



**Mobbing Used Against Teachers By School Administrators: Examples Of Case\***

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Article Information	ABSTRACT
<i>Received:</i> 06.10.2021	<p>Mobbing means psychological violence, siege, harassment, inconvenience or annoyance. Mobbing against a teacher in schools can also negatively affect other teachers and create negativities in their performance. Also, this costs society a lot. It is crucial for teachers raising young people who are our future to work peacefully in their workplace both for themselves and for students. The purpose of this study was to assess mobbing behaviors, which are used by school principals against teachers and are submitted to the court. The study chose the "qualitative" research method. The study reached the mobbing cases opened by teachers against school principals on (www.LegalBank.com). The study investigated the mobbing cases by giving keywords without date restriction. Since the study investigated the court decisions to determine the mobbing behaviors used by school principals against teachers, it used the "document review" method and reached 15 cases between 2010 and 2020 within this scope. As a result of the study the school principals most displayed behaviors in the category of "attacks against professional career" of the teachers. Eight of the cases were attacks against professional career. Then the study reached six mobbing cases against communication. However, the study encountered no behaviors related to "attacks against social relations". In order to prevent these behaviors, we can recommend the following: Awareness should be raised in teachers concerning psychological harassment/intimidation in schools, seminars should be organized for them to protect from such behaviors via in-service training applications, awareness should be raised in teachers concerning their legal rights, the crime of administrators applying mobbing should be registered and they should not be allowed to get promotion and should be suspended for a certain period of time.</p> <p><b>Keywords:</b> Teachers, mobbing, school principals</p>
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## 1. INTRODUCTION

The word mobbing, which comes from the Latin "mobile vulgus", has meanings such as rudeness, psychological violence, siege, harassment, distress or annoyance, and violence. For hostile or immoral aggressive and destructive behaviors to be considered mobbing, these actions must be for a certain period of time, for a specific target, and the victim who is subjected to emotional abuse must have difficulty coping with the situation (Einarsen, 1999).

Mobbing is an English term first used by scientists in the 19th century to describe the behavior of birds flying around an invader to protect their nests. The concept was later deployed by Konrad Lorenz in the 1960s in the study of animal behavior, as when small groups of animals attacked a strong and solitary animal en masse to drive it away or among birds from the same brood, where other birds exclude the weakest bird by keeping it away from food and water, making it very weak and expelling it from the group (Yılmaz and Kaymaz, 2014; Çopur, 2017).

Dr. Heinz Leyman combined the concept of mobbing with business life. According to Leyman, mobbing is a kind of psychological terror that occurs in the form of a systematic, hostile and immoral communication directed against another person by one or more people. Various concepts have been used; however, all of them appear to refer to a similar phenomenon: an extended period of time during which one or more employees finds themselves on the receiving end of systematic aggression, whether direct or indirect, and which they are unable to defend themselves against (Einarsen, 2000). Einarsen, Hoel, Zapf and Cooper (2003) discussed acts of harassment, causing offense, social exclusion, interfering negatively with work tasks, and

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systematically making individuals the focus of negative acts. The forms of mobbing vary according to working conditions; the most common behaviors include shouting, discrimination, insulting language, obscene gestures or looks, and, most seriously, can also involve physical assaults. In the most extreme cases, homicide may even occur (Bowling & Beehr, 2006). The incidence of these phenomena, as well as their ultimate effects, is related to a variety of factors (Einarsen & Hauge, 2006). Different studies have found that sexual harassment is the most common form of inappropriate conduct and hostile behavior (Solis, Ramirez & Corona, 2019). In Turkey, the concept of mobbing was included in a judicial decision for the first time in 2006 (Ankara 8th Labor Court E, 2006/19. K. 2006/625, T. 20.12.2006). Mobbing is a systematic act done by superiors to their subordinates or to those in their same department that is against the rules and morals of the work by acts of contempt, threats, intimidation, harassment, humiliation, and all kinds of ill-treatment (Tınaz, 2011: 7).

### 1.1. Mobbing at Work

As a result of the damages caused by the people exposed to mobbing towards themselves, the institutions and the society, both the institution and the person suffer, and the cost to the society is also high. A worker working at QC Transpo in Canada shot four of his colleagues and committed suicide. After this event, studies on mobbing started (Westhues, 2002).

