. But INSPIRE a new “tool” and as defined, it is an evidence-based approach to preventing violence against children (WHO, 2016). It is a

highly promising, supported by critical organizations but it is still a developing approach. *Despite lack of much supportive data on implementation*, INSPIRE introduced to be considered as a “package of strategy” for keeping children safe via putting the right legal and policy frameworks in place.

5.7. Local Administrations-Municipalities

Towards finalizing the writing of this thesis, there was a chance to look from CRC perspective into the 2011, 2015 general and 2019 local election declarations of the political parties which has group representation at the parliament. Happy to notice, even it is immature yet, there are words, sections, headlines devoted, continuous mentions about “child”, and “child protection, abuse” issues, in various tone of voice. Especially 2019 local election declarations have plenty of promises in this regard. This seems a new area of focus to look forward to cooperating with the municipalities regarding child protection issues. As an example, school administrations, parents can do cooperate with municipalities to make the school environment safer; to reduce or eliminate the risks of bullying, around the dark streets on the way to school etc. This seems another layer of intervention and cooperation potential towards preventing violence; and it must include awareness raising for both practical safety issues and policy-related recommendations.

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APPENDICES

A. DOCUMENTS REVIEWED

Key European Union Documents

- Communication from the Commission: Towards an EU Strategy on the Rights of the Child, *Brussels, 4.7.2006, COM (2006) 367 final*
- Communication from the Commission to the European Parliament and the Council:
- Fighting trafficking in human beings – an integrated approach and proposals for an action plan, *Brussels, 18.10.2005, COM (2005)*
- Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse.
- European Convention for the Protection of Human Rights and Fundamental Freedoms
- European Social Charter and the Revised European Social Charter
- Additional Protocol to the European Social Charter Providing for a System of Collective Complaints
- Council of Europe Convention on Action against Trafficking in Human Beings
- European Convention on the Exercise of Children's Rights
- European Convention on Human Rights
- the European Convention on Human Rights The European Social Charter
- the European Convention on Recognition and Enforcement of Decisions concerning Custody of Children and on Restoration of Custody of Children
- the European Convention on the Exercise of Children's Rights
- the Hague Convention on the Civil Aspects of International Child Abduction

Key Turkish Laws Regarding Violence Against Children

- The Turkish Civil Code (2001)
- The Labour Code (2003)
- The Turkish Penal Code (2004)
- The Law on Criminal Procedure (2004)
- The Law on Enforcement of Punishment and Security Policies (2004):
- The Law on Child Protection (2005)

Unpublished Project Reports

- Çocuğa Yönelik Şiddetin Önlenmesi Projesi, Şiddet Algısı Sıklığı Araştırması, MEB, 2015 (unpublished)
- Çocuğa Yönelik Şiddetin Önlenmesi Projesi, Kayseri, Konya, Adana Workshops Proceedings Report, MEB, 2014 (unpublished)
- Political Party Elections Declarations:
- 2011 General Elections; AKP, CHP, MHP
- 2015 General and 2019 Local Elections; AKP, CHP, MHP and HDP.

B. TURKISH SUMMARY/ TÜRKÇE ÖZET

2000li yıllarda, eğitim ortamlarında şiddete karşı çocukların korunmasına ilişkin kamu politikası söylemi nispeten daha pro-aktif (önleyici) hizmetler çerçevesine doğru evrilmiştir. Yasama alanındaki gelişmelerin bir kısmı ve uluslararası kuruluşlar tarafından teknik ve finansal olarak desteklenen ve çeşitli bakanlıklar bünyelerinde uygulamaya konan pilot projelerle, bir dizi önleyici politika anlayışı kurulmaya çalışılmıştır. Bu bağlamda diyebiliriz ki, çocuk hakları ve çocuğa yönelik şiddete ilişkin politikalar küresel politika standartları ile görece paralel doğrultuda olmuştur. Öte yandan, incelenen araştırma sonuçları göstermektedir ki, eğitim ortamlarındaki ne genel olarak şiddet içeren davranışlar ne de şiddetin özel bir biçimi olan okul zorbalığı azalmamıştır. Mevzuat değişikliklerinden ve proje pilot uygulamalarından beklenen sonuçlarla karşılaştırınca, Türkiye’de okul (aile ve okul çevresini de kapsayan) ortamında şiddet ve zorbalığa ilişkin durum uluslararası standartlara göre oldukça zayıf haldedir. Bu tez, beklenen sonuçları üretmekte yetersiz kalan proje müdahaleleri ve mevzuat değişikliklerinin uygulamadaki başarısızlığına ve/veya uygulamakla yükümlü kurumlardaki politik isteksizlikten doğan duruma ilişkin gözlemden hareket etmektedir. Bu gözlem çerçevesinde, tez, bir sosyo-ekolojik teorik bakış açısı benimsemekte; geniş sosyal politika çerçevesini ve eğitim ortamlarının niteliğini belirleyen toplumsal ve kurumsal boyutları sorgulamaktadır. Sosyo-ekolojik analiz çerçevesiyle bu tez, 1) toplumsal düzeyde (familistic) ve muhafazakâr bakış açısının varlığını; 2) şiddetin daha geniş bir normalleşme ve kabul gördüğü bir politika çerçevesini; 3) zayıf kurumsal kapasiteyi; kurumlar arası işbirliğinde yaşanan güçlükleri; 4) şiddetin ortaya çıktığı “toplumsal iklimi” oluşturan suçlu sayısında hızlı artışı, artan yoksulluğu, sosyo-ekonomik açıdan dezavantajlı nüfusun varlığını ve artışı, mevcut durumdan sorumlu temel faktörler olarak bulgulamakta ve tartışmaktadır.

