



Examination of Early Childhood Education in Türkiye in terms of Children's Law and Rights*

Suat KOL¹, Hilal İlknur TUNÇELİ²

Sakarya University



[10.15408/jch.v12i2.39242](https://doi.org/10.15408/jch.v12i2.39242)

Abstract

Children's rights and child law have taken their current form since the second half of the 20th century. The Geneva Declaration of the Rights of the Child, published by the United Nations in 1924, aimed to secure children's rights. The primary purpose of this research is to examine early childhood education in Turkey in terms of children's rights. Childhood and the historical process of children's rights were first addressed in this context. Then, early childhood education in Turkey was examined within the framework of children's rights. The research, conducted as a literature review, revealed that Turkey participated in the 1st and 2nd Balkan Congresses in 1936 and 1938 and pioneered universal children's rights studies by contributing to the decisions made in these congresses. Additionally, the study showed that, due to the value placed on children in Turkish culture, which spans thousands of years, positive practices regarding children's rights have been carried out throughout history. Moreover, Turkey became a party to the Convention on the Rights of the Child, adopted by the United Nations General Assembly on November 20, 1989, and entered into force on September 2, 1990. It has made appropriate adjustments in its domestic law. It has been observed that, as in every stage of educational activities, early childhood education in Turkey is also conducted with a child-centred approach and in adherence to the child's legal rights. The findings obtained were discussed in the discussion section.

Keywords: Preschool Education; Children's Rights; Legal foundations

* Received: June 16, 2024; revised: July 29, 2024; accepted: August 22, 2024; published August 30, 2024.

¹ Suat KOL is an Assoc. Prof. Dr Sakarya University, Vice Manager of Turkic World Research and Application Center, Türkiye. ORCID: <https://orcid.org/0000-0002-8291-7546>. E-mail: skol@sakarya.edu.tr

² Hilal İlknur TUNÇELİ is an Assoc. Prof. Dr, Sakarya University Educational Faculty, Türkiye. ORCID: <https://orcid.org/0000-0001-5305-5206>. E-mail: htunceli@sakarya.edu.tr

**Corresponding author: skol@sakarya.edu.tr

A. INTRODUCTION

Early childhood is a crucial phase in a child's developmental journey, laying the foundation for their physical, emotional, cognitive, and social growth. During this period, the child undergoes rapid changes, making early childhood education a vital component in shaping their future. Suppose this phase is supported with high-quality educational practices and care. In that case, it ensures the child's development progresses in a balanced and desirable manner, preparing them to face life's challenges confidently. Effective planning for early childhood education involves more than just addressing essential developmental milestones. It integrates a comprehensive approach that considers the child's rights as universally and locally recognised. These rights include access to quality education, equal opportunities for growth, and a nurturing environment that respects their individuality and cultural background. By prioritising these rights, early childhood education fosters holistic development and empowers children to reach their full potential. Furthermore, such education creates a solid framework for lifelong learning, equipping children with the skills and values necessary to contribute meaningfully to society. Therefore, investing in and thoughtfully planning early childhood education is essential for the well-being and success of the individual child and the broader community.

Children's rights are shaped and guaranteed by national laws and international obligations arising from treaties and agreements to which Turkey is a party. These frameworks aim to protect and promote children's well-being, development, and dignity. On a broader scale, particularly in Europe, the recognition of childhood as a distinct and significant period in human life, accompanied by the acknowledgement that children have inherent rights, can be traced back to the Renaissance. During this era, philosophical, cultural, and social shifts led to a greater emphasis on the individuality and development of the child, paving the way for progressive ideas about education, care, and protection. Over time, this acknowledgement evolved into formalized legal frameworks and global conventions, such as the United Nations Convention on the Rights of the Child (UNCRC). Today, these rights emphasise the importance of nurturing, safeguarding, and respecting children as independent individuals with unique needs and voices, reinforcing the global commitment to creating a safer, healthier, and more inclusive environment for children to thrive. Turkey's adherence to such principles underscores its efforts to align with international standards while addressing its younger population's specific cultural and societal needs. ([Işıklı, 2019](#))

In the pre-Islamic period of Turkish history, encompassing significant states such as the Hun, Gokturk, and Uighur empires, it is evident that love and care for children held a prominent place in society. Despite variations in cultural practices and traditions, these civilizations prioritized the protection and education of children as fundamental responsibilities. Each state implemented unique methods to ensure the well-being and upbringing of the younger generation, reflecting the importance placed on nurturing and preparing children for the future. This deep-seated value of child affection highlights the Turks' cultural emphasis on familial bonds and societal continuity even in ancient times. ([Ahmetbeyoğlu, 2001](#); [Gültekin, 2018](#); [Akyüz, 2021](#))

