

PUNISHMENT, EDUCATION AND REINTEGRATION POLICIES IN A
PENITENTIARY HOUSING CONVICTED YOUTH IN TURKEY:
A STUDY IN THE IZMİR JUVENILE EDUCATION HOUSE

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Title: Punishment, Education and Reintegration Policies in a Penitentiary Housing
Convicted Youth in Turkey: A Study in the Izmir Juvenile Education House

This thesis scrutinizes the interpenetration of the principles of punishment and education at the discursive and practical level through focusing on the Izmir Juvenile Education House which is one of the penitentiaries receiving convicted youth in Turkey. From the very beginning, penitentiaries for juvenile convicts have employed educatory practices, and particularly vocational training through industrial or service sector works. Today, the Juvenile Education House which receives the convicted youth in Turkey incorporates educational practices as the basis of its correction method in the form of formal and vocational training. The main concern of this study is to illuminate today's Juvenile Education Houses' governance of convicted youth as it is experienced and perceived by the convicted youth, itself. The historical transformation of the Juvenile Education House is also helpful in scrutinizing its institutional discourse.

Today the specific educational levels of the convicted youth determine their programs in the Juvenile Education House, while the education received in relation to this background, within the walls of the institution, results in diverse and distinct experiences of conviction itself. In addition, techniques of discipline, surveillance, dominance, subjectification and, above all, self-formation stand out as the primary power mechanisms to shape the inmate as the convicts' presence in the institution is determined minute by minute via daily schedules. Thus, the self-positioning of the Juvenile Education House, in relation to other correctional facilities, eventuates in distinct punitive policies and practices intrinsic to the institution itself. The analysis of these policies and practices is based on in-depth interviews and a focus group conducted with the residents as well as participant observation within the İzmir Juvenile Education House.

Boğaziçi Üniversitesi Atatürk İlkeleri ve İnkılap Tarihi Enstitüsü'nde Yüksek Lisans Derecesi için Nilay Kavur tarafından Ocak 2012'de teslim edilen tezin kısa özeti

Başlık: Türkiye'de Hükümlü Çocukların Bulundurulduğu Cezaevlerinden İzmir Çocuk Eğitimevi'nde Çalışma: Cezalandırma, Eğitim ve Toplumla Bütünleştirme

Bu tez, Türkiye'de hükümlü çocukları barındıran cezaevleri içinden İzmir Çocuk Eğitimevi'ne odaklanarak, cezalandırma ve eğitim prensiplerinin birbirinin içine geçişini söylemsel ve pratik düzeyde incelemektedir. Hükümlü çocukları barındıran cezaevleri, tarih boyunca, eğitimi ve özellikle mesleki eğitimi, bir ıslah mekanizması olarak endüstri ve servis sektörü üzerinden uygulamıştır. Bugün, Türkiye'de hükümlü çocukları barındıran Çocuk Eğitimevi, başlıca ıslah metodu olarak örgün/yaygın eğitimi ve mesleki eğitimi uygulamaktadır. Bu çalışmanın amacı, bugünün Çocuk Eğitimevlerinin hükümlü çocukları idare edişini hükümlü çocukların tecrübe ettiği ve algıladığı şekilde ortaya koymaktır. Çocuk Eğitimevi'nin tarihsel gelişimi, kurum diskurunu incelemede ayrıca yardımcı olmaktadır.

Günümüzde, hükümlü çocukların eğitim seviyeleri, onların Çocuk Eğitimevi'nde tabi olacakları programı belirlemektedir. Bu seviyelere göre belirlenmiş ve Eğitimevi programı dahilinde alınan bu eğitimler hükümlülüğün çok farklı ve özel şekillerde tecrübe edilmesine neden olmaktadır. Bununla beraber, hükümlülerin kurumdaki varlığı günlük programlarla detaylı olarak belirlenmekte; disiplin, gözetim, tahakküm, öznelleştirme ve en önemlisi kendini biçimlendirme teknikleri hükümlüyü biçimlendirmeyi amaçlayan yöntemler olarak göze çarpmaktadır. Nitekim Çocuk Eğitimevi, diğer cezaevlerine nazaran kendini farklı bir yerden konumlandırmakta ve bu konumlandırma, Eğitimevi'ne özel cezalandırma prensip ve pratiklerine yol açmaktadır. Bu prensip ve yöntemlerin analizi, İzmir Çocuk Eğitimevi'nde gerçekleştirilen derinlemesine görüşmeler, odak grubu çalışması ve katılımcı gözlem yöntemiyle analiz edilmektedir.

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CONTENTS

I.	INTRODUCTION	1
II.	THE BIRTH, DEVELOPMENT AND PRESENT POSITION OF THE REFORMATORY / JUVENILE EDUCATION HOUSE IN THE JUVENILE JUSTICE SYSTEM OF TURKEY	19
	Juvenile Justice System Facilities in Turkey	19
	Legislations and International Conventions on Juvenile Justice System.....	22
	The Juvenile Education Houses of Today	25
	The Development of the First Reformatories in the Late Ottoman Period	31
	Brief History of the Reformatories in Turkey in the Twentieth Century	40
	Studies on Juvenile Penal Institutions outside of Turkey.....	52
III.	IZMIR JUVENILE EDUCATION HOUSE IN THE PRESENT: INSTITUTIONAL DISCOURSE ON EDUCATION	64
	Setting: The Physical Appearance and the Staff Members.....	64
	The Residents, Their Responsibilities and the Programs in Which They are Enrolled..	68
	Vocational Training: Working as an Apprentice.....	74
	The Research Process in the Institution.....	82
IV.	DEVELOPMENT OF PUNITIVE PRACTICES INTRINSIC TO THE EDUCATION HOUSE: “PUNISHMENT WITHIN PUNISHMENT”	89
	Apprenticeship as a Convict.....	91
	Being Inside the Facility.....	110
	Being Illiterate inside the Izmir Juvenile Education House.....	130
	Living in the Juvenile Education House as a Female Resident	131
	About the Ankara Juvenile Education House.....	138
V.	CONCLUSION.....	142
	BIBLIOGRAPHY	150

CHAPTER I

INTRODUCTION

Punishment is, on the face of things, an apparatus for dealing with criminals, - a circumscribed, discrete, legal-administrative entity. But it is also, as we have seen an expression of state power, a statement of collective morality, a vehicle for emotional expression, an economically conditioned social policy, an embodiment of current sensibilities, and a set of symbols which display a cultural ethos and help create a social identity.

David Garland, *Punishment and Modern Society*

The practice of punishment and different forms of punishment that can be imposed on people in conflict with law through criminal justice systems is a debatable issue that concerns the public consciousness as well as the consciousness of law and policy makers, professionals and academicians. Explicit or tacit consent for the particular form of punishment to be implemented by the practitioners requires justification of the punishment. Why that particular form of punishment is implemented, how it is implemented and for how much time it is implemented shall be justifiable in justice systems. All criminal justice systems, whether for adults or minors, deal with the double-sided problem of community safety, on one hand, and the welfare of the subjects in conflict with law, on the other. And yet, in the case of minors, the welfare of the children who are at risk tremendously preoccupies law makers and implementers.

As the young people in conflict with law are viewed as vulnerable people under social risk, the operation of law gets more controversial. As it is stated for the history of the U.S. juvenile justice system, the juvenile justice system in Turkey, too, “seeks to

work with young offenders differently than it does with adult inmates. Although certainly concerned with community safety, the juvenile prisons adopt their mission as rehabilitation and not merely the punishment.”¹ So, “the juvenile justice system has the unique charge of helping youth to change the behaviors and attitudes that are associated with the development of their criminal behaviors.”²

So, the objective to ameliorate and reform young people is prevalent in youth justice systems while the practice of punishment is aimed to be diminished. Accordingly, an explicit ameliorative and educative discourse is prevalent in youth justice systems compared to the justice systems for adults. The more reformatory and educative a criminal justice system gets, the more it gets justified and the less it is questioned or criticized. However, the practice of punishment does not dissolve in educatory or reformatory practices. At this point, the merging of education and punishment in the justice system and especially the youth justice system remains to be an issue of concern. Accordingly, the practices of punishing, incarcerating, deterring, rehabilitating and educating the youth in conflict with law has been and will be through constant transformation. Thus, the uncertainty that is prevalent in the discussions of policy-making practices in governing the youth in conflict with the law constitutes the challenging part of this subject to be studied.

“Juvenile delinquents,” “children dragged into crime,” “children at risk,” “juvenile prison,” “reformatory” or “education house” are terms that signify the constant dissatisfaction of academics, law and policy makers and volunteers while dealing with the punitive and educatory policies practiced on the youth in conflict with law in the global context.

¹ Laura S. Abrams, Ben Anderson-Nathe, Jemel Aguilar, “Constructing Masculinities in Juvenile Corrections,” *Men and Masculinities* 11, no. 1 (October 2008), p. 22.

² Ibid., p. 39

The civilizing process in punishment is also apparent in the sanitization of penal practice and penal language... As we have seen, the aggression and hostility implicit in punishment are concealed and denied by the administrative routines or dispassionate professionals, who see themselves as 'running institutions' rather than delivering pain and suffering. Similarly, the language of punishment has been stripped of its plain brutality of meaning and reformulated in euphemistic terms, so that prisoners become 'correction facilities', guards become 'officers' and prisoners become 'inmates' or even 'residents', all of which tends to sublimate a rather distasteful activity and render it more tolerable to public and Professional sensibilities.³

As a matter of fact, these word games, which will be inevitably encountered in this piece of work, are indicative of both the dissatisfaction of professionals and a way to make this system of social control more tolerable in public. The changing of the penitentiary institution's name from "reformatory" to "Juvenile Education House" that receives the convicted youth, in Turkey, in 2005,⁴ which may be interpreted as euphemism, is thus an example that indicates the constant struggle to distinguish between carrying out retributive, rehabilitative and educative policies within one institution of juvenile justice system. The experiencing of this double-sidedness of juvenile penitentiary institutions by the youth in conflict with law in everyday life is a subject that deserves special attention. So, how are the concepts of education and punishment merged and practiced in the daily life of this Juvenile Education House in Turkey?

The fact that the management of the penitentiary institutions, treatment models, discipline rules and tools, relations between the staff and the residents are subjects that remain more or less unexplored in Turkey despite the hard work of academics among the substantial number of studies in the wide topic range in the juvenile criminal justice

³ David Garland. "Punishment and Sensibilities," *Punishment and Modern Society, A Study in Social Theory* (Chicago: The University of Chicago Press, 1993), p.235.

⁴ Ceza Ve Güvenlik Tedbirlerinin İnfazı Hakkında Kanun, 5275 (13 December 2004) (Law of Execution of Measures on Punishment and Security)

system is in fact intrinsic to the structure of the subject itself. Like all the other facilities of incarceration, reformatories housing youth “are generally designed to serve the ends of security, containment and anonymity, rather than deliberate or carefully construed representation andthey take pains to control the way in which their practices will be interpreted.”⁵ Accordingly, researches about and within penitentiaries are realized within certain limits. However, in recent years, in Turkey, the degree of transparency of the juvenile justice system and its institutions has been increasing according to the amendments in the units of the Ministry of Justice and so does the elaborateness in the methods of research.⁶

Following this, in Turkey, recent years have seen studies on the juvenile justice system as the Juvenile Department in the Ministry of Justice in Ankara has started to give permission to social scientists to conduct research in the institutions of juvenile justice system over the past several years. However, sociological inquiry on the subject remains weak and mostly focused on the background of the problem, such as the economic and physical environment of the juvenile, socio-cultural influences, home and family conditions, relations with the family, companionship and gangs, personal traits and psychological factors. Some studies are on the composition of the delinquent population and the related theories of crime and delinquency and deal with the offence types such as drug crimes, homicide, rape and petty-crime. These studies aim to improve the conditions of the children’s environment and they are designed to prevent the crime before it occurs; thus most of them focus on the period before the juvenile is arrested, detained, tried in a court, sent to reformatories and treated.

⁵ Garland, p. 258, 260.

⁶ The conduct of Eylem Ümit’s dissertation “Kentte Suça Karışmış Çocuklarda Toplumsal Ortam ve Ceza Ehliyeti Araştırmaları” was changed by such an amendment from 2004 to 2005. Ümit, who had not been able to receive permission from the Ministry of Justice to conduct her qualitative research in 2004, was given permission to conduct her studies in various institutions under the Ministry of Justice in 2005 after a change in personnel cadre.

And it is precisely the residents' own understanding of their experience of imprisonment that, I argue, has drawn less attention than it deserves in academic investigations of the juvenile justice system in Turkey. This study thus hopes to suggest some paths for restoring this voice that is little heard in the literature. In this context, Sevda Uluğtekin's works on the socio-economic conditions and needs of the convicted youth and their vocational training in the Juvenile Reformatories in the 1990s which are today's Juvenile Education Houses, are encouraging in capturing the management of the youth prisons. Likewise, Eylem Ümit, focused on the strategies developed by the youth in conflict with law in the penal process and also in their socio-economic conditions. Adopting Bourdieu's concept "habitus," Ümit realized an extensive fieldwork and gathered narratives of the youth in conflict with law through in-depth and focus group interviews conducted in the youth prisons and Child Department of Police Office. On the other hand, Elif Gökçearslan's doctorate thesis on the socio-demographic characteristics of the youth convicted of pick pocketing and their exclusion from the society is another example of obtaining youth's viewpoints through in-depth interviews. Bengü Kurtege's detailed examination of the Juvenile Court System in Turkey, is exemplary in its attempt to capture the youth's self-positioning strategies when before the authorities deciding on their fates, while Dilek Çelik's thesis on the adolescents' own perceptions of the factors that led them to act in delinquent ways and to be in conflict with the law, provides us with the viewpoints of youth in conflict with law.

However, still, what is missing is concentration on institutional discourse and moreover, how the daily practices shaped around the institutional discourse is viewed and experienced by the targets of the institution itself, namely the detained and convicted youth. Although, recent studies on juvenile courts and prisons try to fill in this gap, prisons in the juvenile justice system of Turkey remain to be an issue of

concern in terms of their daily practices shaped by the institutional discourse and the perception and experiences of the youth in these facilities.

So, this study has come into being with the objective of scrutinizing the incarceration, punishment, education, de-carceration and reintegration policies for the convicted youth in Juvenile Education Houses in Turkey, in relation to each other, on an institutional basis from a sociological standpoint nourished by the narratives of the subjects themselves, the residents. As the Juvenile Education House stands out with its emphasis of education, one naturally questions the merging of education with punishment which is the institution's *raison d'être* as a prison, which is punishment. The interpenetration of these two concepts reminds the researcher of the criticisms of justice system in the 1960s that focused on the merging of the idea of retribution with the objective of rehabilitation. At that time, which also corresponded to the rise of social services; criminologists, social workers and policy makers puzzled over how to carry out rehabilitative strategies in punitive institutions both for minors and adults.

Later in the 1970s, this big question left itself to the literature of "Nothing Works" with the belief and disappointment of policy makers to witness and prove that nothing worked to restore inmates. Although this trend had counter claims, 2000s left this debate to the rise of the concept of "new penology" that indicates the diminishing value of the rehabilitative or restorative methods applied in penitentiaries.⁷ Keeping this condensed trajectory in mind, the Juvenile Education House in Izmir which is the focal

⁷ For more detailed information on this, see Ian Taylor, Paul Walton and Jack Young, *The New Criminology: For a Social Theory of Deviance* (Routledge New York and London, 1996); and Francis T. Cullen, Paul Gendreau, "From Nothing Works to What Works: Changing Professional Ideology in the 21st Century," *The Prison Journal* 81, no.3 (September 2001).

point of this study was established in 1961, at a time when the significance of social services and the psychological well-being of the inmate were at their peak. However, following the historical tracks of this institution, it is fair enough to state that education and not rehabilitation has been the dominant discourse of this institution in constituting the well-being of the convicted children. Work in the name of vocational training and apprenticeship had the most weight in this discourse of education. However, education itself has never lost significance but only transformed in practical terms in its history which can be traced back to the late nineteenth century.

From this standpoint, the “Juvenile Education House” as one of the types of institutions in the juvenile justice system in Turkey constitutes a resourceful object of study. Hence, the Juvenile Education House in Izmir, its transformation in the last five decades since its establishment and everyday practices in it as perceived and experienced by the convicted residents, together, promise to provide the pertinent object for this analysis.

Today, the different types of institutions in the juvenile justice system in Turkey are the Child and Youth Closed Department of Correction, the Child Closed Department of Correction, the Youth Closed Department of Correction, M-Type and E-Type Closed Department of Correction facilities with juvenile wings and the Juvenile Education House. The Izmir Juvenile Education House, which was founded in 1961, is one of the three Juvenile Education Houses in Turkey. The Juvenile Education House is examined in a different category than the ones mentioned above, which will be dealt with in more detail in Chapter Two, where the Juvenile Education Houses are situated within the whole system of institutions in Turkey.

By focusing on only one of the Juvenile Education Houses in Turkey, namely, the Izmir Juvenile Education House, this study does not claim to arrive at conclusions

that can be generalized for the other juvenile education houses and yet, the observations and interviews aim to shed light on the institutional life in the Juvenile Education Houses in the two other institutions, which are in Ankara and Elazığ. The Izmir Juvenile Education House is the only institution in Turkey that houses convicted girls, who come from all around Turkey in addition to boys from the Marmara, Aegean and West Mediterranean region. Thus, it stands out as the most appropriate facility to conduct a study that allows the researcher to approach the subject on the basis of different policies regarding gender. Besides, focusing on one institution provides the researcher with chance to devote more time and energy to conduct in-depth interviews and build confidential relationships.

The term “Juvenile Education House” is not used in this work as a pre-given translation. On the contrary, there had to be a discussion to decide on the most appropriate English term to meet “*Çocuk Eğitimevi*.” Consequently, “Juvenile Education House” was chosen by the author among other possible terms as “Child Education Home,” “Child Education House,” “Juvenile Training House” and “Juvenile Reformatory.” The term “home” was put aside since it was later found inappropriate by the Juvenile Department in the Ministry of Justice. The term “education” was preferred to “training” since education has a wider scope of meaning that comprises “training,” too. The term “juvenile” was preferred to “child” since “juvenile” is the accepted term in the English literature to refer to children in conflict with the law, while “*çocuk*” (child) is used in Turkish literature when indicating the child in conflict with law. And finally, the whole term “Juvenile Education House” was preferred to “Juvenile Reformatory,” although the Ministry of Justice uses the latter in its formal English documents. This specific choice was made by the author to underscore the difference between “*Çocuk Islahevi*” (Juvenile Reformatory) and “*Çocuk Eğitimevi*” (Juvenile Education House).

“Reformatory” has connotations that have roots in the late nineteenth century that are determined by the idea of “reform,” which correspond to “*ıslah*” in this historical literature of children in conflict with the law. Whereas “education” is the direct translation of “*egitim*” in Turkish. Moreover, by insisting on the term “juvenile reformatory” for this institution the name of which was changed, the Ministry of Justice itself, understates this change of the institution’s name. In this manner and equally important, “youth in conflict with the law,” which is the most neutral statement and “convicted youth” are terms that are specifically chosen for this work. “Youth in conflict with the law” is the most neutral and generic term that refers to all children who are arrested, evicted, detained, on trial and convicted, incarcerated, in probation and parole. “Convicted youth” is used for the ones whose sentences are determined and who are to be sent to a Juvenile Education House in Turkey.

So, how is this Juvenile Education House governed? How do the convicted youth experience and perceive this institution? In order to avoid the trap of embracing the policy-oriented discourse of the institution itself, I pose no specific hypotheses regarding the success or failure of this total institution to prepare the residents for life in the wider community. Rather, I enter the field seeking an understanding of the offenders’ experiences within their institutional environment and from their own subjective view points. I expect that the pedagogic work regarding the educational opportunities offered to the inmates and the disciplinary mechanisms practiced there, are perceived differently by the staff members and the residents. In this respect, the convicted juveniles have their own understanding of the rules, restrictions together with formal and vocational training, apart from the official discourse of the Juvenile Education House.

So, the following questions come to mind; whether or not the policies and expectations of the institution are realized, what tactics, strategies and techniques are practiced in the Juvenile Education House to reach the kind of a transformation that is aimed by the practitioners? What are the themes and frameworks that guide the institution's rules and policies? How do the discourse of the institution and the perspectives and attitudes of the residents have an effect upon each other? In this institution, it is possible to observe the interpenetration of the mentalities and practices of education and punishment. Accordingly, at what points are they parallel and at what points are they contradistinctive? The Juvenile Education House stands out as a distinctive and positive looking, child-oriented institution which, as I would like to emphasize, is always comprehended in relation to regular prison, the main following question suggests itself to the researcher, how does the juvenile education house situate, differentiate and credit itself in relation to regular forms of prison? Moreover, what each convicted juvenile receives from the Juvenile Education House in terms of education is very much shaped by the types of economic, social, cultural and symbolic capital that he possesses. So how do the residents that experience the facility differently according to their previous education status perceive their incarceration differently within the institution in Izmir?

So, this thesis is not about the success or failure of the institution, rather I aim to grasp the interpenetration of the discourses and daily practices of punishment and education within a single juvenile penitentiary. Hence, I try to avoid drawing any causations or conclusions regarding the ineffectualness or effectiveness of the management system of the institution, as to whether it reaches its objectives about educating residents in the targeted degree. Rather, I attempt to find out how the

institution situates itself in the justice system and how it takes part within the discourse of education in a retributive environment.

In order to answer these questions, I aimed at developing anthropological methods as far as the field allowed me. I applied to the Ministry of Justice General Directorate of Prisons to conduct qualitative research and conducted participant observation inside the Izmir Juvenile Education House and in-depth and focus group interviews with the residents from September 2010 to May 2011. After examining the questions on the sample questionnaire, making comments on a few questions and approving my request to do a pre-test at the Ankara Juvenile Education House, the General Directorate gave me the permission to conduct the questionnaires and do participant observation at the Ankara Juvenile Education House and the Izmir Juvenile Education House.⁸ Using a recorder was not allowed, thus, the narratives of the residents in this thesis, were transferred from notes taken during and sometimes immediately after the interviews.

Firstly, research in the Ankara Juvenile Education House was conducted as a pre-test.⁹ During the time spent in the institution, short talks with the psychologist of the institution, the psycho-social service member, and two psycho-social service interns were realized. Questionnaires were completed by forty-five out of fifty-nine¹⁰ residents and small focus group talks were realized. Although this research at the Ankara Juvenile

⁸ Preparing the questions was like being a wirewalker at specific times while trying to find a balanced set of sentences which would satisfy my curiosity and would not end in rejection by the Ministry of Justice.

⁹ On three different days within a week in October 2010 from 10 am to 3pm each day.

¹⁰ 14 of the questionnaires were not filled out due to various reasons. Some of the residents were not present there at that moment, some of them simply said that they did not want to attend to this research and some did not know how to read and write. Among those who had literacy problems, some wanted me to help them. So some of the questionnaires were filled out by me, as I listened to the interviewees' responses.

Education House was not carried out to constitute a part of the primary data, after completing the research at the İzmir Juvenile Education House, observations from the Ankara Juvenile Education House provided me with the opportunity to compare and contrast the running of the two different institutions. This comparative analysis, did not make a formal aspect of the thesis, but it did inform my understanding of the Juvenile Education House. In addition, the process of this small research and the conclusions drawn from the questionnaires had a significant effect in reshaping the questions to be asked to the residents at the Izmir Juvenile Education House. In short, the questionnaires and the statistical data I obtained from them were not the ends, but only the means to have a legitimate reason to spend time in the institution and advance myself to better communicate with the residents there. The way each resident accepted or rejected or did not care about the research, the attitudes, manners, facial expressions, the way they communicated, provided me with valuable insights for conducting deeper and wider research at the Izmir Juvenile Education House.

Later, I completed the research process at the Izmir Juvenile Education House.¹¹ In order to grasp the daily routine of the institution, I aimed at being a participant observer in the facility. I interacted informally with the residents and the staff during regularly scheduled programs. Besides spending time with the residents and staff members in free time, meals or small gatherings for various reasons, I interviewed thirty-five different residents at total. The boys were interviewed individually while I conducted two focus groups with the girls, who constituted only one-ninth of the population. After each observation, I recorded detailed field notes. These notes were descriptions of the overall environment, interactions between the residents and staff members, the relationships between the residents with each other as groups, as well as

¹¹ By spending time for a week in December 2010 and a week in February 2011

the interactions between the researcher and the residents other than the interviews. Extensive observation during the hours spent in the institution and field engagement guided me to understand the content and framework of the narratives of the residents as they transferred their experiences of the Juvenile Education House. Thus, the data analysis was an ongoing process; that is to say, the interview structure changed constantly as the narratives of the residents completed each other and new questions aroused.

As the interviews evolved from question-answer format to conversations, as my presence in the facility as an independent research student became part of a routine of the institution, as the number of residents that shared their narratives increased, trust relationship was enhanced and gave way to elicit distinct information from the residents. Although the residents' narratives were diverse among each other according to their dispositions and attitudes towards various practices, all these subjective viewpoints provided this research with a coherent account of the perception of pedagogic work in Izmir Juvenile Education House by its residents. The content analysis of the final data identified two major themes: disciplinary mechanisms in the Juvenile Education House and the residents' view of the vocational training.

Besides these accounts, formal documents of the institution and the semi-structured interviews conducted with staff members constituted my primary resources. Relevant legislations, articles, theses, academic researches, newspapers and theories on youth in conflict with law, criminology and prison/er education, formed the secondary sources. These were the sources used to trace the birth and development of the Juvenile Education House and the transformations it has been through to arrive at the policies and practices implemented today.

According to the findings of this research, in the official discourse of the juvenile justice system in Turkey, the Juvenile Education House distinguishes itself from the other forms of penitentiaries. Here, the Juvenile Education House epitomizes the “opportunities model” defined by Howard Davidson as rooted in a functionalist theory of social problems that become popular in the 1960s and 1970s. In this model, the prisoner is understood to be someone lacking the academic, vocational and social skills to achieve socially acceptable goals. So the solution is set to be opening up job and social opportunities.¹² This model can be viewed from the framework of a welfare regime, stressing

‘social deprivation’ and subsequently of ‘relative deprivation’. [Accordingly] individuals become delinquent because they were deprived of proper education, or family socialization or job opportunities or proper treatment for their social and psychological problems. The solution for crime is a welfare state solution- individualized-treatment, support and supervision for families, and the enhancement of the plight of the poor through welfare reform.¹³

Although, it is hard to touch upon support for families, juvenile offenders in the criminal justice system of Turkey are viewed in this framework when they are introduced to “education opportunities” in a Juvenile Education House.

In this total institution, pedagogic actions take place both within homogenizing and individualizing effects that constitute the disciplined individuals. These homogenizing and individualizing aspects of the institution are worth to examine in detail. The fact that the institution’s correctional system is based on the opportunity of being educated, its system is rendered justifiable and unquestionable. However, according to this research conducted in the Izmir Juvenile Education House, this model

¹²Howard S. Davidson, “Possibilities for Critical Pedagogy in a “Total Institution”: An Introduction to Critical Perspectives on Prison Education” in *Schooling in a “Total Institution” Critical Perspectives on Prison Education* (Westport, Conn: Bergin & Garvey, 1995) p.3

¹³David Garland and Richard Sparks. (ed.) *Criminology and Social Theory* (Oxford, New York: Oxford University Press, 2000), p.9.

embodies certain problems that need to be contested. These problems are examined in the thesis under three main aspects.

First, the residents receive formal or vocational training according to their specific educational backgrounds. This individualizing practice in the institution results in injustice among the residents in the custody system. Second, the existing economic and cultural capitals of the residents are reproduced as they work in private companies with low wages.

So, to be more precise, in the official discourse, the Juvenile Education House represents a perfect, standard educational system that satisfies the educational needs of every single juvenile to upgrade him in the official discourse, and yet, what each convicted juvenile receives from the education house is very much shaped by the types of economic, social, cultural and symbolic capital that he possesses. In short, the type of educational system that the juvenile is part of is determined by various factors; the types of capital he has and his strategies that determine his presence in the institution, the relationships with the psycho-social staff, the disciplinary staff and vocational mentors. Their socio-economic background, previous education, their diplomas and their previous jobs have effective roles according to the psycho-social services while determining formal and vocational training.

So, in juvenile education houses, through what I would call, the individualizing effects of the educational program, the existing capital that the resident possesses through his or her past educational experiences is preserved if not reinforced. Consequently, the schedule, the disciplinary mechanisms, formal and vocational training, are perceived and experienced differently by different residents that share their experiences and perceptions of the facility in their varying narratives.

Consequently, it is possible to agree with Bourdieu and Passeron that “total institutions ... unambiguously demonstrate the deculturating and reculturating techniques required by pedagogic work seeking to produce a habitus as similar as possible to that produced in the earliest phase of life, while having to reckon with a pre-existing habitus.”¹⁴ Meaning that, the way the vocational education is practiced and viewed together with other preoccupying classes in the institution has profound implications that, although the convicted youth is kept in the education house with its new name and emphasis on “preparing the youth for prospective careers,” the educational techniques in the Juvenile Education House are determined according to the economic, social and cultural capital of the residents and these techniques do not draw away from reproducing their capital within the pedagogic techniques. Thus the formal and vocational training occupy a significant space in terms of determining the justice system for the convicted youth under pedagogic works including the disciplinary mechanisms implemented in daily routines.

In short, the way education is practiced in the institution, the certain classification and individualization brought by this implementation of educational practices manifests itself to the researcher and yet narratives obtained from different residents in the institution all point out to the experience of punishment in the form of imprisonment and the punitive practices experienced due to disciplinary mechanism which is the homogenizing aspect of the penitentiary. And this is the third aspect of the Juvenile Education House that deserves special attention. To be clear, besides holding “certain opportunities” of education, the Juvenile Education House works with intrinsic disciplinary rules and punishments which constitutes the homogenizing practice of the

¹⁴ Pierre Boudieu. Jean-Claude Passeron. *Reproduction in Education, Society and Culture* (London: Sage Publications, 2000), p.4.

institution that bound every single convict regardless of the education level. So these institutional rules and punishments form the dominant theme in all the interviews despite the educative practices. In a nutshell, dominant statement received through the interviews is punishment over education. In this respect, in the Juvenile Education Houses, convicted residents live through a schedule that determines their presence in the institution at any minute; the techniques of discipline, surveillance, dominance and subjectification stand out as the primary means with which to shape the individual through certain power mechanisms and most importantly through self formation. These “tactics and strategies by which power is circulated, how the [convicted] body is penetrated and how subjects represent themselves as a consequence of power relations”¹⁵ in the Izmir Juvenile Education House will be discussed and analyzed where I will introduce the everyday life in the institution, inspired by the works of Foucault, and try to present this “sanitized world of a ruled life, disciplined by the management of time”¹⁶ within the narratives of the residents. The convicted juveniles’ relationships with correction officers, the social workers and other employees in the institution together with their teachers and mentors both in formal and vocational education also constitute a significant part of their perception on these pedagogic actions.

Accordingly, the everyday practices in the institution through the youth’s narratives will be presented in Chapter Four. However, first, to be able to present a full account of the institution itself, I discuss the position of the Juvenile Education House within the whole juvenile justice facilities in the country in Chapter Two. In order to give the historical background of the institution, I proceed with the establishment of the

¹⁵ Philip Baker, *Michel Foucault: An Introduction* (Edinburgh: Edinburgh University Press, 1998), p.28.

¹⁶ Ibid., p.48

institution rooted in the nineteenth century Ottoman Empire. The re-establishment of the institution in the early Republican Period, its development and expansion in different cities, the transformation in its policies and practices until today are explained.

Chapter Three starts with the description of the physical structure of the living space in the institution. The administrative structure, and the rules and routine documented with the formal self-representation of the institution itself are discussed. Following this, educational policy and practices are explained in detail and elaborated to comprehend the interpenetration of education and punishment practices within the daily schedule of the institution. Some critical perspectives on vocational training of particular interest to the context of this study are offered. Lastly, research process, itself, is presented.

In Chapter Four, by taking the residents as the subject of the study instead of the object¹⁷ and analyzing them in terms of Bourdieu's reproduction in education, society and culture and Foucault's disciplinary mechanisms, punitive practices intrinsic to the Juvenile Education House will be elaborated. Gendered experience of the Juvenile Education House will be analyzed by comparing the daily activities in the females' dormitory and the males' section.

Consequently, this thesis seeks to make a substantial contribution to understanding how punishment and education operate together in the context of Juvenile Education House by designating the different perceptions and definitions of these two concepts.

¹⁷ Stephen Duguid, "Theory and the Correctional Enterprise" in *Prison(er) Education Stories of Change and Transformation*, Edited by David Wilson and Anne Reuss (Winchester: Waterside Press, 2000), p.56.

