

School violence crime
A comparative study between French and Iraqi law

جريمة العنف المدرسي
دراسة مقارنة بين القانون الفرنسي والعراقي

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تاريخ استلام البحث: ٢٠٢٣/٣/٥

تاريخ قبول النشر: ٢٠٢٣/٧/١٣

Summary

The right to education represents a basic obligation on the state, as it represents a basic constitutional right, and this commitment leads the state to the need for continuous improvement of the requirements of this right, especially the creation of a sound educational environment, and it is not possible to talk about a sound educational environment with the spread of cases of violence committed in schools.

In fact, many students in various parts of the world still suffer from this scourge, as it is considered a major obstacle to the task of education and building the human personality in this era of life.

This study attempts to shed light on the concept of school violence and the position of Iraqi law on the cases of violence committed, in comparison with the French case, in order to facilitate support for efforts to combat it.

Keywords: school violence crime, right to education, school education environment, school students.

ملخص

ان حق التعليم يمثل التزام اساسي على الدولة، كونه يمثل حقا دستوريا اساسيا، وهذا الالتزام يقود الدولة الى ضرورة اجراء تحسين متواصل لمتطلبات هذا الحق ولاسيما خلق بيئة تعليم سليمة، ولا يمكن الكلام عن بيئة تعليم سليمة مع انتشار حالات العنف المرتكب في المدارس بجميع انواعه.

في الحقيقة، لا زال العديد من الطلبة في مختلف بقاع العام تعاني من هذه الافة، كونها تعد عقبة اساسية امام مهمة التعليم وبناء شخصية الانسان في هذه الحقبة من العمر.

ان هذه الدراسة تحاول تسليط الضوء على مفهوم العنف المدرسي وموقف القانون العراقي من حالات العنف المرتكبة، بالمقارنة من الحالة الفرنسية من اجل الاسهال في دعم الجهود الرامية لمكافحته.

الكلمات المفتاحية: جريمة العنف المدرسي، حق التعليم، بيئة التعليم المدرسي، طلبة المدارس.



Introduction

There is no doubt that education is the cornerstone that guarantees the building of a sane future for generations to come. Therefore, education has become an inherent constitutional right and a high priority of government work. Instead, it has become the measure of success or failure for these governments. Therefore, for the success of the educational process, a safe and calm environment should be created to drive the intellectual and educational process forward.

However, this task does not appear to be an easy one, as the educational process faces significant obstacles to the achievement of its goals, one of the most important of which is the violence used by teachers. Some teachers considers the language of dialogue with his students is violence, the tool of assurance to convey his message is violence, and, according to him, the students will not abide by the system without violence.

Indeed, in addition to social and historical factors, there are many factors that contribute to the spread of school violence. For some, violence is currently the easiest way for a teacher to organize a school without thinking about developing his teaching skills, so this is currently spreading without thinking about the negative impact, which leaves violence to the students.

1. The study problem

The use of violence is widespread despite its proven ineffectiveness in education and the presence of legal provisions prohibiting its use in Iraqi legislation. However, the law includes additional text allowing teachers to use violence "to a limited extent and for specific purposes". This is a major issue

that should be discussed in both Iraqi and compare it with French legislation.

2. Study methodology:

The comparative approach between the French and Iraqi legislation was adopted according to the method of the model and the problem. The reason for making this comparison is because of the spread of school violence in both countries "with different proportions" and the different paths between them in terms of criminalization and punishment policy.

3. The objective of the study

A proposal to amend a legal text related to not considering violence as part of the right to discipline in Iraqi legislation, after presenting the reasons and justifications.

4. Previous studies

There are many previous studies that dealt with the issue of school violence, but they did not deal with the comparison between Iraqi and French law, and focused only on the descriptive and conceptual side. For example, these books include:

-Ali abd al-Qadir al-Qarala, Confronting the phenomenon of violence in schools and universities, Dar Alam al-Thaqafah, Jordan, 2011.