Bu tez, temel kavramlarda araştırmanın kapsamı ve metodolojisinin tanıtıldığı giriş dahil olmak üzere 5 bölümden oluşmaktadır. Araştırmanın temel kavramların

irdelendiği Giriş bölümünden sonra, ikinci bölümde okul zorbalığına yönelik teorik yaklaşımlar gözden geçirilmekte ve benimsenen teorik bakış açısı oluşturulmaktadır. Aynı zamanda, çocukları şiddete karşı korumaya yönelik önde gelen uygulama ve yaklaşımlar, bu temel kavramlar ve yaklaşımların ardındaki hedefler ele alınmaktadır. Zorbalık kavramının da tartışıldığı bu bölüm, Olweus'un öncü çalışmalarından (1978) beri söz konusu tanımın akademideki diğer katkılarla zenginleştirilmesiyle öne çıkan zorbalık tanımlarını da sunmaktadır. Alanında öncü olan teoriler açıklanarak yapılan literatür taramasına dayanarak bir analiz çerçevesi çizilmiştir. İkinci bölümün alt bölümlerinde, hem akademik kaynaklardan türetilmiş öncü teorik yaklaşımları hem de uluslararası sözleşmelerden ve / veya tematik raporlardan şiddet ile ilgili kabul gören tanımlar irdelenmektedir.

Literatür taraması bölümünü, Türkiye'deki çocuklara yönelik şiddete ilişkin politika ortamının 1990'lı yıllardaki ve özellikle 2000'li yıllardaki büyük politika gelişmelerinin, ulusal projelerin ve strateji belgelerinin gözden geçirildiği Bölüm 3 izlemektedir.

Çocuklara yönelik şiddete ilişkin teori ve yaklaşımlar ve Türkiye bağlamının politika incelemesine de dayanarak, okul ortamında çocuklara yönelik şiddete/zorbalığa ilişkin politikaların analizi, 4. Bölümde yapılandırılmıştır. İncelenen proje ve politikadaki temel sorunlar ve eksiklikler de 4. Bölümde tartışılmaktadır. Araştırmamızda görüldüğü üzere, 2000'li yılların başlarından itibaren hız kazanarak uygulanan projeler ve geliştirilen önleyici politikaların varlığına rağmen, uygulamadaki sorunlar ve mevzuattaki halen beliren eksiklikler açık yüreklilikle ve kapsamlı biçimde ele alınmadıkça, Türkiye'de kapsamlı ve kurumsal bir değişim meydana gelmedikçe, okul zorbalığını azaltmak neredeyse imkansızdır. Son olarak, Beşinci Bölüm, mevzuattaki eksikliklere dikkat çekerek, bunların nasıl tamamlanacağına yönelik öneriler geliştirilmiştir. Ayrıca bu araştırmanın kavramsal çerçevesini oluşturan sosyo-ekolojik model perspektifinden hareketle “uygulanabilir stratejiler / eylem (müdahale) noktaları” önerilmiştir. Her bölümde değinilen konular ve içerik, takip eden sayfalarda özet olarak verilmiştir.

İnsan yaşananında çocukluk, sadece bir büyüme süreci değil, zihinsel, duygusal ve sosyal gelişim açısından karmaşık dinamikleri içeren çok özel bir dönemdir. Sosyolojik açıdan toplumda “çocukluğa” yaklaşımda farklılıklar olduğu görülmektedir. Daha geniş anlamıyla, geleneksel toplumlarda çocukluk, hızla tamamlanması gereken gereksiz bir dönem olarak kabul edilir. Öte yandan, çağdaş toplumlarda çocukluğun yetişkinlerden farklı ihtiyaç ve beklentileri olan çok özel bir aşama olduğu düşünülmektedir; çünkü çocukluğun kendine has biyolojik, psikolojik ve sosyal özellikleri var; o nedenle, sorunları yetişkinlerden farklıdır. Bu bağlamda, tarihsel siyasal süreçte insan haklarının tanınması ve çocuklara anayasal hakların tanınması ile çocuk hakları ortaya çıkmıştır.

Çağdaş dünyada eğitim, nerede doğar ve nerede yaşarsa yaşasın, her çocuk için çok temel bir haktır. Çocuğun gelişimi için fırsat sağlayan eğitim, çocuğun yaratıcı becerilerini kazanmasını ve sosyal ilişkileri geliştirmesini sağlar. Birey olarak çocuk, haysiyet, güven ve özgüven ile büyümelidir. Okullar, çocuklara birçok değer öğrenme, hoşgörü ve diğerlerinin haklarına saygı duyma fırsatları sunar. Ancak, literatüre ve gerçek yaşama baktığımızda ne yazık ki bugün, birçok çocuk için okul ortamı, çeşitli şekillerde şiddete, zorbalığa maruz kaldıkları yer anlamına geliyor.