Mobbing has serious physical and psychological consequences on people. Although these results vary depending on the strength of individuals to endure violence, each individual suffers from it. This damage not only affects the person, but also his family. In addition, it has impacts on people who witness mobbing. A study conducted by Maran, Zedda, Varetto (2021) on 1200 Italian workers investigated the exposure of people witnessing mobbing according to gender. The findings showed that witnesses of both genders emphasized the verbal, physical and psychological aggression which occurred in relationships inside the organization, intrusion into individuals' private lives, excessive monitoring, social isolation, and deskilling, all of which had an effect on their co workers. With regard to health and work-related stress, it was found that male and female witnesses of mental harassment perceived themselves to have more severe mental health problems than those who had not witnessed such behavior. The most common effects seen are psychological problems such as depression, anxiety, worry, physiological diseases such as nervous disorders, chronic headaches, heart diseases, abdominal and intestinal spasms, diabetes, dermatological disorders. The material and moral costs incurred for the treatment of these are worrying the person. In addition, there are cases of loss of self-confidence, low performance caused by the feeling of being excluded, even being unable to do his job, and eventually having to quit his job (Mercanhoğlu, 2010).

According to a study conducted in two public hospitals operating in the province of Kütahya in Turkey, it has been observed that women have more exposure to mobbing than men. In the same study, it was determined that employees between the ages of 18-30 were exposed to mobbing more. These ages are the age range in which the employee starts to gain experience in working life and tries to rise. In the same research, it was determined that psychological harassment (mobbing) increased with the level of education (Yılmaz, Özler & Mercan, 2008). Bandow and Hunter (2008) note that the workplace environment and civility/incivility are two significant factors that have an effect on the productivity and motivation of employees. As a result of their study conducted with teachers, Güllü, Yıldız & Kaya (2020) determined that mobbing caused teachers to desire to abandon the profession.

As in all organizations, mobbing events are also encountered in educational organizations. According to Zapf (1999) mobbing leads to a number of health problems, including, psychosomatic complaints, depression, posttraumatic stress disorder and anxiety (Zapf, 1999: 72). Mikkelsen and Einarsen (2002) stated the following in a way to support the aforementioned statement: "to be a victim of intentional and systematic psychological harm by another person seems to produce severe emotional reactions such as fear, anxiety, helplessness, depression and shock". Teachers communicate and interact with school administrators and may sometimes experience conflicts while performing their duties. Many researches have been done on this subject. Some of these are: Ertürk (2005) found that the mobbing actions that teachers and school administrators are exposed to mostly vary according to gender, duty and age. In another study conducted in six different provinces of Turkey, the intensity of the mobbing behaviors experienced by teachers in secondary education were investigated. It was found that those employed in private schools had a greater exposure to mobbing than other teachers. However, it was also found that there was no significant difference in mobbing with regard to gender (Bulut, 2006). In their study, Cemaloğlu and Ertürk (2007) examined the mobbing behaviors of teachers and school administrators working in primary schools in terms of gender. In this study, it was determined that male teachers were exposed to mobbing more than female teachers. In another study conducted with primary school teachers; It has been determined that there is no significant difference between mobbing in the workplace by gender, professional seniority, branch and education level (Aksu and Balcı, 2009). In a study conducted by Gökçe (2012) on private and public primary school teachers and administrators, it was found that teachers and school administrators occasionally encounter mobbing behaviors and aggressive behaviors are similar in both school types; It has also been determined that both teachers and school administrators are mostly exposed to these behaviors by school administrators. According to the research of Çelebi and Kaya (2014), it has been seen that those who practice mobbing are mostly at the top level, in other words, they are the manager and the assistant manager; on the other hand, the victims are also exposed to mobbing by those in equal positions. It was observed that 20% of the victims were exposed to intimidation by the senior management and 5% by both their superiors and their colleagues. In a study conducted with primary and secondary school teachers in Edirne; It has been determined that male teachers are exposed to mobbing more than female teachers, and teachers with 6-10 years and 21 years and more professional seniority are exposed to mobbing more than other teachers. In addition, it has been observed that male teachers