CHAPTER II

THE BIRTH, DEVELOPMENT AND THE PRESENT POSITION OF THE REFORMATORY / JUVENILE EDUCATION HOUSE IN THE JUVENILE JUSTICE SYSTEM OF TURKEY

This chapter first aims to introduce the position and role of the Juvenile Education Houses within the juvenile justice system facilities in Turkey. A brief history of this institution will be introduced, starting with the birth and the development of the first reformatories in the Late Ottoman Period, and its foundation and transformation in the Republic of Turkey from the 1930s onwards. I will try to ascertain the discourse of the Juvenile Education House standing within and outside of the justice system facilities through its self-representation and policies to govern the convicted youth. Within this framework of recent history, academic studies and social research on the juvenile justice system in Turkey will be discussed. Exemplary studies in the international literature will be discussed. This chapter will conclude with the limitations and new doors opened for further investigation which provided the inspiration for the research conducted in Izmir Juvenile Education House.

Juvenile Justice System Facilities in Turkey

The Juvenile Education Houses of convicted youth are positioned as a separate division in the criminal justice system facilities in Turkey. Apart from being facilities for people under eighteen, they are distinguished among the other facilities by their emphasis on education. According to their roles in incarcerating convicts and in keeping with their degree in deprivation of liberty and on the report of ways in which punishment and education are practiced within each other, the Juvenile Education Houses deserve special attention to be analyzed in terms of how the punishment and education practices are envisaged and implemented in relation to each other.

Incarceration facilities that house children in conflict with the law in Turkey are basically categorized into two, as open type and closed type. The Child Closed Department of Correction Facilities, Youth Closed Department of Correction facilities and the Child and Youth Department of Correction facilities are classified as closed prisons in which young people whose sentences are not finalized by the High Court of Appeal are incarcerated. The Child Closed Department of Correction facilities,¹⁸ which have restraints against escape and guarded from outside and inside by the security personnel, house detained youth and the young people sent from the Juvenile Education Houses due to disciplinary matters as a form of punishment.

On the other hand, Youth Closed Department of Correction facilities are for young people who are over eighteen and below twenty-one at the time of the execution of the sentence. These facilities, besides being based on the principle of education, also have constraints against escape and guarded from inside and outside.¹⁹ Today, there are three Child and Youth Closed Department of Correction Facilities which are Ankara

¹⁸ Ceza Ve Güvenlik Tedbirlerinin İnfazı Hakkında Kanun, 5275 (13 December 2004) (Law of Execution of Measures on Punishment and Security)

Çocuk kapalı ceza infaz kurumları

Madde 11- (1) Çocuk tutukluların ya da çocuk eğitimverlerinden disiplin veya diğer nedenlerle kapalı ceza infaz kurumlarına nakillerine karar verilen çocukların barındırıldıkları ve firara karşı engelleri olan iç ve dış güvenlik görevlileri bulunan, eğitim ve öğretime dayalı kurumlardır.

(2) Oniki-onsekiz yaş grubu çocuklar, cinsiyetleri ve fizikî gelişim durumları göz önüne alınarak bu kurumların ayrı ayrı bölümlerinde barındırılırlar.

(3) Bu hükümlüler, kendilerine özgü kurumun bulunmadığı hâllerde kapalı ceza infaz kurumlarının çocuklara ayrılan bölümlerine yerleştirilirler. Kurumlarda ayrı bölümlerin bulunmaması hâlinde, kız çocukları kadın kapalı ceza infaz kurumlarının bir bölümünde veya diğer kapalı ceza infaz kurumlarının kendilerine ayrılan bölümlerinde barındırılırlar.

(4) Bu kurumlarda çocuklara eğitim ve öğretim verilmesi ilkesine tam olarak uyulur.

¹⁹ *Gençlik kapalı ceza infaz kurumları*

Madde 12- (1) Gençlik kapalı ceza infaz kurumları, cezanın infazına başlandığı tarihte onsekiz yaşını bitirmiş olup da yirmibir yaşını doldurmamış genç hükümlülerin cezalarını çektikleri, eğitim ve öğretim esasına dayalı, firara karşı engelleri olan, iç ve dış güvenlik görevlileri bulunan kurumlardır.

(2) Bu hükümlüler için ayrı bir kurum kurulmadığı takdirde, yukarıdaki fıkra kapsamındaki hükümlüler, diğer kapalı ceza infaz kurumlarının gençlere ayrılan bölümlerinde bu maddedeki esaslara göre barındırılırlar.

(3) 9 uncu madde kapsamındaki gençlerin cezaları, gençlik kapalı ceza infaz kurumlarının güvenli bölümlerinde yerine getirilir.

Child and Youth Closed Department of Correction Facility, Maltepe Child and Youth Closed Department of Correction Facility and Incesu Child Closed Department of Correction Facility.²⁰ Apart from the Child and Youth Closed Department of Correction Facilities, detained youth is also received by the M-Type and E-Type Closed Department of Correction facilities into the juvenile wings. These prisons which were built according to the ward system are transformed into the room system for two, four, six, eight or ten inmates. There are special sections for women and young people in these prisons.²¹

Juvenile Education House constitutes the second type of facilities in this system, which is the open-prison category in which only the convicted youth whose sentences have been finalized by the High Court of Appeal, serve their sentences. Considering the conditions and restrictions specified in relevant laws, the institutions which provide the most freedom of action to the youth are first Juvenile Education Houses, then Child Closed Department of Correction Facilities and lastly the juvenile wings in adult prisons.²²

²⁰ Çocuk Kapalı Ceza Infaz Kurumu Özellikleri in <http://www.cte.adalet.gov.tr/> [10 August 2011]

²¹ <http://www.cte.adalet.gov.tr/> [10 August 2011]

²² Emrah Kırımsoy, “Suç İşlemiş Ve Suç İşlememiş Ergenlerin Algıladıkları Duygusal İstismarın Ve Benlik Saygılarının Karşılaştırmalı Olarak İncelenmesi” (MA thesis, Ankara Üniversitesi, 2003), p. 80.

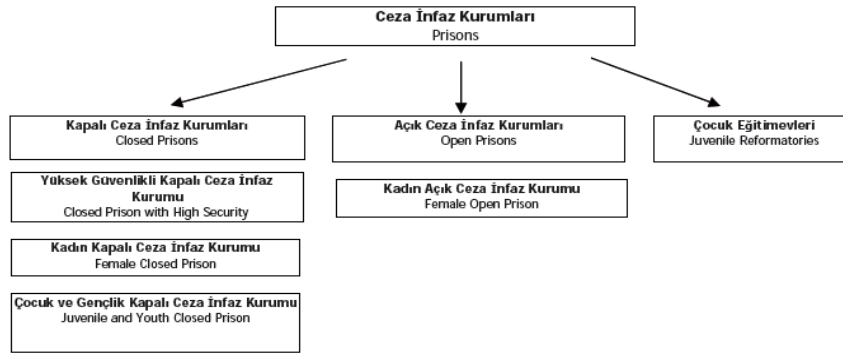


Fig. 1: Categories of Prisons presented by the Ministry of Justice²³

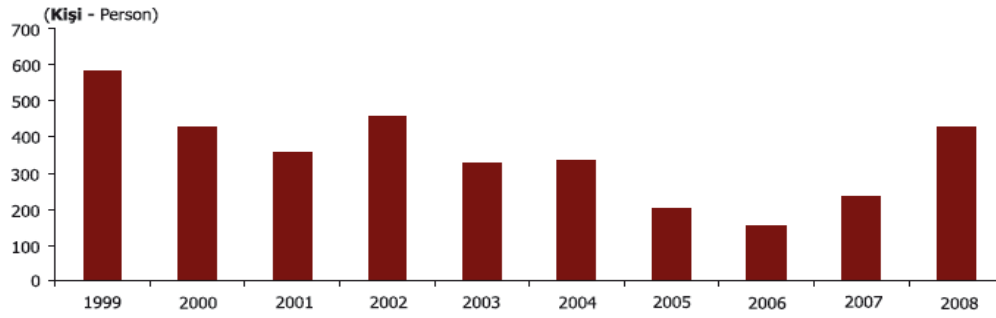


Fig 2: Juvenile convicts received into juvenile prisons and reformatories/education houses 1999-2008²⁴

Legislations and International Conventions on Juvenile Justice System

Today, the legislation in Turkey that bind convicted youth are the Turkish Penal Code (2004), the Law of the Execution of Measures on Punishment and Security (2004), Regulations on the Execution of Measures on Punishment and Security (2006), the Instruction on Education and the Training of Juvenile Convicts and Detainees (2006), and Child Protection Law (2005). The employment of juvenile convicts is determined by the Vocational Education Law (1986).

Apart from these national legislations, there are international conventions that the Turkish Juvenile Justice System aims to follow. These are the United Nations Convention on the Rights of the Child enacted in 1995, the United Nations Standard

²³ Turkish Statistical Institute. Prison Statistics 2008.

²⁴ Turkish Statistical Institute. Prison Statistics 2008.

Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules) adopted in 1985, the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (Havana Rules), (1990) and the United Nations' Guidelines for the Prevention of Juvenile Delinquency (The Riyadh Guidelines), (1990). These rules serve as the guidelines of national laws and regulations in terms of identifying the needs of children at risk and in need of protection.

The limitations in the age of criminal responsibility, determined by domestic laws, are significant for the population in the Juvenile Education Houses. According to Turkish Penal Code 31/1, the minimum age to be criminally liable in Turkey is twelve. And according to the twenty-first article in the Child Protection Law, children below fifteen cannot be detained for crimes which have the upper limit of punishment requiring incarceration more than five years.²⁵ Whether a child between the age twelve and fifteen has criminal responsibility depends on the imputability which is recognized according to Article 31/2 in the Turkish Penal Code. The imputability of the child is determined according to his/her social and economic conditions as well as family conditions together with his/her psychological and educational situation that is observed by professionals. The judge makes the last decision according to the report these professionals prepare.

The imputability of a young person between fifteen and eighteen is unquestionable according to Turkish Penal Code Article 31/3. So there is no inquiry into his or her imputability. However, according to the same article, it is accepted that the responsibility of a young person is less than of an adult, so there is commutation for

²⁵ “15 yaşını doldurmamış çocuklar hakkında üst sınırı beş yıl aşmayan hapis cezası gerektiren fiillerden dolayı tutuklama kararı verilemez” Child Protection Law. Article 21 in Tarık Aydın, “Alternative Sanctioning Models Against Children in Conflict with Law” in *Children in Conflict With the Law: Multidisciplinary Cooperation in Solving Problems and Best Practices* Edited by Şener Uludağ, Cemil Doğutaş, Osman Dolu, Hasan Büker (*Children at Risk and in Need of Protection*:1. 2009). p. 165.

the criminal conduct.²⁶ The division between the age categories as those above twelve and below fifteen and those fifteen and above and below eighteen is determinate in the last decision. The judges do not give liberty binding punishment to children between twelve and fifteen unless they find it very necessary. Thus the convicted residents in the Juvenile Education Houses are predominantly between fifteen and eighteen.²⁷

According to Sevük's study, published in 1998, the number of young people whose sentences are finalized and directly sent to Juvenile Education Houses without being detained in closed facilities is very low.²⁸ In the past years, this situation has not changed much, thus a very large number of convicted residents in Juvenile Education Houses experience being incarcerated in a closed facility. Moreover, the average trial process for a child takes over a year.²⁹ On top of this, some of the youth whose sentences have been finalized has not been sent to the Juvenile Education House due to the short-period of the sentence.³⁰

²⁶ Ceza Sorumluluğunun Değerlendirilmesi Rehberi 2010. Pg 16 in <http://www.edb.adalet.gov.tr/csr.pdf>

²⁷ This limit goes up to twenty-one, since those who continue their education at the Juvenile Education House and whose sentences are not completed are allowed to serve their sentences in the Juvenile Education House until they turn twenty-one. Moreover, a substantial number of the children are older than what is written on their identity card.

²⁸ Handan Yokuş Sevük, *Uluslararası Sözleşmelerdeki İlkeler Açısından Çocuk Suçluluğu İle Mücadelede Kurumsal Yaklaşım* (İstanbul:Beta Kitapevi, 1998), p.185. Uluğtekin's work, published in 1991, support this information. Sevda Uluğtekin, *Hükümlü Çocuk ve Yeniden Toplumsallaşma* (Ankara: Bizim Büro, 1991), P. 21.

²⁹ Sevda Uluğtekin, "Suça Sürüklenen Çocuklar ve Adalet Sistemi" *Anıtkabir Dergisi*, no.37 (March 2010), p. 35.

³⁰ Lütfü Göç, "Çocuk Suçluluğu ve Polisin Yaklaşımı" (MA thesis, Kahramanmaraş Üniversitesi, 2006), p.45.

The Juvenile Education Houses³¹ of Today

The three Juvenile Education Houses of Turkey are located in Ankara, Elazığ and İzmir. According to Article Fifteen of the Law of Execution of Measures on Punishment and Security (2004), Juvenile Education Houses are facilities where convicted children serve their sentences while being educated both formally and vocationally and “re-socialized.” In these institutions, there is no restraint against escape; the security in the institution is provided by surveillance and responsibility of the correction officers. The residents, above eighteen, who attend an education program either in or outside the institution and whose sentences have not been completed, are given permission to stay in the Juvenile Education House until they turn twenty-one.³² Basically, these facilities constitute the open-type facilities among all juvenile facilities, where the residents are allowed, encouraged, obligated and subjected to receive formal or vocational training. If the sentence is not yet completed when the convict is over 21 and if he or she has been involved in an educational program, he or she can be sent to an open type prison, if there is less than five years for release on probation³³. However if

³¹ Ceza Ve Güvenlik Tedbirlerinin İnfazı Hakkında Kanun, 5275 (13December 2004)

Madde 15- (1) Çocuk eğitimevleri; çocuk bükümlüler hakkında verilen cezaların, bükümlülerin eğitilmeleri, meslek edinmeleri ve yeniden toplumla bütünleştirilmeleri amaçları güdümlere yerine getirildiği tesislerdir. Bu kurumlarda firara karşı engel bulundurulmaz; kurum güvenliği iç güvenlik görevlilerinin gözetim ve sorumluluğunda sağlanır.

(2) Kurum içinde veya dışında herhangi bir eğitim ve öğretim programına devam eden ve onsekiz yaşını dolduran çocukların, eğitim ve öğretimlerini tamamlayabilmeleri bakımından yirmibir yaşını bitirinceye kadar bu tesislerde kalmalarına izin verilebilir.

(3) Haklarında tutuklama kararı bulunanlar ile 11 inci madde kapsamına girenler hariç olmak üzere, bu tesislerde bulunan çocuk bükümlüler kapalı ceza infaz kurumlarına gönderilmezler.

³² Ceza Ve Güvenlik Tedbirlerinin İnfazı Hakkında Kanun, 5275 (13December 2004)

³³ When calculating the period for the release on probation, a day spent in the penal institution is considered as two days in the case of young convicts under 18 years.

Ceza Ve Güvenlik Tedbirlerinin İnfazı Hakkında Kanun, 5275 (13December 2004) article 107(5)

the period before the release on probation is more than five years, the convict is sent to a closed type of prison.³⁴

In short, juvenile education houses are the three final institutions that any single person under eighteen who is charged as convicted is sent to, mostly, after being detained in a closed prison system. According to Article Twenty-nine of same law, the employment of the convicted children inside the prisons is only for vocational training. Young people who continue receiving education in an educational institution or formal education cannot be employed in workshops or workplaces during the education season.³⁵ According to article thirty,³⁶ the employment of the convicts of the Juvenile Education Houses outside the institution does not require the custody of the correction officers. According to Article thirty-one of the same law, juvenile convicts can be employed for services in the facility only in their own living space or within educational objectives.³⁷

The disciplinary actions, measures taken and disciplinary punishments inflicted are determined by Articles forty-five and forty-six of the same law. Measures are taken as a form of preventive technique when there is a risk for a convict to act in such way

³⁴ Hükümlülerin Açık Ceza İnfaz Kurumlarına Ayrılmaları Hakkında Yönetmelik, 25848 (17 June 2005)

³⁵ Ceza Ve Güvenlik Tedbirlerinin İnfazı Hakkında Kanun, 5275 (13December 2004)

Hükümlülerin çalıştırılması

Madde 29-

(3) Çocuk hükümlülerin çalıştırılması yalnızca meslek eğitime yönelik olur. Öğretim kurumlarına veya örgün eğitime devam eden çocuk ile genç hükümlüler, öğretim yılı içinde atölye ve işyerlerinde çalıştırılmazlar.

³⁶ Ceza Ve Güvenlik Tedbirlerinin İnfazı Hakkında Kanun, 5275 (13December 2004)

Kurum dışında çalıştırma

Madde 30

(3) Çocuk eğitimevlerinde bulunan hükümlülerin, kurum dışında çalıştırılmaları sırasında kurum görevlilerinin gözetimi ve muhafazası aranmaz.

³⁷ Ceza Ve Güvenlik Tedbirlerinin İnfazı Hakkında Kanun, 5275 (13December 2004)

Kurum hizmetinde çalıştırma

Madde 31- (1) (Değişik: 25/5/2005/5351 md.) İyi halli hükümlüler, idare ve gözlem kurulu kararı ile kurum yönetimi tarafından durumlarına uygun kurum içi hizmetlerde çalıştırılabilir. Çocuk hükümlüler, kendi yaşam alanları veya eğitsel amaçlar dışında çalıştırılmazlar.

that will require disciplinary punishment. In such cases, the privileges for encouraging the convict can be postponed, the dormitory can be changed, the convict can be transported to another section of the facility, the workplace or workshop could be changed without interrupting the educational integrity and continuity, the convict can be prohibited from entering certain places or prohibited from having or using certain objects/belongings.³⁸ Disciplinary punishments on the other hand, can be performed in nine different ways according to Article forty-six.³⁹ Although not indicated as such, the

³⁸ Ceza Ve Güvenlik Tedbirlerinin İnfazı Hakkında Kanun, 5275 (13December 2004)
Madde 45

(1) *Çocuk hükümlüler hakkında uygulanabilecek disiplin tedbirleri, çocuğun disiplin cezası gerektiren eyleminin gerçekleşme riskinin bulunması hâlinde bu riski ortadan kaldırmak veya soruşturma sürerken giderilmesi güç ve imkânsız zararların doğmasını önlemek amacıyla uygulanan ve ceza niteliği taşımayan koruma ve önleme amaçlı tedbirlerdir.*

(2) *Çocuklar hakkında uygulanabilecek disiplin tedbirleri şunlardır:*

- a) *Tevsik esaslı ayrıcalıkları ertelemek.*
- b) *Kaldığı odayı ve yatakhaneyi değiştirmek.*
- c) *Bulunduğu kurumun başka bir kısmına nakletmek.*
- d) *Meslek eğitiminin bütünlüğünü ve sürekliliğini bozmayacak şekilde çalıştığı işyerini veya atölyeyi değiştirmek.*
- e) *Belli yerlere girmesini yasaklamak.*
- f) *Bazı eşyaları bulundurmasını veya kullanmasını yasaklamak.*

³⁹ Ceza Ve Güvenlik Tedbirlerinin İnfazı Hakkında Kanun, 5275 (13December 2004)
Madde 46

- 1) *Uyarı: Çocuğa eyleminin niteliğinin kötü ve uygunsuz olduğunun açıklanması ve tekrarı durumunda doğuracağı sonuçlara dikkatinin çekilmesidir.*
- 2) *Kınama: Çocuğun, daha önce uyarı cezası verilmesine sebep olan davranışı ikinci kez tekrarlaması hâlinde, davranışının sonuçlarına ikinci kez dikkatinin çekilmesidir.*
- 3) *Onarma, tazmin etme ve eski hâle getirme: Disiplin cezası gerektiren eylemin sonuçlarının, istekli olması koşulu ile çocuk tarafından onarma, tazmin etme veya eski hâle getirme suretiyle giderilmesidir.*
- 4) *Harcamalarına sınır koyma: Çocuğun daha önce onarma, tazmin etme ve eski hâle getirme cezası verilmiş olan davranışı ikinci kez tekrarlaması hâlinde çalışması karşılığında aldığı ücret ve ailesinden gelen paranın haftalık harcama limitinin üçte birinin otuz gün süre ile kesilmesidir.*
- 5) *Bazı etkinliklere katılmaktan alıkoyma: Çocuğun otuz güne kadar sosyal, kültürel ve sportif faaliyetlere katılmaktan yoksun bırakılmasıdır.*
- 6) *Tevsik esaslı ayrıcalıkları geri alma: Çocuğun, daha önce bazı faaliyetlere katılmaktan alıkoyma cezası verilmiş olan davranışı ikinci kez tekrarlaması hâlinde, tevsik esaslı ayrıcalıkların otuz gün süre ile geri alınmasıdır.*
- 7) *İznin ertelenmesi: Disiplin cezasını gerektiren eylemin niteliğine ve ağırlık derecesine göre çocuğun izninin altmış güne kadar ertelenmesidir.*
- 8) *Kapalı ceza infaz kurumuna iade: Çocuğun, eyleminin nitelik ve ağırlığına göre çocuk kapalı ceza infaz kurumlarına, bulunmadığı hâllerde kapalı ceza infaz kurumlarının çocuklara ayrılan bölümlerine altı ay süre ile iadesidir. Çocuk, bu fıkra dışında işlenen disiplin suçları ve disiplin cezalarından dolayı çocuk kapalı infaz kurumuna iade edilemez.*
- 9) *Odaya kapatma cezası: Sekizinci fıkrafta belirtilen kapalı infaz kurumunda bulunan çocuğun, aynı fıkrafta belirtilen eylemlerde bulunması hâlinde, beş güne kadar açık havaya çıkma hakkı saklı kalmak üzere, gece ve gündüz tek başına bir odada tutulmasıdır. Bu ceza, çocuğun kurum görevlilerine istediği zaman ulaşmasına engel*

forms of disciplinary punishment are determined according to the severity of the disciplinary offence. Accordingly, the first form is giving notice to the convict in certain types of actions realized by him/her. The second form is reprobation if the action is realized for the second time. The third form is repairing, indemnification or restitution in certain actions determined by the same article. The fourth form is reduction in spending if the convict performs the action that is punished in the third form for the second time. In this case, one third of the money owned by the convict either gained through work or received from the family is cut for thirty days. The fifth form is abstention from certain activities as a consequence of certain actions. The sixth form is removal of privileges for thirty days if the convict performs an action that is punished in the fifth form for the second time. The seventh form is the postponing of family visits up to sixty days in certain actions determined by the law. The eighth form is retrocession to the closed type of facility for certain actions. And lastly, the ninth form of punishment is being locked up in a room. If the convict performs an action that results in the eighth form of punishment for the second time, he/she is prohibited from going outdoors for up to five days and kept in a room alone. The convict is checked by a doctor before, during and after the solitary confinement and is allowed to see his/her family, attorney or legal representative.

The above statements are just descriptions of the articles of the Law of Execution of Measures on Punishment and Security (2004). The actual implementation of Articles forty-five and forty-six may differ in the daily running of the different prisons. In certain facilities, like the Izmir Juvenile Education House, some forms of disciplinary punishment are preferred to others, regardless of actions necessitating

olunmayacak şekilde uygulanır. Çocuk, cezanın infazı öncesinde, sırasında ve sonrasında doktor kontrolünden geçirilir. Cezanın infazı sırasında çocuğun; ailesi, avukatı ve yasal temsilcisiyle görüşmesine izin verilir.

certain forms. How these disciplinary actions are implemented in daily running and how they are perceived by the residents will be elaborated in Chapter Four.

Table 1: Statistics of the Children in Prisons by January 2011

State of Education	Detainee	Pending Appeal	Convicted	Total
Illiterate	85	26	22	133
Literate but with no diploma	230	36	39	305
5 Year Primary School Graduate	391	94	69	554
8 Year Primary School Graduate	403	52	33	488
Secondary School or an Equivalent Vocational School Graduate	380	80	34	494
High School or an Equivalent Vocational School Graduate	84	5	0	89
Graduate School or Faculty Graduate	1	0	0	1
Unknown	75	15	14	104
Total	1.649	308	211	2.168
Age	Detainee	Pending Appeal	Convicted	Total
Young people between 12 and 17	1.649	308	211	2.168
This table shows the official statistics according to the council of ministers decision as 2008/13472 that was published in the official gazette no. 26852 19/04/2008				
* Young people in the prisons make up 2% of the whole population in penal institutions.				

As it is clear in the above table, the number of convicted youth at present constitutes ten percent of the whole juvenile population in penal institutions.

Imprisonment is one of the types of sentences given to juvenile offenders; the others

are fines, imprisonment and fines together, conversion of the short-term (one year or under for the youth) imprisonment into optional sanctions and the postponement of last decision.⁴⁰ “In the postponement of last decision, the judge makes it obligatory for the prisoner to obey certain rehabilitative measures and postpones the declaration of the sentence. Then, the probation officers write reports on the child’s obedience to the measures. If the child obeys the legal decision, the crime is erased from the record of convictions.”⁴¹

Thus the Juvenile Education Houses keep a small percentage of the children in conflict with the law. However, designed to be an institution to house and educate convicted youth, they are perhaps the most determinate ones in terms of adopting rules that are determined to correct a group of youth in conflict with the law whose sentences are finalized which renders them docile to be fully subjected to the disciplinary policies and practices of the institutions. With respect to this, the self-representation of the institution as a Juvenile Education House within the organization structure of penitentiaries, leads one to wonder about how the discourse of education of the convicted youth and discourse on the punishment are intertwined in one criminal justice system. How does this interlocked system create an understanding of punishment and especially the punishment of people under eighteen?

In order to comprehend this old but relatively untouched phenomenon in Turkey, the recent history of the Ottoman Empire in the late nineteenth century reveals how the two systems of education and incarceration interpenetrated and turned out to constitute the roots of today’s Juvenile Education House in Turkey. This

⁴⁰ Mehmet Akarca. “Çocuk ve Ceza Hukuku” (Children and Penal Law) 2. Uluslar arası Çocuk ve Hukuk Kolokiyumu. *Fasikül Law Journal*, 19, June 2011. Seçkin Yayıncılık. Pg.31

⁴¹ Bengü Kurtege, “The Historical Politics of the Juvenile Justice System and the Operation of Law in the Juvenile Court in Istanbul in Regard to Property Crimes” (MA thesis, Boğaziçi University, 2009), p.103

intertwinement is not intrinsic to Turkey's case and relevant examples will be presented in the following sections of this chapter in an analogous approach.

The Development of the First Reformatories in the Late Ottoman Period

“The noun *ıslah*, refers to an act of betterment, amelioration and correction”⁴² and the word, *ıslahhane* is connotative of a reformatory, an orphanage, an industrial orphanage and also a correction house. According to Maksudyan, who studied the orphans and destitute children of the Late Ottoman Empire, although “the word [ıslahhane] is reminiscent of a correction house,”⁴³ ıslahhanes of the Ottoman Empire are considered to have been the first systematic institutional initiative for orphans and destitute children within the administrative authority-linked to the levels of central, provincial or municipal”⁴⁴ and can be regarded as a form of *darüleytam*,⁴⁵ meaning, orphanage. Along, with the orphans, destitute children, children who actually had relatives to take care of them but were too poor to do it and the children of relatively wealthier families who preferred to raise them in these institutions, children in conflict with the law were just one group of children admitted into these institutions. Regarding the existence of various groups of children, viewing all the children in the institution as the “children in need of protection” would render all these different categories into a unified category of childhood. Thus, the children of the ıslahhanes should be regarded

⁴² Nazan Maksudyan, “Hearing The Voiceless – Seeing the Invisible: Orphans And Destitute Children As Actors Of Social, Economic, And Political History in the Late Ottoman Empire” (Ph.D diss., Sabancı University, 2008), p.195

⁴³ Ibid., p.195

⁴⁴ Ibid., p.195

⁴⁵ Abdullah Karatay, “Osmanlı Modernleşmesi ve Çocuk Koruma Sisteminin Temelleri” in Cumhuriyet Dönemi Korunmaya Muhtaç Çocuklara İlişkin Politikanın Oluşumu (Ph.D. diss., Marmara Üniversitesi, 2007), p. 109

with their differences according to the factors of their ethno-religious identity, socio-economic background and gender.

Foundation of the first Reformatory in the Ottoman Empire

The first concrete attempt to build an ıslahhane,⁴⁶ meaning reformatory, in the Ottoman Empire, was realized by Ahmet Şefik Midhat Paşa⁴⁷ during the rule of Sultan Abdülaziz (1861- 1876), and the first ıslahhane was established around the first half of the 1860s,⁴⁸ in Nis, in Serbia of today. In a short period of time, many ıslahhanes were opened in various provinces of the Empire, such as Ruse, Sophia, Bursa, Kastamonu, Sivas, Aleppo, İşkodra, Edirne, İzmir, Erzurum, Bosnia, Trabzon, Diyarbakır, Baghdad, Salonika, Damascus, Tripoli, Perzerin and Skopje.⁴⁹ Thus, the opening of ıslahhanes was not a practice limited to a number of big cities, it was spread throughout the Empire. Almost all of these ıslahhanes were for the boys, though a few of them were opened for girls, like the one in Bosnia. An ıslahhane for girls was opened in 1865 in Ruse,⁵⁰ though it was closed after a short period of time until 1872 because of the insufficiency of economic resources. And the ıslahhane of Kastamonu was one of the rare institutions that had a fixed student body.

⁴⁶ Although *ıslahhane* has different connotations in specific contexts according to specific authors, in this thesis, it will be referred to as “reformatory” for the Ottoman context.

⁴⁷ Mithat Paşa (1822-1884) is known as the head of the council which prepared the first constitution of the Empire, namely, Kanuni Esasi, declared in 1876 with Abdülhamit the second becoming the Sultan. In general, Midhat Paşa is known with the reforms within the Tanzimat that are realized in the provinces in which he was in charge as the governor.

⁴⁸ The date of the foundation is disputable: While Öztürk and Karatay give the year as 1863, Sakaoglu gives it as 1860 and Maksudyan reports it as 1864 and yet the greater part of the sources indicates the year 1864.

⁴⁹ Cemil Öztürk, “Türkiye’de Mesleki ve Teknik Eğitimin Doğuşu 1: Islahaneler“, Hakkı Dursun, Irmak Armağanı (Ankara: Türk Tarih Basımevi, 1995), p. 432.

⁵⁰ Necdet Sakaoglu, “Tanzimat Dönemi’nde Eğitim (1839-1876),” “2. Abdülhamit Dönemi’nde Eğitim (1876 1908)” in *Osmanlı Eğitim Tarihi* (İstanbul: İletişim Yayınları,1993), p. 99.

The effects of huge migrations into Anatolia as a result of the ongoing wars starting in the 1770s and going on with the 1877-78 Ottoman Russian War and continuing with World War I had significance in pushing the elites of the Empire to come up with a concrete solution to the problem of orphans and destitute children as remnants of the wars and massacres. The threat posed by the works of the missionaries against the integrity of the Empire, the invisible eye of the Western powers upon the Ottoman elites which would criticize the lack of power of the State to take initiatives and the disorder and the “dirty look” in the streets of big cities are regarded as the reasons of the Ottoman elite took initiatives on this issue. In this regard, the initiatives taken by the elite are viewed as highly political and as last resort solutions. Regarding the socio-economic context in which these institutions were established, it is claimed that this concrete institutional solution was found at the edge of the catastrophe of the needy children. Most importantly, the idea of “reform” in these institutions indicates the reforms not in the ways that the children are considered but the reforms in the outer space and socio-economic life in the provinces, as Maksudyan wisely underlines. In short, this child anxiety was ambiguous in itself and two-sided, which regarded the children as innocent subjects to be protected and dangerous individuals to be disciplined at the same time.⁵¹

The Objective and the Operation of the Reformatories

Although the *islahhanes* were not established as reformatories for children in conflict with the law, there were regulations which obliged these institutions to accept

⁵¹ The term ‘uncanny’ in Freudian sense which points to the frightening, because it is not known and familiar, seems to fit the definition and description of these children since their existence leads to anxiety for the leading figures and the community as it is difficult to define them as they could turn out to be either good or bad in their future.

children who had committed crimes and who were between five and thirteen years old broadly.⁵² In the “*Islahhaneler Nizamnamesi*,” meaning, “Regulations of Reformatories” of 1867, Article 44 stated that, children under thirteen who were condemned to at least one year of imprisonment because of having committed a theft or murder were to be accepted in the ıslahhanes.⁵³ These children were not allowed to go out of the ıslahhane throughout their punishment unless there were specific necessities. According to Koç, in this way, children who had committed crimes at an early age were prevented from being imprisoned together with adults and were detained in the reformatory with their peers. It is known from a letter of Midhat Paşa written to *Bab-ı Ali* (Ottoman Porte) in 1864, that three out of forty-one children in the ıslahhane of Nis were convicted of theft and murder. Accordingly, the institution to shelter these children had to give good moral conduct and reform these children to protect them from conducting these kinds of behaviors in the future.⁵⁴ Moreover, according to the first yearly statistics of the Ottoman State, in 1897, out of 48,154 convicts, 514 were below the age of fourteen⁵⁵. Unfortunately, according to Koç, there is not enough data to determine how the convicts received a different education in the ıslahhanes from other orphans if they were ever treated differently. In the 1890s, the *Adliye Nezareti* (Ministry of Justice) started to become responsible for convicted children.