Şiddet birçok ortamda gerçekleşir ve okul bundan bağımsız değildir. Okulda şiddet, meşru ve ihtiyaç duyulan bir çocuk disiplini biçimi olarak uygulanmaktadır. Yapılan çalışmalar bu durumun mevcut sosyal tutumları yansıttığını belirtmektedir. Ayrıca okulun da içerisinde yer aldığı toplumsal yaşamdaki sosyal huzursuzluk, gündelik yaşamda silah mevcudiyeti/erişilebilirliği, çete suç faaliyetleri okul ortamını etkiler. Küresel şiddet çalışmalarından¹⁰³ elde edilen güncel veri, ülkelere göre farklılık göstermekle birlikte, çocukların % 80 ila % 98'inin evdeki fiziksel cezadan mustarip olduğunu gösteriyor. Şiddetin duygusal ve sağlık üzerinde ciddi etkileri vardır; çocukların öğrenme yeteneklerini ve okul performansını düşürür. Ayrıca, pozitif ilişkileri engeller, düşük özgüven, travma ve depresyona neden olur ve çoğu zaman risk alma ve saldırgan davranışa neden olur. Aynı kaynak, okulda zorbalık ile ilgili olarak araştırmadan önceki ay içinde,

¹⁰³ Ending Violence in Childhood. Global Report 2017.

çocukların üçte birinden fazlasına ve bazı durumlarda sorgulanan çocukların 2 / 3'üne zorbalık uygulandığını gösteriyor. Şiddet, bazen kendi kendine bulaşır. İncelenen çeşitli BM ve AB metinleri suçluluğa, Türkiye'deki şiddete atıfta bulunur ve bu sorunları ele almak için araştırma odaklı politikalar geliştirmenin önemine dikkat çeker.

Şiddetin tanımına baktığımızda, BM Çocuklara Yönelik Şiddet Araştırması (UNVAC) okullarda dört ana şiddet biçimini tanımlar: zorbalık, cinsel ve cinsiyete dayalı şiddet, fiziksel ve psikolojik şiddet. Bu çalışmada zorbalık, izole edilmiş bir olaydan ziyade “davranış biçimi” olarak tanımlanmış ve en yaygın zorbalık biçiminin sözel olduğu tespit edilmiştir. Sözlü zorbalığın kritik yönü, kontrol edilmeden bırakılması halinde fiziksel şiddete de yol açabileceğidir.

Bu tezde, literatürdeki öncü ve yol gösterici kaynaklarla birlikte, Türkiye'deki sorunun büyüklüğünü görebilmek için, AB destekli proje bir özgün kapsamında yapılan politika geliştirme çalışmaları ve saha araştırması bulgularından veri kullanılmıştır; MEB'in yararlanıcısı olduğu “Çocuklara Yönelik Şiddetin Önlenmesi için Teknik Destek Projesi 2013-2015” kapsamında, Türkiye'nin 81 ilinde 4,769 öğrenci, 2,425 öğretmen ve 2,373 ebeveyn ile nitel ve nicel bir anket gerçekleştirildi. Anket sonuçları, bu tezde Bölüm 3'te ele alınmıştır. Söz konusu araştırmada, küresel bulgularla paralel görünen kritik bulgulara erişilmiştir; Şiddete bakış, okul ortamında ve çevresinde fiziksel şiddet (algı) oranının öğrenciler, öğretmenler ve veliler için sırasıyla % 87,5, % 98,3 ve % 89,5 olarak tespit edilmiştir.

En çarpıcı sonuç ve göze çarpan bir sorun, belirgin fiziksel şiddet dışındaki şiddeti sorgulayan sorulara “emin değilim” ve “kararsızım” diyenlerin oranıdır. Çeşitli sorularda, öğrencilerin % 33,3 ila % 35'i “sözlü ya da duygusal şiddetin (bağırarak, lakap takılmak istenmedik biçimde isimlendirilmek, duygusal zorbalık vb.)” şiddet olup olmadığından emin değildir. Çocuğa karşı şiddet hakkındaki literatür, sözel ve duygusal olarak şiddet içeren davranışların ve zorbalığın da şiddet olduğunu açıkça tanımlar. Aile içi şiddeti sorgulayan soruların ankette yer almasına rağmen, öğrencilerin “fiziksel şiddet dışındaki” olguları evde şiddet olarak algılamadığı

belirlenmiştir. Bu durumun üzerinde durulması gerekir; burada “aile içi şiddeti örtmek / meşrulaştırmak veya göz ardı etmek” riski vardır.

Aile içi şiddetin varlığı, öğretmenlere sorulan sorular ile dolaylı bir teknikle kontrol edilmiştir. Tespit edilen sonuçlara göre, çocuğun evde fiziki istismara uğraması oranı % 97.6, aile bireyleri tarafından çocuğa evde fiziksel olarak sallama / itme / kakma gibi davranışların oranı % 97.5'tir. Özetlemek gerekirse, anketin bulguları okul çağındaki çocuklara yönelik / çocuklar arasında şiddetin “şiddet olarak algılanmasa, disiplinin gereği normal algılansa da” bu konunun “sessiz veya gizli yaygınlığı” hakkında önemli ipuçları görünmektedir.

Çocuklara yönelik şiddet- her halükarda- çocukların en temel haklarının ihlalidir, önlenilirdir ve mazur görülemez. Hem bireye hem de topluma büyük ve uzun süreli zarar veren sosyal bir sorundur. Okulda zorbalık (ve mağduriyet) çocuklara yönelik şiddet içeren özel ve yaygın bir olgudur. Çocukluk ve ergenlik yıllarında yapılan, uğranılan zorbalık ve mağduriyet, yetişkinlik yıllarında fiziksel sağlık, zihinsel sağlık ve aile / sosyal ilişkiler açısından, birçok olumsuz sonuç doğurmaktadır (Cowie (2013); Copeland, 2013; Arslan ve diğerleri, 2012; Allison, 2009) Mağdurların sıklıkla bir başa çıkma stratejisi olarak zorbalığa dönmesi gerçeği, bu sosyal sorunu daha karmaşık ve kendi kendini sürdürebilir kılmaktadır (Smokowski ve Kopazs, 2004). Bu nedenle, okul zorbalığı eğitimciler, akademisyenler ve politika yapıcılar için önemli bir konu ve endişe kaynağıdır (Rigby ve Smith, 2011; Elias, 2013).