working in high schools are more advantageous than women in combating mobbing. In the study, it was determined that teachers working in schools run by female principals were more effective in combating mobbing than those working in schools with male principals (Ocak, 2008). In another study conducted on primary school teachers in Şanlıurfa, it was determined that female teachers were exposed to psychological harassment significantly more than male teachers (Kılıç, 2009: 876). In another study conducted with primary school teachers in İzmir; it has been observed that there is no significant difference between mobbing in the workplace and gender, professional seniority, branch and education level (Aksu and Balci, 2009). According to the study conducted by Çivilidağ (2015) examining the relationship between gender and mobbing, it was determined that female employees were exposed to mobbing more than male employees (Di Martino et al., 2003). In particular, it has been determined that female teachers are more exposed to mobbing at school than males. In another study conducted on teachers working in primary education in Ankara; It has been determined that male teachers are more exposed to mobbing in the workplace than female teachers (Cemaloğlu & Ertürk, 2007). According to the findings of the research conducted by Çelebi and Kaya (2014), it has been determined that those who apply to mob are mostly at the upper level. In other words, it has been seen that those who apply to mob are the principal and deputy director, and on the other hand, the victims are also exposed to intimidation by their equals. 20% of the victims stated that they were exposed to intimidation by the senior management and 5% by both their superiors and their colleagues. Tanoğlu (2006) carried out his research titled "Evaluation of Mobbing in Businesses and Its Application in a Higher Education Institution" with a sample of academicians working in the faculties of Veterinary Medicine, Architecture-Engineering, Science and Literature, Economics and Administrative Sciences and Communication and reached the following findings: It was determined that 15% were exposed to mobbing. In the study, it was determined that more mobbing was applied to men. It was observed that 44% of the academicians participating in the study experienced anxiety and depression, and 38% experienced physical ailments such as headaches and stomach problems. At the same time, in studies on mobbing to which the academics, who constitute the research group of this study, were exposed, there were findings related to the lack of self-confidence and the personality structure of the practitioner (Tanoğlu, 2006). In a study conducted on nurse academicians, it was stated that as a result of mobbing, academicians do not trust anyone in business (65%), they feel stressed and tired (71%), and they constantly remember these behaviors (71%) (Yıldırım, Yirik & Yıldırım, 2014:38). The fact that teachers are exposed to mobbing forces them psychologically and increases their stress levels. Karakus and Çankaya, 2012; In the research conducted by Yaman, Vidinlioğlu, and Çitemel (2010) studies have revealed that female teachers who are exposed to mobbing feel excluded and humiliated, and that this affects their private lives as well, making them feel restless and stressed. As a result of a study conducted by Çetin, Danacı & Kuzu (2020) on 698 preschool teachers, the findings suggested that there was a significant correlation between psychological violence and work performance in a negative direction. In addition, mobbing costs to an organization. As a result of a study conducted by Rayner and Keashly (2005) on 1000 employees, it costed 750.000 dollars to the organization budget due to absenteeism and decline in productivity. Mobbing has negative impacts on not only those who perform it, but also on those who witness it.

Mobbing is one of the most common problems organizations face. Mobbing ranks third among the complaints made to the Public Servants Ethics Committee between 2005 and 2016 (KGEK, 2018). There are individual and organizational consequences of mobbing. When considered individually, they are acute health problems, chronic health problems and stress-related health problems. As a result of mobbing, both the person and the organization suffer. In such a situation, unrest prevails throughout the organization. When we consider mobbing in the school environment, in schools, it is vital that teachers are able to work in a relaxed environment, both for their sakes and for their students. Work-related stress has an impact on productivity and professional satisfaction, and may even result in violence at work (Quick and Tetrick, 2011). In teachers, stress related to their work is a serious risk factor for mental health problems such as anxiety and depression (Chan, 2002; Johnson et al., 2005; Kyriacou, 2001). Moreover, teachers' mental ill-health can affect how students learn, prevent the development of strong teacher-student relationships, and affect teachers' ability to become aware of and support their students' own mental health needs (Mc Henry, Drane, Joyce & Donovan, 2020). It is thus important to examine such mobbing behaviors with concrete documents and to take the necessary precautions. Although there have been various studies on mobbing, there is no study on case examples, so this study is also important in terms of presenting concrete data.

## 1.2. Purpose of the Study

The purpose of the current study was to examine the mobbing cases filed by teachers against school principals between 2010 and 2020. For that purpose the study sought an answer to the following questions:

- 1) What is the distribution of mobbing cases by years?
- 2) How did the cases result?
- 3) What kind of mobbing were the teachers subjected to?

## 2. METHODOLOGY

In this study, which is in the scanning model, the "qualitative" research method was preferred. Qualitative research uses both written and pictorial materials when it is not possible to conduct interviews and observation. This study used the "document review" method because court decisions were being studied. Document review involves the examination of written materials containing information about the topic to be investigated (Yıldırım & Şimşek, 2016).

## 2.1. Data Collection

In this study, mobbing cases filed by teachers against school principals were found on the website [www.LegalBank.com](http://www.LegalBank.com) databases. We used the keywords "teacher", "school" and "school principal" in the search engines of the databases. Since we encountered no mobbing case filed before 2010, we limited the study to ten years. We scanned the cases between 2010 and 2020 and found 17 cases. The two cases fall into both separate categories.

## 2.2. Analysis of Data

In the study, mobbing cases were examined with the "content analysis" method (Yıldırım & Şimşek, 2006). At the beginning of the research, the cases were based on the five mobbing categories that Leymann (1996: 170) created in terms of the effects to the victim and the categories are as follows,

- a- Attacks on communication
- b- Attacks on social relations,
- c- Attacks on personal image,
- d-Attacks on professional career
- e- Attacks on health

To ensure the study's reliability, cases were selected at random and then re-coded over different time periods by a research assistant studying criminal law. A consensus of 85 % was found after comparing the results of the coding. A consensus of 70% among coders is needed to confirm the reliability of research (Hall Vance & Van Hauten, 2001). The measurement of mobbing categories in the current study was thus reliable, because the consensus exceeded this percentage. Each case was assigned a code in the findings (eg, D1, D2, D3) and the years and numbers of the major decisions in the cases were provided in parentheses.