B. METHODS

This study uses a qualitative research method with a literature approach and a legal approach. This qualitative approach aims to deeply understand the phenomenon of early childhood education in Türkiye in relation to the law and children's rights. Through the literature approach, researchers collect and analyze various secondary data sources such as scientific articles, books, official documents, and reports from international organizations related to children's rights and early childhood education. This approach helps researchers understand the theoretical framework and relevant practices. Meanwhile, the legal approach examines aspects of regulations and laws governing children's rights in Türkiye. This study analyses national regulations, ratified international conventions, and educational policies related to fulfilling children's rights. Combining these two approaches allows the study to provide a holistic picture of implementing laws and policies that support early childhood education in Türkiye while highlighting the importance of respecting children's rights under international legal standards.

C. RESULTS AND DISCUSSION

1. Historical Process of the Concept of Childhood

Plato defines human nature as evil in his work *The Republic*. He thinks people will always turn to evil whenever they have the opportunity and associates childhood with this ([Senemoğlu, 2016](#)). The concept of childhood has been interpreted differently by different cultures and beliefs since prehistoric times, and children's rights, education and needs have been shaped according to these interpretations. The perception of childhood in legal terms was interpreted

unacceptably today, from ancient times to the early 19th century, and attitudes were shaped according to these interpretations. So much so that in ancient times, in Greek and Roman civilizations, families were given the right to abandon their children and give them to another family whenever they wanted. According to the Code of Hammurabi, if the child did not show the necessary respect to the father, the father was given the right to cut off a limb or sell it as an enslaved person ([Erkut et al., 2017](#)). In Arab culture, it was considered normal to bury girls alive and destroy sick and disabled children. ([Ata, 2019](#))

Again, in the Middle Ages, the chaotic situation caused by strict religious dogmas in society negatively affected the perception of children and childhood, and the child was considered the product of original sin as a Christian belief ([Özcan, 2017](#)). During the Renaissance and the Age of Enlightenment, decreased mortality rates strengthened the emotional bond between parents and children and increased the child's value ([Uğur, 2018](#)). However, the increasing need for a labour force, especially after the Industrial Revolution, led to the emergence of the concept of child labour, resulting in the employment of children under very harsh conditions without any legal protection. For example, England banned the night work of children between 9 and 16 with a law enacted in 1819. Another law passed in 1833 prohibited the employment of children under the age of 9 and limited the working hours of children aged 9-13 to 9 hours a day. ([Demir, 1987](#))

These regulations reveal that children's laws and rights were not crucial in Europe about 190 years ago. This process shows that the social concept of childhood and the guarantee of children's human and legal rights have not been realized for many years.

2. Children's Law and Children's Rights

Children's rights and children's law have generally developed together. For this reason, it is seen that these two concepts are frequently used in the same or close meaning. However, children's law is more comprehensive than children's rights ([Doğan, 2021](#)). Children's law refers to the provisions of information regarding branches of law that are considered specific to children, and children's rights refer to the rights particular to the child and the rights that the child can reach within human rights. In other words, children's rights relate to the protected legal benefits of the child so that he can develop normally in a free and healthy way, morally, mentally, physically, emotionally, socially and economically ([Akyüz, 2021](#)). The concept of child law was introduced in 1894 with the idea of child protection, and as a result of the meetings held during the

process, attempts to establish a Center in Switzerland in 1912 and a congress convened again in Brussels in 1921 resulted in the establishment of the International Union for the Protection of Children. ([Akyüz, 2000](#))

Also, in 1920, a unique organisation called the International Children's Aid Union was established in Geneva. In this process, the Geneva Declaration of the Rights of the Child was published in 1924 and accepted by the United Nations General Assembly. The accepted declaration was signed by Mustafa Kemal Atatürk, the founder of the Republic of Turkey, who officially recognized the first children's day in the world in 1928, and Turkey became a party to the issue of children's rights ([Kurt, 2016](#)). Some activities carried out towards child law and securing the fundamental rights of children can be listed as follows.

- In 1912, a children's office was established in America.
- In 1946, UNICEF (The United Nations International Children's Emergency Foundation) was established within the United Nations.
- In 1948, it included the right of mothers and children to receive special care and support. The Universal Declaration of Human Rights was adopted, and the International Children's Center was established in Paris.
- In 1959, the United Nations adopted the Universal Declaration of the Rights of the Child.
- In 1989, the United Nations adopted the 1-article Convention of the Rights of the Child.
- The Convention on the Rights of the Child was signed by Türkiye in 1990.
- In 1999, the Convention on the Prohibition of Child Labour was adopted by the International Labor Organization (ILO). ([Erkut et al., 2017](#))

The provisions regarding children's rights, adopted by the United Nations in 1989 through the Convention on the Rights of the Child (CRC), outline comprehensive guidelines to ensure the well-being and development of every child globally. These provisions serve as a universal framework to protect children's rights in various aspects of their lives. The core principles of the convention include the right to survival and development, non-discrimination, respect for the views of the child, and the commitment to prioritize the best interests of the child in all actions concerning them. Additionally, the convention emphasizes the importance of access to education, healthcare, and an adequate standard of living for every child. It also highlights the need to protect children from violence, exploitation, and neglect. By adopting these provisions, member

states of the UN have committed to upholding and promoting children's fundamental rights and freedoms everywhere.