Karmaşık “doğası” nedeniyle çocuklara yönelik şiddet çok yönlü bir yapıya sahip ve sosyoloji, psikoloji, ekonomi, kamu politikası, sosyal hizmet, eğitim bilimi, tıp ve hukuk gibi çeşitli bilimsel disiplinler aracılığıyla incelenmiştir. Bu disiplinlerin tümü, çeşitli şekillerde, bu tezin bakış açısını ve tartışmalarını besler. Ancak, temel düzeyde, bu tezi yönlendiren asıl yaklaşım disiplinler arası bir sosyolojik bakış açısıdır.

Sosyolojik perspektifler, Çocuk kavramını çerçevelemeye ve çocuklara yönelik şiddete odaklanmaya dayanan Bağlanma Kuramı ve Sosyal Öğrenme / Sosyal

Bilişsel Kuram gibi kuramlara dayanmaktadır. Bu bağlamda, yararlanılan temel teorik yaklaşım sosyo-ekolojik teoridir ve zorbalığı anlamak üzere o bir kavramsal çerçeve olarak kullanılmaktadır. Ayrıca, Avrupa Şiddetsiz Demokratik Okullar Şartı, Çocuğa Yönelik Şiddete Son Verme İçin Yedi Strateji: INSPIRE ve Bütüncül Okul Yaklaşımı gibi çağdaş uygulama ve stratejilerden yeri geldikçe, çocuk ve şiddet sorunun çözümüne yönelik yaklaşımlar olarak yararlanılmıştır.

Sosyo-ekolojik çerçeveyi kullanarak, politika ve uygulama düzlemleri arasındaki boşluğu ele alırken zorbalık prevelansına katkıda bulunan daha büyük sosyolojik ve kurumsal faktörlerin ne olduğu da yorumlamaya çalışıldı. Böylece çocuklara yönelik şiddete ilişkin politika ve uygulama alanında anlamlı bir geçiş sağlayamayan yasal ve kurumsal gelişmelerin boşlukları konusunda öneriler geliştirildi.

Bu tezde, seçilmiş literatürün-belgelerin (akademik makaleler, raporlar, çalışmalar, eylem planları vb.) sistematik bir incelemesi yapılmıştır. İncelemede, fiziksel, cinsel ve psikolojik şiddet biçimlerini içeren, çocuklara yönelik şiddetin “evde, toplumda, işyerlerinde ve okullarda” görülen en geniş tanımı kullanıldı. Bakanlıklar, Üniversiteler ve STK'lar vb. gibi farklı ulusal kurumlardan, AB, UNICEF, WHO, UNESCO vb. gibi uluslararası kuruluşlardan en yeni ve sağlam kaynakları analiz edilmiştir. Çalışma politika düzleminde genel olarak çocuklara yönelik şiddet ile ilgilidir, ancak “*aileyi de içeren okul ortamlarında zorbalık biçiminde şiddet*” konusuna özel önem vermektedir. Bunun nedeni şiddetin, okulların bir dizi etkileşimi sonucunda aile, toplum ve devlet dinamikleriyle kesişme noktalarında gerçekleşmesidir; Okullardaki şiddet ve onun yaygın türü zorbalık, Türkiye'de önemli ve endişe verici bir konudur. Bu tezin ilgili bölümlerinde konuyla ilgili kanıtlar ve veriler sunulmaktadır.

Akademik literatürde kabul gören zorbalık tanımını kısaca özetlenirse;

Kişi, bir veya daha fazla kişi tarafından olumsuz eylemlere defalarca ve zaman zaman maruz kaldığında zorbalık oluyor. Olumsuz eylem, bir kişinin kasıtlı olarak başka bir kişiye, fiziksel temas yoluyla, kelimelerle veya başka şekillerde yaralama veya rahatsızlık vermesidir (Olweus, 1993).

Zorbalık kavramının sınırları ile ilgili araştırmalar arasındaki çeşitli anlaşmazlıklara rağmen, 1990'ların sonlarında ve 2000'lerde zorbalığa ilişkin asgari bir fikir birliği

ortaya çıktı: Zorbalık bir saldırganlık şeklidir, doğrudan veya dolaylı olabilir, fiziksel, sözel veya psikolojik şiddet içerir ve ilişkisel eylemler kasıtlıdır, güç dengesizliği ilişkisinde meydana gelir ve zamanla tekrarlanır. (Mishra, 2012).