## 3. FINDINGS

Table 1.

*Distribution of Mobbing Cases by Years*

Year	Case
2013	1
2014	1
2016	2
2017	7
2018	2
2019	1
2020	3
Total	18

Table 1 shows the distribution of mobbing cases by years. We could not reach any mobbing case before 2013. We observed that mobbing cases were most filed in 2017. We reached three cases in 2020. We reached one mobbing case in each 2013, 2014 and 2019.

### 3.1. Results of the Cases

Number of rejected cases: 11  
 Number of accepted cases: 5  
 Number of appellant cases: 1

Examining the results of the cases, reasons for the eleven mobbing cases to be rejected were as follows:

Mobbing-based allegations require plausible proof rather than precise proof. According to the file content, there was no evidence convenient for plausible proof. Since the mobbing allegations of the complainant could not be proved, a complete rejection of the request was required. However, the acceptance of the request was not deemed suitable with erroneous justification and the judgment had to be reversed.

As is seen above, it is hard to prove mobbing cases. For example: In Case X, the principal and the assistant principal invite him to their room and insult him. As there was no witness in this case, it was hard to prove it. Prior to filing mobbing cases, it is required to accumulate evidence (Palabıyık, 2021).

Another group of cases was rejected because the court applications followed true ways of application. It was stated as follows.

"The claims related to the violation of items 17 and 20 in the Constitution were hereby resolved by unanimous vote TO BE UNACCEPTABLE due to "the consumption of ways of application" (Constitutional Court B.N 2013/2284 K. 15.04.2014). Unless these cases are expired, they can file another case.

**3.2.** Under this title, mobbing cases brought by teachers against administrators are examined under five headings (Table 2) and examples of cases are given without any changes in court decisions.

Table 2.

*Cases Filed by Teachers Against School Principals Between 2010-2021*

<b>Cases</b>	<b>f</b>
<i>Attacks on communication</i>	8
<i>Attacks on social relations</i>	-
<i>Attacks on self-image</i>	1
<i>Attacks on professional career</i>	8
<i>Attacks on health</i>	2
<b>Total</b>	<b>19</b>

Table 2 shows the categories of mobbing cases filed by teachers against school administrators between 2010 and 2020. As can be seen in Table 1. 17 mobbing cases that were submitted to the judiciary between 2010-2020 were reached. The reason why the number of cases appears as 19 in Table 1 is that two cases fall into both categories. Eight of these cases are attacks on communication such as being interrupted, scolding loudly, being excluded from decision processes, verbal attacks and threats; eight were mobbing cases involving attacks on professional career. One case is an attack on self-image; another case deals with the attack on health

**3.2.1. Attacks on communication.** Attacks on communication are behaviors aimed at limiting one's communication with the environment. For example, being constantly interrupted, scolded loudly, excluded from decision processes, verbally attacked and threatened. As can be seen below, six cases have been reached regarding these attacks.

*Case 1- The plaintiff stated that he was a teacher in ..., that the defendant was the administrator of the same school, that he was mobbed, that an investigation was launched against him for trivial reasons, and that he was also exposed to insults and actual attacks by the defendant; requested compensation for the material and moral damage suffered (Supreme Court decision 4 HD E.2015/16592 K.2016/ 7912 T.15.6.2016).*

*Case 2- The plaintiff stated that he was a teacher, that the defendants were teachers and administrators working in the same school, that the defendants were systematically and jointly mobbing to make him resign from the department head, and that all the actions of the defendants in this direction were in the nature of psychological harassment (mobbing); claimed non-pecuniary damage due to the violation of his personal rights.*

*In the concrete case, the plaintiff alleges that the defendants tried to make him resign, gossip about his professional inadequacy, tried to increase his workload, acted dishonorably, and frequently called him to their rooms and shouted (Supreme Court decision - 4. HD., E. 2016/5182 K. 2016/7395 T. 2.6.2016).*