To this end, States Parties: a). Encourage the mass media to disseminate information and documents of social and cultural benefit to the child and by the spirit of Article 29; b). Promote international cooperation for producing, exchanging and disseminating such information and documents from various cultural, national and international sources; c). They promote the production and dissemination of children's books; d). Encourage the mass media to pay special attention to the language needs of children belonging to minority groups or Indigenous people;

Item 18

1. States Parties shall make every effort to recognize the principle that parents have joint responsibility for the upbringing and development of the child. The responsibility for the upbringing and development of the child falls first to the parents or, if the situation requires, to the legal guardians. These people act by considering the child's best interests above all else.
2. To safeguard and promote the rights outlined in the present Convention, States Parties shall provide appropriate assistance to parents and legal guardians in exercising their responsibilities in the child's upbringing and ensure the development of institutions, activities, and services charged with the care of children.
3. States Parties shall take all appropriate measures to ensure the right of working parents to benefit from childcare services and facilities and their children's right to benefit from such services and facilities.

Item 19

1. States Parties to the present Covenant shall not be subjected to any form of physical or mental assault, violence or abuse, negligence or negligent treatment, including rape, while the child is in the presence of his or her parents, his or her legal guardian or guardian, or any person who has his or her care. To protect against abuse and mistreatment. They take all legal, administrative, social and educational measures.
2. Such protective measures: To provide the necessary support to the child and those caring for him/her according to the requirements of the situation, as well as other methods required to prevent, detect, report, refer to the competent authority, investigate, treat and monitor the cases of child maltreatment described herein, and, if appropriate, to take over the work of the courthouse. It should also include effective procedures for organising social programs for the purpose.

Item 20

1. Every child who is temporarily or permanently deprived of his or her family environment or not accepted for his or her benefit shall have the right to special protection and assistance from the State.

2. States Parties shall provide appropriate care for such a child by their national law.
3. This type of care includes, among other things, placement in foster care, bail (kafala) in Islamic Law, adoption, or, if necessary, placement in appropriate institutions for child care. While considering solutions, due respect will be given to maintaining continuity in the child's upbringing and to the child's ethnic, religious, cultural and linguistic identity.

Item 21

States Parties that accept and permit adoption shall recognise that the best interests of the child are a primary consideration and shall uphold the following principles:

- a. Only the competent authority decides on a child's adoption. This authority, based on applicable laws and procedures and all reliable information, makes its decision by considering the child's situation regarding its parents, relatives, and legal guardian and, when necessary, by meeting with all relevant parties and complying with the obligation to obtain their consent for adoption.
- b. They recognise that intercountry adoption is an appropriate solution for child care when it is not possible for the child to be adequately cared for in their home country or if there is no family to adopt or place with.
- c. They ensure that the child considered for adoption in another country benefits from guarantees and standards equivalent to their country's current adoption situation.
- d. In intercountry adoptions, they take all necessary precautions to ensure that the placement does not become a subject of illegal money-making for those concerned.
- e. They shall promote the objectives of this article, as appropriate, by bilateral or multilateral arrangements or agreements and, in this context, shall endeavour to ensure that the competent authority or bodies carry out the child's placement in another country.

Item 22

1. States Parties shall ensure that a child seeking refugee status or who is considered a refugee under international or domestic law and procedures, whether alone or accompanied by his or her parents or any other person, shall have the right to comply with the provisions of this Convention and human rights or humanitarian matters. And shall take all necessary measures to ensure that the States enjoy protection and humanitarian assistance in exercising rights recognised in other international agreements to which they are Parties and applicable in this case.
2. States Parties shall, therefore, to the extent they deem appropriate, cooperate with the United Nations and other competent intergovernmental and non-governmental organisations cooperating with it to protect and assist a child in this situation and to assist any refugee child in reuniting with their family. They collaborate to collect information about his father or other family members. The protection granted by this Convention to a child who is permanently or temporarily separated from their family circle for any reason will also be given, on

the same principles, to a child whose parents or other family members cannot be present.