Sosyal bilimler disiplinleri arasında zorbalığı anlamak, açıklamak, ölçmek, tahmin etmek, karşılaştırmak ve anlaşılabilir bir şekilde önlemek için geliştirilen çeşitli teorik bakış açıları vardır. Zorbalıkla ilgili teorilerin kapsamı bir çok açıdan, yani genetik, biyolojik, psikolojik, bireysel seviyeden en geniş, toplumsal, politik, devlet ve küresel seviyeye kadar değişmektedir. Bu tezde birkaç temsili bakış açısı gözden geçirilmiştir. Devamında ise, zorbalığın birkaç bileşenini ve bu tezle ilişkilendirilen sosyo-ekolojik perspektife odaklanılmıştır. Bağlanma kuramı ve sosyal öğrenme / bilişsel kuram tarafından benimsenen kavram çerçevesi sosyolojik anlayış için yeterli olmayabilir. Çünkü, bireyin olduğu sosyal bağlamı yeterince dikkate almazlar. Bireysel ve sosyal kurumlar, kültürel çevre, hukuk sistemi, politik yapılar arasındaki dinamik ilişkilere de yer vermezler. Bu bağlamda, sosyo-ekolojik bakış açısı, zorbalığın karmaşıklığı hakkında daha geniş ve derin bir görüş sağlar.

İlaveten, çocuklara yönelik şiddetin önlenmesi için yeni stratejiler ve güncel girişimler tezde ele alınmıştır. Bu kapsamda “Avrupa Şiddetsiz Demokratik Okullar Şartı” ve “Çocuklara Yönelik Şiddete Son Vermek İçin Yedi Strateji: INSPIRE”, “UNICEF Çocuk Dostu Okul Girişimi”, ve “Bütüncül Okul Yaklaşımı” temel kuramsal gelişmeler ve uygulamalar, uluslararası ve ulusal bağlamda gözden geçirildi. Görece yeni olan INSPIRE, 2016 yılında Dünya Sağlık Örgütü (WHO), ve diğer uluslararası uzman kuruluşlar işbirliğiyle hazırlanmıştır. INSPIRE, çocuklara yönelik şiddeti önlemede kanıta dayalı bir yaklaşım olarak tanımlanmaktadır (WHO, 2016). “Çocuklarda ve ergenlere yönelik şiddeti önlemeyi, bunlara yanıt vermeyi taahhüt eden herkese -devletten taban hareketlerine ve sivil toplumdan özel sektöre-görevler düşmektedir.” (WHO, 2016).

Değinilen yaklaşımlardan hareketle, çocuklara yönelik şiddeti azaltma ve önleme konusunda yasal ve pratik kapasiteyi arttırmak amacıyla Türkiye'de meydana gelen temel değişimler gözden geçirilip dört alt-bölümde sunulmaktadır. Birincisi, yasal

gelişmeler; iki, uygulamadaki gelişmeler, yani eski Aile ve Sosyal Politikalar Bakanlığının kuruluşu ve önemi; üç, okullarda şiddeti önlemeyi amaçlayan ulusal eğitim sistemindeki gelişmeler, dördüncüsü, sivil toplum kuruluşlarının kapasitesini ve devlet ile sivil toplum arasındaki işbirliğini arttırmayı amaçlayan gelişmeler.

Çocukların yararına önemli yasal gelişmelerden birisi Türkiye'nin 1990'da Birleşmiş Milletler Çocuk Haklarına Dair Sözleşmeyi (ÇHS) imzalaması ve 1995'te de onaylamasıdır. Böylece, ÇHS'de öngörülen haklarla uyumlu bir dizi mevzuat gelişimi, hizmetlerin artırılması, ek kaynakların yaratılması ve idari reformun başlatılması mümkün olabilmiştir. Bu bağlamda konu ile ilgili öncü rol oynayan UNICEF, TBMM'nin onayladığı uluslararası iş birliği anlaşmasına dayanarak 1951'den bu yana çocuk ve ergen haklarını korumak için de Türkiye'de çalışmakta, vizyon geliştirici katkılarda bulunmaktadır.

2011 yılında Aile ve Sosyal Politikalar Bakanlığının kurulması önemlidir. Bakanlık, Çocuk Koruma Kanunu'nun uygulanması için ilgili tüm mevzuatı geliştirmek, takip etmek, ilgili bakanlıkların merkezi ve yerel organlarını koordine etmekten sorumlu olan kamu otoritesi olarak göreve başlamıştır. Yine, 1990'lar ve 2000'lerde sivil toplum kuruluşlarının sayısında artışla beraber, hak temelli (genel olarak insan hakları, çocuk hakları ve çocukların özellikle şiddetten korunmasına ilişkin) çalışmalarda artış gözlenmiştir.

AB katılım sürecinin yarattığı ılımlı ve değişimi destekleyen politik ortam, artan mali-tekniik katkılar ile, kimi bakanlıkların, bu çalışma özelinde Millî Eğitim Bakanlığı'nın görev ve sorumluluklarını yerine getirmesine destek verip, vizyon geliştirmesine ve çalışanlarının kapasitesinin güçlendirilmesine katkı yapan projeler de hayata geçmiştir. Bu tezin yazarının da İletişim-Eğitim uzmanı/yöneticisi olarak görev yaptığı Çocuklara Yönelik Şiddetin Önlenmesi Teknik Destek Projesi, 2013-2015 yıllarında uygulanırken “*çocukların fiziksel, duygusal, sözel ve psikolojik nitelikteki her türlü şiddete karşı korunmasına; çocuğun sağlığını yüksek seviyede korumaya, okul ortamlarında refah ve sosyal uyumu arttırmak*” amaçlanmıştır. Proje, her biri öncelikle okullarda ve ayrıca daha

büyük sosyal ortamlarda şiddetin önlenmesi için katkıda bulunan üç bileşene dayanıyordu. Bu proje uygulamasından edinilen deneyim, ampirik verilerden de belirli ölçüde ve özenli bir şekilde yararlanılmıştır. Şiddetin farklı demografik ya da kültürel bağlamlarda (örneğin evde, okulda, okulda ve sanal / siber ortamlarda) ve de farklı aktörler (öğrenciler, ebeveynler, öğretmenler vb) tarafından nasıl algılandığını belirlemek kolay değildir, pratik zorluklar vardır. Literatürdeki öncü çalışmalar, “şiddet, algı, önleme sorunları” ile mücadele için net ve güvenilir verilerin toplanıp analiz edilmesinin gerekli olduğunu göstermektedir.