*Case 3- He stated that the vice-principal verbally informed him and another department head that his duties as head of the branch were terminated without any justification, that this fundamental change regarding the plaintiff's position was against the Labor Law, that the deputy principal X, who was disturbed by this change, informed the school principal, that he school principal met with the plaintiff and the head of the other department without consulting anyone, that the school principal informed that the plaintiff and the head of the other department were reinstated on the same day, upon this decision of the school principal, Y deputy principal held a meeting without an agenda and without a report on 28.08.2014, contrary to school practices and administrative procedures, that the defendant's meeting with the assistant director of Y without an agenda constitutes the second stage of mobbing, that the deputy director of Y made insulting words against the plaintiff and made untrue accusations, that the plaintiff was humiliated, that the plaintiff's colleagues acted together with the deputy director and tried to prevent the plaintiff from fulfilling his duty of department head, that the religious culture teacher, with whom the plaintiff has worked since he worked as the head of the department, submitted the program to the management by obtaining the signature of the head of the department from his annual plans until the 2014-2015 academic year, this term he presented the program to the assistant principal without the signature of the plaintiff, that he was complained to the vice principal because another teacher was hired, that a group of the plaintiff's colleagues constantly made insulting gossip about the plaintiff and other teachers, that they lobbied the teachers who were dismissed at the end of the year, and they acted in a closed manner and engaged in mobbing, that oppressive, condescending and discriminatory behaviors were exhibited to the plaintiff (Court of Justice Decision - İstanbul BAM, 28. HD., E. 2017/3448 K. 2018/1152 T. 17.7.2018)*

Case 3 falls into two categories: attacks on professional career (such as not giving the victim a job at all or giving him under-capacity or meaningless work) and attacks on communication (behaviors aimed at limiting the communication of the person with his environment, constant interruption, loud scolding, being excluded from decision processes, verbal attacks and threats)

Case 4- *The prosecutor declared that he had been systematically subjected to behaviors that could be described as mobbing by the school administration and especially by ... who worked as an assistant general manager at the institution and as a result, he had begun to receive psychiatric therapy and medication and thus had to cancel his labor contract. Although the actions that were asserted to have taken place within the last three months prior to the cancellation of the labor contract were evaluated as psychological oppression, implementation of insulting, mortifying and psychologically painful actions, attitudes and behaviors such as threat, violence, humiliation, insult, discrimination, hypercriticism, harassment and intense working conditions which target a worker, are repeated systematically for a long time at certain intervals, are performed despite the resistance of the victim, hinder the work performance or lead to a negative work environment has to pose a massive attack against the honor, personality, character, belief, values, talents, experiences, accumulations, thoughts, ethnic origin, lifestyle, culture and similar aspects of the target person. This attack is carried out via actions such as making gossip and rumor, casting aspersions, humiliating before the society, underestimating, scribbling, discrediting and ignoring, which may mentally, spiritually, physically and bodily affect the person.* (High Court, Civil Chamber 22. D.E. 2016/26359, T.05.12.2016)

Case 5- *The plaintiff, who worked as the deputy principal of X Secondary School, applied mobbing to English Teacher E.Y, furthermore as a result of the investigation initiated on the allegation that XX, a classroom teacher working at the same school, showed disrespect to his superior during his duty, in summary, regarding the plaintiff; the alleged act was not confirmed, but deliberately shouted to the staff, arguing and saying, "Hello, are you deaf? If you're deaf, go see a doctor."* (District Administrative Court Decision- D. E. 2017/787 K. 2017/628 T.6.6.2017)

Case 6- *The school principal himself threatened to have the plaintiff dismissed from civil service and told the plaintiff that he would do his best to send him to another school, and the matter was then brought to the courthouse, and the school principal was sentenced for the crime of threatening, on the other hand, the school to which he was assigned was located in the village (neighborhood) where the principal of the school, who mobbed and threatened the plaintiff for 4 months, was registered to the population, and therefore a protection order was given for the plaintiff* (Gaziantep Regional Administrative Court - İ. D. E. 2020/875. 2020/207 T. 09.06.2020).

**3.2.2. Attacks on self-image.** In this regard (spreading rumors about the victim, mocking an apology, making sarcastic jokes about his speech, walking, ethnic origin, etc.), a case has been reached as seen below.

Case 7- *The plaintiff stated that he was a teacher at the ... school, that the defendants were administrators working in the same school, that he was systematically and jointly mobbed by the defendants, and that all the actions of the defendants in this direction were in the nature of psychological harassment (mobbing); requested non-pecuniary damage due to the violation of personal rights* (D12. District Court of Justice Decision. E.2017/1213 K. 2018/1326 T. 4.10.2018).