Item 23

1. States Parties recognise that children with mental or physical disabilities should have a whole life in conditions that ensure their dignity, promote their self-confidence and facilitate their active participation in social life.
2. States Parties recognise the right of disabled children to special care and encourage, within the limits of available resources and upon application, assistance to the eligible child and those responsible for their care that is appropriate to the child's condition and the circumstances of the child's parents or caregivers. And they commit.
3. Based on the awareness that the disabled child needs special care, the assistance foreseen to be provided by the 2nd paragraph of this article is provided free of charge, to the extent possible, taking into account the financial (financial) situation of the child's parents or those caring for the child. This help is organised to ensure that the disabled child can effectively benefit from education, vocational training, medical care services, rehabilitation services, and preparatory programs to enable them to work in a job. Recreation/entertainment opportunities aim to ensure the child's complete integration with society and their individual development, including cultural and spiritual aspects. Herds.
4. States Parties shall, in the spirit of international cooperation, exchange necessary information in the fields of preventive sanitary care, medical, psychological and functional treatment of disabled children, including information on methods of rehabilitation, education and vocational training services, and to reflect the strengths and understanding of States Parties in these fields. They encourage disseminating and using knowledge to develop and enrich their experiences. In this regard, developing countries' needs are mainly considered.

Item 24

1. States Parties recognise the child's right to the best possible standard of health and the benefit of institutions providing medical care and rehabilitation services. States Parties shall endeavour to ensure that no child is deprived of the right to such medical care.
2. States Parties shall pursue the full implementation of this right, notably: a). Reducing infant and child mortality rates; b). Provide medical attention and medical care to all children; ensure essential health services' development with emphasis; c). Combating disease and malnutrition within the framework of primary health care and, among other things, through readily available techniques and providing nutritious food and clean drinking water, taking into account the dangers and harms of environmental pollution; d). Providing appropriate pre-and postnatal care to the mother;
3. Helping all segments of society, especially parents and children, to obtain and use basic information on child health and nutrition, the benefits of breastfeeding, public and environmental health and accident prevention;

4. Improving preventive health care, parent guidance, family planning education, and services; taking appropriate measures for their purposes.
5. States Parties shall take all appropriate and effective measures to eliminate traditional practices that harm children's health.
6. States Parties undertake to develop and promote international cooperation to progressively achieve the full realisation of the right recognised in this article. In this regard, developing countries' needs are mainly considered.

Item 25

States Parties recognise that a child for whom the competent authorities have applied a placement measure for protection and care, physical or mental treatment, has the right to receive the treatment. All other conditions attached to the placement are reviewed regularly.

Item 26

1. States Parties recognise the right of every child to social security, including social insurance. By their national law, they shall take the necessary measures to ensure the full realisation of this right.
2. Social Security is provided by considering the resources and conditions of the child and those responsible for their care, as well as any other circumstances regarding the application for social security benefit made by or on behalf of the child.

Item 27

1. States Parties recognise that every child has the right to a standard of living adequate for their physical, mental, spiritual, moral and social development.
2. Responsibility for providing the living conditions necessary for the child's development falls primarily to the child's parents or others who care for them within the limits of their means and financial power.
3. States Parties shall, by their national situation and within their means, take the necessary measures to assist parents and other persons caring for the child in the implementation of this right of the child and, where required, implement financial aid and support programs, especially in matters of nutrition, clothing and shelter.
4. States Parties, whether located in the territory of the State Party or elsewhere, take all appropriate measures to ensure that the child's care expenses are covered by the child's parents or other persons with financial responsibility for the child. In particular, where the person with financial responsibility for the child lives in a country other than that of the child, States Parties shall encourage the concluding of international agreements on this subject or the conclusion of such contracts as well as other appropriate arrangements.

Item 28

1. States Parties recognise the right of the child to education, with a view to the progressive realisation of this right based on equality of opportunity, in particular:
 - a. They make primary education compulsory and accessible for everyone;
 - b. Promote the organisation of secondary education systems of various forms, general as well as vocational, and ensure that they are available to all children

- and take appropriate measures, such as financial aid and making education accessible, where necessary;
- c. They make higher education available to all according to their abilities, using all appropriate means;
 - d. They make information and guidance on education and career choices available to all children;
 - b. to. They take measures to ensure regular school attendance and reduce school dropout rates.
2. States Parties shall take all appropriate measures to ensure that school discipline is administered consistently with the child's human dignity and in accordance with this Convention.
 3. States Parties shall strengthen and encourage international cooperation in education, particularly to contribute to eliminating ignorance and illiteracy worldwide and to facilitate the acquisition of modern educational methods and scientific and technical knowledge. In this regard, developing countries' needs are mainly considered.