Zengin bir literatür mevcut olmasına ve seçilerek gözden geçirilmesine rağmen, okul ortamında şiddet hakkında “toplanmış, analiz edilmiş, güvenilir, taze ve ulusal olarak temsil gücü olan veriler” göreceli sınırlıdır veya çok az kaynak bulunmaktadır. Şiddet ve zorbalığı önleme alanında politik iklimi değiştirme, tavsiyeler ve mevzuat geliştirilmesi için, daha derinlemesine ve temsil gücü yüksek nicel ve nitel veri kullanılması gerekmektedir. Bu amaçla, kısıtlı bir çaba da olsa, eldeki imkân kullanılarak, proje kapsamında yürütülen araştırmanın bir özeti İngilizceye çevrilerek, ilgili istatistiki bulguları da tezin amaçlarıyla uyumlu olarak kullanılmış; bu konudaki güçlük ve sınırlılıklara da dikkat çekilmeye çalışılmıştır. Tez içerisinde verilen özetten yararlanarak bazı bulgular şöyle sıralanabilir;

- Pek çok ülke gibi, okullarda şiddet ve zorbalık Türkiye'de de bir gerçektir.
- Projedeki gibi çabalar, farklı görünüşleri, algıları ve şiddet sıklığını anlamının yanı sıra olumsuz etkilerini önlemek ve en aza indirmek için bir zorunluluktur.
- Sosyo-ekolojik modelin belirttiği gibi, şiddeti önleme çok yönlü bir konudur ve önleme için, büyük resmi görmek için veriler çok önemlidir ve çabalar ancak bilimsel araştırma bulgularına dayandığında başarılı olabilir.
- Şiddet algısı öğrenciler, öğretmenler ve ebeveynler için belirli alanlarda farklılık gösterir. Projedeki araştırmada ayrıntılara yeterince dokunulmasa bile, karşılaştırmalı analiz sonuçları, bu farktaki en önemli faktörün cinsiyet olduğuna dair ipuçları vardır..

- Çeşitli aile içi şiddet türlerinin “anketle ortaya çıkmasına” rağmen, öğrenciler evdeki şiddet olarak “fiziksel şiddet dışındaki” şiddeti şiddet olarak algılamıyorlar; Bu durum, “aile içi şiddeti meşrulaştırmak veya göz ardı etmek” olarak görülebilir. Aile içi şiddetin öğrenciler tarafından ileriki yaşamlarında tekrarlanması gibi potansiyel bir tehlike vardır ve şiddetin “yaygınlığının” bu yönüne özel bir önem verilmelidir.
- Okulda şiddete yönelik çalışmalar, “toplumsal cinsiyet eşitliği” değişkeninden bağımsız olamaz. Proje araştırmasında bu yönün eksikliği eleştirilmelidir. Literatür bulguları, şiddetin türü ve sonuçlarının, “toplumsal cinsiyetin eşitliğine” göre değişebileceğini işaret eder.
- Son olarak, yeni bir şiddet türü olan sanal /elektronik ortamda ortaya çıkan siber zorbalık dikkatle izlenmeli, önlemler alınmalıdır. Bununla ilgili literatür yeni ortaya çıkmaya başlamış olup şiddet türleri arasında yaygınlığı üzerine yapılan çalışmalar kısıtlıdır.

Özetle, tez bulguları çerçevesinde görülmektedir ki, başka ülkelerde olduğu gibi, Türkiye'deki çocuklar da yaş-cinsiyet, bölgesine bakılmaksızın, çoğunlukla evde ebeveynlerden, okuldaki öğretmenlerinden/görevlilerden; okul çevresinde, sokaklarda şiddete maruz kalıyorlar. Çocuklara karşı fiziksel ve duygusal şiddet, disiplinin ortak bir yolu olarak onaylanıyor; evde ebeveynler ve kurumlardaki çocuklara memurlar tarafından bu tür cezalar verildiği gözlenmektedir. Çocukların yaşadıkları şiddeti onaylamaları, bu çocukların şiddeti içselleştirdiğini göstermektedir. Türkiye'deki kimi çalışmalar, öğrencilerin önemli bir bölümünün, disiplin amaçlı cezalara dayanan belirli şiddet türlerinin “şiddet olmadığını” düşündüğünü göstermektedir.

Eğitim sisteminin şiddetle mücadeledeki yapısal bir başka sorunu, yeterli ve kalıcı izleme mekanizmalarının bulunmamasından / yetersizliğinden kaynaklanmaktadır. Sorumlu bakanlık, açıkça tanımlanmış metodolojisi olan ve göstergelere dayanarak tekrarlanabilir ve sürekliliği olan araştırma yapmamaktadır. Mevcut şiddet izleme mekanizmaları, yeterince açık göstergelerin bulunmamasından, veya göstergeleri kullanacak yetkililerin şiddete ilişkin kişisel yorum farklılıklarından dolayı, izlem

çalışmaları çok etkili değildir. İzleme ile uğraşan diğer kuruluşların (çoğunlukla STK'lar) da sorunu tespit etse bile yaptırım uygulama hakkı yoktur.