**3.2.3. Attacks on professional career.** Below, belonging to the category of attacks on professional career; Eight cases have been reached, including situations such as not being given a qualified job, being given meaningless jobs and being constantly relocated, and psychological harassment. Sample cases are given below. Some of these cases fall into more than one category:

Case 8- *With the decision of the X Administrative Court dated 15/05/2015, numbered E:2014/453, K:2015/512; the plaintiff was rendered incapable of working by being given conflicting duties in all four schools, the disciplinary penalty given to him for not fulfilling his duty of watch was withdrawn by the person who gave the sentence, also regarding the allegations that in the 8th-grade make-up exam held on 14-15 December 2013, other teachers were announced one by one and asked if they would take part in the exam but no such announcement was made to him; since in order to be awarded moral compensation, there must be severe pain and suffering as a result of the administration's action and there must be a serious fault of service, giving conflicting duties to the plaintiff,* (State Council Decision - 2. D., E. 2015/6046 K. 2017/6537 T. 25.10.2017)

Case 9- *He started to work at X School in 2007, including his term at the Ministry of National Education he has not been charged until today, he was punished on the grounds that he let his visitors in without them being searched by the security while he was busy teaching his students at the school, it is not possible for a person who is teaching in the classroom to accept the duty area as a guardhouse, it is not possible to go to the staff working at security and ensure that visitors are admitted without being searched, there is already a practice regarding the admission of visitors to the school without identity check in the guardhouse based on factors such as their status, prestige, and the position of the school personnel they will visit, they will already be searched in the guardhouse if the appearance of the incoming people pose a danger, it is also not possible to mention that he endangered the school, students and teachers with his behavior, it can easily be seen if the camera records are examined that the school principal allows the visitors to be*

*admitted without being subjected to any search, he has sufficient knowledge about the acts that require disciplinary punishment, as he has served on the disciplinary board for five years, as a part of the mobbing practiced by the school principal, disciplinary punishment was imposed on him and there was no act that required disciplinary punishment...* (District Administrative Court- 3.İDD, E.2017/821 K. 2017/962 T. 6.6.2017)

*Case 10- The applicant works as visual arts, technology and design teacher in a private educational institution. For the applicant, who resigned from the school he was working for, the said educational institution initiated enforcement proceedings for the collection of the notice indemnity and severance payment due to early termination. A negative determination case was filed with the request of the applicant to determine that the resignation petition signed under mobbing is unlawful and that he is not indebted to a real resignation letter (Constitutional Court Decision -1.B. B. 2019/23901 T.18.11.2020).*

*Case 11- In summary, the plaintiff's attorney in the petition; stated that his client is a teacher, that he has been working as a counselor at X Secondary School for 1.5 years, that the defendant is the principal in the same school, he learned that a complaint was filed about him on BİMER, an investigation was opened against him on 03.12.2018 upon a complaint, during the investigation he learned that the complaint was made by the defendant, the defendant had very serious allegations about the plaintiff, with whom he only worked for 15 working days, such as "... using school students as informants to follow other teachers' social media accounts, preventing teachers from doing their jobs by following teachers from fake accounts, using personal information and sharing without permission, displaying a disparaging attitude towards paid teachers in the school and imposing this on other teachers, putting pressure on paid teachers with mobbing, making the school institution almost a marriage program", also declares that the defendant has made accusations and slanders about the plaintiff on his social media account that exceeds the limits of criticism (District Court of Justice - 3.HD. E.2020/659 K. 2020/ 929 T. 15.10.2020).*

Case 12- is about the request for non-pecuniary damages due to mobbing. The court decided to accept the case and the verdict was appealed by the defendants.

*The plaintiff stated that he was a teacher in a Vocational and Technical Anatolian High School, that the defendants were teachers and administrators working in the same school, that the defendants were systematically and jointly mobbing to make him resign from the department chief, and that all the actions of the defendants in this direction were in the form of psychological harassment (mobbing) (Supreme Court Decision - 4HD E. 2019/1139 K. 2019/4695 T.17.10.2019).*

In the case above, it is seen that both horizontal mobbing and vertical mobbing were applied to the teacher. It is seen that department teachers and administrators are mobbing the teacher.

*Case 13- The applicant's criminal complaint due to the collection of information about his private life, unlawful administrative actions against him and mobbing in this way, by the school administration officials where he served as a teacher (D 12 Constitutional Court Decision - 2B B 2013/2284 T. 15.4.2014)*

*Case 14- He stated that; in the school where he served as the vice principal he was constantly humiliated and deprived of his duties and powers by the principal of the school, he was forced to do the jobs of the janitor and the teacher on duty, he was being gossiped on, the school principal was the cause of investigations against him and the disciplinary punishment, moreover the signature authority belonging to him was given to the previous deputy director, he was assigned to another school as a result of investigations against him and his psychology deteriorated with similar mobbing situations, he is being treated for this reason, and that he has suffered moral damage in this way (D 13 District Administrative Court, 1.İDD, E.2017/1136 K.2017/1077 T. 24.10.2017).*

In this case, it is seen that the school principal expects from his assistant to do the jobs of servants and on-duty teachers even though he is not in charge, and his signature authority was given to the previous deputy principal.