Item 29

1. States Parties agree that the education of children shall be aimed at:
 - a. Developing the child's personality, talents, mental and physical abilities as much as possible;
 - b. Promoting respect for human rights and fundamental freedoms and the principles enshrined in the Charter of the United Nations;
 - c. Developing the child's respect for their parents, cultural identity, language and values, the national values of the country where the child lives or comes from, and civilisations different from his own;
 - d. Preparing the child to live responsibly in a free society, in the spirit of understanding, peace, tolerance, equality between the sexes and friendship among all people, whether ethnic, national, religious groups or Indigenous people;
 - e. Developing respect for the natural environment.
2. Nothing in this article or article 28 shall be interpreted as being contrary to the freedom of natural and legal persons to establish and manage educational institutions, provided that the principles set out in paragraph 1 of this article are respected and the education provided in these institutions complies with the minimum rules established by the State.

Item 30

In States where ethnic, religious or linguistic minorities or Indigenous peoples exist, the child belonging to such a minority or Indigenous person is deprived of the right, together with other members of the minority community to which he belongs, to enjoy his own culture, to profess and practice his religion and to use his language. It cannot be left.

Item 31

1. States Parties recognise the child's right to rest, engage in leisure and play, engage in age-appropriate entertainment, and participate freely in cultural and artistic life.
2. States Parties shall respect and encourage the right of the child to participate fully in cultural and artistic life. They shall promote providing appropriate and equal opportunities for children in leisure, recreation, creative and cultural activities.

Item 32

1. States Parties recognise the child's right to be protected from economic exploitation and from performing any hazardous work that is likely to interfere with their education or harm their health or physical, mental, spiritual, moral or social development.
2. States Parties shall take all legislative, administrative, social and educational measures to ensure the implementation of this article. For these purposes and taking into account the relevant provisions of other International instruments, States Parties shall, in particular, take the following measures:
 - a. They establish one or more minimum age limits for admission to employment;
 - b. They make appropriate arrangements regarding the hours and conditions of work;
 - c. They provide for penalties or other appropriate sanctions to ensure the effective implementation of this article.

Item 33

States Parties shall take all appropriate measures, including those of a legal, social and educational nature, to protect children against the illicit use of narcotic drugs and psychotropic substances as defined in international agreements and to prevent the use of children in the illegal production and trafficking of such substances.

Item 34

States Parties guarantee the protection of the child against all forms of sexual exploitation and sexual abuse. To this end, States Parties shall, in particular:

- a. The child is deceived or coerced into engaging in illegal sexual activity;
- b. Exploitation of children in prostitution or other illegal sexual activities;
- c. Exploitation of children by using them in pornographic shows and materials;
- d. They take all necessary precautions at the national level and in bilateral and multilateral relations to prevent

Item 35

States Parties shall take all necessary measures at the national level and in bilateral and multilateral relations to prevent children from being abducted, sold or subjected to prostitution, for whatever reason and in any form.

Item 36

States Parties shall protect the child against any other form of Exploitation that may be detrimental to his or her well-being.

Item 37

States Parties shall ensure that:

- a. No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Those under the age of eighteen will not be given the death penalty for the crimes they have committed, nor will they be sentenced to life imprisonment with no condition of release.
- b. No child shall be unlawfully or arbitrarily deprived of his liberty. The arrest, detention or imprisonment of a child shall be required by law, considered only as a measure of last resort, and limited to the shortest practicable period.
- c. Every child deprived of his or her liberty shall be treated humanely and with due regard to the inherent dignity of the human person and the needs of persons of his or her age. Every child deprived of his liberty shall, in particular, be separated from adults unless his best interests require otherwise. He shall have the right to contact his family by correspondence and contact, except in extraordinary circumstances.
- d. Every child deprived of his liberty shall have the right to obtain legal and other appropriate assistance promptly and shall have the right to challenge the unlawfulness of his deprivation of liberty before a court or other competent, independent and impartial authority and to seek a prompt decision on such action.

Item 38

1. States Parties undertake to comply with and ensure compliance with the humanitarian rules of international law applicable to them in cases of armed conflict, including those applicable to children.
2. States Parties shall take all appropriate measures to ensure that persons under fifteen do not directly participate in hostilities.
3. States Parties shall refrain from recruiting children who have not reached the age of fifteen and endeavour to prioritise older people in cases where children between the ages of fifteen and eighteen must be recruited.
4. In accordance with their obligations under international humanitarian law regarding protecting civilian populations in armed conflict, States Parties shall take all possible measures to provide protection and care to children affected by armed conflict.

Item 39

States Parties shall ensure that a child who has been the victim of any form of neglect, exploitation or abuse, torture or any other form of cruel, inhuman or degrading treatment or punishment, or armed conflict can regain physical and mental health and reintegrate into society. They take all appropriate precautions. This type of rehabilitation and social reintegration takes place in an environment that promotes the child's health, self-confidence and dignity.