Kamu idaresinin çocuklara yönelik şiddetle başa çıkma konusundaki zayıf performansındaki sorunların ötesindeki çok merkezi bir sorunun, Aile ve Sosyal Politikalar Bakanlığı'ndaki doğal fikir ve ideoloji ile ilgili olduğunu söyleyebiliriz. Bakanlık, daha geniş kapsamlı haklara dayanan bir perspektiften ziyade, "aile merkezli" bir bakış açısı ön planda tutularak kurulmuştur. Böylesi kavramsal çerçevede hem kadın hakları hem de çocuk hakları açısından "fedakarlık", hakları örten bulanıklık kaçınılmaz olur. Bu nedenle, genel işleyiş mantığı çocuklara yönelik şiddeti ve kadına yönelik şiddeti izlemede hem kavramsal hem de pratik ipuçlarından yoksun olabilir. Politika uygulamalarında toplumsal cinsiyete duyarlı bir şiddet anlayışı eksik olduğu, bireyi ve bireyin haklarının üstünü örttüğü, kısıtlı bakışa sahip anlayışın hakim olduğu hallerde, ne kurumsal kapasite artırılır ne de kalıcı reform mümkün olur. Çocuk haklarını ve onların iyiliğini sağlamak için yürürlükte olan 3795 sayılı Çocuk Koruma Kanununun olumlu katkısına rağmen, yasal yapıda hâlâ sorunlu alanlar, çocuklarla ilgili mevzuatta dağınıklık olduğu görülüyor. Bu durum çocukların adalete erişebilmeleri için dezavantajlı bir iklim oluşturur. Mevzuatta ÇHS ile uyumlu hale getirilmeyen "çocuğun tanımı" gibi bazı önemli kalıntıların olduğu da tespit edilmiştir. Mevcut yasal çerçeve çocuğu kimi metinlerde bağımsız birey olarak tanımıyor. Kimi yerde çocuklara yaşlarına göre ayrımcılık yapmaktadır. Örneğin, Türk Ceza Kanununun 323 (2). Maddesi ebeveynlere veya velilere çocuğu disiplin hakkı verir. Bu durum uygulamada şiddeti olumlayan sonuçlara yol açmaktadır. İncelenen dönemde görev başında olan AKP Hükümetleri döneminde, mevzuatın çocuk lehine değiştirilmesinde birçok olumlu katkılar vardır; Çocuk Hakları Stratejisini hazırlamak gibi, çocuk haklarıyla ilgili kimi uluslararası/yasal belgelerin onaylanması gibi. Ancak, şaşırtıcı bir şekilde, eski Aile ve Sosyal Politikalar Bakanı, söz konusu "Strateji Belgesini" imzalarken, çocuğu "çocuk sermayemiz" olarak nitelendirmiştir. ÇHS perspektifinden bakıldığında, çocukları bir insan sermayesi olarak etiketlemek ve düşünmek, çocuğu olması gerektiği gibi "birey" olarak değil de ailenin ve devletin bir ürünü olduğunu tekrarlamak anlamına gelir. Çocuk ve/veya kadın haklarının gerçekleştirilmesi, uygulamaya konması, politika düzlemine yansması, ulusal-

uluslararası mevzuatının imzalanmasının çok ötesine geçen bir “içselleştirmeyi” gerektirir.

“Şiddetin yaşandığı iklim” ülkedeki politik alanın görünümüyle ilgilidir. Politik atmosfer “şiddet” üzerinde olumsuz bir etkiye sahip olabilir; politik atmosferi yansıtan “Mahalle baskısı” nedeniyle de birçok durumda “görünmeyen”, çoğunlukla kasıtlı veya kasıtsız olarak gizlenen çocuklara yönelik şiddet söz konusudur. (Şen, 2010), “Aile içi şiddet” veya okul ortamında şiddetin yaşandığı toplumsal iklim bulgularına yer veren çalışmada Ayata da (Ayata, 2017) TÜİK istatistiklerinden yararlanarak çarpıcı bilgiler vermektedir.

2003 ile 2016 yılları arasındaki dönem karşılaştırıldığında;

- Mutlu olduğunu belirten kişilerin oranı 2003'te % 12,1 iken % 7,6'ya düştüğü,
- Anti-depresan ilaç kullanımı 2008'de yaklaşık 17 milyon kutu iken , 2015'te 43.5 milyon kutuya çıktığı,
- Türkiye'de boşanma oranı nüfus artış hızını geride bıraktığı,
- Bu dönemde kadına yönelik şiddet yüzde 1,400 arttığı,
- Şantaj, taciz, cinsel istismar ve haraç gibi suç işleyenler 2012 yılında %1,2 iken %3,8'e yükseldiği belirlenmiştir. Nitekim, bu gelişmelere paralel olarak, anket çalışmasında görüşülen kişiler evde bile güvende hissetmediğini belirtmektedir.
- Tutuklu ve hükümlü sayısı 2002 yılında 59.429 iken, 2015 yılında 177.262'ye ulaşmıştır (15 Temmuz'daki darbe girişiminden önce), yüzde 200'e ulaşan bir artış olmuştur.