The book consists of 210 pages. The book sheds light on the phenomenon of violence in schools and universities, and in modern societies as well. This is considered a socio-economic-scientific problem, and the book deals with addressing this phenomenon by consolidating good relations between the students themselves, and between them and their teachers through positive dialogue between students, in addition to activating school activities in all its dimensions; Cultural, scientific, sports, summer clubs, scouts and guides.

- Farid Jassem Hammoud Al-Qaisi, the Fitna of Violence in Iraq, the National Center, Baghdad, 2012.

The book consists of 302 pages. This book contains a research in which the researcher dealt with the phenomenon of violence in general in Iraq in a scientific spirit, and the scientific interpretation of it in the light of scientific theories that focused on this phenomenon, and then identifies the factors of violence in Iraqi society, by analyzing the social structure of society According to the level of social institutions, and shows the role of each in overcoming or strengthening violence in Iraqi society. |

- Philippe Vienne, Understanding violence at school, De Boeck Supérieur, Paris, 2008.

This book consists of 230 pages, written in French. The objective of this book is to enable professionals in the school world to avoid some of these pitfalls. The book is based on the field approach of a sociologist who shared the daily life of two vocational and technical schools for two years. It is on a daily basis that the tensions, conflicts, incidents and crises that cross a school are told. The author participated in the life of the two establishments by working there as an intern, supervisor or substitute teacher.

- Éric Debarbieux, La violence en milieu scholar, E.S.F, Paris, 1999

This book is one of the important sources that studied the phenomenon of violence in schools. It consists of 180 pages. This book is a results of five years of research. 14,000 students from all types of establishments and nearly a thousand teachers and other professionals took part in this reflection. According this book, the violence is not essentially crimes and

misdemeanors. It should be rethought in terms of incivility, climate and feelings of violence. It is a crisis of meaning linked to the difficulties of school integration of pupils from disadvantaged backgrounds. The great research work tries to define the concept of violence, its roots, causes and solutions that contribute to its elimination.

The plan templates

1. The conception of school violence
2. The philosophical explanation of school violence.
3. Types of school violence.
4. Criminal confrontation of school violence

1. The conception of school violence.

Violence is a complex concept, often understood as the use of force or the threat of the use of force, with possible consequences of injury, damage, deprivation or even death. Violence can be physical, verbal or psychological.

Violence is defined by the World Health Organization (WHO) as " the intentional use of physical force, threats against others or oneself, against a group or community, which results in or is at high risk of causing trauma, psychological harm, developmental problems, or death. This definition includes all types and all forms of violence, regardless of setting (school, work, community, etc.) or stage of life. Likewise, it makes explicit the consequences of violence on the physical and mental health of the person who experiences it.

In general, according to the typology proposed by the WHO, it is possible to divide violence into three main categories: self-inflicted violence, interpersonal violence – which includes both violence perpetrated by a loved one and by a stranger (called community violence) –,



and collective violence which can be social, political or economic. Each category encompasses several types of violence that are defined with reference to the group towards whom the violence is directed (child abuse, elder abuse), the relationship between the perpetrator and the victim of violence (domestic violence, family) or the environment in which the violence is committed (violence at school, at work).

For school violence, this act can be defunded “as force on school property it may be committed by students, teachers, or other members of the school staff; however, violence by fellow students is the most common”.

Stuart Henry mentioned that a school violence happened from the parties that may be a source of violence. Sometimes violence occurs between students themselves or between students and teachers. According to the researcher, the violence represents a physical or physical abuse

2. The philosophical explanation of school violence.

The mobilization around school violence has reached an unprecedented level at a time when surveys of unparalleled scope are published particularly in France, and where the public authorities are transforming this issue into a major national cause, it seems essential to us to take stock of the many dimensions that this subject raises. This dossier takes stock of the sensitive and complex issue of violence in schools, based on the most recent research in France and internationally.

Specialists from various disciplinary fields (educational sciences, psychology, law, pedagogy, sociology) focus their analyzes on the various aspects of this problem, both in the field of public policy

and in that of the responses that can be provided by professionals. The richness of these points of view, with different and often complementary roots, is the hallmark of the originality and interest of this issue. Designed in a logic of plural approaches, this book is intended to be stimulating by questioning ordinary reductive dogmas to better understand and prevent the phenomena of school violence. From violence at school in its history to the Estates General on School Safety, which were held in France in April? 2010 and including the recent National Conference on Bullying at School on May 2 and 3 the latter constitutes the extension, this special dossier aims to shed light on the different facets of the nebulous violence at school.