Item 40

1. States Parties shall ensure that every child alleged to have violated or is deemed to have violated the penal law They recognize the child's right to be treated in a manner that fosters his sense of dignity and worth and promotes his respect for the

- human rights and fundamental freedoms of others, taking into account the child's age and the desirability of his or her reintegration and constructive role in society.
2. To this end, and taking into account the relevant provisions of international instruments, States Parties shall, in particular, ensure:
 - a. No child may be alleged or accused of violating the criminal law, nor will he be deemed to have committed such a violation due to an act or omission that was not prohibited by national or international law at the time it was committed.
 - b. Every child accused of violating the criminal law has minimum safeguards: i. To be presumed innocent until the accusation against him is proven legally; ii. Immediately and directly from the accusations against them; or, where appropriate, to be informed through their parents or legal guardians and to receive necessary legal or other appropriate assistance in preparing and presenting their defence; iii. A fair hearing by the law before a competent, independent and impartial authority or tribunal, with the use of legal or other appropriate assistance, and in the presence of the child's parents or legal guardian, unless it is determined to be contrary to the child's best interests, in particular having regard to their age and situation. Ensuring that the matter is decided without delay; iv. Not being forced to testify or confess a crime; to examine or have examined witnesses against him and to ensure the attendance and examination of witnesses on his behalf on equal terms; v. If it is found to have violated the criminal law, the decision and the measures taken as a result of it shall be examined by the law before a higher competent, independent and impartial authority or court; vi. If the child cannot understand or speak the language used, they will benefit from the free assistance of a translator; vii. To have the right to full respect for privacy at all stages of the prosecution.
 3. States Parties shall promote the establishment of laws, procedures, authorities and institutions applicable solely to the child alleged to have, accused or recognised as having infringed the penal law and shall, in particular, endeavour to:
 - a. By setting a minimum age limit for violating the criminal law, it is accepted that the child below this age limit has no criminal liability;
 - b. Where appropriate and desirable, take measures for such children without judicial prosecution, provided human rights and legal safeguards are fully respected.
 4. Various arrangements, such as protective measures, guidance and supervision orders, counselling, conditional release, care placement, education and vocational training programs, and other institutional care options, will be implemented, and children will be treated in a manner that is proportionate to their situation and crime and in their best interest.

Item 41

Nothing in this agreement is more conducive to the realisation of children's rights and; a. in the law of a State Party; or b. This will not affect the provisions of international law applicable to the State. ([UNICEF, 2024](#))

3. Early Childhood Education in Turkey and Its Compatibility With Children's Rights

Early childhood education in Turkey went through certain stages after the proclamation of the Republic and took its current form. According to the Education Law 1926, all educational activities in Turkey are carried out by the Ministry of National Education (MEB). In this context, the ministry plans and executes early childhood education. Although early childhood education is not within the scope of compulsory education in Turkey, the state invests in expanding education. In this context, an educational program was first created for early childhood education in 1953, including achievements that support all development areas of children, and this program was updated over time to meet the age requirements and took its current form.

The general objectives of the Turkish National Education System have determined the aims and principles of early childhood education. These goals and principles have been defined by the child's fundamental rights, with a child-centred approach. These aims and principles of the Ministry of National Education General Directorate of Basic Education;

Purposes;

1. To support children's physical, mental and emotional development and to enable them to acquire good habits,
2. To support their adaptation to social life,
3. To prepare them for primary school,
4. To provide an everyday upbringing environment for children from environments and families with unfavourable conditions and ensure that children speak Turkish correctly and beautifully.

Basic Principles;

1. Preschool education should support children's cognitive, language, social and emotional, physical, and health development and prepare them for primary school.
2. Preschool education should be appropriate to children's needs and individual differences.
3. Preschool education should support the development of all children at the highest level, regardless of their socioeconomic level, language, culture, gender and individual needs.
4. Due importance should be given to children speaking Turkish correctly and beautifully.
5. The preschool education program is sensitive to differences and multiculturalism. Children should be supported in recognizing individual, social, and cultural differences and respecting others.