The foundation and management of the ıslahhanes totally depended on local administrations and thus, they could not get any financial support from the Ministry of

⁵² It has been stated in the records of the Ottoman Archives that children in conflict with law have to be kept in a special place until the establishment of *ıslahhanes* in the provinces. (my translation) BOA, DH/ MB..HPS.M... D/G: 34/97(1336).

⁵³ Bekir Koç, “Osmanlı Islahhanelerinin İşlevlerine İlişkin Bazı Görüşler”, *Gaziantep Üniversitesi Sosyal Bilimler Dergisi* 6 (2):36-50. 2007, P. 45.

⁵⁴ Öztürk, P. 430-431.

⁵⁵ Bekir Koç, p. 45.

Education. Accordingly, when these institutions were founded, the only financial resource was the charities that the local administrations organized. Since the money collected in the charity organizations was not enough to sustain the institutions, Midhat Paşa allocated the rental revenues of some stores, mills, orchards for the ıslahhanes. Another and very important financial resource for the ıslahhanes was the revolving funds; revenue obtained from the sales of the commodities produced in these institutions. The primary customer of the ıslahhanes was the army. The commodities produced in the ıslahhanes were sold in the free market, as well.⁵⁶

In the beginning, the organization of the ıslahhanes was arranged according to the temporary regulations of the commissions of *Meclis-i Vilayets* (Provincial Councils). Accordingly, the regulations in the ıslahhanes could be different. However, in 1871, the regulation of all the ıslahhanes was determined by a “*Islahhanelere Dair Nizamname*,” meaning, “Regulations on Reformatories”. Accordingly, their administration was run bifurcated. On the one side was education, discipline, nutrition, sheltering and clothing, on the other side was production and related works in the ıslahhanes. Moreover, children older than twelve-thirteen would not be accepted to the institutions, unless it was very necessary, plus, various restrictions and rules were applied in order to prevent the children from quitting schooling. Besides, with this new regulation, children of relatively wealthier families would be accepted to these ıslahhanes, as long as their fees were paid and the education would last five years.

Another major regulation was about formal acceptance of the children in conflict with the law; accordingly, the ones below thirteen who were found guilty of theft or homicide and thus convicted to be incarcerated for at least one year would be

⁵⁶ For more detailed information on the ıslahhanes, see Cemil Öztürk and Bekir Koç.

accepted into the ıslahhanes and would not be allowed to go out during incarceration unless approved by the manager on special occasions.

In these ıslahhanes, which generally targeted children between ages of five and thirteen, a limited formal education was given to supply them with basic knowledge of reading, writing and arithmetic. The basis of the education was rather concentrated on industrial-vocational skills. The children were directed to a principal branch of vocational education to become shoe-makers, tailors, mat-makers, car-makers, rope-makers, railway-makers, train conductors, painters or saddlers.⁵⁷ Needless to say, not all these skills were taught in the ıslahhanes, some were taught outside the institution in relevant places.

Hence, Öztürk and Karatay consider the ıslahhanes as the first successful attempts to give the children vocational training according to the needs of the country, after the unsuccessful attempt of opening the *Mekteb-i Sanayi* (Industrial School) in 1848. In this regard, Öztürk treats these ıslahhanes as industrial schools,⁵⁸ since these *ıslahhanes* were later turned into and named mekteb-i sanayi and constituted the background of today's vocational high schools. Moreover, Karatay underlines that, although Midhat Paşa referred to these institutions as “ıslahhane” in his memoirs, they were referred to as *sanayi mektebi* (industrial school) in some of the sources.⁵⁹

⁵⁷ Öztürk, P.438.

⁵⁸ In fact, the fact that the children were raised in vocational training as one of the most important functions of *ıslahhanes*, causes a serious confusion in the English terminology of this institutional structure. Accordingly, while Maksudyan calls them “industrial orphanages,” Öztürk views them as “industrial schools” while Koç refers to them as “reformatories”. The term “industrial orphanages” is the soundest among the others when it is thought that this institution firstly accepted not every child but orphans and moreover, its industrial character was dominant over its reformatory character when we read the structure and practices in these institutions. Although “industrial orphanage” fits the logic of the *ıslahhanes* of the Ottoman Empire, the original term itself as *ıslahhane* is preferred in this study not to cause any misuse and misunderstanding.

⁵⁹ Karatay, p. 109.

So, the dominant discourse was very much centered on the welfare of the national industry. As Maksudyan underlines, “the *islahhanes* were not reformatories for rehabilitating children in conflict with law or unruly children. They were established as a part of a series of new institutions, targeting the reorganization of the urban life in social and economic terms.”⁶⁰ In a similar vein, these *islahhanes* were the models for the *Darülbayr-ı Ali* in Istanbul in the time of Abdülhamit II and also, for the *darüleytams* for the second constitutional period. These expressions denote to the “industrial school” side of the institutions.

This movement of establishing institutions for orphans, destitute children and children involved in crime in the late nineteenth century in Ottoman Empire was not peculiar to this socio-economic context. Histories of England and the U.S. inhold parallel movements with similar objectives. Özgür Sevgi Göral who studied “The Child Question and Juvenile Delinquency during the Early Republican Era,” in her Master’s thesis, draws attention to this parallelism and notes that, “in 1823, The Society for the Prevention of Pauperism in the City of New York called a public meeting for the discussion of its annual report, which urgently called for the creation of a house of refuge for juvenile delinquents.”⁶¹ This movement is also referred to as “child savers movement.”⁶² Accordingly,

the reformatory was distinguished from the traditional penitentiary by a policy of indeterminate sentencing, the ‘mark’ system, and ‘organized persuasion’ rather than ‘coercive restraint’. Its administrators assumed that abnormal and troublesome individuals could be trained to become useful and productive citizens. Wines and Dwight, in a report to the

⁶⁰ Maksudyan, p.264.

⁶¹ Joseph M. Hawes, *The Children’s Rights of Movement: A History of Advocacy and Protection* (Boston: Twayne Publishers, 199) ,p .15 in Göral.

⁶² Anthony M.Platt. *The Child Savers : The Invention of Delinquency* (Chicago: University of Chicago Press, 1977).

New York legislature in 1867, proposed that the ultimate aim of penal policy was reformation of the criminal, which could only be achieved ‘by placing the prisoner’s fate, as far as possible, in his own hand, by enabling him through industry and good conduct to raise himself, step by step, to a position of less restraint; while idleness and bad conduct, on the other hand, keep him in a state of coercion and restrain. [On the whole], reformatories, unlike penitentiaries and jails, theoretically repudiated punishments based on intimidation and repression...[Moreover], the training of the ‘delinquents’ in manual and low-skilled jobs was justified as an educational enterprise because it was consistent with the rhetoric and aims of child savers.’⁶³

Similarly, making mention of reformatories Garland, too, states that these institutions served as the basis upon the modern prison system as well as “contributing to the emergence of modern capitalism... For Rusche and Kirchheimer, then, the earliest prisons were established, like their institutional forerunners, as methods of ‘exploiting labour’ and of ‘training new labour reserves’.”⁶⁴

As Göral notes from Joseph Hawes’s study, *The Society for the Reformation of Juvenile Delinquents* created the first institution for juvenile delinquents, the New York House of Refuge which offered its inmates employment and encouraged industry, basic education in reading, writing, and arithmetic and instruction in the nature of their moral and religious obligations.

All the three institutions [houses of refuge] had similar charters, which gave them jurisdiction over criminal and vagrant children. In addition non-criminal children who appeared to be in need of stern discipline or other aspects of the regime in a refuge could also be committed to the Boston House of Reformation. The institution was supposed to take in “all such children who shall be convicted of criminal offences or taken up and committed under and by virtue of an act of this Commonwealth, for suppressing and punishing of rogues, vagabonds, common beggars and other idle, disorderly and lewd persons. The mayor, aldermen or overseers of the poor could recommend that all children who live and idle or dissolute life, whose parents are dead, or if living, from drunkenness, or other vices, neglect to provide any suitable, employment or exercise any salutary control over said children, be sentenced to

⁶³ Platt, p.47-54.

⁶⁴ Garland. “The Political Economy of Punishment,” *Punishment and Modern Society*, p. 102..

the House of Reformation, where they were to be kept governed and disposed of, as hereinafter provided, the males till they are of the age of twenty-one years, and the females of eighteen years.⁶⁵

Within the positivist perspective, as Eylem Ümit notes, the nineteenth century witnessed the rise of a new justice system with new facilities targeting juveniles. In this respect, in 1847, in England, the “Children and Young Person Act” was enacted followed by the establishment of three reformation schools for juveniles found guilty between 1849 and 1852.⁶⁶

All in all, in the Ottoman context, defining the objective and the practices of the ıslahhanes as an orphanage or an industrial school, precisely is not possible; rather, Midhat Paşa’s ıslahhanes worked both as industrial schools for vocational training and as shelters to take care of the needy children that resembled “*dariileyams*” which would be opened later. Then, eventually, in the early Republican period, they were closed down in 1926 and replaced by orphanages under the Ministry of Education. Consequently, according to Öztürk, the emergence of vocational and technical education, together with the institutions for children under protection in Turkey, was grounded on the ıslahhanes. While these institutions were collected under the Ministry of Education, penal institutions of the children in conflict with the law in early Republican Turkey were centralized under the Ministry of Justice and later became varied. Consequently and significantly, accounts on the reformatories/Juvenile Education Houses from the field research in the following pages will show parallelism with what the historians tell about the nineteenth century ıslahhanes. Focusing on the refugee system and

⁶⁵ Hawes, p.15.

⁶⁶Mehmet Emin Artuk. “Çocuk Ceza Hukukunun Dünü ve Bugünü,” *Kocaeli Barosu Dergisi*,1993 p.30 footnote 12, in Eylem Ümit “Kentte Suça Karışmış Çocuklarda Toplumsal Ortam ve Ceza Ehliyeti Araştırmaları” (Ph.D diss., Ankara University, 2006), p.28; Also see, John Briggs, Christopher Harrison, Angus McInnes, and David Vincent, *Crime and Punishment in England* (London: UCL Press , 2001), p. 73-8.

reformatories in Colonial America and England, Lauren Dundes also states that “although the reformatory experiment was abandoned in 1910, it left an important legacy for corrections, including the indeterminate sentence, conditional release, and education and vocational training.”⁶⁷

Brief History of the Reformatories in Turkey in the Twentieth Century

Until the emergence of the first reformatory of the Republic of Turkey in the early twentieth century, the existence of facilities to house convicted youth is unclear. The Turkish Penal Code that was accepted in 1926 was the most important legal document concerning children in conflict with law. The first reformatory, was established in 1937, in Edirne. It was then “transferred to Kızılcahamam, Ankara, for a while and then it was removed to Kabala village, near Ankara”⁶⁸ as the construction teams made up of convicts finished the building for 120 children until 1943.⁶⁹

Most importantly, the Edirne Juvenile Reformatory was established as a labour-based prison among the other first labour-based prisons that were present between 1933 and 1953.⁷⁰ According to the accounts of Ali Sipahi, who studied the history of labour-based prisons in Turkey, the juvenile reformatory in Edirne was established “with a capacity of 200 children sentenced for more than six months, while shorter ones tried to be confined locally. The children in Edirne were also occupied in light agricultural work,

⁶⁷ Lauren Dundes. “Historical Background in English Law: The Age of Culpability, The Refuge System and Reformatories” online at <http://law.jrank.org/pages/18721/Juvenile-Law.html> [20 April 2011].

⁶⁸ Özgür Sevgi Göral, “The Child Question and Juvenile Delinquency during the Early Republican Era” (MA thesis, Boğaziçi University, 2003), p. 96.

⁶⁹ Ali Sipahi. “Labour-Based Prisons in Turkey 1933-1953” (MA Thesis, Boğaziçi University, 2006), p.51.

⁷⁰ Sipahi.

and trained under teachers.”⁷¹ Later, “in 1939, nine personnel were assigned to the Ankara Juvenile Reformatory, a director, two officers, also as teachers, a stockroom officer, a clerk, three servants and a cook.”⁷² As Sipahi notes, according to the sixth article of the Code no.3500 (1938),

The labor-based prisons would have legal personality so that the jobs they undertook would be financed with their circulating capital...This capital would consist of allocations from the state budget, profit as a result of business made with this money, and a withheld amount from the earnings of the convicts. In fact, the daily wage of the prisoners would be determined by the Ministry of Justice, and would be given after deducting the provision costs, and would be banked until their release...In addition, with the modification in 1941, reformatories were assigned under the same regulations with the labor-based prisons, such as legal personality and circulating capital.⁷³

Hence, work was legally declared as the essence of correction in the reformatory.

How this legal decision on circulating capital came into existence and was practiced in the reformatories in the late twentieth century will be touched upon in the following section.

The Ankara Reformatory was the sole reformatory during the early republican era. Due to this insufficiency of reformatories, the substantial number of juvenile offenders had to wait until the age of eighteen and served their sentences in adult prisons.⁷⁴ According to Naci Şensoy, youth in conflict with the law were first passed through a medical examination. After that, the director of the institution explained the crime with its details to the child himself and told him to keep silent about the conviction from then on due to the understanding that life in reformatory signified a

⁷¹ Sipahi, p.47.

⁷² Ibid., p.49 from 22/07/1939, Catalog no. [PMRA, 30..18.1.2 / 88.72.15, file: 25-51].

⁷³ Ibid., p.48.

⁷⁴ Kurtege, p. 38.

new start. Most significantly, this institution provided workshops on four kinds of craft/occupation which were ironworking, shoemaking, tailorship and carpentry. The resident went through a period to try himself in all these workshops in order to find the most suitable one. At the end of this period which lasted from fifteen days to three months, the resident and the administration of the institution together decided on the essential workshop according to the child's talents, his choice and his performance.⁷⁵

Taşkıran and Ağaoğlu who quote from a pamphlet published by the Ministry of Justice in 1941, state the content and working procedure of these workshops, “There were mainly four types of workshops: iron-making, shoemaking, tailorship and carpentry...Convicted children regularly worked and learned a craft under the management of a master who was an expert on the theoretical and practical sides of the work in these existing workshops that had all kinds of equipment and machinery.”⁷⁶

According to Göral,

The existence of workshops was crucial in the Ankara Reformatory because, in tandem with the hegemonic tendency of the period throughout the world, the reformatory was designed on the basis of industrial work. So the workshops represented two things at the same time: the rehabilitation of the juvenile delinquent via the ethic of work, and the contribution of skilled work to the juvenile delinquent that would help him after his release.⁷⁷

As Sipahi states, in 1943, Code no. 3500, which was about the duties of the General Directorate of Prison Houses, was modified. “According to the fourteenth article, those who stayed even at night in prison and worked overtime would be assigned to take a monthly share from the profit of the prison in the preceding year. This

⁷⁵ Naci Şensoy, *Çocuk Suçluluğu, Küçüklük, Çocuk Mahkemeleri ve İnfaz Müesseseleri* (İstanbul: İsmail Akgün Matbaası, 1949) in Göral, p. 97.

⁷⁶ Göral, p. 97.

⁷⁷ Ibid., p.98.

regulation deepened the privileged position of the labor-based prisons.”⁷⁸ Following this, in 1944, an ordinance from the government announced that “representatives, officers and employees in prisons with circulating capital, [including Ankara Juvenile Reformatory] would be paid if they had spent some nights in the prison on business.”⁷⁹

Analyzing the birth and development of these labour-based prisons, Sipahi, concludes that the penal policies of the government of Turkey together with the economic policies, was very much determined by the labour market just like in many other countries. “On the one hand, with the penal policies the manual labor of criminals were served to the government authorization, but on the other, bonuses given to them and more importantly good conditions in the prisons...were incentives for the prisoners.”⁸⁰ In this respect, Sipahi suggests that the labour scarcity that was prevalent condition in the labour market of 1940s played the most important role in the constitution of labour-based prisons.

Consequently, in the 1960s, the labour-based prisons were renamed “open prisons” when “the classification of prisons was made according to the relation of convicts with the outside: namely, closed, semi-open and open prisons.”⁸¹ However, “working in prisons continued, also the number of open prisons and the work-dorms has ascended to date.”⁸² As the position of the juvenile reformatory was moved from labour-based prison to open prison, the running of the institution through the

⁷⁸ Sipahi, p.59.

⁷⁹ Ibid., p.62,63.

⁸⁰ Ibid., p.88.

⁸¹ Ibid., p.177 For more information on the reasons of the closing of labour based prisons, see this thesis.

⁸² Ibid., p.iii.

circulating capital depending on the work of juvenile convicts in workshops did not change until 1995.

Today, the Juvenile Education House is an open prison. However, as mentioned in Chapter Two, it constitutes a category on its own among all types of penal institutions of Turkey. Considering this emphasis on the value of labour, it is fair enough to state, as Sipahi puts forth, this work was also justified with the principle of “‘guarantee the future’ which meant that the convicts should collect money for after-release period.”⁸³

Throughout the 1930s and 1940s, just like in the present, there was also formal education besides the vocational training. This formal education resembling that of an elementary school took place in the mornings. According to the accounts of Şensoy, “the program continued for twenty-seven months and at the end of this time, a committee from the National Education Ministry gave an examination in order to award primary school diplomas to the successful students.”⁸⁴ The residents of Edirne Reformatory and later Ankara Reformatory were taught how to read and write and do basic arithmetic and some were given primary school diplomas.⁸⁵

Considering the historical information on the daily schedule, Göral draws the conclusion that both the Edirne and Ankara Reformatories from 1937 to the end of 1940s could be characterized by four indicators, namely, the work principle and the significance of workshops, limited education opportunity given by the practical primary school curriculum, the lack of participation of the residents in the administration of the

⁸³ Ibid., p.30.

⁸⁴ Şensoy, p. 200 in Göral, p. 98.

⁸⁵ Göral, p. 99.

institution and the strict discipline of the reformatory's administrators as a whole.⁸⁶

Significantly, these four characteristics of the reformatory in mid-twentieth century, are also observed in the object of study of this thesis, the Izmir Juvenile Education House in 2011, which directs the attention of the researcher towards the multiple ways of experiencing the institution in relation to educational policies and practices.

Working in the form and under the title of vocational training stands out as the most significant determinate in the lives of residents. However, Göral approaches to this practice from a critical standpoint and states that, “the process of working did not always mean an innocent process of rehabilitation and creativity as a way to express themselves; rather it worked as a process of accustoming and habituating the children to the conditions of working life as docile proletarians.”⁸⁷ In Chapter Four, residents' accounts of experiencing the working life as a part of disciplinary mechanisms of the Juvenile Education House, will be elaborated.

The establishment of the other two reformatories other than the Ankara Reformatory took place in Izmir and Elazığ, in 1961 and 1963 respectively. Although these institutions had exactly the same objectives of the Ankara Reformatory and ran the same practices, the dates of their establishment in the 1960s have significance as a turning point in the history of juvenile justice system both in Turkey and in the world. According to Öntaş, child politics started to take shape in this period. However, she claims that the child question was more or less left to the capacity of the families to handle their children. Attempts continued to be made in the child question experienced in society by the barracks-type institutions rooted in the nineteenth century. According to Öntaş, this palliative institutional system started losing its function together with the

⁸⁶ Ibid., p. 101.

⁸⁷ Ibid., Pg 132.

neoliberal politics after the 1980s.⁸⁸ Bengü Kurtege, who focused on the history of juvenile courts in Turkey in her study, notes that the post World War II period and especially the 1960s witnessed the birth and development of social work in criminology and she adds that that “social work gained importance and became entrusted with diagnosing the causes of criminal conduct for juvenile delinquents and deciding on the techniques for personal treatment...[and describes] this philosophy of a separate juvenile court in which rehabilitation replaced coercion and punishment as a new form of social control in the welfare era.”⁸⁹ However, the discourse of rehabilitation did not just replace coercion and punishment, but gained significance and stood contrary to coercion and punishment as social work became a professional occupation.

In this context of the 1960s, the legislation on the establishment of the Social Services Institute in 1959 and the Academy of Social Work in 1961, which was allied with the University of Hacettepe until 1982, stand out as another impact of international organizations according to Kurtege. Graduate social workers⁹⁰ were employed in the juvenile and adult courts, reformatories, prisons, child care centers, bureaus for fostering family and adoption, development plans for villages and society and family planning, as well as in the hospitals, and clinics with psychological and psychiatric services.⁹¹ According to Kurtege, “this new perception of the juvenile delinquent as the child

⁸⁸ Özlem Cankurtaran Öntaş, “Tehlikeli Çocuklar ve İktidar,” in Çocuk(luk)la Yüzleşmek *Birikim* no.192 (April 2005), p. 49-54.

⁸⁹ Kurtege, p. 18.

⁹⁰ For more detailed information on the establishment of social work in juvenile correction facilities in Turkey, see pp.126-131 in “The History of Social Services in Republican Turkey: Social Change, Professionalism and Politics” by Selen Göbelez

⁹¹ Nadir Özbek, *Cumhuriyet Türkiye’sinde Sosyal Güvenlik Ve Sosyal Politikalar* (Istanbul: Tarih Vakfı Yayınları 2006) , p. 192.

abetted into crime is scrutinized as a new model distinct from the early republican period and as the ground legitimizing cooperation between the court and social work.”⁹²

Later in the late 1980s, the establishment of the juvenile court stands as a cornerstone in the history of juvenile justice system in Turkey. Although the discussions on the necessity of a separate juvenile court preoccupied legislators from the 1950s, the enactment of the law to form a separate juvenile justice system occurred in 1979 and the establishment of the first courts took place in 1987. As Kurtege indicates, this law was reformatory because it substituted rehabilitation in non-institutional or institutional milieus for imprisonment as a correction method⁹³ for children in conflict with law and categorizes the reformatory principles of the new law in four themes as “the new principles of preliminary investigation, the interrogation and prosecution peculiar to juvenile delinquents, the new division of labor among the legal professionals in the court, the replacement of the rehabilitative legal rules with punitive codes and the execution of the judicial sentence.”⁹⁴

Accordingly, peculiar to the juvenile justice system, social workers, psychologists, pedagogists and psychiatrists were assigned at the court as “probation and control officers” and those officers prepared social inquiry reports or worked as probation officers to control obedience to legal treatment programs for the youth. However, as Kurtege highlights, together with the establishment of this new policy, the 1980s also witnessed the collapse of the system.⁹⁵ Today, the daily practices of “probation and control” do not reflect the objective of the system. Until the 2000s,

⁹² Kurtege, p. 30.

⁹³ Ibid., p. 51.

⁹⁴ Ibid., p. 51.

⁹⁵ Ibid., p. 64.

apart from the three juvenile reformatories, the number of penal institutions for youth did not rise much.

Recent Treatment Models and Daily Practices in the Juvenile Education Houses

Sevda Uluğtekin, professor in social services and one of the first graduates of this department, provides a detailed account of the policies and daily practices of the juvenile reformatories of the 1980 and 1990s which are today's juvenile education houses. She uses the term "treatment" to indicate all the maintenance, education and rehabilitation practices with their negative and positive consequences." During the time she conducted her research, the Turkish Penal Code (765) that was first enacted in 1926 was valid with changes that had been adopted over nearly sixty years. According to the Article fifty-four of this old Turkish Penal Code, children found guilty who were between eleven and fifteen were to be received by "reformatories," while those between fifteen and eighteen would be sent to "juvenile prisons" according to Article fifty-five. Besides the ones who were above eleven and below fifteen at the time of offence and who were below eighteen at the beginning of their sentence would be sent to juvenile reformatories or juvenile prisons.⁹⁶

The life in the institution was determined by the Legislation on Correctional Facilities' Regulation and Execution of Punishment (1967).⁹⁷ According to Articles 121 and 122 of this legislation, every facility had its own internal regulations that determine the schedule of wake-up time, having shower, physical education, attending workshops, going to school, departure from workshop/school, breaks and time to go to bed.

⁹⁶ Sevda Uluğtekin, *Hükümlü Çocuk ve Yeniden Toplumsallaşma* (Ankara: Bizim Büro,1991), p. 16.

⁹⁷ Ceza İnfaz Kurumları ile Tevkif evlerinin Yönetimine ve Cezaların İnfazına Dair Tüzük. Bakanlar Kurulu Karar Tarihi-No: 5 July 1967- 6/8517 (13 July 1965).

According to her studies, the basis of the treatment model of the reformatory was vocational training. Uluğtekin lists the workshops in Ankara and Izmir reformatories where she conducted her research as carpenter, tailor, iron, furnishing, shoe-making and repair mechanics. With the help of the psycho-social service staff, the most suitable workshop for the child was determined.⁹⁸ In these reformatories, children who did not graduate from elementary school were obliged to go to the school inside the institution. According to Uluğtekin's account, there was a middle school inside the Izmir Reformatory at the time she conducted her research. Thus, if the children wished to go to these schools and if the administration approved this decision, convicted residents of the Izmir reformatory could attend the nearest high school and the ones in the Ankara Reformatory could attend the nearest mid-school or high school according to their degree of education.

Basically, the Ankara and Izmir Reformatories ran treatment programs based on vocational training. However, the treatment model based on vocational training in the Ankara Reformatory went through slight changes since the inclusion of social service specialists and students of the Social Services Vocational School of Higher Education into the facility. According to a change in the legislation, psycho-social specialists started working in the reformatories from 1983 onwards.⁹⁹ The recruitment of psycho-social specialists began in all the reformatories from 1983 onwards but remained inefficient as the treatment models in these institutions continued to be based on vocational training.

Uluğtekin observed that both in the Ankara and Izmir reformatories, the formal education and vocational training had well-established curriculums that targeted the large percent of the convicted youth in the facilities. Only three percent of the convicted

⁹⁸ Uluğtekin, p. 24.

⁹⁹ Ibid., p.24.

youth were registered in schools outside the institutions. Almost all the children were subjected to vocational training in the workshops inside the facilities. Thus, considering in the period which, Uluğtekin conducted her study, she concludes that the most significant indicator of application of these vocational training programs was that these programs consumed most of the day time of convicted youth. Thus, vocational training, itself, transformed into a goal of the institution, rather than the means of a reintegration process.

Moreover, Uluğtekin draws attention to the fact that some of the workshops resembled factories that employed children to increase the circulating capital of the institutions.¹⁰⁰ And lastly, she notes the three main characteristics of reformatories from a critical standpoint. First, the primary aim and focus of the reformatory is to maintain discipline inside the facility; to isolate the child from the community and prevent his escape. Second, the reformatory has an administration body and staff to meet this aim. In this body, the manager of the reformatory together with the correction officers constitute the most “important” and “functional” employees of the institution. And, lastly, intense work pressure in vocational training, prevent family-oriented treatment models which Uluğtekin highlights as the most significant.¹⁰¹

Considering the policies and practices of the Izmir and Ankara Reformatories, Uluğtekin describes these institutions as “bureaucratic organizational structures.” Consequently, within this structure, the reformatories adopt the approach of “punishing-isolating from community” rather than the “rehabilitative – re-integrative” model.¹⁰²

¹⁰⁰ Ibid., p. 141-144.

¹⁰¹ Ibid., p. 161-162.

¹⁰² Ibid., p. 165.

Uluğtekin's observations and concluding remarks are significant to comprehend the objective and principles of the reformatories during their development in the 1980s and 1990s. Through a comparison of Uluğtekin's accounts on the discourse of the institution, with the insight gained during the research period of this study, it is highly significant to arrive at the conclusion that the value given to vocational training in the reformatories has not changed, but the way vocational training is practiced has been transformed during the last twenty years.

In order to reorganize the treatment of juvenile convicts, the workshops were closed in 1995, fist in the Ankara Reformatory.¹⁰³ According to the new treatment, youth above fifteen who did not have the right to receive formal high school education outside the institution was offered the option to attend apprenticeship training in the vocational education centers under the Ministry of Education. These convict-apprentices could keep some of their money for monthly personal expenses and hand in the rest to the bank account to be saved. Soon after, this practice was also adopted by the Izmir and Elazığ reformatories. The convict apprentices in these two institutions received a total amount of salary¹⁰⁴ determined by the Ministry of Education once a year.¹⁰⁵ At the time of this implementation, the primary school education in Turkey was obligatory up to five years. Later in 1997, the compulsory primary school education was determined as eight years. Accordingly from 1997 on, convicted juveniles had to have or receive eighth grade diploma to start apprenticeship training. And finally in 2005, after

¹⁰³ Emine Akyüz, *Ulusal ve Uluslararası Hukukta Çocuğun Haklarının ve Güvenliğinin Korunması. İnsan Hakları Eğitimi Dizisi* (Milli Eğitim Bakanlığı Yayınları: 3395 Bilim ve Kültür Eserleri Dizisi: 1210. Ankara İnsan Hakları Eğitim Dizisi: 2. 2000). P. 642

¹⁰⁴ At the time of this research, juvenile convicts received montly income as will be explained in Chapter Three.

¹⁰⁵ Soysal Aktürk, "Avrupa Birliği Sürecinde Türkiye'de Çocuk Hakları ve Güvenliği." MA Thesis, Mustafa Kemal Üniversitesi, Mayıs 2006. P.75

the enactment of the Child Protection Law, the name of the juvenile reformatory was changed to the Juvenile Education House.¹⁰⁶ However, this change in name did not connote any practical changes in the running of the institution.

There has been a rise in the number of studies on juvenile justice system together with both qualitative and quantitative research conducted in the facilities of detained and convicted youth after the establishment of Social Services Departments at Ankara and Hacettepe Universities in the 1960s. These studies have made valuable contributions to the examination of the system and its “success” in terms of reintegrating children in conflict with the law into the society and decreasing rates of recidivism. However, they mostly concentrated on the reasons for juvenile delinquency and the adaptation of children in the facilities to the treatment programs taking place. Moreover, in order to arrive at consistent conclusions, almost all of these studies excluded female detainees and convicts. The same exclusion occurred for most of the illiterate residents in the institutions. Lastly and most importantly, most of these studies tried to and had to arrive at conclusions through the use of questionnaires, without developing any face-to-face relations with the objects of their studies. Considering the limited number of qualitative case study in reformatories, this study aims to reveal the discourse and implementations of the Juvenile Education Houses through the subjects’ own narratives.

Studies on Juvenile Penal Institutions outside of Turkey

Several qualitative studies conducted in juvenile institutions in other countries exemplify case studies to focus on residents’ narratives. Literature produced in Britain,

¹⁰⁶ Ceza Ve Güvenlik Tedbirlerinin İnfazı Hakkında Kanun, 5275 (13 December 2004) (Law of Execution of Measures on Punishment and Security)

the U.S. and Canada constitutes the vast majority of these studies. Some academics recently have been started to pay attention to the subjective perspectives and everyday practices of the juveniles over the official discourses of penal institutions.

Moreover, in the last two decades, some significant studies have started to underscore the difference between prison education and prison(er) education, the latter signifying the perspective and strategy of the inmates. However, it is not easy to find studies that specifically deal with the penal institutions of convicted youth on an institutional basis. There are various reasons for not being able to find such studies and one of them is that penal institutions are engaged in different policies in different geographies, ranging from rehabilitative treatment programs to special education programs. Hence, in order to study the impact of academic and vocational education in a juvenile prison comprehensively, one should make use of studies on academic and vocational training on adult penal institutions as well as studies on basic rehabilitative treatment models in juvenile prisons.

In this general literature of penal institutions, some articles are attention-grabbing in the way authors approach the subject, from the perspective of juveniles through a descriptive narrative in qualitative methods. One of them is “Inside a Maximum-Security Juvenile Training School: Institutional Attempts to Redefine the American Dream and ‘Normalize’ Incarcerated Youth” by Michelle Inderbitzin. Inderbitzin focuses on the attempts in a juvenile prison to “normalize adolescent inmates and to deflate or re-direct their goals and aspirations.”¹⁰⁷ She claims that many young inmates in the U.S., are socialized to embrace the American Dream; the dream

¹⁰⁷ Michelle Inderbitzin, “Inside a Maximum-Security Juvenile Training School: Institutional Attempts to Redefine the American Dream and ‘Normalize’ Incarcerated Youth” *Punishment and Society* 9, no. 3(July 2007), p.235.

that she defines as “attainment of wealth and masculine prestige.”¹⁰⁸ In other words, she argues that there is a latent function of these institutions that determine and limit the aspirations of inmates; encouraging the juveniles to limit their objectives in line with the opportunities that will be available to them in the community. Thus, the institution becomes an agent of social control to normalize the juveniles and re-socialize them to expect less from the community.