Éric Debarbieux and Yves Montoya present, in the first article of this file, the first major lessons of the investigation conducted independently, with the technical assistance of the DEPP, in a representative sample of 157 schools in eight academies. Never before had such national and academic representativeness been achieved. The purpose of this survey is to shed light on the victimization experience of elementary school children. One of the first important findings is that of a very positive view of primary school pupils on their schools, even if one of the most interesting aspects of the survey is also to reveal the weight of the combinations of violence, or microviolence, which could be considered in isolation as ordinary.

In the eyes of Claude Lelièvre and Francis Lec, historian and jurist, school violence is not to be considered as a new or recent phenomenon, but as a fact which has always existed, independently of the social origin of the pupils or the climate society of

an era. It is nevertheless necessary today to take into account the specific suffering of the victim teacher and to provide relevant and realistic legal and institutional responses. Violence should not be seen simply as a cause of deterioration of the climate that reigns at school. It is also, often, the consequence.

Starting from the school climate, analyzing it, defining the conditions for its establishment and improvement, are the prerequisites for preventing school violence. It is precisely a definition of the school climate, as a concept representative of all the realities of the establishment, and an approach to the indices which make it possible to characterize it that Georges Fotinos brings, not without having examined the policies, security or preventive, which have prevailed in the face of school violence over the past thirty years. According to him, it is clear that two major types of explanatory models preside over responses to violence in schools today: either security-related responses making the student solely responsible, or preventive responses, tending to research the endogenous or exogenous causes of this violence. This second dimension of the analysis is part of the approach in terms of "school climate". This is a tool allowing objective measurement, no longer centered on those responsible, but on the identification of problems and the search for solutions by and for the educational community.

In the register of the expression of new forms of violence, Catherine Blaya analyzes what is now commonly called cyberviolence or cyberharassment. In fact, new behaviors related to new communication technologies have appeared among young people. The digital age

carries risks unknown until now and questions in particular the new relationships between public spaces and private spaces or the links that exist between the real world and the virtual world. In this international summary, the author draws up an inventory of the issues of definitions and the prevalence of the phenomenon. It provides the most recent update on the consequences for young people and questions the effectiveness of current intervention programs.

Joining current debates on national identity and secularism, Jean-François Bruneaud raises the question of the weight of ethnic origin in the perception of the school climate through the recognition of cultural identities and their discrimination within colleges of Bordeaux Academy. But isn't the main thing to give oneself the means to think pedagogically about the phenomenon of violence in school, in order to be able to construct possible responses to it? This enterprise, in which Philippe Meirieu engages, based on a review of theoretical approaches to school violence since the 1970, leads him to explore the ways in which it will be possible at school to "take back the floor to combat violence": the words of the institution, educators and adults, in a framework of action structured by the triptych "defer, symbolize, stabilize" thus become for them the means of setting themselves up as tutelary figures, capable of keeping violence at bay.

It is clear that the institutional forms that violence prevention can take are a determining factor in the success of policies in this area. Thus Claire Beaumont presents an analysis of the deployment, in Quebec, of universal prevention programs, based on a common definition in the service of



building a network of “community partnership” These intervention programs, distinct from education programs, and implemented at the initiative of schools for all students, aim to help young people develop their social skills and better manage their aggression. However, they are not exclusive of more targeted actions aimed at pupils with behavioral problems. The methods of leadership within the establishment remain an important factor in the success of all these projects, with the emphasis being placed on the conditions for implementing these programs in a logic of early prevention.

The training of teachers, both initial and ongoing, in responding to violent behavior is one of the conditions and undoubtedly one of the keys to the effectiveness of the action. Still in Quebec, Nancy Gaudreau starts from the observation of the proven lack of management of students in difficulty in the initial training of teachers, generating a high risk of professional burnout and a negative impact on student success. His contribution underlines the importance of providing them with quality training, capable of leading them to open up to new intervention practices.