*Case 15- From the case file examination; The plaintiff, who works as an English teacher at X High School; reported about the deputy principal of the school and that cigarettes and alcohol were consumed in the school and dormitory borders, that he had a lot of reports about this, yet these events were being covered up, again, he reported that the school principal's deputy applied psychological pressure (mobbing) by displaying an attitude that hurt the plaintiff's honor and enthusiasm for working as a teacher, that he exhibits skeptical and insecure behaviors by constantly and deliberately giving credit to slander and gossip aimed at defaming, discrediting and attrition, make him feel that he is not being trusted, and being marginalized (D16, yar, 4.HD E.2013/4620 K.2013/ 8890 T. 15.5.2013).*

Case 15 falls into both categories. As of attack on professional status; not being given qualified jobs, giving meaningless jobs, and constantly being replaced; as of attacking communication, it is seen that behaviors like limiting the communication of the person with the environment are shown as othering behaviors.

**3.2.4. Attacks on health.** As can be seen below, a case has been reached on issues such as forcing the victim to do dangerous, heavy and difficult work, violence and even direct sexual harassment.

*Case 15- The plaintiff declared that he was systematically exposed to behaviors that would be described as mobbing, from the school administration and especially from the deputy principal of the institution, as a result, he declared that he started to take psychiatric treatment and use drugs and that he had to terminate his employment contract for this reason (D1, E.2015/13693, K.2016/26358, T.05.12.2016)*

Case 13 can also be included in this group. Case 13 As a result of some mobbing practices, his psychology has deteriorated, that he is being treated for this reason, and that he has suffered moral damage in this way (D 13 District Administrative Court, 1.İDD, E.2017/1136 K.2017/1077 T. 24.10.2017).

*Case 16. claimed that his salary had decreased, he was constantly harassed both psychologically and verbally by the new assistant principal who was a junior, was also offended in front of his teacher colleagues and other people and forced to resign from the school, received professional psychiatric support from a public hospital, took medication, terminated his contract ex parte due to the expiration of the contract and the mobbing on 14/096/2016 and demanded and sued for overtime pay and workmanship receivables from the defendant employer arising from the termination (D.16. Regional Courts of Justice, 8. HD, E. 2018/2145 K.2019/710 T.4.4.2019)*

This case is included in the scope of assault against communication and assault against health.

#### 4. RESULTS, DISCUSSION AND RECOMMENDATIONS

In recent years, teachers in Turkey have become more conscious on this issue and they go to law more often to protect themselves. The present study encountered no mobbing case before 2010, which is in agreement with this opinion. According to Matthiesen & Einarsen (2010), an increasing number of studies had focused on bullying in the workplace in the previous decade. Workplace bullying which according to the studies conducted abroad increased in 2000 and 2010 has come to us later. In a study conducted by Efiltili and Eid (2020), teachers stated they were to take legal action against mobbing. The results of the present study are in agreement with this opinion. In addition, Palabıyık (2021:224) suggests as a lawyer that most cases filed against mobbing are either rejected because they cannot be proved or the parties do not go to law due to lack of evidence. The findings of the present study are in agreement with this opinion.

As a result of the study, eleven of the cases filed were rejected, five won and one had not concluded yet. In the cases rejected, one of the reasons for rejection was lack of evidence. This shows that it is hard to prove mobbing. In mobbing cases, when there is no one witnessing the dialogues occurring between teachers and principals, it will be very difficult to particularly prove "insults and insulting words". This is in agreement with Palabıyık's (2021) opinions.

In this study, the mobbing applied by the school principals to the teachers was examined together with the examples of the cases. The fact that only 15 cases have been reached on mobbing does not mean that teachers are not mobbed; It can be interpreted that many mobbing cases are not brought to court. Five of the mobbing cases were related to communication. When cases related to communication are mentioned, it is referred that the person is constantly interrupted, scolded loudly, excluded from the decision processes, verbal attacks and threats. In one of the cases, the plaintiff stated that an investigation was initiated against him for trivial reasons and that he was also exposed to insults and actual attacks by the defendant. In another case, he claimed that they tried to make him resign, that they made gossip about his professional inadequacy, that they behaved in an insulting manner, that the principal and vice principals often called to their rooms and shouted. In another case, it was seen that the school principal threatened the teacher. In fact, a restraining order was issued against the school principal. As a result of the research conducted by Gündüz & Yılmaz (2008), the most common negative behaviors that teachers are exposed to are; having their ideas and opinions not taken into account, being shouted/yelled at, being the object of anger, having rumors spread about them, and being excluded, neglected, or otherwise ostracized. According to the research conducted by Dangaç (2007), the mobbing behaviors that teachers are exposed to are; verbal threats, ignorance, humiliation, contempt, excessive control.