Inderbitzin conducted her qualitative study over fifteen months in training schools for convicted juveniles. She specifically chose to analyze the “Blue cottage”, a unit reserved for violent juvenile offenders in the training school who constituted the toughest population of a prison for convicted juveniles in the U.S. As Inderbitzin writes the boys were between the ages of fifteen to twenty and most were from lower-class urban neighborhoods, with African-American and Latino backgrounds and claimed gang affiliations. Their sentences were relatively long, averaging two years, many of them serving four to five.

By the boys’ own accounts, many of them had been engaged in illegal work and ended up pursuing criminal careers as a result of their minority status with impoverished and abusive families. Thus, being unskilled and stigmatized, they thought it would be difficult for them to find legal jobs that paid living wages.

The population Inderbitzin interacted with was around 20 to 25 with two or three staff members on duty. The researcher had one visit per week and stayed in the research area for seven-eight hours each time, usually when the majority of the boys would be back from school and work assignments. She also attended staff meetings, dinners in the cafeteria, and practices in the gym. In short, she was mostly a participant observer; watching, listening and interacting with the boys and staff members. In order

¹⁰⁸ Ibid.

not to draw attention to herself, she chose not to take notes while in the institution, but after each time, she wrote detailed field notes on the interactions, comments of the boys and staff, her own observations, experiences and impressions. All in all, the concerns and hopes of the boys in the institution and their prospects shaped Inderbitzin's research questions and the way she documented her ethnographic study in the institution.

Inderbitzin addresses to two kinds of penology, the old and the new¹⁰⁹. The new type, "identifying the justice system's move toward rationality and efficiency in dealing with dangerous offenders...the new penology is neither about punishing nor about rehabilitating individuals. It is about identifying and managing unruly groups...shifting away from trying to normalize offenders towards trying to manage them."¹¹⁰ Inderbitzin views the prisons as one of the last bastions of the "old penology" and she argues that while the new penology leads a new discourse focusing on efficiency over rehabilitation and targeting groups rather than individuals, the prisons like the training school she studied had remnants of the old penology, mostly represented by the staff members. Thus, analyzing the institution in this line of reasoning, Inderbitzin concludes that although the new penology concentrates on managing the boys in groups, the staff members rehabilitated and re-socialized the boys in their own paternal ways to make them aim low and lead respectable and decent lives as the fathers of their future families.

¹⁰⁹ For more detailed information on this, see "True Crime" by Jonathan Simon and Malcolm M. Feeley and "Penal Modernism and Postmodernism" by David Garland in Thomas G. Blomberg and Stanley Cohen. eds. *Punishment and Social Control : Essays in Honor of Sheldon L. Messinger*. New York : Aldine de Gruyter, 1995.

¹¹⁰ Inderbitzin, p.239.

Besides the role of the staff in the latent function of the institution, in terms of training, the boys acquired few marketable skills. Working class, conforming values were embraced, although the boys could have ambitions. Moreover, they had to work in mindless jobs to contribute to the running of the institution. “While these jobs did not generally teach marketable skills, they did teach industry, the importance of being on time for a shift and the ability to work with other people and take instruction from a boss.”¹¹¹ Hence, these boys were taught lower-class skills technically and middle-class values by the staff.¹¹²

In terms of both its methodology and outcomes, this article provided insight into conducting my study at the Izmir Juvenile Education House. The context Inderbitzin works in is very similar to that of the Izmir Juvenile Education House. Similar to the Blue Cottage where there are boys between the ages of fifteen to twenty with serious crimes who are rehabilitated by the staff members and trained in technical-vocational education besides working in mindless jobs in the facility, the population of the Izmir Juvenile Education House is composed of boys and girls, who receive academic and vocational training and are assigned to work in mindless jobs in the institution.

The other study that constitutes valuable guiding principles is “Mapping a Process of Negotiated Identity among Incarcerated Male Juvenile Offenders” by Abrams and Hyun. Although, this work handles the policies in juvenile prisons from a more psychological aspect, the way the authors focus on “identity work,” meaning the

¹¹¹ Inderbitzin, p.245.

¹¹² Inderbitzin.

reshaping of youths' self-representations in regard to crime,¹¹³ constitutes a guideline for the researcher to decipher how residents in the Izmir Juvenile Education House go through subjectification. As the authors state, most of the studies tries to show that the rehabilitation efforts with incarcerated youth are moderately effective in preventing recidivism. However, the study of identity work is absent in academic studies and rehabilitation strategies. In other words, in most studies, the contexts in which young men construct their identities prior to incarceration are described but these studies do not suggest "what happens to these identities upon incarceration."¹¹⁴

In order to fill this gap, the authors conduct cross-case qualitative analysis with data from an ethnographic study of three prisons to understand the process of forming negotiated identity among incarcerated boys. They try to "investigate youths' adaptations to the values and norms of the correctional world; to identify the strategies that youth offenders use to contend with the identity discourses implicated in treatment practices; and to locate processes and patterns associated with youths' narrated identity transitions, particularly in regard to professed criminality."¹¹⁵ In short, the authors suggest that a process of identity negotiation is a critical characteristic of the experience of institutionalized individuals.

In this study, methodologically, data are drawn from the ethnographic study of three juvenile penal institutions and longitudinal semi-structured interviews with facility residents in the U.S. Researchers spent a year or more for each facility. The cross-case analysis of ten cases that finds youth offenders adapted to the correctional world either

¹¹³ Laura S. Abrams and Anna Hyun. "Mapping a Process of Negotiated Identity among Incarcerated Male Juvenile Offenders," *Youth and Society* 41, no.1 (September 2009), pp. 26-52.

¹¹⁴ Ibid., p. 30.

¹¹⁵ Ibid., p. 28.

with ease or difficulty depending on their professed criminal identifications and their ability to locate a sense of personal power within the institution is realized.

Similar to Inderbitzin's methodology, researchers spent four to six hours weekly at the facilities observing treatment activities, routine practices, and how youth transitioned back into the community. Their findings come out from their detailed field notes and reveal three identity transitions in involuntary institutional contexts, self synthesis, situational self-transformation and self preservation. These show how the boys make the effort to develop a positive view of themselves in response to challenges to "their prior identities and an institutional structure that diminishes their sense of personal power."¹¹⁶ This article in general, as the authors suggest themselves, can contribute to models of practice for youth's processes of negotiation in the correctional world. As they state, cognitive behavioral strategies is one of the good examples to work well in preventing recidivism as one of the models.

Davidson states that the "cognitive behavioral school" is one of the two schools of thought in prison education. The other model is rooted in a functionalist theory of social problems that become popular in the 1960s and 1970s. In the latter model, which is introduced above, the prisoner is understood to be someone lacking academic, vocational and social skills to achieve socially acceptable goals. The solution is set to be opening up job and social opportunities. The second school emerges as the "marriage between cognitive development theory of Piaget and Kohlberg and neoliberal perspectives on deviance"¹¹⁷ that puts emphasis on individuality. Davidson explains this "moral development" or "cognitive development" school;

¹¹⁶ Ibid., p.47.

¹¹⁷ Howard S. Davidson, "Possibilities for Critical Pedagogy in a "Total Institution": An Introduction to Critical Perspectives on Prison Education" in *Schooling in a "Total Institution" Critical Perspectives on Prison Education*, p.3.

It propounds that crime results from individuals making poor (i.e., criminal) decisions when faced with life's many problems. Out of neoliberalism comes the market metaphor, in which individuals make rational decisions based on calculating benefits against costs. Law-abiding citizens make socially acceptable decisions even when they face great adversity. They do so because their cognitive development is sufficiently mature to calculate into the cost/benefit equation potential punishment for wrongdoing, social costs, and moral and interpersonal considerations.¹¹⁸

The every day practices of the Juvenile Education Houses that are based on academic and vocational training in Turkey demonstrate that juvenile justice policy follows the opportunities model in these reformatories. Accordingly, Izmir Juvenile Education House, which started serving as a facility in 1961, epitomizes the “opportunities model” defined by Davidson as rooted in a functionalist theory of social problems that become popular in the 1960s and 1970s. Accordingly, the inmate is viewed to be lacking academic, vocational and social skills to achieve socially acceptable goals. Opening up job and social opportunities are determined to be the exact solution.¹¹⁹ And yet, it is not difficult to find the traces of cognitive-development theory that has links with neoliberal perspective in the Juvenile Education House as it embraces individual success and meritocracy.

Bikila Tajh Ochoa's research named, “We're Just Trying to Teach Them to be Human Beings in an Unjust World”: Choice, Individual Responsibility, and Conflict in a Juvenile Reentry Program in Social Policy is a work that shows how individual success and meritocracy are imposed on the residents as values. Ochoa's work also inspired this study, mostly by its methodology, due to the similarity between the two research fields. The research subject of Ochoa is The Jefferson House in the U.S., which is “a privately

¹¹⁸ Ibid., p.3,4

¹¹⁹ Ibid., p.3.

run residential independent living skills and community transition program for older adolescent male offenders who are preparing to transition back to their home communities...The residents are expected to work towards independence through the education and vocational training programs offered.”¹²⁰ Although The Jefferson House presented in Ochoa’s study offers a reentry program for adolescents who are released, it still has significant common characteristics with the Juvenile Education House in Turkey, like ‘offering vocational training opportunity’ to its residents. With a mixed-method approach, Ochoa makes ethnographic observations and formal and informal interviews over a period of twenty-two months. Ochoa gives significance to the meaning construction taking place within this juvenile reentry program and concentrates on the conflict between young offenders and staff members resulting because of staff members dictating residents how they should interpret their experiences. In short, Ochoa states that as the staff members attempt to emphasize the importance of ‘choice’ and ‘individual responsibility’ and the residents adhere to the staff members’ beliefs in variation and finally the interpretive variation among residents affect the extent to which they conflict with staff members, which, in turn, determine their success in the program.¹²¹ The concepts of ‘choice’ and ‘individual responsibility’ that are elaborated in this study besides Ochoa’s methodological approach towards the subject are significant to approach the Izmir Juvenile Education House. Regarding the cognitive development model, defined by Davidson, according to Ochoa, the Jefferson House seeks to correct the cognitive and social deficit, which they believe, results in the incarceration of the residents, meaning, poor decision-making. Thus, besides giving the opportunity of

¹²⁰ Ochoa, Bikila Tajh. “We’re Just Trying to Teach Them to be Human Beings in an Unjust World”: Choice, Individual Responsibility, and Conflict in a Juvenile Reentry Program. Ph.D. diss., Harvard University, (2009). p. 49,54

¹²¹ Ibid., p. iv

vocational training that is characterized under the ‘opportunities model’, the Jefferson House accomplishes its goal to contend with the residents’ poor decision-making ability by a points system that provides residents with choices. So the residents try to progress within a point level system consisting of six levels, each with privileges and responsibilities. “Progressing up the level system is dependent on how diligently you follow the program, the program structure and expectations.”¹²² As mentioned above, it is reasonable to state that the Juvenile Education Houses in Turkey follows the opportunities model that priorities the vocational training. However, despite the fact that there is no certain program that is indicative of the cognitive-behavioral model, it is possible to observe in the Izmir Juvenile Education House, the emphasis put on ‘individual responsibility’ that will be exemplified in Chapter Four.

Another study that guides the researcher in terms of methodology is “Views from the Inside Young Offenders' Subjective Experiences of Incarceration” by Peter Ashkar and Dianna Kenny, which “examined the incarceration experiences of 16 adolescent males in a maximum-security detention facility.”¹²³ The way, the authors analyze their data using phenomenological descriptive methodology is exemplary in terms of “¹²⁴discovering patters, themes, and categories in the data.” The researchers identify, ‘prison culture’, ‘service delivery’ and ‘loss’ as three major themes. The hierarchy among the detainees are narrated under the theme ‘prison culture’ while the dissatisfaction with the nature and delivery of medical care is told within the theme ‘service delivery’. And the theme ‘loss’ identified by the researchers indicates the loss of

¹²² Ibid., p.67

¹²³ Peter J. Ashkar, Dianna T. Kenny. “Views from the Inside Young Offenders' Subjective Experiences of Incarceration” *International Journal of Offender Therapy and Comparative Criminology* 52 no.5 (October 2008). p. 584

¹²⁴ Ibid., P. 588

autonomy and privacy of the detainees caused by the detention management practices. 'Prison culture', 'service delivery' and 'loss' are significant themes that shall be taken into consideration in any research on a prison. Hence, the narratives of the convicts in the Izmir Juvenile Education House point to these themes, as well as other themes peculiar to the context itself and will be presented in Chapter Four.

In conclusion, these studies stand out as valuable extensive field works in the way they explore the juvenile prisons from the youth's perspectives with open-ended research questions. In addition, their detailed analysis on how they interpret the narratives of both the juveniles and the staff constitute methodological insight to interpret the narratives of juveniles in the Izmir Juvenile Education House. Lastly, they help the researcher to consider the opportunities model and cognitive-behavioral/neoliberal school in relation to each other while analyzing the narratives from the Izmir Juvenile Education House.

Similar to these studies, Eylem Ümit's doctoral thesis, conducted in Turkey, leads the field with in-depth interviews with children in conflict with the law. She conducted interviews with a total of 154 children and adolescents in the Child Department of a Police Office in Ankara, Ankara Elmadağ Child Closed Correction Facility, the Ankara Juvenile Education House, Elazığ Juvenile Education House, Elazığ Child Closed Department of Correction and the Elazığ Juvenile Education House over two years time. She evaluated the narratives of the subjects through adopting Bourdieu's concept of "habitus," which means "the strategy generating principle enabling agents to cope with unforeseen and ever-changing situations"¹²⁵ and concluded that habitus plays

¹²⁵ Pierre Bourdieu, Loic J.D. Wacquant, *An Invitation to Reflexive Sociology* (Chicago: Polity Press, 1992), p. 18.

a determinate role in the development of the value of the action realized by the juveniles who committed property crimes in the cities, learning and naturalizing crime. In her study, Ümit brings forward an understanding of juveniles in conflict with the law through their own narratives. Consequently, Ümit's thesis sheds light on the interpretation of the narratives of the residents of the Izmir Juvenile Education House in order to give an account of institutional discourse and practices nourished with experiences of the residents.

Considering the birth of the first reformatories in the nineteenth century Ottoman Empire, which are also referred to as the first industrial schools, and tracking their reemergence in the early twentieth century in the republican period, the vocational training draws attention as the essence of the correctional model operating for children in conflict with the law. Throughout the twentieth century until today, vocational training has never lost significance, but has only evolved from workshops within the institutions to private companies contracting with the institutions, whereas formal elementary and high school education have devolved into secondary importance.

Throughout this period, the 1960s stand out as significant time frame, where we see the emergence and rise of social service as a profession. While the role of psychological treatment in the correction of juvenile offenders became significant, academic studies on juvenile justice system grew in number. However, qualitative studies that targeted the subjective viewpoints of the children in conflict with the law remained low in number until today. In this line of inquiry, the studies in the international context that are recounted above are illuminating for drawing a research framework that scrutinizes the correctional discourse of the penitentiary institution that houses convicted youth in Turkey.

CHAPTER III

IZMIR JUVENILE EDUCATION HOUSE IN THE PRESENT: INSTITUTIONAL DISCOURSE ON EDUCATION

In this chapter, the reader will be described the Izmir Juvenile Education House in detail from its physical appearance and administrative body to its regulation and daily practices in the present. I will ascertain the role of the vocational training and explain this policy with its regulation as well as the way residents are encouraged and also compelled to be apprentices in various occupations. Lastly, the process of research will be explained in relation to the institution's schedule.

Setting: The Physical Appearance and the Staff Members

With its buildings constituted close to each other, in a green field, the Izmir Juvenile Education House, which was founded in 1961, in Buca, Şirinyer, a district with relatively low socio-economic status, resembles a dormitory at first glance. There is no clue in the physical setting to inform the visitor or passer by that the facility is actually an open-type of prison. The green field is not designed as a garden, but as grassland. As soon as someone steps into the small green entrance behind the gate with the title *Izmir Çocuk Eğitimevi*, she is led into the common rectangular building where all the psycho-social service staff, the correction officers and directors spend time in their rooms or common rooms. In the entrance hall, there is an information desk with no one waiting behind it. On the wall near the desk is a large poster of Atatürk, the founder of the Turkish Republic, with one of his adopted daughters, Ülkü, with a paragraph on the value of children for the nation. Above the entrance door, there is the saying, "The

biggest reward for us is not to have our released students recommit crime.”¹²⁶ Going through the entrance, across the corridor, one immediately confronts the Atatürk corner. On the left of it, is a bulletin board with about a hundred and fifty photographs taken during the activities in the institution including photos from theatrical performances or ceremonies.

On the right of the corridor walls, there is a huge circular board with yet another picture of Atatürk in the middle and all the other historical personalities from the history of Turkey presented with a saying from Atatürk: “Every child is supposed to know his/her big Turkish ancestors.” Going through the corridor, there are the rooms of the head of directors, the secondary directors, the account office and teachers’ room.

Across from the teachers room is the Recourse Room where officials sit, rest, wait and drink tea. I sat and had small talks with the officials during the two weeks I was there. This Recourse Room is situated right near the door which opens to the corridor that leads the way to the male residents’ wings. When a male resident is brought to the institution for the first time, his body is searched in the Recourse Room, then, he is led into the corridor to the room where he’ll stay from then on. Female residents are sent to another building where they stay together. During the day, whenever male residents go in and out of that door, they first pass in front of the Recourse Room.

Also, residents who receive vocational training outside the institution first stop at this desk when they arrive from their work and they are physically searched before being sent down the corridor to their wings. On the weekends, the visitors of the residents are also registered and searched in front of the Recourse Room. After the Recourse Room, there is the big cafeteria on the left side of the corridor. Briefly stated, the buildings in the whole institution which are on a single floor are linked to each other

¹²⁶ “Tabliye ettiğimiz öğrencilerimizin bir daha suç işlememesi bizim için en büyük ödüdür-Eğitimi müdürü”

via four wide corridors with lots of doors and rooms. Almost all of the offices can be seen from outside through the windows on the doors. The staff is also able to watch outside without any effort.

Going on through the corridors, there are two blocks of wings for the male residents with several dormitories to sleep as groups of eight or ten. Block B is for the ones who receive apprenticeship training while Block A is allocated for the rest. Apart from the dormitories, near the big cafeteria is a TV room, an auditorium, a big room for bakery class. There are also a few small tidy-looking rooms for activities such as chess. This area which is composed of these sections along the corridor is designed for the male residents.

The girls' section of the institution is totally different from the boys' due to the fact that there are few girls¹²⁷ and they are able to stay in one big room. They are kept in a house-like, one-floor building. In the entrance hall of this dormitory, there is a medium-sized rectangular table on the right and two couches across each other and across the door, there is a big TV. Actually, this entrance hall is the TV room where the girls sit and chat. It resembles the living room in this common residence. On the right of the hall is the very big, old looking bathroom. On the left is a sufficiently big bedroom with separate beds and closets, table and chest of drawers. Apart from the male residents, female residents in the institution live a totally different life in the facility having no contact with boys except in bakery classes, which take place a few hours per week.

The population of the facility is not high. Together with the correction officers, the number of staff members is almost equivalent to that of the residents. Almost all the officers are aged around thirty-five to fifty-five. While the administrators wear suits,

¹²⁷ Girls' population does not exceed 6, which makes only 1/9 of the whole population.

correction officers wear uniforms composed of a blue shirt, dark blue sweater with dark blue pants. They look very formal, indeed. In terms of administrative structure, the staff is generally composed of a general director, two secondary directors, two teachers responsible for organizing the educational courses, a social worker, a psychologist, a Head Officer,¹²⁸ who is responsible for the general atmosphere of the institution in terms of discipline and, lastly and most importantly, the correction officers.¹²⁹

Basically, the correction officers are the employees with whom the residents are always in contact. A resident does not have contact with the general director, secondary directors, the teachers, the social worker or the psychologist on an ordinary day, as long as the resident or the staff member requests a meeting. However the correction officers and the residents share the same space every day and any moment. Apart from the permanent staff, the teachers appointed by the Public Education Center,¹³⁰ come and give courses on computer, cooking, hairdressing and similar courses according to the weekly schedule. Volunteer students from universities and organizations come and engage in activities like painting the corridor walls or bring films for the residents to watch.¹³¹ In 2003, the Juvenile Department of the Ministry of Justice and UNICEF together developed a project, named, “A Good Governance for the Children, Towards Protection and Justice.” This Project later named as “The Development of the Capacity

¹²⁸ *Baş Efendi.*

¹²⁹ The official staff is actually composed of a director, two secondary directors, accounting officer, two psychologists, one social worker, two teachers, one secretary, two treasurers, one health officer, four technicians, two assistant technicians, one driver, one cook, two servants, 11 head correction officers, 27 correction officers which make up 61 employees in the institution. I did not come across all the employees during my research.

¹³⁰ *Halk Eğitim Merkezi.*

¹³¹ During the time interval I conducted research, there was a also a voluntary club which organized psycho-social group activities on Sundays with the aim of keeping children occupied and alleviate the psychological state of the residents in general.

of Correction Officers in Penal Institutions” ARDIÇ, started to be implemented in the juvenile prisons and in the Juvenile Education Houses. ARDIÇ which is still running in various facilities as in-service training, aims to educate the managers of the institutions together with the correction officers while also developing the working conditions of the psycho-social workers that work with the incarcerated youth and their families.¹³² Also, a project named “First Children-Modeling of Child Protection Mechanisms in the City Level” in the coordination of Ministry of Education Apprenticeship and Non-Formal Education General Management started in 2008 with the financial support of the EU and technical support of UNICEF. Within the scope of the Project, with ARDEF (Research-Evaluation Form), the Ministry of Justice aims to evaluate every convict as an individual, assess his/her risk level and develop a suitable individual development program. With these programs, it is hoped to make early release of the convicted youth possible.¹³³

The Residents, Their Responsibilities and the Programs in Which They are Enrolled

After being caught by the police, put on trial and being detained in a closed type of prison, charged as a convict and finally after the High Court of Appeal sanctions the decision of the juvenile court, youth from the Marmara, Aegean and Mediterranean regions are brought into this facility from the city where the crime took place and

¹³² “Çocuklar İçin Ardıç Neyi Hedefliyor?” in http://www.cte-seslenis.adalet.gov.tr/arsiv/2008/71_subat2008/makale/ardic_programi.htm- [20 August 2011]

¹³³ TBMM (S. Sayısı:589)“Kayıp Çocuklar Başta Olmak Üzere Çocukların Mağdur Olduğu Sorunların Araştırılarak Alınması Gereken Önlemlerin Belirlenmesi Amacıyla Kurulan Meclis Araştırması Komisyonu Raporu” Dönem: 23 Yasama Yılı: 4 TBMM Temmuz 2010, p.280

mostly from the closed prisons of that city where they are incarcerated as detainees.

Youth in conflict with the law in central Anatolia are sent to the Ankara Juvenile Education House, while the ones in eastern regions are received by the Elazığ Juvenile Education House. Consequently, the Juvenile Education House is the last resort of the juvenile justice system for a convicted young person in Turkey.

The demography of the residents is very unstable and even hard to keep track of and changes from forty to fifty. The institution can expect a new residence any day and it is not unusual to witness the departure of residents. According to the accounts of the social worker, most of the residents at the Izmir Juvenile Education House are brought from Istanbul, Gebze, Denizli, Antalya, Edirne, Afyon, Salihli, Manisa, Uşak and Aydın where they used to reside or where they were arrested.

Aged between sixteen and twenty-one,¹³⁴ almost all the residents have low socio-economic backgrounds according to the accounts of the social workers and the dialogues I developed with the residents that revealed this fact. Accordingly, most of them had worked in various sectors before coming into conflict with the law. The data given by Eylem Ümit who conducted interviews with children in conflict with the law in various institutions including the Ankara Juvenile Education House, support this finding. Ümit stated that most of the interviewees, 89.9% of them, told her that they had worked in jobs which provided money. The children Ümit talked to, had worked both in street-trading and as an apprentices in different sectors and workplaces. They had entered into more than one job and soon quit. As an example given by Ümit, there were children who had worked in furniture, hair dressing and as car-mechanic. According to Ümit, the children had first worked in street-trading, and then entered a

¹³⁴ Some of the residents were actually bigger than what what writes on their identity cards.

workplace as apprentices.¹³⁵ Likewise, after examining the juvenile convicts in juvenile education houses or juvenile prisons, the prison statistics of 2009 states that some worked in service sector and textile industry. Others had been employed as construction workers, wood workers or metal workers.

Moreover, according to the Prison Statistics 2009, 6.4% of juvenile convicts were illiterate at the time of committing the crime and 10.7% of them were literate but had not graduated from a school. At the time of committing the crime, while juvenile convicts had graduated from primary school constituted 43.7% and students registered in primary education constituted 37.3%.

Almost all smoked cigarettes and had experience with drugs. Accordingly, some struggled due to lack of drugs in the facility. Although they were under or around eighteen years old and without doubt, categorized as children, one of them, I met with had already become a father.

Table 2: Reason of Conviction (December 13, 2010-approximate number stated by the social worker, February 8, 2011, exact number stated by the Second Director)

Offenses	Number of Residents in December 2010	Number of Residents in February 2011
offenses against property	26	32
sex crime	9	10
homicide	2	3
drug traffic	2	2

¹³⁵ Ümit, p. 272.

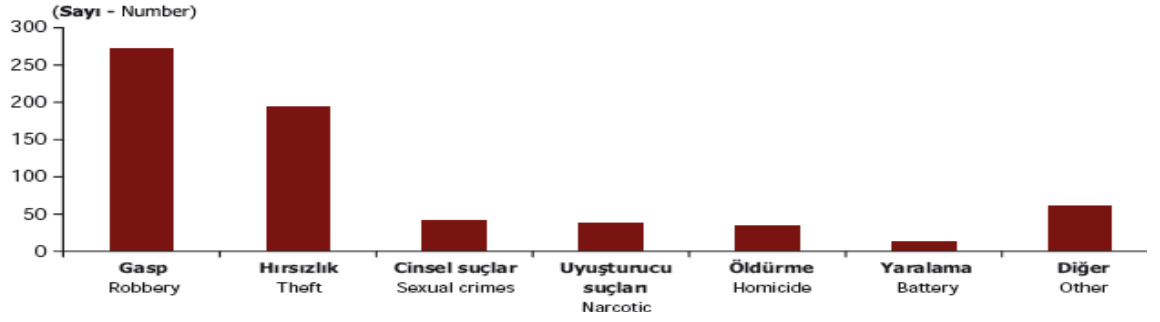


Fig.3 Juvenile convicts by type of crime, 2009¹³⁶

The programs at the Juvenile Education House were summarized by an expert in social services at the Ankara Juvenile Education House, Güner Irmak, in 2003 in a panel on the subject as follows: Presentation (orientation), Getting to know, Education, Vocational Training, Vocational workshops/courses, Socio-cultural activities, Psycho-social service, and Preparation for the post-release period.¹³⁷ She defines and explains these programs as follows. First, the education program of the juvenile convict is determined according to his/her education level. The continuity of the formal school education outside the institution is the first option that is considered. If the juvenile convict has lost his/her right to be registered in a formal school, he/she is registered in a distance primary school education or distant high school. At the same time, he/she is also registered at the Vocational Training Center to receive apprenticeship training and in a private workplace in the related sector to work. In order to ensure the success of these children at distance education, the juvenile education house invites teachers from the Ministry of Education to give courses inside the institution. For the illiterate ones and for those who were not able to finish primary school, literacy classes are opened at level one or two. The ones who already have high school diplomas or the ones who

¹³⁶ Prison statistics 2009 p.93.

¹³⁷ Güner Irmak“Panel 2: Bakım Gözetme ve Eğitimde Uygulamalar”ın Bildiriler: III. Ulusal Çocuk ve Suç Sempozyumu “Bakım, Gözetme ve Eğitim” 22-25 Ekim 2003 AÜ ATAUM. P. 69,70,71,72.

have received this diploma during their incarceration, are tried to be placed in courses for university entrance exam outside the institution.

All in all, most importantly, different from any closed prison in which the residents' daily practices are more or less the same according to the homogenizing practices of the institution, the residents of the Izmir Juvenile Education House live in this institution in highly different programs. These programs are set according to the levels of residents' formal education background before coming into conflict with the law. Accordingly, while illiterate residents attend literacy classes every day in the facility, the ones who have not completed elementary school are registered in distance education to receive their elementary school-eighth grade diplomas. All of these residents, including the ones with elementary school diploma waiting to be registered in open high school and vocational training, and the ones with no diploma at all and waiting to be registered in open elementary school, attend classes in such subjects as computer, bakery and hairdressing throughout the whole day to pass time and earn certificates.

The remaining who have eighth grade diplomas receive vocational training in various jobs such as cooking, furniture, auto paint, building car bodies, metal work, welding, textiles and electricity. They go to work in different private companies. In other words, in the Izmir Juvenile Education House, having an eighth grade diploma and working in a private company as an apprentice is the highest level a resident reaches in terms of his/her educational condition.

Moreover, some of the male residents who do not go to work and who are liked by the staff work in the facility serving tea, meals and washing the dishes every day. I have seen that these duties of working in the cafeteria and serving tea are discharged with pleasure as the residents gained relative autonomy against the officers and other residents. Moreover, most residents who stayed inside worked in the construction of the

facility.¹³⁸ So residents work in the construction together with other workers who were the inmates of Buca/Izmir Adult Open Prisons and earned 100-200tl per month. Besides all these, residents worked in the olive grove, near the facility, collecting olives when they had free time.

In short, the residents are classified and divided to be assigned different types of education in which receiving vocational training by being apprentice is the highest level. Stephen Ball views these processes of classification and division, which is called “dividing practices” by Foucault as “central to the organizational processes of education.”¹³⁹ “Whether it occurs in the school, in the prison or in the factory, the disciplinary regime separates, divides, hierarchies and examines, as it simultaneously characterizes the individual and orders them within, a multiplicity which both individualizes and homogenizes at the same time.”¹⁴⁰ In the Juvenile Education House, the individualizing process occurs through selections for vocational training, while the homogenizing process is experienced through the daily routine of the facility.

Considering Foucault’s concept of objectification, these “dividing practices” through education stand out as one of the three modes of objectification where the “subject is either divided inside himself or divided from others.”¹⁴¹ Moreover, within the Juvenile Education House, apprentice-convicts or convicts who work inside the facility are objectivized through their labour.¹⁴² And, as the last mode of objectification, all the

¹³⁸ During the time I was there, there was a huge construction project going on inside the facility which would last about 10 months as the new director commanded.

¹³⁹ Stephen Ball, *Foucault and Education: Disciplines and Knowledge*, edited by Stephen J. Ball (London and New York: Routledge, 1990), p. 3,4.

¹⁴⁰ Baker, p.57.

¹⁴¹ James D. Faubion(ed.). “The Subject and Power” Michel Foucault Power Essential Works of Foucault 1954-1984 Paul Rabinow Series Ed. Volume 3 (New York: New Press, 1997) ,p.388.

¹⁴² Ibid., p.326.

residents are objectivized by their own self-formation through turning themselves into subjects by being subject to the disciplinary rules and tools of the institution, which will be analyzed at length in the next chapter.

Vocational Training: Working as an Apprentice

Since the abolishment of the system of running capital through workshops in 1995, the system of apprenticeship training is run primarily by the Apprenticeship and Non-formal Education General Management under the Ministry of Education, as well as other institutions affiliated with the General Management, other ministries and private occupational institutions that volunteer to run similar programs.¹⁴³ “Vocational Training Center”¹⁴⁴ is the institution with which the Izmir Juvenile Education House has an agreement to send convicted young people.

Article seven in the apprenticeship contract determined by the Apprenticeship and Non-formal Education General Management under the Ministry of Education¹⁴⁵ indicates that the apprentice student is paid an acceptance wage that can not be less than thirty percent of the minimum wage for his/her age. According to Article 25 of Law No. 3308 on Vocational Training, the wage is exempt from any tax. Besides, as Article 211 of the Regulations on Vocational and Technical Education states, insurance premium of the apprentices are calculated according to the minimum wage determined by the age of the apprentice that is assigned by the Labour Law No.1475. The

¹⁴³ Cevat Alkan, “Türk Milli Eğitim Sisteminin Mesleki ve Teknik Eğitim Boyutu” in *75 Yılda Eğitim*. Edited by Fatma Gök (İstanbul:Tarih Vakfı Yayınları, Haziran 1999) , P. 236.