It is in the same spirit that Magdalena Kohout-Diaz proposes abandoning the idea of reducing school violence to neurological disorders or the mental health of students. In his view, the role of the school does not consist in serving as an auxiliary to screening and diagnosis services for behavioral disorders, but in rediscovering its primary vocation, which is to take care of them, taking into account the interdependence of all and the potential vulnerability of each. Thus, a logic and ethics of care are emerging, concerned with

human singularities, through practices that are now “invisibilized”, those for example of support staff, school life auxiliaries and school life jobs. From this opens up a new field of action where care, as a key element of the educational process, can contribute to effectively implementing educational differentiation and the prevention of school violence.

Bruno Robbes also wonders whether the violent behavior observed in many students is not a little hastily attributed to the neurobehavioural syndrome of ADHD [Attention deficit hyperactivity disorder] instead of taking into account the educational and pedagogical environment in which they evolve. Such a questioning leads him to deepen the notion of educational authority, to identify the knowledge of action that teachers develop to exercise it and to show how institutional pedagogy allows them, whether they are specialized or not, to provide this knowledge and make it operational in educational systems.

Another practice, recounted and analyzed by Jean-Pierre Klein, based on an experiment carried out in a college in Asnières, consists in working on the transmutation of the violence of the act into violence of the imagination, thanks to writing workshops conducted with so-called violent adolescents. The examples of texts produced in these workshops by these students show that the detour through creation when it is structured can lead to an improvement in their self-esteem and a valuation of themselves through their productions.

Noting that the experiential knowledge of educators, although primarily concerned by manifestations of violence, remains confidential for lack of

dissemination, Yves Jeanne collected from them accounts of episodes of extreme violence, with which they were confronted in their professional practice. The analysis of this corpus allows him to characterize three types of professional positioning in the face of violence through three logics of action: apprehending violence, procrastinating and undergoing violence.

Finally, Gilles Boudinet shows that the violence of young people at school no longer stems from a counter-culture of a protest nature, but from a trance- culture, dominated by the rejection of any form, therefore of any formation and of any status of subject in formation. This does not mean that these pupils have adopted other cultural forms than those offered to them by the school and to which it would suffice for them to adapt. But rather that these students are in fact resistant to any form, which the formative unity of form is inaccessible to them because they can no longer give it meaning.

Bringing scientific debates and issues within reach, testifying to experiences in the field, enlightening and participating in the democratic debate on a subject that is inevitably trapped are the guiding principles of this dossier of the new review of adaptation and schooling.

We cannot therefore, in our opinion, content ourselves with analyzing violence as an individual phenomenon. We will propose to understand it as the manifestation of an global phenomenon. It finds its explanation in the relational context and it is the form that a particular communication process takes.

Basically, the violent act constitutes a denial of the singularity of the other. Non-dialogue becomes the norm. The communication situation is therefore

marked and almost ritualized because the moments of conflict are often repetitive and stereotyped. This postulate makes it possible to hypothesize the construction, unconscious, by the actors of a relational framework, which will be defined as a rigid implicit consensus, within which certain verbal and non-verbal messages trigger the violent act. There would therefore be ritualized moments in the class when violence would be triggered by the recall of themes and privileged subjects which would be the signals and the mark of a degraded communication. Two types of relationship then result from the degradation of the complementary relationship. The first results in the transformation of the difference in position into inequality or oppression. The one who has the high position uses it to dominate the other, which can lead to real or experienced humiliations (a fact or impression that students often complain about and which is the source of many misunderstandings leading to violence). The second results in a violent reaction of the student, in mirror, which reveals a rigid complementarity of the roles and often does not authorize any evolution allowing to modify the relation.

3. Types of school violence.

Violence in general takes many forms, but it is possible to identify the forms of violence that occur in the school;

3.1: Physical violence

Although physical violence against students has been prohibited since 1845 in France for example, we see that there are still teachers who believe they are authorized to “correct” children, sometimes even with the support of their parents. Before the courts, these people are always condemned, but it is regrettable that in the first phase they almost always find the



support of their unions and their superiors.