In this research, one case related to the attack on personal image was encountered. In the studies conducted by Koç and Bulut (2009), Sargın and Çivilidağ (2011) it was stated that secondary school teachers were most exposed to attacks on social relations, person's reputation and quality of life. Reaching a case also shows that teachers do not take their mobbing behaviors to court. In their study titled "Mobbing on University Staff: a Systematic Review", Solis et al. (2019) investigated the data of 118 studies. According to the results of the study, a quarter of the sample of the study had been subject to workplace harassment. The main form of this was sociocultural harassment. At the same time, 75% of the studies were found to be discriminatory. Moreover, the workplace conditions and mental and physical and health of the victims had been negatively affected. A further result was that there was workplace harassment within university settings, most frequently in the form of sexual harassment. The data of the study shows that mobbing also occurs within educational institutions in Turkey. However, we have encountered no sexual assault case.

When the cases are examined, it is mostly under the heading of attack on the professional career of teachers by school principals and assistants; such as being faced with mobbing behaviors in terms of not being given qualified work, being given meaningless



jobs and being constantly relocated. When these cases were examined, it was determined that "others' suggestive behaviors about leaving your job" were experienced as "giving unreasonable or impossible to train jobs" and that teachers were exposed to mobbing. In one of the cases, the plaintiff stated that the jobs of the caretaker and duty teachers were expected of him. This finding shows parallelism with the research findings of, Ertürk ,2013; Günduz and Yılmaz, 2008; Kılıç, 2009; Kul, 2010; Okçu, 2011 ; Onbaşı, 2007, and Gül & Özcan, 2011 and Gökçe, 2012. In Karavardar's (2010) study, he has drawn attention to the fact that mobbing behaviors such as belittlement of employees, constant criticism of the job, constant threats, anger, exclusion, ignoring, pressure, depreciation, demoralization, taking on jobs outside of work, giving impossible deadlines, demoralizing, and changing the area of responsibilities without being asked are frequently carried out by the superiors. According to a study conducted in Pakistan on academics (Ahmad, Kalim & Kaleem, 2017), bullying in the workplace is common among Pakistani academics, and up to half of them have regularly experienced behaviors including excessive supervision, undermining of their intellectual competence, a lack of recognition of their work and the obstruction of vital work-related issues.

Two mobbing cases related to the health of teachers were encountered. In fact, although not mentioned in other cases, studies have shown that all mobbing behaviors have effects on the health of victims. Mikkelsen and Einarsen (2002) stated that being subject to systematic, intentional psychological injury produces serious emotional responses, including depression, anxiety, helplessness, and a sense of shock. Effects of mobbing on victims; restlessness, stress, silence, burnout, physical discomfort, nervousness, lack of self-confidence, uneasiness, guilt (Ertüreten, 2008; Yaman, 2007), restlessness, burnout, silence, affecting physical health insomnia, headache, stomachache, motivation problems (Akbaş, 2009; Çakır, 2006; Dangaç, 2007; Yaman, 2007), stress, decrease in self-confidence, feeling guilty, uneasy, negatively affecting social and family life (Tınaz, 2008). Studies show that people who are dealing with mobbing suffer from depression, chronic headaches, anxiety, diabetes, dermatological disorders (Mercanoğlu, 2010; Yaman, Vidinlioğlu, & Çitemel, 2010). According to the studies conducted by Marana, Zeddaa, and Varetto (2021), mobbing witnesses perceive a higher level of mental health problems than non-witnesses.

Based on the results of the research, the following suggestions were made:

- a) Teachers should be made aware of the mobbing practiced by the school principals in schools and their rights regarding protection against mobbing, and accordingly, seminars should be given to them to protect them from mobbing behaviors.
- b) With the participation of the relevant parties, a committee to combat mobbing should be established within the Ministry of National Education to inspect schools.
- c) The crime of the manager who applies mobbing should be recorded in his record, his career promotion should be prevented and the disciplinary punishment corresponding to this behavior should be given.
- d- Teachers should accumulate necessary evidence prior to filing a mobbing case. They should avoid being alone with the administrators by whom they are subjected to mobbing as much as possible.
- e- With trainings to be provided on this issue, principals and administrators should be made more conscious.

Recommendations for future research

- a- The findings of the current study should support other researchers in examining ways to prevent and manage workplace bullying in higher education, and in encouraging the development of more positive academic environments.
- b- In addition, this research also provides important insights to those conducting research or working on mobbing in general.

## Research and Publication Ethics Statement

Ethics Committee Permission: Ethics committee approval for this study was obtained with decision of the Ethics Committee dated 03/09/2021 and numbered 50.

## Contribution Rates of Authors to the Article

This research was conducted by the author alone.

## Statement of Interest

Author has no conflict of interest to declare.

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