¹⁴⁴ *Mesleki Eğitim Merkezi* <http://www.izmem.com/>

¹⁴⁵ Training of the Apprentices <http://cygm.meb.gov.tr/ciraklikegitimi/ciraklarinegit.pdf>

apprentice receives fifty percent of the insurance premium that is required by the minimum wage determined by his age. This required amount is provided by the Ministry of Education without setting the share of the insured or the employer.¹⁴⁶

According to the Law on Vocational Training, whether an apprentice is eligible to receive a semi-skilled degree is determined by an exam. Apprentices are required to enter this exam unless they have an acceptable excuse. The term of apprenticeship contract comes to an end as the apprentice enters the second examination followed by the first exam to obtain the semi-skilled degree. After the termination of the contract, the payment of the insurance premiums stops on the first days of the following month.¹⁴⁷ So the apprentice convicts of the Izmir Juvenile Education House receive their insurance premiums from the Ministry of Education and their wage from their workplace. According to Hüseyin İrfan Fırat, who criticizes the law on Vocational Education, the insurance premiums that are paid by the Ministry of Education covers the occupational accident/industrial illness and health insurance and does not cover the pension liability.¹⁴⁸ When the apprenticeship contract terminates, the residents should be able to continue to work as semi-skilled and stay in the Izmir Juvenile Education House if they have not turned twenty-one until then. The experience of this apprenticeship

¹⁴⁶ Insurance operations <http://cygm.meb.gov.tr/ciraklikegitimi/sigotaislemleri.pdf>

¹⁴⁷ Law on Vocational Training
<http://cygm.meb.gov.tr/ciraklikegitimi/meslekiegitimkanunu.pdf>

¹⁴⁸ “3308 sayılı Mesleki Eğitimi Kanunu gereğince 14 yaşını tamamlamış olan çocuklara çırak denilmektedir. 3308 çıraklığı için yapılan SSK ise emeklilik için başlangıç değildir. 3308 sayılı Kanun gereğince meslek liselerinde okuyan öğrenciler ile Çıraklık Eğitim Merkezi öğrencileri için Milli Eğitim Bakanlığı’nca çırak-öğrenci sigortası yapılmaktadır ve SSK’ya iş kazası-meslek hastalığı ile hastalık sigortası primi ödenmektedir. Bu priminin içinde emeklilik primi olmadığı için bu okul ve merkezlerde yapılan sigortalar emeklilik için başlangıç sayılmaz-bir işe de yaramaz.” in “Çocukları Çalıştırma Yaşı ve Sigortalılık Üzerine (Yeni Yasa Geliyor Kaçın!)” by Hüseyin İrfan Fırat (15 April 2008)

training by the residents and their view on receiving semi-skilled degree will be discussed in Chapter Four.

So, these residents are registered in apprenticeship training and registered to work in a private workplace. However, this does not necessarily happen simultaneously. In fact, a resident can work but also wait to be registered in apprenticeship training. Under regular conditions, the residents finish their apprenticeship courses by going to school with other vocational training students once a week, but on special occasions, residents can start working and wait to finish all the courses of the first semester in the “semester vacation” period in fifteen days.

The way residents are placed in workplaces as apprentice depends highly on the relationships the staff has developed with the private companies. The variety of occupation types, together with the variety of the workplaces depend on the relationship and the social network the social service employees together with the teachers and the directors have developed. Indeed, while the residents of the Ankara Juvenile Education House receive 450 TL per month, the ones at the İzmir Juvenile Education House receive 250 TL (\$170). The amount of salary is even for every job. Female residents with eighth grade diploma, most likely are enrolled in a textile company as an apprentice. During this research, about one third of the residents worked as apprentices.

Table 3: Types of Occupation and Number of Residents Enrolled (February, 2011)

Type of Occupation	Number of residents enrolled as apprentice
Cooking	5
Building Car Body	3
Furniture	2
Metal Working	1
Auto-paint	1
Welding	1
Electricity	1
Textile	1(female)

Table 4: Juvenile Convicts by Vocation at the Apprenticeship Training Attended Outside of the Juvenile Prison and Reformatory, 2009¹⁴⁹

Juvenile Prison and the Juvenile Education House	Total	Electrical work	Metal work	Gardening	Computer Technician	Hairstresser	Tailorine	Food preparation	Jewelry Design	Others
Total	86	7	24	12	11	1	6	12	3	10
Ankara Child and Youth Closed Department of Correction	61	4	15	12	11	-	6	-	3	10
Izmir Juvenile Education House	25	3	9	-	-	1	-	12	-	-

Residents start their apprenticeship training under their own consent. The general procedure of placing each resident into training is realized in the following way. The social worker provides the resident with choices mostly determined according to the positions found in the workplaces. If there is an option to choose, the resident decides according to his interest and according to his previous job experiences.

Fuat Ercan, who views apprenticeship education as an opportunity to transform the youth into qualified workers and to develop the economy as a whole in times of structural inequalities in income distribution in crisis times, criticizes the approach of small and medium-sized enterprises towards the apprentices, who are viewed as persons to be put to work at minimum wage for a short period of time. The inclusion of youth in vocational training through apprenticeship gained importance as this started to mean cheap labour the costs of which are compensated by the state.¹⁵⁰ Within this framework, convicted adolescents are not always registered in jobs that are in accordance with their vocational training in Vocational Training Center. Moreover, the assigned roles of the young people, who are paid less than half of the minimum wage as agreed by the Izmir Juvenile Education House, can change according to the vacancies in the whole working

¹⁴⁹ Prison Statistics 2009 p.103.

¹⁵⁰ Fuat Ercan, “1980’lerde Eğitim Sisteminin Yeniden Yapılanması: Küreselleşme ve Neoliberal Eğitim Politikaları,” in *75 Yılda Eğitim*, p.35.

place. Besides cheap labour, another dimension of employing convicted youth through the Vocational Training Center is hidden in its discrepancy between discursive objective and daily practice. While the Izmir Juvenile Education House's official objective in sending the residents to work is to give them a chance to have an occupation, then learning process and productivity of the residents remain in the background. Hence, educating and reintegrating convicted youth through employing them is realized within a disciplinary objective of producing obedient subjects who are subjected to work for low wages. Accordingly, Michael Apple simply states that,

From the early functionalist work of Bowles and Gintis to the later analyses of Bernstein, Willis, Arnot, Girouz, Carnoy and Levin, and myself, there has been a clearer recognition that our educational system can only be understood 'relationally'. Its meaning, what it does culturally, politically, and economically, is missed if our analysis does not situate the school back into the nexus of dominant class relations that help shape our society.¹⁵¹

In relation to Apple's statement, Ergin Bulut, who studied the transformation of the Turkish vocational training system, writes that "it is no secret that vocational education reproduces the working class."¹⁵² He interprets the situation in Turkey by first mentioning the consensus approach (integrationist approach) and conflict approach in contrast to each other. The former approach holds that "the particularities of everyday life – our relationships, economic activities, and social outlooks – have been superseded by universal ways of being, knowing, and relating to others... The conflict approaches, on the other hand... assume that there are systematic blocks or barriers to upward

¹⁵¹Michael Apple, "Facing the Complexity of Power: For a Parallel Position in Critical Educational Studies" in Cole, Mike. (ed.) *Bowles and Gintis Revisited Correspondence and Contradiction in Educational Theory*. Sussex: The Falmer Press, 1988. p.117

¹⁵² Ergin Bulut, "Transformation of the Turkish Vocational Training System: Creation of Lifelong Learning, Loyal Technicians" (MA Thesis, Boğaziçi University, 2007), p.5.

social mobility, which generates social classes.”¹⁵³ Bulut puts forth that the consensus approach is the dominant one in Turkey. Accordingly, “education system hides and legitimizes the inequalities it creates by restoring certain concepts like modernization and reform [of Turkish industry and service sector].”¹⁵⁴ Moreover, he touches upon the issue which is found to be the dominant discourse in the Izmir Juvenile Education House in Chapter Four that success depended on the individual.

Thus, it is possible to conclude that the vocational training, which is presented as the strongest side of the Juvenile Education House within the discourse of making the residents acquire profession, is not practiced so within the institutional objectives and most importantly, by the residents themselves. In this vein, drawing on the literature of sociology of education and the literature on prisoner education, it is possible to agree that “total institutions...unambiguously demonstrate the deculturating and reculturating techniques required by pedagogic work seeking to produce a habitus as similar as possible to that produced in the earliest phase of life, while having to reckon with a pre-existing habitus.”¹⁵⁵ Meaning that, the way the vocational education is practiced and viewed together with other preoccupying classes in the Juvenile Education House has profound implications that, although the convicted youth are kept in the education house with its new name and emphasis on “preparing the youth for prospective careers,” the educational techniques in the Juvenile Education House are determined according to the economic, social and cultural capital of the residents and these techniques do not draw away from reproducing their capital within the pedagogic

¹⁵³ Hugh Lauder et al., "Introduction: The Prospects for Education: Individualization, Globalization, and Social Change," in *Education, Globalization and Social Change*, ed. Hugh Lauder et al. (Oxford, 2006) in Bulut.

¹⁵⁴ Bulut, p.5.

¹⁵⁵ Pierre Bourdieu, Jean-Claude Passeron, p. 44.

techniques. Or, similarly, borrowing loosely from the Marxist scholars Bowles and Gintis' correspondence model, "the educational system helps integrate youth into the economic system...through a structural correspondence between its social relations and those of production"¹⁵⁶ In his book, "Power and Education" Michael Apple reminds the reader that this relationship between the educational system and the existing relations of domination and exploitation by the relations of production has been put forth for many times. Hence, he states,

As individuals as diverse as Bourdieu, Althusser and Baudelot and Establet in France, Bernstein, Young, Whitty, and Willis in England, Kallos and Lundgren in Sweden, Gramsci in Italy, and Bowles and Gintis, myself and others in the Unites States have repeatedly argued, the educational and cultural system is an exceptionally important element in the maintenance of existing relations of domination and exploitation in these societies.¹⁵⁷

While scrutinizing and criticizing the educational system as an element in sustainment of existing relations, Apple, as a teacher himself, draws attention to the people involved in educational policies and states that, "A fundamental problem facing us is the way in which systems of domination and exploitation persist and reproduce themselves without being consciously recognized by the people involved."¹⁵⁸ This statement points out that sociology of education does not necessarily criticize an existence of a determined conscious collective with a clear purpose of integrating a group of students into the cheap labour force. Rather, as Apple wisely puts forth, the people may be involved in this reproduction without consciously recognizing the persistence of the system. In this regard, the convict-student-workers of the Juvenile

¹⁵⁶ Mike Cole. (ed.) Bowles and Gintis Revisited Correspondence and Contradiction in Educational Theory. Sussex:The Falmers Press, 1988. P.34

¹⁵⁷ Apple, Michael. "Reproduction, Contestation and Curriculum" in Education and Power, New York Routledge, 1995.p.9

¹⁵⁸ Ibid., p.12

Education House are integrated into the cheap labour force as the institution provides them an ‘opportunity’ to receive vocational education.

Leaving aside the (un)successful patterns of raising the convict-students towards upward mobility, questions as why and how the institution adopts and gives prominence to educational policies and opportunities, lead us to think about the “reluctance to punish.”¹⁵⁹ Accordingly, Foucault modestly recalls Nietzsche, who

said more than a century ago, namely, that in our contemporary societies we don’t know any longer exactly what is being done when one punishes or what can justify punishment, truly and fundamentally. It’s as if we were applying a punishment while basing ourselves on a certain number of heterogeneous ideas that were deposited on top of one another to an extent, ideas that derive from different histories, separate time periods, divergent rationalities.¹⁶⁰

Like in most of the penal institutions, we observe the merging of education and punishment within one institution of social control in the Juvenile Education House, and how exactly this interpenetration is experienced by the subjects is highly absorbing. In this respect, the residents’ narratives are significant to reveal how the apprentice work and the disciplinary rules are experienced on a daily basis. Therefore, in the following chapter, residents in different educational programs will be presented through their own voices to give us a detailed picture of the institutional life. Except, now, an elaborative account on the research process will be presented to better envisage how the residents shared their experiences.

¹⁵⁹ Faubion(ed.). “What is Called Punishing?” Michel Foucault Power Essential Works of Foucault 1954-1984, p.388.

¹⁶⁰ Ibid, p.388.

The Research Process in the Institution

I spent time at the Izmir Juvenile Education House in two different time periods.¹⁶¹ The first time was a week in mid-December 2010 and the second time was the first week of February 2011. The first day I generally met with the teachers, the social worker, some of the officers and a few residents. On the following days, besides conducting twenty semi-structured interviews, I had the chance to walk around in the corridors as a participant observer and have meals with the residents, correction officers and some staff members in the cafeteria and attend a bakery class.

After I received general information from the social worker and the teachers of the institution on the first day, the social worker arranged the room next to hers for me to conduct in-depth interviews with each resident individually. The room was reserved for me during the whole weekend when the social workers and teachers were not there. The social worker gave me the whole list of the residents updated for that week. The date of birth and educational status of each were indicated near the names. As long as I did not ask for a specific resident to talk with, they were sent to the room I was in, randomly. Sometimes, I called upon specific names to arrange the interviews evenly among different educational categories. Although the officers were careful to accompany them along the way to the room, mostly they did not pay attention to this. However, I was asked by the correction officers to call them to take the resident or bring him back to the Recourse Room myself, so that the residents were not left alone by themselves to linger around.

¹⁶¹ I was in Izmir Juvenile Education House for 6 days in December 2010 and 4 days in February 2011.

After about ten interviews, word of my presence in the facility as an outsider spread among the residents by word of mouth. Some residents told the officers that they wanted to see me just because the practice itself seemed interesting or they thought I was a psychologist (other than the psychologist of the institution) with whom they could sit and talk about anything. The interviews were conducted at a desk where the residents and I sat across from each other, which caused hesitation on my part with the concern that the interviews would take place in a formal framework. However, later, this seating arrangement provided me with some freedom to note down what I found significant more comfortably since it was difficult for the residents to talk and follow my handwriting upside down. So we could concentrate on the talking more instead of what I chose to write down during the dialogue. As mentioned in the introduction, using a recording device was forbidden at the Juvenile Education House. According to me, the interviewees provided me with a more thorough account of the institution in the absence of a recorder; after all, they thought their negative comments could affect their wellbeing in the facility. However, the very absence of the recorder caused me difficulty in managing flawless dialogue, too.

At the beginning of each interview I asked the resident what kind of education he had received and took out questionnaire according to his response. I had four different questionnaires with me that were designed according to the educational program of residents.¹⁶² Actually, the questionnaires had not been prepared with the intention of filling them out. Rather, they provided me with the legitimate means to hang around as an independent researcher whose research method looked legitimate.

¹⁶² 1. Questionnaire for illiterates

2. Questionnaire for those who are literate but not enrolled in formal/organized education outside the institution who were enrolled in open-education classes.

3. Questionnaires for those who were enrolled in vocational training as apprentices.

4. Questionnaires for those who were not enrolled in any formal or vocational training, but who were waiting to be enrolled in one of them.

On the side of the residents, these questionnaires provided me the means to open a conversation and hold the autonomy to go on with a new question if the dialogue started going nowhere. In the meantime, I introduced myself, stated that I was from a university in Istanbul, adding that my family lived in Izmir. I told each one that I had graduated in sociology and was doing my Master's degree and that I chose this specific subject voluntarily since some expressed that they thought I had been assigned to this project.

I introduced my topic as the “every day practices” in the Izmir Juvenile Education House and told them that the best method to receive related information was to ask the residents themselves. As I continued meeting with new residents, I understood that almost every resident thought that the questionnaires I took notes on would be examined by the general director before I could use them. They hesitated to give me precise responses if they made a negative comment on the facility. They either shook their heads or tried to correct their responses towards neutral statements. So, after a few interviews, I stressed that they did not need to be anxious about such a possibility. “No one is allowed to touch these papers except me and only me. Not even the general director or my teachers will see them. I use them only to remember what we will talk about in a couple of minutes. And, when I will write my thesis, I will use the notes I am going to take in order to remember and write everything as a whole.” This statement satisfied most of the residents and only a small number of them tried to correct their responses towards more neutral statements when I started noting down negative comments about the institution. Accordingly, none of the residents I will introduce in the following chapter are mentioned with their real names.

Generally, I started with standard questions that expected no subjective answers, like “When were you born?” and “So, you were in the seventh grade...” and I

proceeded with questions that asked his subjective views of the specific training he had received and his subjective views about the institution. A considerable amount of the questions were close-ended to receive a more determinate response¹⁶³ while sixty of the questions were open-ended, to elicit longer responses, such as descriptions or stories such as “could you describe me a typical day?” or “what do you do when you go home for three days?”

Questions about the background of the residents included, “Which city are you from? How many brothers and sisters do you have?” and “At which jobs do they work in?” The questions on the sheet were never followed strictly. The duration, pace and the content of the interviews were mostly determined by the residents. The direction of the dialogue was determined by the narrative style of each resident. The arrangement of the questions was ad hoc; they were directed to the interviewee not in a standard sequence. Rather, they were chosen according to the narrative of the resident. In addition, as I satisfied my curiosity for some of my essential questions during the first interviews, I could start developing new ones.

After the questions which were relatively close-ended, I proceeded with open-ended ones, like “What is your favorite day here?” “What would be the hardest thing for you if you worked as an official here?” “Why do you think the dormitories are locked during the day?” and “What do you think about the name ‘education house?’” There were no questions regarding the type of offence they had committed, which helped me to build a stronger relationship with the interviewee as he/she realized that I would not judge him/her myself during and after the interview process. Hence, one of the

¹⁶³ The questionnaires prepared and used by Sevda Uluğtekin in her research in the İzmir Juvenile Education House (İzmir Reformatory) in 1991, provided me with significance guidance while preparing the content and design of the close ended questions and questions on socio-economic background.

interviewees drew attention to the absence of such a question and stated that he was pleased by such an approach.¹⁶⁴ Moreover, this really helped me to stay neutral and in equal distance with all the residents since I sometimes questioned myself on this sensitive issue. Apart from all, the offence types of residents had no significance for this research, anyway. There was no time limit during the talks. The shortest interview lasted twenty minutes while the longest lasted one hour and forty-five minutes, while most of the interviews lasted approximately forty-five minutes.

The second time I arrived at the institution in February 2011, the majority of the resident population had changed. Twenty-one out of the forty-five residents had been sent to either the Bergama M-Type Closed Department of Correction or to an adult prison if they were already above eighteen, as a form of non-judicial punishment.¹⁶⁵ One had been sent to a closed adult prisoner upon his request since he was already eighteen. Two of them had been released and one sent to an adult prison since he had turned twenty-two. With new residents arriving at the facility to live through their conviction, the new population was forty-six. In this second time interval, besides interviewing the new-comers, I tried to talk with the residents whom I had met and even had interviewed one time to learn more about the form of non-judicial punishment and other similar changes I had missed. In this second time, I also conducted a focus group with the girls in their dormitory. In total, I had the chance to talk with thirty-five residents, both males and females, either through in-depth interview or by focus group.

At the end of all this process, notes taken during the interview both on questionnaires and blank sheets and field notes taken at the end of the days I visited the

¹⁶⁴ The same resident asked me to share my concluding remarks with them after I was finished with the interviews and ready to write the thesis; unfortunately, I did not have the chance to share my overall view with him and the other residents.

¹⁶⁵ This form of non-judicial punishment will be handled in elaboration in the following chapter.

facility were the written documents I could use to describe the findings of this research. These notes were read again and again until the common themes and categories emerged in the light of the research's objective. Since there was no record available, no electronic data analysis program was used.¹⁶⁶

All in all, the Izmir Juvenile Education House provided me with a suitable and favorable atmosphere to be a participant observer and conduct interviews. Some of the times, I was reputed to be a psychology student, at other times I was a researcher who had to be provided with sufficient information. Even at a specific time, I felt like an inspector, when one of the correction officers was showing me around down the corridors in the male residents' wings. He tried to ensure me that the facility was nice, emphasizing how modern it looked with the rooms for extracurricular activities.

During the time I spent time at the facility, there was a construction project going on that would last for about ten months, as mentioned earlier. This project was carried out to renew the interior, move the social service staff to new rooms, to have a better and new library with the initiatives of the new director, who was very busy with renewing the physical appearance of the facility. I once had the chance to talk with him in his room with other visitors when one of the correction officers told me that the director would like to meet with me. As I was expecting tough questions on the outcomes of the interviews, the director had a persuasive approach to ensure me that they tried to do the best to serve to wellbeing of the residents. This was another time that made me feel like an inspector. At other times, I had small talks with the teachers, the social worker and the psychologist and yet, their subjective viewpoints on the running of the institution could not be a matter of our discussion. So, in our

¹⁶⁶ Elif Gökçearslan Çiftçi. "Kapkaç Suçundan Hüküm Giyenlerin, Sosyo-Demografik Özellikleri, Sosyal Dışlanma Süreçleri, Suç Ve Diğer Sapma Davranışlar Açısından İncelenmesi" (Ph.D. Diss., Hacattepe University, 2008) , p.92.

relationships, they were the employees of a governmental institution and as I was a researcher who would share my experiences with the outside world; hence, I had to complete this process under the best physical circumstances to receive information from the residents as the Ministry of Justice General Directorate of Prisons and Detention Houses gave me the permission to do so.

CHAPTER IV

THE DEVELOPMENT OF PUNITIVE PRACTICES INTRINSIC TO THE EDUCATION HOUSE: “PUNISHMENT WITHIN PUNISHMENT”

In this chapter, I will help the reader visualize the daily lives of convicted youth by recounting their experiences according to the categories they are placed in, that are determined by the educational policy of the institution. First, male apprentice residents' accounts on various subjects will be shared through different occupations. Then, other male residents' accounts will illuminate the mundane details on discipline. Illiterate male residents will receive special attention before the female residents' narratives are presented. Thus, the meaning of punishment will be discussed upon these accounts. The chapter will conclude with a brief comparison of the Izmir Juvenile Education House with the Ankara Juvenile Education House.

Ted Honderich defines punishment as “an authority’s infliction of a penalty, something intended to cause distress or deprivation, on an offender or someone else found to have committed an offence, an action of the kind prohibited by law.”¹⁶⁷ As Foucault deliberately shows in *Discipline and Punish: The Birth of Prison*, incarceration is just one of the ways of infliction of a penalty¹⁶⁸ “Gresham Sykes, categorizes this “experience of imprisonment into five pains, i.e. isolation from the larger community, lack of material possessions, blocked access to heterosexual relationships, reduced personal autonomy and reduced personal security. These foster alienation from prison

¹⁶⁷ Ted Honderich, *Punishment: The Supposed Justifications Revisited* (London: Pluto Press, 2006), p.15.

¹⁶⁸ Michel Foucault, *Discipline and Punish: The Birth Of The Prison* (Translated by Alan Sheridan London: Penguin Books, 1991).

staff and management and from the larger community.”¹⁶⁹ In the case of the juveniles, blocked access to formal/organized education is the sixth form of penalty.

“Outlining a position which would later be developed by Michel Foucault, [Pashukanis] argues that although imprisonment appears as a ‘deprivation of liberty’ and is so represented in legal discourse, its reality is far more than that of a mere deprivation. It involves specific disciplinary, corrective and punitive practices which are inflicted upon the prisoner without necessarily being declared in law.”¹⁷⁰ And “even in the sphere of juvenile justice, where the rehabilitative ideal has most clearly taken hold and where the language of punitiveness is now largely absent, normalizing techniques have continued to exist in tension with a measure of punitiveness which has compromised and limited their effects.”¹⁷¹

In this line of thought, interviews with the residents in a prison environment whether it be closed or open, do not concentrate upon the various educational practices in the facility though its name has recently been changed to education house from reformatory. During the talks, the residents had concerns other than their education and vocational training. Hence, being deprived of their liberty and various ways to get out of this semi-incarcerating situation (semi because this is an open-type penitentiary) was the primary concern. Accordingly, two main themes emerged as the residents provided me insight about the institutional life and these were more about the disciplinary mechanism and opportunities of freedom. One was the “punishment upon

¹⁶⁹ MacGuinnes, Petra. “Dealing with Time: Factors that Influence Prisoners to Participate” *Prison(er) Education*, Waterside Press, p.85.

¹⁷⁰ Garland. “Punishment as Ideology and Class Control,” *Punishment and Modern Society*, p.115.

¹⁷¹ Garland. “Beyond the Power Perspective,” *Punishment and Modern Society*, p.161.

punishment” caused by the disciplinary norms of the institution and the other was the imagining of the opportunities of the vocational training not in accordance with the institution’s own discourse, but shaped around the disciplinary mechanisms of imprisonment.

Apprenticeship as a Convict

As the apprenticeship training occupied a large space in the previous chapter, apprentice residents’ narratives will be given the first place in this section to complete the formal information on this training with subjective experiences. Later, other residents will be given voice in relation to the apprentices.

Accordingly, the residents provided insightful comments on their experiences of being an apprentice within the Juvenile Education House. During the period I was doing research in the facility, Muhlis was one of the apprentices. He had been in the Izmir Juvenile Education House for more than a year when I met with him in December 2010. He had been born in 1993. Before being brought to Izmir Juvenile Education House, he had been detained in Denizli D-Type Adult Closed Prison’s juvenile wing for more than two years. In total, he had stayed in this closed type facility for twenty-six months until his sentence had been approved by the High Court of Appeal. He had attended English and computer courses as a detainee. His sentence would be completed in four years, which meant that he would either stay at the Izmir Juvenile Education House as an apprentice until he turned twenty-two or he would be sent to a closed adult prison after he turned eighteen. Plus, in the meantime, he might be fined at the end of an ongoing court file or he might not receive punishment. He was waiting. He had already an eighth grade diploma when he had been detained. So he

directly had started going to the Vocational Training Center to learn cooking¹⁷² and also had been registered in distance education to earn a high school diploma.

Every day he went to work in a restaurant in another district at twenty past eight in the morning and came back to the facility at nine thirty in the evening. In regard to attending classes at the Vocational Training Center as an apprentice in cooking, he talked about which courses he took and added in a complaining tone that he was not able to continue with the apprenticeship which might cause him to be sent to the closed department of correction because he would be older than eighteen.

They teach us math, Turkish, and four courses on cooking like nutrition, service in the first semester, hygiene and sanitation for now... During the first two semesters, there is no practical teaching, just courses to listen to. After four semesters, you receive your apprentice certificate,¹⁷³ but hairdressing is for six semesters. Normally, we should be able to change our occupation, but I cannot...I really do not want the certificate; I only want to stay at the Izmir Juvenile Education House.¹⁷⁴

Muhlis was one of the few who thought and even problematized the fact that vocational training lasted only until receiving the apprenticeship diploma. The reason why he emphasized this point that he would be sent to the Adults' Prison, most probably, where he was kept as a detainee, Denizli D type Closed Prison because he would be older than eighteen when he was finished with the courses. Remzi, who had been an apprentice in furniture for the last ten months, told me that his vocational

¹⁷² Muhlis told me that he chose cooking because his retired father owned a restaurant, too.

¹⁷³ When the residents receive this apprenticeship diploma, they are sent to closed prisons to complete their sentences if they are above 18.

¹⁷⁴ Muhlis, interview by the author, note taking, in Izmir Çocuk Eğitmevi, Izmir, Turkey, 19 December, 2010. "Matematik, Türkçe, 4 ders, beslenme, servis ilk dönemde, şimdi biyen, kişisel temizlik ve sanitasyon. Şimdi ilk iki dönemde uygulama yok. 4 dönem bitince çıraklık sertifikam alıyorsun. Kuaförlük 6 dönem. Yaş dolmadan değiştirebilirsin ama ben buradayım diye değiştiremiyorum...4 dönemlik okul iki sene. Ben istemiyorum sertifika ki burada kalayım. Burada önemli olan burada kalmak..."

training would last for six semesters and described this education with its levels as, apprenticeship, semiskilled and mastership. Fehmi, who had been working in auto-paint for the last nine to ten months, was another apprentice that talked about the levels of vocational training. However, contrary to what Muhlis mentioned, Fehmi stated that after receiving an apprentice diploma, one could start another apprenticeship program for another occupation.

In order to stay here, you are an apprentice or you study or else you are sent to the closed facility...For now, you are an apprentice, if you continue for two years, you receive the semi-skilled degree, then, after two or three years, you become the master. If you become semi-skilled here, you start from the beginning as an apprentice. Then you are sent.¹⁷⁵

Delal, who also worked in auto-paint told me that he did not have an idea of the levels of vocational training. Melih, who had been working in car-body work was waiting to receive the semi-skilled degree in the next three terms, was not sure about how the system worked.

Cooking is six, metal work is six and auto is for six terms. If you pass nicely, you directly become semi-skilled, if not, you first pass an exam then become semi skilled. I guess you do not go on with mastership. They send you.¹⁷⁶

Consequently, it is not possible to state that the apprentice residents knew the system of vocational training clearly. On the contrary, it was difficult to arrive at a clear conclusion whether apprenticeship was the last degree that could be received as a resident of the institution. However, Muhlis was right. Most of the residents did not move on with the semi-skilled degree to become a master. They remained as apprentices

¹⁷⁵ Muhlis, interview by the author, note taking, in İzmir Çocuk Eğitimevi, İzmir, Turkey, 19 December, 2010. “Burada kalmak için çıraklık ve okuma yoksa kapalıya gidiyorsun. Şimdi çırak, 2 yıl devam edersen kalfa, sonra 2-3 yıl sonra usta. Kalfa olunca burada yeni baştan çıraklığa başlıyorsun. Sonra gönderiliyorsun.”

¹⁷⁶ Melih, interview by the author, note taking, in İzmir Çocuk Eğitimevi, İzmir, Turkey, 19 December, 2010. “Aşçılık 6, Metal 6, Oto 6 dönem. Derslerin güzel geçerse direkt kalfalık, eğer dersler kötüyse bir sınav ardından kalfalık. Galiba ustalığa devam etmiyorsun, sevkini yazdırıyorlar.”

to enter into the workforce after release either from the Juvenile Education House or from a closed facility. Apart from this, the accounts of the residents, including Muhlis, did not reveal any criticism on this configuration. This indicates “the paradox of the Euthydeumus, which rests on the hidden postulate of a pedagogic action without pedagogic authority: what you know, you don’t need to learn; what you don’t know, you can’t learn, because you don’t know what you need to learn.”¹⁷⁷

The significant aspect of this system according to the residents was the taking away the right to be at the Juvenile Education House after turning eighteen, thus not being able to work outside by being sent to a closed facility. On the other hand, one of the teachers of the institution explained this situation as follows. He said that most residents’ sentences were finished before they could move on to a semi-skilled degree. He added that he knew that residents moved on with semi-skilled degree after they were discharged from the Juvenile Education House.

What mattered for the apprentices was the working conditions and the salary apart from the apprenticeship courses. After all, they worked for five or six days a week and took courses for a day. About his salary, Muhlis commented,

They say, [Muhlis mentions the negotiation between the staff members of the institution and the employer of the private workplace] ‘Please, accept this child!’ That’s why the salary is so low. That’s why the business owner prefers us...¹⁷⁸

I asked him if he could continue working in the same place and if he would like this after he was released, he responded, “If you like, you may stay but if you are from

¹⁷⁷ Bourdie and Passeron, p. 23.

¹⁷⁸ Muhlis, interview by the author, note taking, in İzmir Çocuk Eğitimevi, İzmir, Turkey, 19 December, 2010. “*Yeter ki bunu alın. O yüzden maaş düşük, işyerlerinin bizi seçme sebebi.*”

Izmir, you would not work for this salary...Apart from the salary, the overall environment is nice because you are outside...”¹⁷⁹

Sinan was another worker in a restaurant claimed, “250 TL is small, normally it is 700 liras but we receive 250 TL.”¹⁸⁰ On the amount of the salary, Tekin, who worked in a restaurant stated, “If you stay here, you are sent, 250 TL is very small anyway, I could pay 200 TL just to be outside.”¹⁸¹

What he meant is that it is too risky to be at the Juvenile Education House and not go to work; a resident could be sent to a closed facility anytime and he would give the same amount of money just to be outside of the Juvenile Education House. Regardless of occupation and workplace, every apprentice received 250 TL as a monthly salary. This amount is less than half of the minimum wage level in Turkey. Although the salary was the same, the jobs and equally importantly workplaces mattered.

Muhlis, who worked in a restaurant, did not have specific complaints about his job or his workplace. He was registered to learn cooking at the Vocational Training Center and worked as a pageboy in the restaurant. Apart from the low wage he received, his only concern in the workplace was the relatively low possibility of being transferred to a better position. Apparently, the conditions of a restaurant were relatively better than another possible job in the industrial sector.