6. Inclusive learning environments aligned with democratic education should be prepared in preschool education institutions.
7. While planning, the interests and needs of all children and the possibilities of the family, environment and school should be considered.
8. Teaching principles (such as concrete to abstract, known to unknown, objectivity and clarity) should be considered when planning the learning process in preschool education.
9. Since movement and cognition are closely related, children should be encouraged to increase their interest and awareness in nature and other living things by planning outdoor activities for at least one or one and a half hours every day, regardless of weather conditions.
10. Children should be encouraged to express and reflect their thoughts representatively in different environments and ways.
11. Children's imagination, creative and critical thinking skills, cognitive flexibility, metacognitive skills, and life and communication skills should be developed.
12. Preschool education should develop children's feelings and behaviours, such as love, respect, cooperation, responsibility, tolerance, solidarity, justice, and sharing.
13. Preschool education should support children in forming a positive and realistic self-perception and developing self-respect and self-confidence. It should make them feel that they have freedom within limits by giving them impulse control and self-control.
14. Children should be supported to recognize their own and others' emotions, develop empathic skills, and be allowed to solve interpersonal problems constructively.
15. Children feel safe and accessible when they have a safe and consistent relationship with adults. For this reason, teachers should create a feeling of psychological closeness and secure attachment through positive, continuous, and sensitive interactions with children.
16. Children should be supported to develop independent behaviour; Adult support, guidance and reassuring closeness should be provided when they need help, and opportunities should be created where children can help others.
17. Children's opinions should be respected in the learning process, and the decision-making, planning and evaluation process should be managed jointly.
18. Teachers should give children freedom and create a structure with specific rules to develop internal discipline. This structure makes children feel safe, and children begin the discovery process by taking initiative.
19. Routines help children predict when and what might happen, making it easier for them to feel safe and self-confident, to keep up with change, and to understand the past, present and future. In addition, activities repeated daily, weekly and annually strengthen children's memories and help them develop good habits. Therefore, teachers should plan regular activities that are repeated daily, weekly and annually.

20. Play is the most effective learning method for children in this age group. For this reason, all kinds of games children can play should be included in the education program.
21. Development and learning occur within and are influenced by multiple social and cultural environments. At this point, teachers should consider that sociocultural environments and family life will impact children's learning. Children, families and society should actively participate in the education process.
22. Pre-school education and guidance services should be integrated, and the philosophy of preschool education should be considered when providing guidance services.
23. Within the scope of the preschool education program evaluation, the individual development evaluation of each child, the teacher's self-evaluation, and the program's evaluation should be carried out regularly and systematically.
24. Evaluation results should be used effectively to develop children, teachers and the preschool education program.
25. Teachers should constantly improve and critically re-evaluate their practices ([GDBE, 2023](#)).

4. Compatibility of Early Childhood Education in Turkey with The Declaration of The Rights of The Child

Turkey's early childhood education system ensures that every child develops healthily and prepares them for the future. This system's principles must be compatible with the UN Declaration of the Rights of the Child. Considering each of the basic principles of early childhood education, it can be stated which articles of the UN Declaration of the Rights of the Child overlap and how they protect and develop children's rights.

First, Respect for Individual Differences. Respecting individual differences in early childhood education in Turkey is directly related to the prohibition of discrimination in Article 2 of the UN Declaration of the Rights of the Child. According to this article, every child has equal rights regardless of race, colour, sex, language, religion, political or another opinion, national or social origin, property status, birth or another status. Respecting individual differences in pre-preschool education ensures that each child receives an education tailored to their specific needs and abilities. This way, every child can maximise their potential and progress at their own pace.

Second, Holistic Development. Giving importance to holistic development in early childhood education is linked to the right to education in Article 27 of the UN Declaration of the Rights of the Child. According to this article, education should aim to fully develop the child's personality, abilities,

and mental and physical skills. A preschool education program that focuses on holistic development emphasizes academic skills and social, emotional, language and motor skills. In this way, children become academically, socially, and emotionally equipped.

Third, Game-Based Learning. Using games as an essential learning tool in early childhood education parallels the right to play in Article 31 of the UN Declaration of the Rights of the Child. According to this article, every child should be allowed to play. Play is one of the natural ways children learn and helps them develop their imagination, creativity, problem-solving, and social skills. Game-based learning also contributes to children's active and participatory learning and maintaining their motivation.

Fourth, Learning by Experimenting and Doing. Using the method of learning by experimenting and doing in early childhood education is compatible with the right to education stated in Article 27 of the UN Declaration of the Rights of the Child. According to this article, education should support the child's right to learn actively and actively. Learning by trying and doing allows children to learn through concrete experiences and discovery. In this way, children understand the concepts better and permanently learn them.

Fifth, a Safe and Supportive Environment. Creating a safe and supportive environment in early childhood education is closely related to the right to dignity, which Article 3 of the UN Declaration of the Rights of the Child includes. According to this article, every child has the right to be treated with human dignity. Children can feel comfortable and secure, express their ideas freely, learn from their mistakes, and demonstrate creativity in a safe and supportive environment. In this environment, children should be respected and loved, and their emotional needs should be given due importance.