Bu bulgular, daha derinlemesine çalışılırsa, “şiddetin ortaya çıktığı iklim” konusunda güçlü tartışmalara imkan verecektir. Şanlıurfa Barosu tarafından duyurulan bir başka trajik bilgi çocukların bölgedeki umutsuz durumunu gösteriyor. Baranın CMK sanığı ve mağdur Avukatlarından elde ettiği bilgiye göre, 1 Ocak 2018 - 21 Ağustos 2019 tarihleri arasında; 1,292 kişinin cinsel istismara ve saldırıya maruz kaldığı; bunların 1, 216'sının çocuk olduğu tespit edildi. Bunlardan, 418 çocuk 12 yaşın altında, 407 çocuk 12-15 yaş aralığında, 391 çocuk da 15 ila 18 yaş aralığındadır.

Türkiye'de 1998-2017 yılları arasında toplam cezaevlerindeki hükümlü ve tutuklu sayısında katlanarak artan sayılar şok edicidir; 66.096 kişiden 232.340 kişiye yükselen bir sayı; söz konusu dönemde % 290,4'lik artış oranı vardır. Bu veri, kadına ve çocuğa şiddetin olduğu toplumsal iklimi anlamaya, şiddeti önleme çalışmaları ve politikaları geliştirmek isteyen akademisyenlerin ayrıntılı analizleri için başlangıç bilgisi olabilecektir.

Bakanlıklar arasında kimi yetki ve görev karmaşası bulunduğundan, çocuklara yönelik şiddeti önlemede merkezi bir yapı ve örgütlenme önemli ve gereklidir, örneğin “Çocuk ve Gençlik Bakanlığı” kurulması gibi. Bu, koordinasyonu sağlamada merkezi bir yapıya doğru atılmış önemli bir adım olabilir. Tez yazılırken çocuk hakları açısından olumlu bir gelişme olarak belirtilen “Aile ve Sosyal Politikalar Bakanlığının” kuruluşu yeniden değerlendirilmelidir. Çünkü, çalışmada sona gelirken, çocukla ilgili politika ve uygulama konularını etkileyebilecek idari/politik bir düzenleme ortaya çıktı; iki bakanlık “Aile, Çalışma ve Sosyal Hizmetler Bakanlığı” olarak birleşti.. Birleşmeden bu yana kısa bir süre geçmiş olup, olumlu-olumsuz etkiye yönelik yeterli veri bulunmamaktadır. Yeni bakanlığın önemli, ağır görev ve sorumlulukları dikkate alındığında, çocuk ve kadın haklarının uygulanması, şiddetin önlenmesi, ÇHS'nin izlenmesi üzerindeki olası etkileri izlenmelidir.

Bir başka dikkat edilmesi gereken husus, eğitim ortamında şiddeti önleme ile ilgili çalışmalarda merkez ve illerde sistemin gözden geçirilip, “erken uyarı sistemi” oluşturulması gereğidir.

Sosyo-ekolojik Model çatısı altında, hak temelli eksiksiz bir çocuk politikasının önemli araç olduğunu tekrarlamakta fayda vardır. Böylece, çocuğu “birey” olarak gören ve çocuk haklarının Türkiye'de uygulanmasında sürdürülebilirlik, sebat ve tutarlılığa önem veren, çocuk merkezli bir yapı kurulabilir. Aksi halde, çocuk ve kadınların haklarında bireyi yok sayan, hakların üstüne şal örten aileci bir yaklaşım, şiddetin cinsiyetçi ve karmaşık yapısını anlamayı güçleştirir. O nedenle, politika ikliminin ve uygulamaların iyileştirilmesi için “hak temelli” yeni/yenilenen, çocuklar için koruyucu ortamı güçlendiren bir çocuk koruma

yaklaşımına/modele ihtiyaç olduğundan, tezde önerilmektedir. Okul zorbalığı ve çocuklara yönelik şiddet, böyle bir sistematik yaklaşımla, çözüme yönelik ele alınmalıdır. Sistem, ilgili bakanlıkları, gerektiğinde istişare ve destek amaçlı uluslararası kuruluşları, STKları, eğitim yetkililerini, yerel yönetimleri de içermelidir.

Tezin yazılma aşamasında kısıtlı da olsa siyasi parti belgelerini inceleme imkânı oldu. Yakın dönem Genel ve Yerel Seçim bildirgelerindeki ipuçlarına bakıldığında, henüz yetersiz olmakla birlikte, siyasi partilerin seçim bildirgelerinde çeşitli düzeyde yer alan “çocuk, çocuk hakları, şiddet, istismar” kelimeleri ve ilgili “seçim vaatleri” yerel yönetimlerle çocuk hakları konusunda paydaşlar olarak daha sıkı işbirliği yapılması gerektiğine işaret ediyor. Bu, elde edilecek başkaca makro politik kazanımlar için çaba göstermekle birlikte, mikro ölçekte okul içindeki ve çevresindeki fiziksel alanların iyileştirilmesi (aydınlatma, tenha-izbe alanları giderme), yolların yeterince denetlenmesi çocuklar için fiziki ve psikolojik tehlikelerden arınmış, güvenli, bütüncül okul ortamı oluşturur.

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Soyadı / Surname : Adıktulu
Adı / Name : Osman
Bölümü / Department : Sosyoloji Bölümü

TEZİN ADI / TITLE OF THE THESIS (İngilizce / English) : POLICY LANDSCAPE IN TURKEY ON SCHOOL BULLYING AN EXPLORATION OF MAIN ISSUES AND SHORTCOMINGS FROM A SOCIO-ECOLOGICAL PERSPECTIVE

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