Tekin, who stated that he could give the same amount of salary as the price of being outside, was another apprentice who worked in a restaurant like Muhlis. He had been working for four months and had been a resident in the Juvenile Education House

¹⁷⁹ Muhlis, interview by the author, note taking, in Izmir Çocuk Eğitimevi, Izmir, Turkey, 19 December, 2010. “*istersen çıkınca [aynı işyerine] devam edersin, İzmirli olsan bu maaşla devam etmezdin. Maaş dışında ortamı iyi, çünkü dışarıdasın.*”

¹⁸⁰ Sinan, interview by the author, note taking, in Izmir Çocuk Eğitimevi, Izmir, Turkey, 19 December, 2010. “*250 lira az, normalde 700 lira ama biz 250 lira alıyoruz.*”

¹⁸¹ Tekin, interview by the author, note taking, in Izmir Çocuk Eğitimevi, Izmir, Turkey, 14 December, 2010. “*Burada durursan paket olursun, para, 250 çok az zaten, ben vereyim 200, dışarı çıkayım.*”

for six months and he had fifty days left when we met. He worked there from Tuesdays to Saturdays between about seven a.m. and six p.m. and went to the Vocational Training Center on Mondays. There were about twenty people with whom he worked to serve lunch in and out to workplaces. Tekin liked the fact that he learned cooking. Besides, it was a family occupation. However, he could be a worker in construction, as he viewed it as a prospective job after release. He planned to work in a construction to earn more money for the next 18 months and then do his military service. He emphasized that he had specifically chose cooking, “Specifically cooking, either plumbing or cooking and your apparel are clean.”¹⁸² Apparently, he was mistaken to think that plumbing would be cleaner than any other industrial work.

Sinan also worked in a restaurant. He had been at the Juvenile Education House for the last nine months and had forty-eight months in total to be served. He was already eighteen and would definitely be sent to a closed facility when he graduated as a semi-skilled labourer.¹⁸³ He had been working for the last four months. I asked him if he would recommend his job to other friends, he told me that he would suggest it. In other words, he would praise both the workplace and the Juvenile Education House itself to other convicts. On the face of it, his only concern was the salary as he emphasized the difference between their salary as 250 TL and what non-convicts could receive as 700 TL. When I asked him what other occupation he would have liked to learn and do, he suggested first bartending and second, elevator operation. He viewed the latter as an occupation that “would not die out.”

¹⁸² Tekin, interview by the author, note taking, in İzmir Çocuk Eğitimevi, İzmir, Turkey, 14 December, 2010. “Özellikle aşçılık, ya tesisatçılık ya aşçılık; üst baş temiz.”

¹⁸³ The second time I went to the Juvenile Education House, Sinan was already had been sent to a closed facility for adults because of a disciplinary action, before he had received his apprenticeship diploma.

Other workplaces received more complaints compared to restaurants. Fehmi had been working in auto-paint in a very big industrial workplace for the last nine to ten months. He worked there from Mondays to Fridays from eight thirty a.m. to six p.m. to wet sand, prime, mold and paint the auto parts. I asked him whether he would recommend his workplace to other convicts, he said, “I would not recommend my workplace, if you could keep your lungs clean in auto-paint, go to another workplace. It’s better to work in a small place; you are not cared about in a big one.”¹⁸⁴ Apart from the workplace, he also cared for the health of his lungs, so I asked him what other work he would like to do other than auto-paint. He said that he did not have anything in his mind. He had chosen auto-paint himself because at that time, that workplace was the only employer to offer a place and the vacancy was in auto paint. Some other departments in this workplace are car body, furniture, powder coat, composite, electricity and cutting-pressing. Besides working in auto-paint, he attended hairdressing courses at the Juvenile Education House in the evenings to receive a certificate which he thought might be necessary in the closed prison.

Delal was another apprentice in auto-paint. He first had wanted to learn male hairdressing because he had taken hairdressing courses in the closed facility in which he had been kept as a detainee before, but he had to be registered in another occupation because they could not find any hairdresser as an employer. Thus, he was registered as an apprentice in auto-paint. When I met with him, he had been working for three months and had been at the Juvenile Education House for four months. He still had a year and eight months to serve his sentence and worked from eight a.m. to six p.m. I asked him to tell me about the positive and negative sides of vocational training, “The

¹⁸⁴Fehmi, interview by the author, note taking, in Izmir Çocuk Eğitimevi, Izmir, Turkey, 18 December, 2010. *“Benim çalıştığım yeri tavsiye etmem; ciğerlerini koruyabiliyorsan başka yere git. Küçük yerde çalışmak daha iyi. Büyük yerde önemsemiyor adam seni.”*

good side is we hold an occupation. The bad side is incautiousness. It is harmful for human health and lungs; dust, dirt and thinner...”¹⁸⁵ He viewed the auto-paint itself as harmful and told me that he would recommend his own workplace rather than other workplaces to his friends.

Melih, who thought that the vocational training continued to a semi-skilled degree as quoted above, first chose cooking for his apprenticeship and then accepted work in another workplace in the electricity department and was placed in the car-body department, instead. He had been working for the last thirteen months when I met with him. He went to Vocational Training Center on Tuesdays and worked on other weekdays from eight-thirty a.m. to six p.m. with nine other employees. He described his work as, “After the whole material is taken out as mould, it is brought to us. I moved out from there to assembling department. You start with rondel in press. Stable drill. There is an offensive odor in press and the mask does not work.”¹⁸⁶ At Vocational Training Center, he learned about “the development of automotive sector, pieces, welding, customer communication, technical arts. If you study, they teach you well”¹⁸⁷ About the good and the bad sides of his job, he positively stated, “There is always production in the automotive sector. It will never end. I have not seen any bad side of this job. However, it is harmful for human health.”¹⁸⁸ When I asked him if he would

¹⁸⁵ Delal, interview by the author, note taking, in İzmir Çocuk Eğitimevi, İzmir, Turkey, 19 December, 2010. *“İyi yönü, elimiçe meslek geçiyor. Kötü yönü, tedbirsizlik. İnsan sağlığı ve ciğerlere zararlı; toz, pislik, tiner...”*

¹⁸⁶ Melih, interview by the author, note taking, in İzmir Çocuk Eğitimevi, İzmir, Turkey, 19 December, 2010. *“İlk malzeme kalıp halinde çıktıktan sonra bize geliyor. Oradan çıktım, gövdenin toplanma yerine geçtim.” Preste rondela başlıyorsun. Sabit matkap kılavuz. Preste koku var. Maskenin etkisi yok.”*

¹⁸⁷ Melih, interview by the author, note taking, in İzmir Çocuk Eğitimevi, İzmir, Turkey, 19 December, 2010. *Okulda, otomotiv sektörünün gelişimi, parça, kaynak, Türkçe’de müşteri iletişimi, teknik resim öğretiyorlar. Çalışırsan güzel öğretiyorlar.”*

¹⁸⁸ Melih, interview by the author, note taking, in İzmir Çocuk Eğitimevi, İzmir, Turkey, 19 December, 2010. *“Otomotiv sektöründe hep iş var. Hiç bitmeyecek. Henüz işin kötü bir yanını görmedim. İnsan sağlığı için tehlikeli.”*

recommend this job to others, he replied, “It is nice as an occupation but the workplace is not good.”¹⁸⁹

Before being in conflict with the law, Melih had worked in a wide range of jobs as machinist, as a tea-boy, sold flowers, worked in a socks factory, textile factory, worked as a waiter, worked in hairdressing and in natural gas and as a floor-maker in construction. I asked him to imagine where he would be ten years after, he told me, “I would be here in Izmir, either working as a cook in a kitchen or as a hairdresser or car body. It does not change after this minute.”¹⁹⁰ I asked him, which were the ones in the best condition in the Juvenile Education House. “The luckiest ones are the ones who work. Among the ones who work are the ones who work in cooking. When you serve food, you meet different people. They do not work in a stable place.”¹⁹¹

Contrary to working in auto-paint, body car or welding, cooking and furniture were more preferred by the apprentices. Remzi was one who had been working in furniture for the last nine to ten months when I met with him. He had chosen to work in furniture because he had learned about it before since his uncle was a furniture dealer. I asked him about the good and bad sides of this job, “I cannot find any bad side of this; it has many good sides. You can even build your own house.”¹⁹² Plus, he underlined that he would work only in furniture. Then, he described his working schedule “I work

¹⁸⁹Melih, interview by the author, note taking, in Izmir Çocuk Eğitimevi, Izmir, Turkey, 19 December, 2010. “*Meslek olarak güzel; yer iyi değil.*”

¹⁹⁰ Melih, interview by the author, note taking, in Izmir Çocuk Eğitimevi, Izmir, Turkey, 19 December, 2010. “*On yıl sonra burada İzmir’de olurum. Mutfakta aşçılık, kuafor ya da otogördede. Bu saatten sonra değişmiyor.*”

¹⁹¹ Melih, interview by the author, note taking, in Izmir Çocuk Eğitimevi, Izmir, Turkey, 19 December, 2010. “*En iyiler işte çalışanlar. İşte çalışanlar içinde en iyi durumda olanlar aşçılar. Yemek dağıtırken değişik insanlar görüyorsun, sabit bir yerde çalışmıyorlar.*”

¹⁹² Remzi, interview by the author, note taking, in Izmir Çocuk Eğitimevi, Izmir, Turkey, 18 December, 2010. “*Kötü yanını düşünemiyorum. İyi yanı çok. Kendi evini bile yapabilirsin.*”

with the sandblasting machine. The master sends me, I am tired of roaming. I go around the factory. The buildings are separated; there is cutting/pressing, composite, paints and etc. It is a big place. The ones who are employed, cannot get out.”¹⁹³

Residents worked in various jobs that are described above in one way or the other, but their prospects in earning money depended on determinants other than the apprenticeship certificate, too. The apprenticeship certificate was viewed as a skill one could use to support him/herself. The inferential aspect of their accounts indicated that, the residents including the apprentices will work in jobs that they find through their social capital or through the previous job they had worked at before coming in conflict with law. Accordingly, they expected to find work through their social networks, mostly with their family members or friends work in construction or take a position in their brothers' bakery shop or start trading in bazaars.

Consequently, while some thought that they would continue working within the same occupation, some planned for different jobs. Tarık, for instance, who worked in a restaurant, planned to work in poultry husbandry which he had done before being detained. Tekin, an apprentice in a restaurant like Tarık, envisaged himself working in construction ten years later. Delal, who worked in auto-paint, imagined himself working as a hairdresser. Actually, he first had wanted to work as hairdresser, then had to accept auto-paint when the Juvenile Education House administration could not find any vacancies among hairdressers. Melih went through a similar process while being placed in car-body department. He first changed cooking, but there was no vacancy. Thinking of the future, he envisioned himself working in a restaurant, a hairdresser or car-body, at

¹⁹³ Remzi, interview by the author, note taking, in İzmir Çocuk Eğitimevi, İzmir, Turkey, 18 December, 2010 “*Kumlama makinastyla çalışıyorum. Usta beni yolluyor, gezmekten yoruluyorum. Fabrikayı dolaşıyorum. Binalar ayrı ayrı, ötede kesim/pres, kompozit, boya vs. Büyük bir yer. İşe giren bir daha çıkamıyor.*”

worst. The ones who were “not yet” apprentices counted mostly, cooking, textile, construction work, pedlar’s trade as their prospective occupations after release.

A resident is allowed to continue working in his workplace as long as the owner of the workplace and he could reach an agreement. However, most residents would not continue working since they would leave Izmir for their own cities.

Above, we heard the voices of some residents and tried to grasp their views on experiencing vocational training at the apprenticeship level, comments on their salary and their working conditions determined by their occupations and also by their workplaces. Certainly, each worker resident experienced apprenticeship in accordance with his occupation and workplace; however, for all the apprentices and more importantly, for all the resident of the Juvenile Education House and from a wider perspective, even for those in closed department of facilities, being an apprentice at the Juvenile Education House meant being outside. Garland writes that, “whatever meanings the judge, or the public, or the penitentiary reformers meant to convey by sending offenders to prison, it is the day-to-day actualities of the internal regime which do most to fix the meaning of imprisonment for those inside.”¹⁹⁴

Being an apprentice in a private workplace was viewed as the unique way to break away from the deprivation of liberty. Work, in other words, was the opportunity to be outside of the institution and away from the institutional rules. As an apprentice in a restaurant, Muhlis talked about working, “You may use your cell phone at work. Life starts in the morning. You take your phone with you. In the evening you give your phone and lighter back. That’s what hurts.”¹⁹⁵ Remzi, who worked in furniture, had a

¹⁹⁴ Garland. “Punishment as a Cultural Agent” *Punishment and Modern Society*, p.261.

¹⁹⁵ Muhlis, interview by the author, note taking, in Izmir Çocuk Eğitimevi, Izmir, Turkey, 19 December, 2010 “İş yerinde cep telefonu kullanıyorsun. Sabah hayat başlıyor, telefonu yanına alıyorsun. Akşam telefonu, çakmağı bırakıyorsun. Adama o koyuyor.”

statement supporting Muhlis's comments, "The ones in the best position are the workers. One of our characteristics is that we go out and that's by working."¹⁹⁶

Apprenticeship primarily meant "being outside," which also implicated smoking. Being able to smoke had significance among the residents. Hence, apprentices had the opportunity to smoke during their work hours while non-apprentices had to sneak and could be reported at any moment.

The residents were not the only ones that viewed working as a legitimate opportunity to alleviate the deprivation of liberty. An expert in social services recounted how the juvenile education house with its opportunities served the residents in contrast to the conditions of the closed-type prisons. She wisely stressed the fact that the educational activities that she mentioned as opportunities could be realized in the education house since the conviction periods of the residents were determinate.¹⁹⁷ In closed prisons, on the other hand, everything was very indeterminate because neither the juvenile nor the prison administration knew when the detention period would be over.

As a matter of fact, the administration of the Juvenile Education House also stands in a position expecting the convicts to view vocational training as an opportunity given to them that can be taken away easily. Thus, continuous education and graduation from Vocational Training Center are not essential in the educational process of the Juvenile Education House. On the contrary, in order to have the privilege of working outside, residents are obliged to behave in accordance with the rules of the institution.

¹⁹⁶Remzi, interview by the author, note taking, in İzmir Çocuk Eğitimevi, İzmir, Turkey, 18 December, 2010 "En iyi durumda çalışanlar, bir özelliğimiz dışarı çıkmamız. O da çalışıyoruz."

¹⁹⁷ "Bakım, Gözetme ve Eğitim: Politikalar, Uygulamalar ve Gereksinimler" SHU Aytaç Dinçer Gülcan, Adalet Bakanlığı Ceza ve Tevkif Evleri Genel Müdürlüğü Çocuk Eğitim, Gözetim, İyileştirme İşleri Şubesi Uzmanı in in Bildiriler: III. Ulusal Çocuk ve Suç Sempozyumu "Bakım, Gözetme ve Eğitim" 22-25 Ekim 2003 AÜ ATAUM.p.46.

These indicate that this opportunity against deprivation of liberty may be taken away the instant there was a breach of disciplinary rules, was felt deeply among the apprentices. As mentioned previously, the punishment of not behaving in accordance with the rules of the institution as a resident whether be apprentice or not, was to be sent to Bergama/İzmir closed type of facility for six months. Being sent to this closed type of facility was referred to as “being packaged”¹⁹⁸ among the residents. This form of punishment as being sent to the closed type of facility corresponds to the eight form of disciplinary punishment which is retrocession to the closed type of facility for certain actions, as mentioned in Chapter Two. Although it is the eighth form of disciplinary punishment and requires to be implemented under specific circumstances, it had become an ordinary one in İzmir Juvenile Education House. The fear of being packed was on everyone’s lips although I did not ask them with a related question.

Muhlis was one of the apprentices who complained about this situation the most, “We are always under suspicion. Eight people went [to a closed type] on last Monday; just because of the age limit; we were reported and our permission for family visits were postponed.”¹⁹⁹ By age limit, Muhlis meant that among the residents who received disciplinary punishment by being sent to a closed type of facility, the ones who were above eighteen could not be sent to İzmir/Bergama M Type Closed Department of Correction for six months to return back to the Juvenile Education House; they were rather sent to a closed type of facility for adults and served the rest of their sentences there.

Melih, whom I talked with on the same day, referred to those eight residents and told me that he found this rule of sending the ones above eighteen to closed facility for

¹⁹⁸ *Paket olmak.*

¹⁹⁹ Muhlis, interview by the author, note taking, in İzmir Çocuk Eğitimevi, İzmir, Turkey, 19 December, 2010 “*Hep zan altındayız. Pazartesi 8 kişi gitti, sırf yaşı dolmuş diye, biz tutanak, izin ertelemesi aldık.*”

adults, meaningless, when I asked his opinion about the rules of the institution. I had talked with Melih the first time I was there in December and when I went to the Juvenile Education House the second time in February, he had also been sent to a closed facility to never come back because he had turned eighteen. According to Özkan, those eight were sent away because they had not attended the classes at the Vocational Training Center. Muhlis was about to turn eighteen, too, when I talked with him, so he was anxious about being sent to Denizli D-type closed facility where he had been held as a detainee for more than two years. About vocational training, he said,

I don't want to go there anymore. It is too risky. There was a mistake, see this threat! They say that if I do not attend a course, I will be sent...They send us to school. Because of the administration, compared to the ones outside, we start defeated for 0-1. We are always under suspicion. Until now, I was reported for one time for even two courses. We go in and out of school. Don't we have any rights? Apprenticeship training is an official reason to be reported down. The fact that it is written on the class book is a problem. The ones, [other civilian students], the children who want to get use of this fact...I would not want them to know our position, to abuse this...They persistently ask the meaning of juvenile education house that is written on class book.²⁰⁰

Muhlis drew attention to the relative situation the residents of the Juvenile Education House are in compared to civilian students at the Vocational Training Center. As the administration of the Juvenile Education House represents this vocational training and working as an opportunity, a privileged position to be outside of the Juvenile Education House; it has the right to take away this right of attending vocational training by inspecting the attendance reports of Vocational Training Center. Moreover Muhlis complained about other civilian children's behavior towards them in

²⁰⁰ Muhlis, interview by the author, note taking, in İzmir Çocuk Eğitimevi, İzmir, Turkey, 19 December, 2010 "Ben artık gitmek istemiyorum. Çok riskli. Bir bata oldu, şu tebtide bak! Bir dersten girmezsen göndercem... Bunlar bizi okula gönderiyor. İdare yüzünden 1-0 yenik başlıyorsun dışarıdakine göre. Hep zan altındasın. Şimdiye kadar bir defa tutanak yedim. 2 dersten bile... Okula gir-çık, biç bakımımız yok mu?... Çıraklık eğitimi resmen tutanak yeme sebebi. Sınıf defterinde yazılması problem . Bu durumu kullanmak isteyenler [diğer sivil çocuklar]... Bu durumumuzun bilinmesini, kötüye kullanılmasını istemezdim. Sınıf listesindeki çocuk eğitimevini ısrarcı olarak soruyorlar."

the Vocational Training Center. Accordingly, the children who actually knew that the name of the Juvenile Education House on class book which meant that those ones were registered were convicted, acted as if they did not know about this situation and urged the residents of the Juvenile Education House to behave in unacceptable ways and to be reported down. Delal, too, referred to the disciplinary punishment, “You are packaged for the least little thing!”²⁰¹

At the beginning of our dialogue, Fehmi stated, “When we first started working, we were twenty-two people, now we are seven or eight. Most of them were packaged...”²⁰² Later, I asked him if the administration treated residents equally. In accordance with his statement above, he said, “Everyone is on an equal level. Since I came here, about fifty to sixty people have gone to the closed facility. Everyone goes. I am the fifth most longstanding here.”²⁰³ Then I wanted to know whether the rules of the institution had a negative effect on him, “At the very time you get adjusted to this place, you are sent away for the least little warning. If you are below eighteen, you have the right to be reported down two times. In point of fact, you should continue to be in the place you are used to.”²⁰⁴

I asked Adnan about the way the administration disciplined its residents, “The first thing that comes to my mind for disciplining is threatening by reporting. That’s the

²⁰¹ Delal, interview by the author, note taking, in Izmir Çocuk Eğitimevi, Izmir, Turkey, 19 December, 2010 “*En ufak bir şeyde paket!*”

²⁰² Fehmi, interview by the author, note taking, in Izmir Çocuk Eğitimevi, Izmir, Turkey, 18 December, 2010 “*İlk çıkınca 22 kişiydik, şimdiyse 7-8 kişi. Çoğu paket oldu.*”

²⁰³ Fehmi, interview by the author, note taking, in Izmir Çocuk Eğitimevi, Izmir, Turkey, 18 December, 2010 “*Herkes aynı seviyede. Ben geldiğimden beri 50-60 kişi kapalıya gitmiştir. Herkes gidiyor. En eski beşinciyim.*”

²⁰⁴ Fehmi, interview by the author, note taking, in Izmir Çocuk Eğitimevi, Izmir, Turkey, 18 December, 2010 “*Tam buraya alışyorsun, en ufak bir uyarıda gönderiliyorsun. 18’den küçüksen 2 tutanak hakkın var. Aslında alıştığın yere devam etmelisin.*”

first thing that comes to my mind. Sometimes they hit some of them jokingly.”²⁰⁵ Then I asked him about the good sides of the institution, “The good side is going out, going to work and going out for family visiting. The bad side is, if we commit a discipline action, we are sent away and it is not nice to be sent away, away from our families. It is bad to lose the privileges that we have here, which are family visits and work”²⁰⁶ Adnan was one of the few residents whose family lived in İzmir and was able to come to see him on Sundays.

The fear of being packaged was not only on a discursive basis. The second time I started conducting interviews in February, twenty-one residents out of forty-five had been sent to closed facilities, either Bergama/İzmir closed type of facility or other closed facilities for adults, due to disciplinary action. Two out of this twenty-one had been sent early in December while I was conducting the first set of interviews. In total, four of them out of this twenty-one were apprentices. Thus, the remaining ones were reminded of their privileged position to have been accepted by the Juvenile Education House and be allowed to work. However, the severity of this practice of reporting and sending the residents that had broken the rules of the institution depended very much on the administrative body, and on the General Director. Both for the apprentices and other residents, the General Director held a significant place in the interviews and was brought up by the residents without my intention to arrive at such a topic.

Accordingly, Muhlis came up with the difference between the attitudes of two general directors when he was telling me about how his family visit had been postponed

²⁰⁵ Adnan, interview by the author, note taking, in İzmir Çocuk Eğitimevi, İzmir, Turkey, 7 February, 2011 “İlk aklıma şey geldi: Disiplin sağlamak için tutanakla tehdit ediyorlar; ilk aklıma gelen o. Kısmen bazılarına şakayla karışık vuruyorlar.”

²⁰⁶ Adnan, interview by the author, note taking, in İzmir Çocuk Eğitimevi, İzmir, Turkey, 7 February, 2011 “İyi yanı dışarıya çıkıp çalışmak ve işne gidebilmek. Kötü yanı ise disiplin suçu işlersek, bizi kapalıya gönderecekler. Ailemiz başka yerde olduğu için boş değil gitmek. Bir de kapalıya gidince buradaki mikantı kaybetmek kötü, yani izin ve iş imkanlarını.”

due to his skipping one class having been reported and started telling me about the new director,

The family visits change according to the director. They have not been much since the new director arrived. We hear about him with his fame. I only saw him once or twice since I go out to work. During the time of the old director, we did not have to get up at 6:00 in the morning. They say he never hit anyone. If you made a mistake, he told you not to do it again. Anyone can make a mistake, it does not necessitate a severe punishment. In here, director makes the rules. You can go to family visits every four months. During the time of the old director, you could make a visit just after a month from the previous one.²⁰⁷

All at the residents of the Juvenile Education House have the right to make three family visits a year and within periods of four months. However, these visits can be postponed as a disciplinary punishment when the residents do not act in conformity with the rules of the institution. Moreover, the waiting periods between these visits can change according to the directors, as Muhlis mentioned. Apparently, Muhlis' visit had been postponed due to a disciplinary action, because he had skipped one class. After complaining about his situation, he told me to Google the names of both of the directors and read what was written for both of them. He had already done searches on them when he was out at work. Hence, he mentioned about an award received by the old director while telling about the new director's previous job. The new director had been transferred from an Ankara F-type High Security Closed Prison²⁰⁸. Later, Muhlis asked me to tell him about what I had read on the Internet. I did not have the chance to see him again, but I found the same results as he did.

²⁰⁷ Muhlis, interview by the author, note taking, in Izmir Çocuk Eğitimevi, Izmir, Turkey, 19 December, 2010. "İzin meselesi müdürle [müdüre göre] değişiyor. Yeni müdür geleli çok olmadı. Yeni müdürü namıyla duyuyoruz. İşe çıktığım için 1-2 defa gördüm. Eski müdür varken sabahın 6'sında kalkmak mecburi değildik, hiç dövmemiş. Hata yaparsan, bir daha yapma diyordu. Herkes hata yapabilir, direkt ağır ceza gerekmiyor. Burada kuralı müdür koyuyor. Burada illa 4 ayda bir izne çıkıyorsun. Eski müdür varken 1 ay sonra da izne çıkabilirdin.."

²⁰⁸ F-type High Security Closed Institutions for the Execution of Sentences receive only the dangerous convicts and detainees according to the Ministry of Justice General Directorate of Prisons.

Gökhan told me that the new director had arrived last July, about six months before I had started doing the research. According to Gökhan, the old director had organized a small party towards the middle of every month to celebrate the birthdays of residents who had been born on that month. Akin had also referred to the birthday celebrations. Later the director had requested to be appointed to another place and had been sent to Bursa. Most of the residents recalled him as a fatherly figure who had treated them equally with his own children. According to the accounts of various residents, the old director had requested his appointment because some of the residents, who I never learned, had behaved badly towards him.

Haluk, too, had comments on this subject. Haluk's trajectory of conviction was long and complex. He had spent two and a half years in İzmir/Bergama M-Type Closed Department of Correction and had been later sent to the Juvenile Education House, received his eighth grade diploma, started an apprenticeship as an electrician, worked for seven months, then had been sent back to Bergama due to disciplinary action and then had returned back to the Juvenile Education House and was waiting to restart apprenticeship training, this time, in cooking. Therefore, he had a good deal of time to compare the Juvenile Education House in different periods.

At first, there was ...[the old director], he did whatever we wanted. He opened up every type of course. They could not appreciate his value. He later wanted his appointment. He was a good director. This director is good, too. You know, he had come from a closed facility; he transformed this place into a closed one, too.²⁰⁹

In relation to the appointment of the old director and the fact that the new one had worked in an F-type prison previously, according to the accounts of the residents, the running of the institution had changed profoundly from the time of the old director

²⁰⁹ Haluk, interview by the author, note taking, in İzmir Çocuk Eğitimevi, İzmir, Turkey, 7 February, 2011 “İlk ... [eski müdür] vardı. O bizim her istediğimizi yapıyordu. Her kursu açmıştı. Kıymetini bilemediler müdürün, sonra kendi sevkini yazmış. İyi bir müdürdü. Bu müdür de iyi de, kapalı cezaevinden gelmiş ya, biraz kapalı cezaevine çevirdi burayı.”

to the new. This also had special implications about this research. In other words, if I had conducted the same study a year earlier, the narratives, if not the tone of their statements, would have been different from the ones referred to in this work. Most importantly, the residents' comparison of the two administrators constitutes a solid illustration of the agency factor in the structure, which is that institutions and most importantly, state institutions have significance in evaluating their aim and their practice. Hence, while studying and evaluating the Juvenile Education House as a state institution operating under the Ministry of Justice, considering it as a concrete entity, instead of as an abstract and unified one and minding the mundane details of running of the facility, the intricacies in the involvement of the social actors in the construction of power and authority offers a possibility to see the changes and the transformations in the institution.²¹⁰ Indeed, the attitudes of different directors and the way they conduct the same rules have a powerful effect on how the residents as agents in the facility and the researcher herself perceive and depict the institution.

Surely, the residents perceive and experience the institutional rules and disciplinary rules differently, mostly because while one-third of the population work as apprentices, the rest spend all of their time except for the days for family visits within the physical and prescribed boundaries of the facility. The routine of the day, the significance of Sundays, which is the visiting days for male residents, various courses, the meals, and smoking and most importantly, the interactions with the correction officers find different meanings in these residents' accounts.

²¹⁰ Krohn-Hansen, Christian and Nustad, Knut G. Kapferer, Bruce, "Foreword", "Introduction" in *State Formation Anthropological Perspectives* (London: Pluto Press, 2005).

While describing the everyday lives of apprentices, Muhlis's story and his accounts provided preliminary explanations on each single subject. In the same manner, Akin's accounts on his everyday life and his subjective viewpoint on specific subjects will prelude this section of the chapter, if not on each subject.

Being Inside the Facility

Akin was registered in the seventh grade in Distance Education. He was born in 1994 and then moved to Istanbul with his family. Before coming into conflict with the law, he worked in textiles and sandpaper work. By the time I interviewed him, eight months had passed since his arrival at the facility. His sentence will be completed in 2013. Like most of the others at the Izmir Juvenile Education House, he had been detained in a closed prison, namely Istanbul Maltepe Child and Youth Closed Department of Correction, for about one month. His position in the facility had become prominent. His effort to be distinguished among the other residents was easy to recognize. He worked as the tea-boy for the whole facility and especially for the officers wearing a shirt and tie that he wore by his own choice. By serving tea through the corridors, his freedom of action, which meant walking through the facility and having small talks with the officers, was wider and yet he was subjected to the same rules that were binding for others. When I asked him to depict a typical day for him, he first mentioned about the changing of the old director. "When there was the old director, we woke up at 8:00 a.m. The workers"²¹¹ room is another block. At 8:30, there was the roll call. Then the doors of dormitories are locked up."²¹²

²¹¹ "işçiler": Adolescents who go to Apprenticeship Educational Center and work in industries are called "işçiler" –blue-collar workers by others who stay inside.

²¹² Akin, interview by the author, note taking, in Izmir Çocuk Eğitimevi, Izmir, Turkey, 14 December 2010. "Eski müdür zamanında 8'de kalkılırdı. İşçilerin koğuşu ayrı bir blok. Sekiz buçukta sayım yapılırdı ve koğuş kapıları kapatılırdı."

As I heard from the other residents, according to the rules set by the new director who was reputed to be a very strict man, everyone was obliged to get up at 6:30 every morning. Personal cleanliness, tidying the rooms and breakfast were completed by 7:30 and there was the first assembly for the residents to be counted in military discipline. In the morning, there were reading classes for the illiterate. At noon, there was the lunch brought from outside in the cafeteria and everyone in the facility ate together except the ones who were not hungry, like Akin, who usually preferred to eat biscuits with tea. From early in the morning until six p.m., the dorms were locked in order not to let anyone linger or sleep. According to the residents, the reason for their rooms to be locked up was to make them to attend the courses that were held inside the facility. Accordingly, Akin told me about computer classes, a textile class, and a bakery class. He said, “When I first came here, the courses had already started. Now I have completed the computer class. A course on ‘painting walls’ will be started; I am going to take that.”²¹³ When I asked him which job he would like to choose if he finished eighth grade and started to go to the Vocational Training Center, his response was “textile” because he had worked in textiles before being convicted and he viewed textile as a real occupation compared to other jobs.²¹⁴

Just like the boys who worked in the facility’s kitchen, to serve meals three times a day and wash the dishes, Akin earned 100 -200 Turkish Lira from the institution by working as a tea-boy. Residents who performed these duties had more freedom in attending the courses or signing up in the assembly which was performed five times a

²¹³ Akin, interview by the author, note taking, in Izmir Çocuk Eğitimevi, Izmir, Turkey, 14 December 2010. “*Ben geldiğimde kurslar başlamıştı. Şimdi bilgisayarı bitirdim. Duvar boyama kursu açılacaktı; ona katılacağım.*”

²¹⁴ Akin, interview by the author, note taking, in Izmir Çocuk Eğitimevi, Izmir, Turkey, 14 December 2010. “*Tekstil bir meslek ama zımpara değil.*”

day starting at 08:00 a.m. and ending at 11:00 pm. Apart from this, cleaning and tidying up the whole facility was carried out in regular turns. At 06:00 p.m. doors of the dormitory were opened, so everyone could get into their rooms and lie on their beds and hang around until midnight.