Sixth, Family Participation. Effective use of family participation in early childhood education supports the right to family unity in Article 7 of the UN Declaration of the Rights of the Child and the right of parents to participate in their children's education.

Seventh, Qualified Teachers. Teacher qualification in early childhood education supports the right to education, as stated in Article 27 of the UN Declaration of the Rights of the Child, and the right of every child to receive quality education. It is essential for the quality of education that teachers are experts in their field and knowledgeable about child development.

Eighth, Accessibility. The right of every child to equal access to early childhood education supports the prohibition of discrimination in Article 2 of the

UN Declaration of the Rights of the Child and the right of every child to equal access to educational opportunities. Education should be available to all children, regardless of socioeconomic status, gender, ethnicity, or disability.

Ninth, Continuous Improvement. The constant review and development of educational programs and practices in early childhood education in the light of current research and developments advocate the right to education in Article 27 of the UN Declaration of the Rights of the Child and the need for continuous development and improvement of education. Educational programs should be updated in the light of current research and developments.

Tenth, Quality Assurance. To monitor the quality of education provided by early childhood education institutions and programs and to establish regular inspection and evaluation mechanisms to check whether it is at the required standards, to monitor and supervise the right to education and the quality of education in Article 27 of the UN Declaration of the Rights of the Child. Argues that it should. Educational institutions and programs should be evaluated regularly, and compliance with the required standards should be checked.

D. CONCLUSIONS

As a result of the comprehensive comparison, early childhood education in Turkey is mainly compatible with the Declaration of the Rights of the Child. These principles include the balanced development of children in all areas (physical, mental, social, emotional, language), learning through play, respecting their individual differences, education programs being child-focused, receiving education in a safe and supportive environment, participation of families in education, qualified education, It aims to ensure that teachers are trained, that every child has access to quality early childhood education opportunities, that education programs and practices are constantly improved, and that quality assurance is ensured. It is envisaged that implementing these goals will contribute to children's rights in many ways. For example, thanks to the application of these principles, it can be thought that children will develop in a healthy and balanced way, maximize their learning potential, develop their social and emotional skills, increase their self-confidence and self-esteem, become happier and healthier individuals, and be more successful in the future.

In addition, schooling the entire age population in pre-school education, employing a sufficient number of teachers to meet all teacher needs, improving the physical infrastructure of early childhood education institutions and making educational areas safer and safer, providing enough materials for children to use, providing educational environments appropriate to the age and development

levels of children. It can be stated that organising the program will also contribute to child-focused education.

REFERENCES

- Ahmetbeyoğlu, A. (2001). *European Hun empire*. Turkish Historical Society.
- Akyüz, E. (2020). *Protection of the rights and safety of the child (In national and international law)*. National Education Printing.
- Akyüz, Y. (2021). *Turkish education history 1000 B.C. 2016 A.D.* Pegem Academy.
- Ata, Z. (2019). Child victimization from past to present. *Journal of Social Work* 3(1), 47-60.
- Demir, F. (1987), The purpose, character, features and development chart of Labor Law No. 3008 on its 50th anniversary. *Journal of the Faculty of Economics and Administrative Sciences* 2(1), 296-297.
- Doğan, B. (2021). *Civil rights of children in consideration of international law conventions* [Master's Thesis], Dokuz Eylül University.
- Erkut, Z., Balcı, S. & Yıldız, S. (2017). Child in the historical process. *Children and Civilization* 1, 17-28.
- GDBE (General Directorate of Basic Education). Preschool education program. Retrieved from <https://tegm.meb.gov.tr/dosya/okuloncesi/guncellenen-okuloncesiegitimprogrami.pdf>
- Gültekin, M. (2018). Historical foundations of education. M. Gültekin (Eds.), *Introduction to educational science* (pp. 113-132), Open Education.
- Işıkcı, Y. M. (2019). *Public administration and children*. Astana.
- Kurt, S. (2016). Basic international documents on children's rights and practice in Türkiye. *Journal of Social Policy Studies* (36), 99-127.
- Özcan, Ö. (2017). Historical development of childhood from the Middle Ages to the early modern period. *Children and Civilization* 2, 91-126.
- Senemoğlu, O. (2016). The human nature and the notion of society in renaissance political theory: From machiavelli to hobbes. *Human & Human* 3(8), 77-100.
- Uğur, S. B. (2018). Childhood perception and child rearing practices shaped from past to present. *SDU Faculty of Arts and Sciences Journal of Social Sciences* 45, 227-247.

Suat Kol, Hilal İknur Tunçeli

UNICEF (The United Nations International Children's Emergency Foundation)
(2024). Convention on the Rights of the Child. Retrieved from
<https://www.unicef.org/turkiye/en/convention-rights-child>