Besim was a resident who worked for the facility itself, too. He worked in the kitchen with his best friend Necdet, his accomplice, in his own words, and earned 104 TL a month. He was about to turn eighteen and was registered in the seventh grade in distance education. I asked him whether he would like to start apprenticeship training. “Of course, it means, outside, working, to be exempt from the assembly and roll call, to get away from here. That’s why I am in the kitchen for the last four-five months. Out of necessity, otherwise it’s all fight and commotion.”²¹⁵

Every morning, Besim woke up at 6:30. together with the other residents and prepared breakfast for everyone in the kitchen together with Necdet. At 8:00 there was the first roll call. After breakfast, until 11:30 the two, together with Osman, a new comer who picked things up and dropped things off, had free time in the kitchen to chat and take naps on the chairs after finishing the cleaning. Then they served lunch for everyone. After lunch, until 3:00 they were responsible for washing the dishes, cleaning the kitchen and the tables. At five, a meal came from Buca District.²¹⁶ Six o’ clock was dinner time, the same as lunch, and after that, until eleven-thirty p.m., they had free time. Besim said,

From 6:30 to 8:00, we serve the dinner, then at 8:00, the restaurant is closed. After that, we stay inside to do the cleaning until the time we’d like to finish. The sooner we finish this duty, the more they [the

²¹⁵ Besim, interview by the author, note taking, in İzmir Çocuk Eğitimevi, İzmir, Turkey, 16 December 2010. “*Tabii ki, hem dışarıda, hem çalışmak, hem buradan, sayımlardan kurtulmak, buradan uzak olmak; o yüzden mutfaktayım. 4-5 aydır mutfakta; mecburiyetten, yoksa karga, güriilti, patırtı!*”

²¹⁶ Meals came from Buca and served in Buca Adult Prison, as well as Juvenile Education House

correction officers] like us. We can sit around until the roll call, which is at 11:45. Then it's sleep time.²¹⁷

Necdet was two years younger than Besim. It was December when I talked to both of them, one after another. Necdet expected to receive his eighth grade diploma in January and start vocational training. He did not have anything on his mind in terms of occupation, but he favored cooking due to the relatively cozy atmosphere of restaurants. He liked Saturdays and Sundays more than the weekdays. Although the kitchen work did not stop, the dormitories were not locked. Besides the kitchen, they also worked in the boiler room. I asked Necdet to tell me one good and one bad side of the Juvenile Education House, he said, “The good side is you are out, the bad side is to be sent to Bergama closed facility from here.”²¹⁸

He told me that in a closed facility, they could lie down the whole day and nobody cared and that time passed more quickly in a closed facility since he was awake the whole night and slept the whole day.

In February, I started the next set of interviews and Besim was willing to talk to me again. As soon as we sat together, he told me that Necdet had been packaged. I asked him how many of them had been sent to Bergama like Necdet, Besim replied, “How should I know the number? They package fifteen each week. Necdet went because of smoking. He'll come back. The apprentices who go are sent because of

²¹⁷ Besim, interview by the author, note taking, in İzmir Çocuk Eğitimevi, İzmir, Turkey, 16 December 2010. “8’de yemekhanenin giriş kapısı kapalı, canımız kaçta bitirmek isterse o zaman; işi ne kadar erken bitirirsen o kadar çok seviyorlar bizi, sayıma kadar oturabilirsiniz diyorlar. Sayım saat 11.45’te, sonra yatış.”

²¹⁸ Necdet, interview by the author, note taking, in İzmir Çocuk Eğitimevi, İzmir, Turkey, 14 December 2010 “İyi yanı dışarıdasın, kötü yanı buradan Bergama’ya gitmek.”

absenteeism... About ten people from the oldies are still here.”²¹⁹ About this disciplinary punishment, he said,

If you fight with your friends, if you cause harm, if somebody spies, if there is a slander, sometimes swearing at the officers. Then you are reported and packaged. At first reporting, you are not sent away. After reporting, they take your testimony. If the testimony is not coherent, you are done for. But you have testifiers, too, but sometimes there are false witnesses.²²⁰

Methods of discipline, certain rules and officers’ treatment were at the center of my interviews with the residents inside. For instance, Saffet was the first resident I interviewed with in the whole facility. He had been in the Juvenile Education House for two months and was waiting to start an apprenticeship in cooking, which he preferred the most. He knew about cooking since his father was a cook in a restaurant. I asked him if he thought that the Juvenile Education House’s expectations were higher than he could achieve. He immediately told me about his duties like cleaning, making and serving tea, and washing the waste bin. After describing the duties requested by the officers, he went on,

For instance, the officer is good to me and bad to you. If he trusts you, you are not reported. We are under psychological pressure²²¹...If you are caught with tobacco and if you are small [under eighteen], you are sent to Bergama, if you are older [above eighteen], you go to Buca. Yesterday, six were sent to Buca and two went to Bergama. The shift of

²¹⁹ Besim, interview by the author, note taking, in Izmir Çocuk Eğitimevi, Izmir, Turkey, 8 February 2011. “Ben nereden bileyim sayısını! Adamlar haftada 15 kişiyi paket ediyor. Necdet sigaradan Bergama’ya, dönecek. Çıraklık eğitimine gidenler devamsızlıktan gidiyor...Hemen hemen eskilerden 10 kişi kalan kaldı.”

²²⁰ Besim, interview by the author, note taking, in Izmir Çocuk Eğitimevi, Izmir, Turkey, 8 February 2011 “Arkadaşlarınla karga etsen, zarar verisen, işpiyon, iftira, bazen memura küfretmekten hep yaptırıyor tutanağı, paket! İlk tutanakta kapalıya gitmiyorsun. Tutanaktan çekiyorlar infaza, infaz bir ifade alıyor. İfaden tutmazsa yandın. Ama senin de şabitlerin var. Ama bazen yalancı şabit oluyor.”

²²¹ Saffet described the officers’ conduct as “psychological pressure” during this research process in 2011. It must also be mentioned that ten years before, according to the report of TBMM the Human Rights Review Committee in 1998 and 2000 that was also reviewed by Kırmsoy who studied emotional abuse, correction officers swore, mocked, insulted, and hit the juvenile offenders in various penitentiaries including the Elazığ Juvenile Education House. During this present research, there was no mentioning of hitting and the complaints were not as severe as in the report of the Human Rights Comission.

officers matters...If you don't obey the rules, you fall into disfavor. If you need their help, you can't get it.²²²
After the interview, social worker kept him to have a small talk. They had a

serious argument; Saffet complained about not being able to work with social insurance. Later, in the teachers' room, the teachers and the social worker talked about him sarcastically while the social worker told us that he had threatened her with telling this to the attorney and offered the solution that others quit their jobs as well since he could not get one like that. It seemed that they still feared being reported to the attorney.

The next time I went to the Juvenile Education House after about two months, Saffet had been packaged, too. Erdem, was in the same category as Saffet and was registered in distance education to receive an eighth grade diploma. However, unlike Saffet, who was waiting to go out for apprenticeship, Erdem wanted to apply for a driving examination.²²³ He would start apprenticeship training, anyway. He was very eager to talk and talked about the socio-economic conditions that had led him to be an offender. He was married, too and had a one-year old child and planned to work with his father-in-law when released. Like I did with most of the interviewees, I asked Erdem to list the rules that came to his mind first. He recalled that the officers and the social-service staff told him about the rules to be obeyed in the Juvenile Education House when he had first entered nine months before. Surely, the rules did not just

²²² Saffet, interview by the author, note taking, in Izmir Çocuk Eğitimevi, Izmir, Turkey, 14 December 2010. “*Mesela, gardiyan bana iyi, sana kötü. Güveniyorsa demez sana tutanak kafaya göre. Psikolojik baskı var...Vardiyaya denk gelmek önemli...Bir tütiün yakalattın, 2 ay izin ertelemesi. Okulu kaydardığında yaşın küçükse Bergama, yoksa Buca. Diin, 6'sı Buca'ya, 2'si Bergama'ya gitti. Kurallara uymazsan gözden düşersin, işin düşse yapmazlar.*”

²²³ Eighth grade diploma is necessary for receiving a driving license in Turkey.

constitute a list to be recalled; they were to be obeyed by all the residents every day of the week. After the sentence below, “Rules are made to be broken!”²²⁴, he said,

No fighting, no cliques, no stealing of others’ property, no smoking, attending courses, Juvenile Education House to work, work to Juvenile Education House, attending the courses of apprenticeship training, making the bed, sleeping at sleep time, waking up at the right time, not speaking in a high tone in the corridors, using the property of the state accordingly...²²⁵

I could not learn which of the rules Erdem had not obeyed until I came back for the second session of interviews two months later, but he had been packaged, too. He had been sent to an adults’ facility since he had turned eighteen and would finish the two years there.

Hakan was a year younger than Erdem and he had spent thirty-seven months in the İzmir/Bergama M-Type Closed Department of Correction as a detainee. It had been seven months since he was in the Juvenile Education House when we met in December. In February, he was packaged. About the interactions with the correction officers, he said, “The officer supports the officer; the convict supports the convict.” and “The officer does not bite an officer.” There was one more, “No coat from a bear, no friendship from an officer.”²²⁶ I had heard the latter one from the other residents, before.

Yalçın was another resident, like Hakan, who had been packaged away after I met with him in December. I had asked him about the conditions of the Juvenile Education House in general, “This place’s conditions are good, but I do not like the

²²⁴Erdem, interview by the author, note taking, in İzmir Çocuk Eğitimevi, İzmir, Turkey, 17 December 2010. “*Yasaklar çiğnenmek içindir!*”

²²⁵ Erdem, interview by the author, note taking, in İzmir Çocuk Eğitimevi, İzmir, Turkey, 17 December 2010. “*Karga etmemek, grup kurmamak, başkasının eşyasını gasp etmemek, sigara içmemek, kurslara katılmak, işten buraya, buradan işe, çıraklık okulunda dersleri aksatmamak, yatağı toplamak, yat saati, kalk saatinde hazır olmak, maldada yüksek sesle konuşmamak, devletin verdiği eşyayı düzgün kullanmak...*”

²²⁶ Hakan, interview by the author, note taking, in İzmir Çocuk Eğitimevi, İzmir, Turkey, 17 December 2010. “*Memur memurunu, mahkum mahkumunu korur.*” ve “*Memur memuru ısırmaz.*” There was one more, “*Aydan post, memurdan dost olmaz.*”

regime...The rules are OK, too, but they are different inside. What is reflected on the outside is different. Some officers are...there are many good ones but a few bad apples, too.”²²⁷ Consequently, I asked him to define and specify what he meant by conditions and by regime. About the conditions, he listed education, apprenticeship training, courses and family visits. About the regime, he mentioned about the counting, which took place five times a day, the limited use of the garden area contrary to the garden of closed facilities which are always open according to his accounts. “Here...” he said, “they [the correction officers] open the door to the garden with a high hand.”²²⁸ Referring to the bad side of the institution, he said, “You can’t do anything about the reporting. In the closed facility, on the other hand, you fight among yourselves. In here they discipline through reporting and nothing else.”²²⁹

Consequently, from the residents who had not become apprentices yet and thus who spent their time inside the facility, I learned more about the daily schedule of the institution, how they spent their time and which courses they attended. The threat of being packaged away was at the center of our talks just like in the interviews with the apprentices. However, rather than the institutional rules and how these rules effected their daily lives, the apprentices who only spent the Sundays inside told me about their occupations, the conditions in the workplace or their salaries. Officers or guardians in some residents’ terms did not constitute a subject on its own. For the apprentices, open type of prison and specifically the Juvenile Education House, meant being given the opportunity to go out to work and family visits. For the rest, on the other hand, the

²²⁷ Yalçın interview by the author, note taking, in İzmir Çocuk Eğitimevi, İzmir, Turkey, 18 December 2010. “*Buranın şartları iyi de yönetim şekli hoşuma gitmiyor.*”

²²⁸ Yalçın interview by the author, note taking, in İzmir Çocuk Eğitimevi, İzmir, Turkey, 18 December 2010 “*Bahçe alanı sınırlı. Kapalıda ise bahçe hep açık. Burada kafalarına göre kapatıp açıyorlar.*”

²²⁹ Yalçın interview by the author, note taking, in İzmir Çocuk Eğitimevi, İzmir, Turkey, 18 December 2010 “*Tutanağa bir şey yapamıyorsun. Kapalıda kendi aranda karga edersin. Disiplini tutanakla sağlıyorlar, başka hiçbir şeyle değil.*”

open type of prison meant family visits, talking on the payphone without limits (except the limit of money) and one more thing.

As an open type of juvenile prison, as it was stated in the previous chapter, the Juvenile Education House is not surrounded with fence, the officers do not carry guns, the residents go out of their dormitories to attend courses until every weekday evening. The absence of physical barriers and the incarceration of people under eighteen, bring rules intrinsic to the situation itself. These rules, together with the absence of physical barriers, bring responsibilities for the officers. Accordingly, the frequency as well as the intensity of daily interactions between the officers and the residents was considerably more, compared to any closed facility. Residents were careful about their moves by knowing that they were under constant surveillance.

Some residents had gender-based views on how they were treated by the correction officers. Accordingly, while the male correction officers were described as strict, threatening to report the inmates, the female officers, on the other hand, were referred to as motherly figures who leniently said, “Do not upset me, please!”²³⁰ Surely, not all the male officers were included under this category of strictness. Plus, this gender-based difference was made only by some male residents and not the females. The female residents, after all, are always under the responsibility of the female officers and had seen their strictness, too. Considering both the female and male correction officers, it is fair to borrow loosely upon Platt’s interpretation of the correction workers in the reformatories of the late nineteenth and early twentieth centuries. According to Platt, they “combined the functions of public health doctor and insurance company agent, their job was to treat clients, but their primary obligation was to report

²³⁰ “*Beni üzmeyin!*”

recalcitrant and troublesome clients to the ‘company’.”²³¹ Similarly, correction officers’ heavy presence in Juvenile Education House was felt by their inspection and reports.

The correction officers at the Izmir Juvenile Education House, deal not only with “juridical subjects,” but also with “obedient subjects.” In this sense, as Ransom writes

Foucault summarizes the purpose of the new disciplinary procedures developed behind the prison walls in a way that will illustrate the possibility of a general application. ‘Ultimately’, Foucault says, ‘ what one is trying to restore in this technique of correction is not so much the juridical subject, but the obedient subject, the individual subjected to habits, rules, orders and authority that is exercised continually around him and upon him, and which he must allow to function automatically with him’.²³²

Through enforcing rules on tiny daily practices, the correction officers practice “subjectification” techniques as a “form of objectification” that concerns “the way a human being turns him-or herself into a subject.”²³³ Stated differently, the officers can sometimes turn into a wall of flesh substituting the prison bars. Compared to the social service department consisting of a social worker and a psychologist and teachers, the guardians are at the same time the group of officers who have interaction with the residents most. In sum, according to the accounts of the residents, discipline is maintained first and most by the threat of being reported which meant the postponement of family visits or being packaged. Officers are obliged to “observe the subjects permanently”²³⁴ with the aim of trying to make them feel prepared for control

²³¹ Platt., p.73.

²³² John S. Ransom, *Foucault's Discipline: The Politics of Subjectivity* (Durham and London: Duke University Press, 1997), p.33.

²³³ Michel Foucault, *The essential works of Michel Foucault, 1954-1984* / Michel Foucault ; Paul Rabinow, series editor ; translated by Robert Hurley and [et. all] (New York: Penguin Books, 2000) p.10.

²³⁴ Alan Hunt and Gary Wicham, *Foucault and Law: Towards a Sociology of Law as Governance*, (London; Boulder, Colo.: Pluto Press, 1994), P.11 in Foucault, *Discipline and Punishment*.

at any minute. The conditions of the Juvenile Education House are represented as an opportunity to be valued among other prisons; its rules are the thorn to be endured. On this subject, Efe, who later was packaged after I met with him, described the officers' reaction to him as, "You do not deserve this place, they say" and sarcastically added, "Right, I do not deserve this place."²³⁵

Recounting residents' narratives, the rules and their disciplinary consequences were experienced more or less evenly among all. In other words, no resident was plainly more favored than the others among the officers or among the residents themselves. This point caught my attention when one of the apprentices, Delal, told me about the existence of oppressor residents who are called "*ezinti*" (loser). Remzi narrated according to what he heard from the others before. As saying *ezinti*, they referred to the inmates who used physical and psychological pressure on other inmates in other dorms. In those days, when the number of *ezintis* was much higher, each dormitory had its own representative²³⁶ approved by the officers who were responsible for the tranquility of the dormitory. In fact, the representatives' words counted more than those of the others. The intended or perhaps the unintended consequence of this order was less interaction with the officers. Now that the *ezintis* had been removed off through time, according to Remzi, there was no need for representatives any more. This order is maintained in some of the closed juvenile facilities.²³⁷ Some residents of the Juvenile Education House, referred to the *ezintis*, as well, but emphasized their oppressive characteristics more than their role as representatives of the dormitories.

²³⁵Efe, interview by the author, note taking, in İzmir Çocuk Eğitimevi, İzmir, Turkey, 16 December 2010 " *Sen burayı bak etmiyorsun diyorlar. Doğru, ben burayı bak etmiyorum.* "

²³⁶ *Mümessil.*

²³⁷ According to the accounts of volunteers of Youth Re-Autonomy Organization of Turkey that organizes workshops in juvenile closed type prisons.

In most of the interviews, the Juvenile Education House's disciplinary practices intrinsic to itself constituted a subject on its own that was finalized in a comparison of it with closed facilities. Since almost all the residents had spent at least a few months in closed facilities during their detention, their line of thinking was shaped around the opportunities and costs of being in the Juvenile Education House compared to any closed facility. In order to tell me about the open prison with the name education house, residents mostly chose to retrieve their memories from the closed facility regarding the limits to their freedom and came to the conclusion that being in an open prison like the Izmir Juvenile Education House differed in the ways such as they can use the telephone, they could see their families and they could be outside while other inmates were locked up. They had unlimited access to the telephone as long as they bought telephone cards and could call their families and friends any time until midnight. They can see their families every Sunday inside the facility as long as the families visited²³⁸ and they could visit their families three times a year for three days. And lastly, the ones who had eighth grade diplomas could go outside to work for five or six days a week.

These were all related to their freedom in relation to being imprisoned and a few of the residents I talked to, found the educational courses and vocational training worth mentioning as the opportunities of the education house, that could be interpreted in a contradiction with the title of the institution. As the direction of the narratives went towards this comparison, I, too started to ask the interviewees to specify in their comparisons. Talking about the Juvenile Education House in relation to a closed facility made it easier to define and depicture it.

²³⁸ As a matter of fact, most families lived in cities other than İzmir, thus, the distance in between caused financial and temporal burden on them.

Saffet, who was waiting to be registered as an apprentice in cooking after receiving his eighth grade diploma and who was later packaged to Bergama, told me about vocational training when I asked him if he thought that the social service would help him for his post-release. “They give us an occupation. Yes, that’s it. That’s a very good side of the Juvenile Education House; to be able to go out. You can do things that you cannot do here.”²³⁹ Saffet also said, “When I first came here, I thought of escaping. Then, I realized the better opportunities such as the telephone and family visits.”²⁴⁰ As Garland writes,

Hence, “in the atmosphere of confinement and deprivation which imprisonment creates, even the most petty or trivial aspects of life can take on a heavy weight of significance. The quality of prison food, the distribution of minor privileges, the tone of voice of staff, the idiosyncratic habits of other inmates, personal belongings of little financial value, can all become the focus of intense emotion and the cause of serious conflicts. Similarly, the lay-out and furnishings of a prison cell, the availability of radios, televisions, and telephones, the prison’s sanitary arrangements, the conduct of family visits, and so on, may take on a significance for inmates which is hard to appreciate for those who have never been ‘inside’.”²⁴¹

Besim’s view of the telephone and family visits was exactly the same as that of

Saffet, but then his disappointment deserves attention,

You know what is the biggest difference here? [compared to a closed facility] The telephone makes a great deal of difference. And the family visits... When I first came to the Juvenile Education House, actually, what first came to my mind...that you go out to school, you feel like home, you go to whichever job you want and that you do not have problems with the officers...I thought we could go out to school, to my surprise, it is not like that...²⁴²

²³⁹ Saffet, interview by the author, note taking, in Izmir Çocuk Eğitimevi, Izmir, Turkey, 14 December 2010 “*Biraz elimiçe meslek veriyorlar. Evet, bu kadar. Eğitiminin bu yönü çok güzel: dışarı çıkmak, burada yapamadıklarımı dışarıda yaparsın.*”

²⁴⁰ Saffet, interview by the author, note taking, in Izmir Çocuk Eğitimevi, Izmir, Turkey, 14 December 2010 “*İlk geldiğimde firar etmeyi düşündüm. Sonra daha iyi olanakları gördüm: telefon ve izin.*”

²⁴¹ Garland. “Punishment as a Cultural Agent” *Punishment and Modern Society*, p.261.

²⁴² Besim interview by the author, note taking, in Izmir Çocuk Eğitimevi, Izmir, Turkey, 8 February 2011. “*Buradaki tek fark ne biliyor musun? Telefon çok çok büyük bir fark. Bir de izin... Eğitimevine ilk geldiğimde, aslında benim ilk aklıma gelen...Dışarıya okula gidiyorsun, evinde gibisin, istediğin işe gidiyorsun, bir de*

During the time I conducted the pilot research at the Ankara Juvenile Education House, one of the residents was registered at university for a two-year course of education while three others were registered at the formal high school nearest to the institution and attended courses with civilian students. This had been applicable until very recently in Izmir Juvenile Education House, too. According to Akın, “About a year ago, people could go to school. Because plenty of them escaped...One person does, a thousand goes...”²⁴³ He criticized the fact that this option had been taken away because of a few residents who had tried to escape. At least, he believed so.

Alpay, who had been in two different closed type of prisons for almost two years before being sent to the Juvenile Education House, said, “What is the advantage of being here? If you have a diploma, you go out and work...but I think of myself...I say, please send me to the closed prison. They say, ‘we can’t send you unless you do something [disciplinary action].’”²⁴⁴ Hakan, too, preferred Bergama, and Yalçın claimed, “If there are no courses, it is like the closed prison...Actually, there are courses in the closed prison like cooking, sewing or welding.”²⁴⁵

Mazhar had arrived newly to the Juvenile Education House when I was doing the first session of interviews in December. We met in February. This time he was registered at the Vocational Training Center and in cooking as his parents wanted. He

memur bakımından sıkıntıda değilsin diye düşünmüştüm. Dışarıya okula gidiyorsun diye düşünmüştüm, meğer öyle değilmiş...”

²⁴³ Akın interview by the author, note taking, in Izmir Çocuk Eğitimevi, Izmir, Turkey, 14 December, 2010. “Bir sene önce dışarıda okula gidiliyordu. Bazıları çok firar ettiği için...Bir işi bir kişi yapar, 1000 kişi gider.”

²⁴⁴ Alpay interview by the author, note taking, in Izmir Çocuk Eğitimevi, Izmir, Turkey, 7 February 2011 “Buranın ne avantajı var? Diploman varsa dışarı çıkıyorsun, çalışıyorsun. ...ama kendimi düşünüyorum, beni kapalıya gönderin diyorlar. Diyorlar ki ‘sen bir şey yapmadan gönderemeyiz.’”

²⁴⁵ Hakan interview by the author, note taking, in Izmir Çocuk Eğitimevi, Izmir, Turkey, 17 December 2010. “Kurslar olmasa kapalı gibi. Yoksa kapalıdada var açıcılık, dikiş, kaynak.”

was waiting for the courses to begin and he had not started working in a restaurant, either. He said, “This place makes future better because they teach you an occupation. Anyone who does not have a diploma, would request from the administration be sent to the closed prison. What could he do here? I would do the same, but I have a diploma. I would like to have an occupation.”²⁴⁶

While talking about the closed type of facility, Fehmi, who worked in auto-paint as an apprentice said,

If you go to the closed facility later then here does not have any benefits. Here is good for the ones with shorter sentences. This place gives you an occupation. You’ll have an apprenticeship certificate. After two years, you’ll have your job. They give you a job. They help you get used to the outside. I am bad-tempered. In order to stay here, I do not fight. You get away with smoking.²⁴⁷

I asked Melih, who worked in the car-body department of a workplace as an apprentice whether he agreed with the following statement, “Every convicted child should be at the Juvenile Education House.”²⁴⁸ He had a statement supporting Fehmi, “Not for everyone” he said, “If his sentence is long, if he does not have an occupation. This place gives you a bracelet [occupation] to prepare you for the future. It is better than the closed facility if the sentence is short.”²⁴⁹

²⁴⁶ Mazhar interview by the author, note taking, in Izmir Çocuk Eğitimevi, Izmir, Turkey, 7 February 2011 “*Burası geleceğini iyi yapar. Meslek falan öğretiyorlar diye...Diploması olmasa kapalıya sevk ister, napsın. Ben de öyle yapardım ama diplomam var; meslek öğrenmek istiyorum.*”

²⁴⁷ Fehmi interview by the author, note taking, in Izmir Çocuk Eğitimevi, Izmir, Turkey, 18 December 2010 “*Kapalıya sonradan gidince buranın faydası yok. Cezası az olanlar için çok iyi. Meslek sahibi yapıyor burası. Çıraklık belgen olacak. 2 sene sonra mesleğin olacak. Meslek sahibi yapıyorlar. Dışarıya alıştırıyorlar. Ben kavgacıyım. Burada kalabilmek için kavgaya etmiyorum. Sigara alışkanlığından vazgeçiyorsun.*”

²⁴⁸ Fehmi interview by the author, note taking, in Izmir Çocuk Eğitimevi, Izmir, Turkey, 18 December 2010 “*Hüküm given her gencin eğitimevinde kalması gerektiğini düşünüyorum.*” This statement is put into words assuming that the judicial system would definitely put the convicted child into a facility, whether it be closed or Juvenile Education House.

²⁴⁹ Fehmi interview by the author, note taking, in Izmir Çocuk Eğitimevi, Izmir, Turkey, 18 December 2010. “*Herkes için geçerli değil. Cezası uzunsa, mesleği yoksa... Geleceğe hazırlamak için, bilezik için, cezası kısaysa kapalıdan daha iyi.*”

As is clear in the comments of Fehmi and Melih, if the resident's sentence is long, he is sent to the closed facility when and if he receives his apprenticeship certificate, at the latest by twenty-one. Then, he has to wait to be released to make use of his certificate. However, if the sentence is relatively short, the resident is able to take the advantage of working outside and earning a certificate, immediately. Adnan was an apprentice in furniture and had a similar comment, "If you work, here is a nice place but if not, it is not good at all. If you do not go out, if you do not work, here has nothing."²⁵⁰ Later I asked him to describe Juvenile Education House as if he described it to a newcomer convict, "Do not do anything with anyone [stay out of trouble, he meant]. Stay there, it's a nice place. But, as I just said; if you have a diploma, or else..."²⁵¹

The way residents spent their weekdays had a determinate effect on how they viewed their weekends and especially Sundays. The same Sunday had completely different connotations for the apprentices and non-apprentices. Remzi explained this distinction, clearly. He was in Juvenile Education House for the last nine months when we talked together. He was registered in the seventh grade in distant education. He was detained in Ankara Sincan Child and Youth Closed Department of Correction for three and a half years and in İstanbul Maltepe Child and Youth Closed Department of Correction for another eight months before being sent to İzmir Juvenile Education House. He told that they, meaning, the ones who were not apprentices, had time to rest on the weekends. He said, "On Saturdays and Sundays, people can rest. Apprentices are

²⁵⁰ Adnan, interview by the author, note taking, in İzmir Çocuk Eğitimevi, İzmir, Turkey, 7 February 2011 "Eğer çalışıyorsan burası güzel bir yer ama çalışmıyorsan hiç güzel bir yer değil. Dışarıya çıkmıyorsan, işte çalışmıyorsan hiçbir şeyi yok yani buranın."

²⁵¹ Adnan, interview by the author, note taking, in İzmir Çocuk Eğitimevi, İzmir, Turkey, 7 February 2011 "Başka kimseyle şey yapma [beladan uzak dur, anlamında] Kal orada. Güzel bir yer. Ama daha demin dedim ya, diploman varsa güzel, yoksa..."

better off outside. That's why they do not like Sundays, but for the ones who work in the facility, Saturday and Sunday mean resting. On Saturday and Sunday, doors are open.”²⁵²

By his last sentence, Remzi meant that the doors of the dormitories were not locked like on the week-days, so that residents had more freedom of move inside the facility since they could lie down, rest in their dormitories. For the apprentices, on the other hand, Sunday was the only day that they were inside the facility, hence bound by its rules.

Consequently, while discussing the positive and negative sides of the institution compared to other closed facilities, it became apparent that the name of the institution itself and its meaning changed according to the residents. For instance, after stating the positive sides of the Juvenile Education House to be family visits and limitless payphone and thinking of the other features, Erdem said, “Here is neither a prison nor an education house.”²⁵³ Accordingly, while some of the interviewees referred to the institution with its previous title, “reformatory,” some called it simply “open.” Furthermore, some had expectations of the Juvenile Education House that did not really fit in the definition of education. For instance, Remzi, who worked in furniture as an apprentice stated, “Here is an education house. Wouldn't it be nice if they let the children free for one day, they could go around and come back. Every day is the same

²⁵²Remzi, interview by the author, note taking, in Izmir Çocuk Eğitimevi, Izmir, Turkey, 8 February 2011 “*Cumartesi Pazar insan dinleniyor. Çıraklığa gidenler dışarıda rahat, o yüzden pazarı sevmiyorsun. Ama içeride çalışanlar için cumartesi Pazar dinlenmek demek. Cumartesi Pazar kapılar açık.*”

²⁵³ Erdem interview by the author, note taking, in Izmir Çocuk Eğitimevi, Izmir, Turkey, 17 December 2010. “*Burası ne eğitimevi ne de hapishane.*”

day. There is no enthusiasm in me for holiday [indicating the religious holiday]”²⁵⁴

Muhlis, too, referred to something surprising in relation to the term “education,”

Here is no longer an education house. Now it is a reformatory. Now, they do not want us to go out, to work. We can’t see our families outside. There is nothing about education anymore. Before, we had activities related to education. For example, we had birthday celebrations in January for the ones born in January. In the closed facilities, there is no birthday, no nothing, no one calling for you...He made us feel that moment. Now we live with the fear of making a mistake.²⁵⁵

Muhlis, lastly mentioned the birthday activities organized by the old director. He

claimed that due to the threat they felt, the institution did not deserve the name education house.

Consequently, some of the residents like Alpay, Hakan and Yalçın who did not work expressed their desperation towards the Juvenile Education House and revealed that they were indifferent about being in the Juvenile Education House or any closed facility and even were willing to be sent to a closed facility since they thought that the opportunities of the Juvenile Education House were experienced by the apprentices. However, apart from these accounts and even in these accounts, there was no trace of envying of the apprentices. Furthermore, going out to work was mentioned almost as frequently as the opportunities of payphone and family visits in non-apprentices’ comments.

In the accounts of residents who stayed inside, apprentices were put in a disparate category. The ones who were “not yet” apprentices looked upon that category

²⁵⁴ Remzi interview by the author, note taking, in İzmir Çocuk Eğitimevi, İzmir, Turkey, 18 December 2010. “*Burası eğitimevi, çocukları bir gün salsa, geze gelse fena mı olur. Her gün aynı geçiyor. Bayram hevesi yok bende.*”

²⁵⁵ Muhlis interview by the author, note taking, in İzmir Çocuk Eğitimevi, İzmir, Turkey, 19 December 2010 “*Burası artık eğitimevi değil, şimdi ıslahevi. Şimdi dışarıya çıkmamızı, işe gitmemizi istemiyorlar. Aileyle dışarıda görüşemeyiz...Eğitimle ilgili bir şey yok artık. Eskiden eğitimle ilgili faaliyet vardı. Mesela ocak ayında doğanların doğumgünü kutlanırdı. Kapalıda ne doğumgünü, bazen ne arayanın, ne soranın. Biz o anı yaşıyorduk...Şimdi ıslahevi...Islahevinde bata yaparım korkusu.*”

as something to be reached to get out of a hole. Perhaps, most had the hope of this upgrading. In other words, the fact that only apprentices, who had eighth grade diplomas, could serve their sentences outside by working was accepted as a pre-given and natural rule with no other way. Put another way, serving the sentence outside by working was something that could be achieved academically, proved by a diploma, indeed which had no connections with the offence, the period of sentence or any good conduct. At this point, it is worth mentioning the statement of Lauren Eisler, who wrote “A Foucauldian Exploration of Youth at Risk: The Adoption and Integration of Conventional Goals and Values.” From a Foucauldian approach, Eisler puts forth that the youth in prison are created as docile bodies and they are made to actively participate in their own subjectification.²⁵⁶ In this respect, she underlines that “the criminal justice system unintentionally operates to maintain and disseminate a hegemonic, capitalist-based ideology of personal responsibility for social success, as defined by conventional goals and values, which results in the continued perpetration of systematic inequality of opportunities for specific groups of youth.”²⁵⁷ The criminal justice system reproduces the ideology of personal responsibility of social success in two different processes. First, both the quantitative data held by the Ministry of Justice and the qualitative data presented by various studies on children in conflict with the law in Turkey indicate the low socio-economic background and the limited access both to education and legal forms of earning money of children in conflict with the law.²⁵⁸ Second, once the children are received by the Juvenile Education House as they are convicted, this time,

²⁵⁶ Lauren D. Eisler, “A Foucauldian Exploration of Youth At Risk: The Adoption and Integration of Conventional Goals and Values”, (DPhil Sociology, University of Saskatchewan, Saskatoon, Saskatchewan, 2004)p.190.

²⁵⁷ Ibid., p.206.

²⁵⁸Eylem Ümit’s qualitative study on children in conflict with law puts this situation with rich in-depth interviews.

the convicted period is almost always determined by the individual academic success of the resident.

All in all, the determination of how the sentence would be served depends on the education level of the convict. Any two children who are sentenced for equal amounts of punishment due to the same offence type can spend their sentences in totally different ways depending on their level of education. However, the (ir)relation between their education and punishment was not uttered in any of the residents' narratives. Apparently, how to serve the sentence depended on the individual academic success of the convict. Here, "with its ethic of individual achievement based supposedly on merit", the Izmir Juvenile Education House, constitutes an institutional example of the 'liberal educational policy.' In his book, "Ideology and Curriculum," Michael Apple carefully draws attention to the fact this liberal educational policy is a fully accurate description of how education functions rather than a language of justification, as an ideological form.²⁵⁹ Accordingly, "while it does describe certain aspects of schooling (certain individuals and groups do achieve well in school), it fails to see the connection between, say, the "production" of certain kinds of people and knowledge on the one hand and the reproduction of an unequal society which establishes the roles for which these agents are produced on the other hand"²⁶⁰

About this fact, the psychologist at the Ankara Juvenile Education House, in 2003 noted in a conference²⁶¹ the flows arising from the legislation causes problems in their work both in the institution and for post-release period. She says, since the

²⁵⁹ Michael Apple. *Ideology and Curriculum*. 2 ed. New York: Routledge, 1990.p.16

²⁶⁰ Ibid.

²⁶¹ Aygöl Nalbant, Adalet Bakanlığı Ceza ve Tevkifevleri Genel Müdürlüğü Çocuk Eğitim, Gözetim, İyileştirme İşleri Şubesi "Panel 2: Bakım Gözetme ve Eğitimde Uygulamalar"ın Bildiriler: III. Ulusal Çocuk ve Suç Sempozyumu "Bakım, Gözetme ve Eğitim" 22-25 Ekim 2003 AÜ ATAUM. P. 75.

mandatory level for primary school has risen to eighth grade, they can not give apprenticeship training to most of the residents because most of them had not been able to reach this level even before coming in conflict with the law.

Being Illiterate inside the Izmir Juvenile Education House

Among the thirty-five residents I met with, four were illiterate. Therefore, they lived through the conviction in the Izmir Juvenile Education House on substantially different terms. They attended the courses which were divided into first level literacy and second level literacy, every week day from morning to noon. They also attended courses such as bakery or hairdressing.

Bilal was one of them who was registered in the first level. He told me that he was responsible for cleaning the walls of the facility in the evenings and received a monthly salary which was not distributed evenly according to his accounts. He had been at the Juvenile Education House for two months and had ten months to go. However, he would serve another four years in a closed type of facility. Although he did not want to tell me his age, it was apparent that he would turn eighteen ten months later and since he could not be registered at the Vocational Training Center, he would be sent to a closed facility. He had been kept at the İstanbul Maltepe Child and Youth Closed Department of Correction twice and for a total of nine months as a detainee and told me that he had taken music courses, English and billiard courses and did sports there. Recounting the practice of reporting and disciplinary punishment, he compared the closed facility in Maltepe with the Juvenile Education House and expressed his preference for the former one. Apparently, apart from the telephone, the Sundays visits of the family and the family visits every four months, and the programs of the Juvenile Education House did not make much difference to Bilal.

Mert was another illiterate who would complete his sentence in four and half months. It had been a month since he had come from the İstanbul Maltepe Child and Youth Closed Department of Correction where he had been kept for one and a half months. Contrary to Bilal, he preferred the Juvenile Education House to the facility in Maltepe, basically because he had been treated badly there. He had been forbidden to talk and he had been beaten when he made such an attempt. Haşmet had been at the Juvenile Education House for about two months and had been attending literacy courses when I met with him. He would turn eighteen after three months, and thus would continue serving his sentence in a closed-adult type facility. He told me that he would stay at the Juvenile Education House if he could attend apprenticeship training. In short, while Bilal preferred a closed facility, Mert and Haşmet wanted to stay at the Juvenile Education House until the end of their sentences. However, while Mert complained about bad conduct, Haşmet stated that he would prefer the Juvenile Education House only if he could become an apprentice. Consequently, passing over the bad conduct and comparing the Juvenile Education House to a closed facility, the real difference lay on the apprenticeship training, which was inaccessible to the illiterates anyway.

Living in the Juvenile Education House as a Female Resident

The same rules and conditions of the Juvenile Education House prevailed in the females' dormitory, too. However their experiences of the institution were totally different from those of the males due to their small number and their living space. During the first time interval, there were only three girls in the dormitory when I visited and had a small talk for half an hour in the evening while watching TV together. The second time I visited the facility, the number of females had doubled, but they would

have been seven if one had not been sent to Bergama due to disciplinary action. They were either sixteen or seventeen.

Selma, who had been brought from Van M-type Closed Department of Correction, in which she had been incarcerated eight months, had been at the Izmir Juvenile Education House for the last six months. She had two years to go and was registered in the literacy class level two. Esma first had been detained in Adana Karataş Women's Prison for seven months. She had been at the Juvenile Education House for two months and had four months left to serve. She was the only one working as an apprentice and worked in a textile company. She added that even though she had brought her eight grade diploma to the Juvenile Education House and had registered in the Vocational Training Center, she was not yet registered for Distance High School Education.

Irmak had been detained in Adana as well for ten months and was a newcomer to the Juvenile Education House. She had spent two-three weeks there and had six months left. She had never been to school. Şebnem was another newcomer who had been at the Juvenile Education House for the last one month. She had been held in Bursa for about a month and had two years left. She was waiting to be registered in the literacy courses level two. Aynur had been at the Juvenile Education House for the previous one month, too but she had been brought directly from her home as a convict without being detained in a closed facility. She was illiterate and had eleven months left to serve. And finally, Fatma was the most experienced among all. She had stayed at the Juvenile Education House for three years before being packaged to Bergama for six months. She had returned a month earlier and had nine months left to be released. She was registered in the sixth grade, but said that she did not know how to read and write. Since Esma was the only one working, I specifically asked her about her experience of

going outside to work. Regardless of the emphasis I put on this difference, she answered me in a dispassionate tone of voice, “Nothing changed for me. It feels worse. It is difficult to come back [to the Juvenile Education House in the evenings]. But I do not mean that this feels the same for everyone.”²⁶² She continued on, “The good side of here is to go to family visits and the telephone. The other things are poppycock.”²⁶³

When I asked them about their lives at the institution, I got the following response which was composed of their narratives all together,

We wake up at 6:30 every morning. Even before the dawn. Oversleeping is prohibited, even if you are sick, it is forbidden. Right, girls?” Others say, “Right!” Until midnight, we watch TV, listen to music and watch the news etc., but after midnight, the door to the TV room is locked. At 6:30 breakfast arrives. Every morning, one of us is on duty to clean our dormitory...²⁶⁴

Then, I asked them their favorite day of the week. They all replied Saturday and Sunday since they could sleep until 10:30. They complained about cleaning the facility when being too tired because they could not sleep as they wanted. Saturday, was their free visitation right. Likewise, the most favorable time of the day was the afternoon in comparison to mornings when they felt sleepy. They favored afternoons for attending courses, too. About the courses, they commented, “...During the weekdays, the boys go to bakery class on one day, while the girls attend this class on another day. Certificates are given by examination. Textile courses will begin on the fifteenth of February. They

²⁶² Esma focus group interview by the author, note taking, in Izmir Çocuk Eğitimevi, Izmir, Turkey, 6 February 2011 “Benim için değişen bir şey olmadı. İnsan daha çok kötü oluyor, dönüş zor. Ama herkes için böyle değildir.”

²⁶³ Esma, focus group interview by the author, note taking, in Izmir Çocuk Eğitimevi, Izmir, Turkey, 6 February 2011 “Buranın iyi yanı işne gitmek ve telefon. Başka şeyler fasa fiso.”

²⁶⁴ 6 Females, focus group interview by the author, note taking, in Izmir Çocuk Eğitimevi, Izmir, Turkey, 6 February 2011 “Sabah altı otuzda kalkıyoruz. Daha şafak açılmadan... Bir daha uyumak yasak, hasta da olsan, bir daha uyumak yasak. Doğru mu kızlar? Doğru... Akşama kadar, gece on ikiye kadar (on ikide yatakhane kilitleniyor, ne TV, ne müzik.) TV, müzik, haber falan. Altı otuzda kahvaltı geliyor. Öğlene kadar her gün nöbetçi olarak temizlik yapılıyor. Her gün bir kişinin nöbeti olur.”

told us so. We do not know for sure...”²⁶⁵ I asked them to tell me the difference between the Bergama/ İzmir closed type of facility and the Juvenile Education House, like I had asked the male inmates Fatma started first, “Bergama is much uglier. Once every three days, we watched films in the conference room and went out in the garden once a week.”²⁶⁶ Then, the others got involved in her accounts,

...the dormitories are for six people. For the roll call in the morning, you go out to the garden. Then, you could go back to bed. At noon, the meal arrives. Then you pace up and down in the small garden. It's twelve steps. Then there is a roll call in the evening. There is a literacy course. There was a hairdressing course but it was closed. You could go up to the conference room, if you got bored, you wrote down a letter of request or play music on the computer. No threatening unless you get involved in a fight with your friends. In here, there is threatening. [In Bergama] there is visit for about half an hour or forty-five minutes behind a glass with a telephone and from month to month, on every eighth or tenth, there is the right of free visitation for sixty minutes.²⁶⁷ The disciplinary rules constituted a subject on its own that was brought up by

the residents even before I made a move.

Any small thing is recorded in here. If your eyes are closed after you wake up, you are not going to lie down, you are not going to eat in the living room and not going to sit at each other's bed or chat after midnight...everything goes into the records...you will definitely not interact with male inmates. No smoking. [You cannot bring] alcohol, cigarette, tobacco, drugs, pills, rocks, telephone, walkie-talkie to the facility [giggling]... When they say wake up in the morning, you are going to do that. If you don't, I'll put you on record, I'll send you to

²⁶⁵ 6 Females, focus group interview by the author, note taking, in İzmir Çocuk Eğitimevi, İzmir, Turkey, 6 February 2011 “Hafta içi unlu mamullere bir gün erkekler, bir gün kızlar... Sertifikta alınacak sınavla. Tekstil atölyesine başlanacak on beş Şubatta, öyle denildi bize, bilemiyoruz tabii ki.”

²⁶⁶ Fatma, focus group interview by the author, note taking, in İzmir Çocuk Eğitimevi, İzmir, Turkey, 6 February 2011 “Bergama daha bir çirkin. Üç günden üç güne konferans salonunda sinemaya gidiliyor. Haftadan haftaya açık alana gönderiliyor.”

²⁶⁷ 6 Females, focus group interview by the author, note taking, in İzmir Çocuk Eğitimevi, İzmir, Turkey, 6 February 2011 “...koşuşlar altı kişilik, sabah sayımında kapalı bahçeye çıkarsın. [sonra] istersen çık yatağına. On ikide yemeğin geliyor, küçük bahçede volta atıyorsun, on iki adımlık. [sonra] akşam sayımı var. Okuma-yazma kursu var. Kuaförlük kursu da vardı, kapandı. Konferans salonuna çık, canın sıkılır, dilekçe yazarsın, bilgisayardan şarkı açarsın. Tehdit yok, arkadaşlarınla kavgı olmadıktan sonra. Burada tehdit var. [Bergama'da] yarım saat-kırk beş Dakka kapalı görüş var camın arkasından telefonla. Aydan aya, her ayın ilk haftası, ya onu ya sekizi, açık görüş var, altmış dakika.”

Bergama.’ The director calls down on us too much. Even if you are right, you are in the wrong.²⁶⁸

Most significantly, not being able to spend time in the dorms was the sole cause of everlasting trouble within the facility experienced with the guardians and within the residents and this trouble was considered as discipline problem for both the male and female residents. Ironically, as the penal institution shifts from being a closed type to an open type, the power relations between the correction officers and residents are felt more deeply and frequently. At this point, Foucault’s statement on the obedient subject that is the target of subjectification techniques of the officers such as habits, rules, orders and authority, as a form of objectification, once more comes to the surface. Compared to the males, this mode of objectification was felt more strongly among the females. Some special conditions in the females’ living space caused this effect. First of all, females are fewer in number and lived through the day in a physical area which is more open for observation compared to the facility where the males stay.

Second and most importantly, any contact between two residents of two different sexes is forbidden unless they are attending a course inside the facility at the same time. Denial of contact with the opposite sex is a world-wide retribution technique, but at the Juvenile Education House, this rule reflects the institution’s conservative concern, too. Relationship between two teenagers from opposite sexes is disapproved of under the rules of the institution. However, this deprivation has unintended consequences which are not experienced among the males but have a significant effect on the females’ daily lives. No contact with males means that they can

²⁶⁸ 6 Females, focus group interview by the author, note taking, in Izmir Çocuk Eğitimevi, Izmir, Turkey, 6 February 2011. “Ufacık bir şeye tutanak tutuluyor burada. Sababtan sonra gözün kapalı olsun, uzanmayacaksın, salonda yemek yemiycen, birbirinin yatağına oturmayacan, gece sohbet etmiyecen...her şeye tutanak. Erkek mahkumlarla kesinlikle irtibata geçme, sigara yok. Kuruma içki, sigara, tütün, uyuşturucu, hap, taş, telefon, telsiz [gülişmeler] [getirmek yasak]. Sabah kalk dedin mi yapcan, yapmazsan yok tutanak tutarım, yok Bergama’ya yollarım. Müdür çok azarlıyor, haklıyken de baksız konumuna düşürüyor.”

not use the same physical space. Therefore, females are not allowed to go down the corridors or other rooms like the TV room or the cafeteria, where the males spent their time during the day. Since their space is limited to their dormitory and its front garden and since they are a lot smaller in number, each of them is in sight of the officers more easily. Officers are not obliged to be present in females' area all the time but can observe the details more clearly once they enter there. The number of officers in the males' area is much higher but this, results in officers' attention being divided by more people.

The deprivation has another effect that was pointed out by females, "Every Thursday, the boys watch movies but we cannot."²⁶⁹ During my presence in the facility, I did not see the boys watching films regularly, but since the girls did not have or only had small contact with them, they presumed otherwise. Although not as frequently as the females misthought, when boys watched a film in the conference room, girls were not brought to prevent any contact. Non-compliance with this rule has serious consequences. Hence, one of the girls, Zeynep, whom I met with during my first visit in December, was packaged away to the Bergama/ İzmir closed type of facility for six months as a result of having had a secret affair with one of the male residents. Fatma, who had been in Bergama before for six months, had been transferred for the same reason. The male resident had been sent to Bergama, too.

Leaving aside the focus group conducted in February, I received the most effective comment about the threatening and disciplinary action in the institution during an informal talk I had had with the females two months before, in December, while watching TV in the evening. It was Selma, who was criticizing the institution to me and

²⁶⁹ 6 Females, focus group interview by the author, note taking, in İzmir Çocuk Eğitimevi, İzmir, Turkey, 6 February 2011. "*Her Perşembe erkekler sinemaya çıkıyor [içeride], biz çıkamıyoruz.*"

said, “They give punishment upon punishment here”²⁷⁰ while contrasting the education house with a prison. Zeynep, who had not been packaged to Bergama, at that time, went on to explain more as my astonished face drew her attention, “By this, she means that they wake us up at 6:30 for no reason.”²⁷¹ Selma’s sentence encapsulated the disciplinary system of the institution. That is to say, residents are brought to the Juvenile Education House to serve their sentences for crimes against the community and are deprived of certain rights. The juvenile offenders are taken in to be “returned back to the society after paying [their] ‘debt’.”²⁷² The Juvenile Education House, on the other hand, has disciplinary rules intrinsic to itself which are transformed into the type of punishment Selma mentioned upon the punishment they have already received from the court. Accordingly, Alan Hunt and Gary Wickham draw attention to Foucault’s account of the difference between law and discipline.

Foucault’s account of the difference between law and discipline is at its sharpest where he draws the contrast between universal law and ‘counter’ or ‘infra-law’, involving an ‘infra’ or ‘micro-penalty’ that takes possession of an area left empty or never colonized by the law, providing regulation for diverse types of behavior. These micro-penalties involve ‘offences’ such as lateness, untidiness, disobedience, insolence. His point is that these wrongs are, on the one hand, so trivial as to be beneath the attention of law but, on the other, are the very stuff and heart of the modern disciplines.²⁷³

²⁷⁰ Selma, focus group interview by the author, note taking, in İzmir Çocuk Eğitimevi, İzmir, Turkey, 15 December 2010. “Cezâ üzerine ceza veriyorlar burada.”

²⁷¹ Zeynep, focus group interview by the author, note taking, in İzmir Çocuk Eğitimevi, İzmir, Turkey, 15 December 2010. “Yani, nedensiz yere altı buçukta kaldırılmamızı kastediyor.”

²⁷² Mitchell Dean, *Governmentality :Power and Rule in Modern Society* (London:Sage Publications, 1999), p.170.

²⁷³ Hunt, Alan and Gary Wickham. *Foucault and Law: Towards a Sociology of Law as Governance*. London: Pluto Press, 1994. P. 51,52

Here, the micro-penalties in the Juvenile Education House, are not practiced in the areas left empty or never colonized by the law. These minor punishments are indeed implemented within the regulations of a prison; however, these “minor punishments such as the deprivation of privileges...as a form of disciplinary technique”²⁷⁴ constitute the heart of Juvenile Education House.

Coming back to the focus group talk in February, before I left the front garden of the dormitory, where we all sat together, I was asked to report the situation to the Human Rights’ Commission because nobody had come for investigation recently. One year before this research process, in February 2010, the UN Human Rights Commission had visited the Izmir Juvenile Education House together with eight other juvenile prisons. Most probably, the girls were expecting the Commission to visit again. This second and more formal focus group talk was transformed into a complaint session in which I was perceived as a messenger or a representative of an investigation mechanism.

Besides the interviews and the focus group, while waiting in front of the guardians’ desk on a Sunday morning, I watched the male residents’ visitors coming and being controlled before being accepted into the cafeteria to meet with their relatives. All of the visitors’ identity cards and their relationship to the residents were checked one by one. Each visitor was searched on. Upon their visitors who came on Saturdays, the girls complained about how the officers asked about the criminal records of their fiancés.

About the Ankara Juvenile Education House

As mentioned earlier, the pilot research I conducted at the Ankara Juvenile Education House which was designed for only males, like the one in Elazığ, too, gave me the opportunity to be more prepared for the Izmir Juvenile Education House. Towards the end of the research in Izmir, this previous work in Ankara started to

²⁷⁴ Ibid., p.16

become more useful to make comparisons between the two facilities which were designed for the same purpose. The sharpest characteristic in Ankara was the wire fence around the garden, which was actually forbidden according to the legislation. However, the director had decided to come up with a solution of physical barriers against the frequent escapes of residents. Apart from the wire fence, residents of the Ankara Juvenile Education House compared their facility to the Izmir Juvenile Education House as they were all curious about the differences and could not receive any answers from me since I had not been to the latter, yet. They told to each other that Izmir was stricter in applying rules and residents were packaged to the closed type of facility more often.²⁷⁵

Considering the history of the juvenile education house from its establishment as a reformatory in the late nineteenth century, what is put forth by Anthony Platt for reformatories is overreaching for today's Juvenile Education House which is that "object of the reformatory institutions is well stated; it is not punishment for past offences, but training for future usefulness."²⁷⁶

However, according to Kant, as also recalled by Platt,

Juridical punishment can never be imposed merely for the purpose of securing some extrinsic good, either for the criminal himself or for civil society; it must in all cases be imposed (and can only be imposed) because the individual upon whom it is inflicted has committed an offense ... The right of retaliation ... is the only principle which... can definitely guide a public tribunal as to both the quality and quantity of a just punishment... According to the retributive position, society has a moral right and duty to inflict punishment on offenders who consciously commit crimes.²⁷⁷

²⁷⁵ Like the administrative differences between the two facilities, everyday culture among the residents could differ too. Hence, while the cities that residents belonged to, had an effect on how they formed groups among themselves, no groupings based on cities or any localities were observed in Izmir.

²⁷⁶Platt, p.106.

²⁷⁷Ibid., p.153.

Accordingly, recollecting the primary objective of judicial punishment as retaliation, the merging of education and punishment in one penitentiary establishment leads one to focusing on the crisis of self-definition of this institution of social control. Similar to how Platt recalls Kant, Garland refers to Durkheim to question the meaning of punishment.

Durkheim argues, we ought to give up thinking of punishment as a utilitarian instrument and instead consider it in its true role, as an expressive form of moral action....Durkheim emphasizes that these punitive devices are only the incidentals of punishment. They are a means of expressing a moral condemnation and should be designed, above all, to serve that purpose. Penal forms which are not properly expressive in this way, but are instead designed to be effective as deterrents or else to cause maximum suffering, are thus inappropriate. They distort punishment's true purpose and ought not to be used. Put simply, Durkheim's point is that the method must not undercut the message. Penal sanctions cannot help but be unpleasant, but this aspect of suffering should be reduced to a minimum.²⁷⁸

Punishment in Durkheim's view then, "serves to reinforce the authority of society's moral identity. Punishment's primary purpose, then, is not to rehabilitate criminals or even to deter those contemplating whether to commit crime, its fundamental aim is to strengthen shared social sentiments."²⁷⁹ Drawing on the analysis of Durkheim, Garland concludes that, institutions such as prisons, reformatories, probation orders or fines, "is largely fixed by this punitive usage, even though the institutions tend to deny or play down their punitive intent."²⁸⁰ Thinking over other possible ways to substitute incarceration, Foucault, introduces "another direction... one

²⁷⁸ Garland. "Punishment and Social Solidarity" *Punishment and Modern Society*, p.40.

²⁷⁹ Mark S. Cladis. "Durkheim and Foucault on Education and Punishment," in *Durkheim and Foucault: Perspectives on Education and Punishment*, ed. By Mark S. Cladis (Oxford:Durkheim Press Ltd 1999), p.5.

²⁸⁰ Garland. "Rationalization of Punishment" *Punishment and Modern Society*, p.191.

can go: it's the idea that punishment and rehabilitation should be completely separated from each other. Since Plato, it has been said that the penalty served both to punish and restore."²⁸¹ Although, it is a pain giving process to rethink and disassociate punishment and restoration or education in today's conditions and almost impossible to separate the two in practical terms, it is at least illuminating to start doing so. In this way, the Izmir Juvenile Education House, which promotes itself as an educational institution and which divides "those who avail themselves of the opportunity for improvement and those who do not"²⁸² and at the same time serves as a social control mechanism for offenders to pay debt to the society, can attain a more coherent self-definition.

²⁸¹ Faubion(ed.). "Interview with Actes" Michel Foucault Power Essential Works of Foucault, p.400.

²⁸² Dean, p.133.

CHAPTER V

CONCLUSION

When the correction discourse of the Juvenile Education Houses in Turkey first started to preoccupy me as a research topic, it was clear that the emphasis would be on the institution itself and not on its target population, the convicted youth. Interviewing the inmates would be the method to comprehend the governmentality and the everyday practices of the institution itself thoroughly. The challenging part was to decide which way to approach the subject. To put it differently, after a short study of today's Juvenile Education House, as befits the name, it was clear that training and, most significantly, vocational training plays the most distinctive role in the institution's entity. From the viewpoint of an outsider, this indicates the emphasis put on reintegration policies by the institution; hence, the residents are being prepared for the post-release period. So, would the main question be focusing on the convicted youth's anticipation about their near future and their occupations?

Some time passed to formulate the line of reasoning of this subject in this way. However, there were doubts about whether the residents would develop thorough answers to the questions prepared on this expectation. They could come up with precise but short answers or could just state that they had not thought about their post-release period or ten years after that, yet. With this source of concern, it was difficult to formulate expressive questions. I was anxious about losing residents' essential concerns while concentrating on receiving responses on their future. Therefore, I finally decided to enter into the facility with no precise expectations. There was already a comprehensive set of questions that had been prepared for and approved by the

Ministry of Justice which concentrated on the everyday life in the institution. So before starting the research, this ready package of questions was enriched by new and similar ones. During my presence in the Izmir Juvenile Education House in the first few days, it started to become clear that the post-release period or jobs to do in the near future constituted the least of the residents' concerns; rather, experiencing the institution in the present time constituted the remarkable subject.

The self-explanatory position of the Juvenile Education House is reflected on the second chapter of this work with an illustration that was prepared by and for the Ministry of Justice. Among the penal institutions, the Juvenile Education House is placed in a special category and thus deserves special attention. Besides the closed prisons and the open prisons of which the Juvenile Education House is a part, with a set of opportunities based on formal or vocational training that is comprised of apprenticeship certificate, distance or formal high school education, literacy classes and various courses on skills development in bakery, hairdressing, computer or textile, the Juvenile Education House, which has roots in labor-based prison, constitutes a category within itself and implicitly represents itself in an "opportunities model" that is defined by Davidson within a functionalist theory of social problems, when its programs of formal or vocational training are considered, and when compared to closed prisons. This model views the prisoner to be someone lacking the academic, vocational and social skills to achieve socially acceptable goals. Thus, individuals who are in conflict with the law before they are eighteen and who are eventually convicted are given the chance and also compelled to improve themselves through these courses according to their education level while serving their sentences in a semi-incarceration status. This model fits well into the reformatory discourse of the youth justice system, yet embodies certain problems within itself, which are rendered intrinsic, thus unquestionable.

First, the specific educational backgrounds of the convicted youth in conflict with law determine their programs in the institution, which results in diverse and distinct experiences of conviction, causing injustice in the custody system itself. Accordingly, the most striking part of the research was ending up with accounts of remarkably different and various days through the residents' accounts. The first inference even before interviewing the residents was that their daily schedules were determined by their educational level. Thus, categorically speaking, starting from the highest education level, first, apprentices, then literates with no eighth grade elementary school diploma and last the illiterates, experience their time in highly different daily practices. These categorically different typical days indicate that, compared to a closed facility for adult convicts, where the inmates serve the sentences in similar ways apart from the sentence period, juveniles experience conviction according to their education level, which is determined even before coming into conflict with the law. What is determined in the court's last decision is the length of the sentence. How this period is passed, depends on the inmate's individual academic success. Eighth grade school diploma is the indicative aspect of this system. In the eyes of the residents, then, the most privileged position of the Juvenile Education House is enjoyed by the residents with elementary school diplomas which are the key to the Vocational Training Center. Being employed as an apprentice has other connotations for the apprentice convicts themselves apart from working and receiving salary. To say more clearly, going out to work is equal to being released every morning and re-incarcerated every evening. Thus, worker residents are emancipated from the disciplinary mechanisms prevailing within the walls of the facility, while the remaining residents attend various courses to pass time and receive certificates. As it was explained in detail in the second chapter, the emphasis put on the training of youth in conflict with the law, can be traced back to the late

nineteenth century in different localities of Anglo-Saxon or American history, besides the Ottoman territories. What should be underlined specifically in the present context of Turkey is that throughout the last century, training has turned into a source of inequality among the inmates and thus youth in conflict with the law experiences conviction in diverse patterns determined by their individual academic success.

Secondly, through the individualizing effects of these education programs the existing educational capitals of the residents are preserved and reproduced, for instance in the course of vocational training. Here, the collaboration between the Juvenile Education House and private companies both in industrial and service sector is worth note. Under the title of apprentice, residents of the Juvenile Education House are employed as full time workers besides attending apprenticeship courses at the Vocational Training Center. Participating in the work force as free wage laborers, the apprentice convicts work as the job definition of the workplace requires them to do for approximately one-third of the minimum wage in Turkey.

Thirdly and most interestingly, besides holding “certain opportunities,” this institution works with intrinsic disciplinary rules and punishments. Most frequently practiced disciplinary punishment in the Izmir Juvenile Education House is sending residents temporarily to a closed facility where they are deprived of opportunities given by the Juvenile Education House. This is nicely put as “punishment on top of punishment” by one of the residents whom I interviewed, since it is given in addition to the court’s punishment. Absenteeism from the courses or work, infraction; smoking, getting involved in a fight with other inmates are signs of being ungrateful to the value of the institution and thus causes the resident to end up in a closed facility. It is fair to state that the Juvenile Education House is able to build its image on the “opportunity model,” mostly because it is evaluated in contrast to the closed facilities. Hence,

compared to a closed facility, residents of the Juvenile Education House are regulated through the disciplinary mechanisms intrinsic to the Juvenile Education House itself. That is to say, the opportunity of improving oneself through various educatory courses and completing these without disobedience is an essential condition to staying in this institution. Briefly stated, the convicts are first expected to appreciate the privileged position they have been put into by being imprisoned in the Juvenile Education House. Considering the valuable insights gained through the narratives of the convicted youth, the most important outcome of this research is that, despite the various educatory practices, the dominant theme emerging from the interviews is “disciplinary punishment” practiced in the institution and not the educatory practices, their positive or negative effects.

Lastly, it is necessary to point out that age is a critical factor in serving this sentence. The thin line between seventeen and eighteen determines whether the resident will be accepted back to the institution after serving the sentence required by the disciplinary action of the Juvenile Education House or will complete the rest of his/her sentence in an adults’ facility.

Looking at the criminal justice system from a broader perspective, it is perhaps unnecessary to underline that imprisonment is one of the methods of correction systems that could be exercised upon the youth in conflict with the law. Even without bars, fences or guns of correction officers, the Juvenile Education House is still a facility for incarceration even as an open type prison, especially for the residents without elementary school diploma. Correction methods could be thus exercised in non-institutional milieus. After all,

A sentence is always a wager, a challenge addressed by judicial authority to the penitentiary institution: can you, in a given time, and with the means you possess, make it possible for the delinquent to reenter collective life without again resorting to illegality? ... There could be

many others [other than imprisonment], appealing to other variables: public service, extra work, privation of certain rights. The constraint itself could be modulated by systems of obligation or contracts that would bind the individual's will other than by confining him...It is expected to 'rehabilitate' a prisoner by 'debilitating' him through imprisonment.²⁸³

Probation is thus another possible method to be exercised in judicial system, in which trainings of residents could be implemented without causing inequality among themselves.

In conclusion, throughout this work, I elaborated the interpenetration of education and punishment on a discursive and daily basis and put forth that the peculiar education backgrounds of the convicted youth played a significant role in their experience of the education house since the education received in relation to this background, within or outside the walls of the institution resulted in diverse experiences and practices of conviction itself. In conclusion, I aimed at rethinking the practices of a penal institution for convicted youth by examining the accounts of the residents themselves by taking them as the subject of the study instead of the object.²⁸⁴ All in all, this research aimed at scrutinizing the penitentiary institution housing convicted youth in Turkey through providing a historical account of its birth and transformation until the present day. The significance of the work perhaps lies in the method. After all, the Juvenile Education House of today is narrated directly as how its residents perceive and experience its governmentality and daily running.

In addition to the findings within the subjective viewpoints of the convicted youth that emerged in this thesis, there were key limitations that should not be

²⁸³ Faubion(ed.). "To Punish Is the Most Difficult Thing There Is" Michel Foucault Power Essential Works of Foucault, p.463.

²⁸⁴ Duguid, p. 56.

disregarded and that may serve as an inspiration for further research. One obvious limitation that must be noted is that of generalization. Despite conducting in-depth interviews with most of the juvenile convicts and researching as a participant observant, I did so in the context of a single facility in Izmir among the three institutions in Turkey. Therefore, legitimate questions can be raised about whether the narratives of the residents in the Izmir Juvenile Education House would apply to other facilities in Ankara and Elazığ.

In this sense, although, the general rules in the Izmir Juvenile Education House are predetermined, the philosophies that permeate the rules of the institution may differ according to the general director and staff members. Moreover, every resident I interviewed referred to the differences between the earlier director and the current one, at some point and complained of the disciplinary mechanisms conducted since the arrival of the new director. Thus, it must be noted that the residents' views of the institution could have been slightly different if this research had been conducted just a few months earlier. So, although, the Izmir Juvenile Education House is a total institution with its norms, rules and routine practices, it does not stand independent of staff members working in it. Thus, the presence of the general director affects the atmosphere of the facility and has an effect on the residents' attachment to the institution. In the light of this information and self-reflection, more researches must be conducted in both the Izmir Juvenile Education House in different years and similar studies must be realized in Ankara and Elazığ Juvenile Education Houses to come to a conclusion on penal institutions for convicted youth in Turkey.

Moreover, since this study seeks to understand the everyday practices in the education house, I limited my questions during the interviews to the residents' experience of this institution and did not touch upon their recent past unless they chose

to do so. So, further and extensive research will be needed to comprise the narratives of how the residents came into conflict with the law, as well, in order to understand how they situate the discourse of the institution in their own lives. All in all, the need for further research on the juvenile justice system is clear. After all, it is hard for both the researchers and the policy makers to arrive at a satisfactory conclusion; besides, as Foucault says, “it is good, for ethical and political reasons, that the authority that exercises the right to punish should always be uneasy about that strange power and never feel too sure of itself.”²⁸⁵

²⁸⁵ Faubion(ed.), “Against Replacement Penalties” Michel Foucault Power Essential Works of Foucault, p.461.

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