Physical violence usually begins with minor incidents and with students having difficulty suppressing their aggression or anger. Most of them are committed in public that is to say in front of the whole class or in the playground out of sight, such as in the toilets or corners that are not visible to teachers or supervisors. Physical violence is essentially fights, kicks, punches, throwing stones, sand, hair pulling, spitting which are linked to a disagreement with a teacher or a friend. Physical violence takes place first in a balance of power: the strongest hitting the weakest, the youngest. The fight, on the contrary, supposes a relationship between pupils of the same age. The forms of physical violence experienced or committed therefore change with age: the youngest suffer more blows, fights and jostling. Unlike the older ones who commit this type of violence (so they are aware of it) and are rather victims of fights from students of the same age. Physical violence mainly affects boys (victims or aggressors), however this type of violence should not be considered as purely masculine, it is the forms that will be different. Thus, boys tend to resort more to beatings, fights and throwing objects, while girls are more into hair pulling.

3.2: psychological violence

The first stage of the violence is psychological. For example, a slightly different child such as a stammerer, a shy person, a child who is too well behaved during lessons, marginalized (in dress, hair or morals) or even from a minority on the scale of the pupils of the establishment, can be put aside, even harassed.

Moral harassment is also a form of psychological violence, studies carried out

by the NGO Plan International estimate that at least 246 million boys and girls suffer each year from school violence, among them 20 to 65% of pupils. Would be victims of verbal harassment, the most common form of violence in schools

3.3: verbal violence

Verbal violence can be defined as a regular act that targets someone's sensitive point. This act includes specific weaknesses of a person, such as put downs (in private or in front of others), ridicule, use of swear words that are particularly uncomfortable for the other, speaking ill of loved ones another, threatening other forms of violence, either against the victim or against a loved one

The school and university environment is no different from all other environments. Verbal attack is also linked to the victim's background, such as religion, culture, language etc.... Depending on the student's most emotionally sensitive areas, the actor often consciously target these issues in ways that are painful, humiliating, and threatening to the victim.

3.4. Sexual violence

Sexual violence is a term for any sexual act or act directed at a person's sexuality, gender identity or gender expression, whether the act is physical or psychological in nature. These acts can be committed, threatened or attempted against a person without their consent, and include sexual assault, sexual harassment, stalking, indecent assault, voyeurism and sexual exploitation.

Any student can be a victim of sexual violence, regardless of gender identity. However, it is important to understand that sexual violence affects different communities and individuals in different ways depending on their place in society.

4. Criminal confrontation of school violence.

1. In terms of international law

It is known that the phenomenon of violence is widespread at the global level, especially violence against children in school. Therefore, the international community took two paths to combat violence against to treat with this problem; fighting violence in general and Protecting children's rights and education.

The first; fighting violence in general:

Although the Declaration of Human Rights in 1948 urged granting the use of violence when it stipulated a set of human rights, among which in particular the right to personal security, The international community did not unanimously to navigate in the term **violence** independently, but to link it with other concepts, as the international community was very interested in combating violence against women.

As for international treaties, despite the fact that the 1981 treaty was very important, as it aimed to eliminate all kinds of discrimination against women and to preserve women's rights, it neglected the word violence.

To address this omission, the Committee on the Elimination of Discrimination against Women in 1992 added a general recommendation specific to violence against women. General Recommendation No. 19 was historic. She brought the issue fully to the world stage, recognizing that violence against women and girls was systemic and widespread, a product of inequality and pervasive within the home (previously, domestic violence was considered a private matter). It also led to the creation of the position of the United

Nations Special Rapporteur on Violence against Women, whose sole role is to eliminate such violence.

In addition, violence is mentioned in the context of the provisions of international humanitarian law, when preventing the use of violence during armed conflict.

• It's organized within the scope of the workplace. Violence and Harassment Convention 2019 define the violence "For the purpose of this Convention: (a) the term "violence and harassment" in the world of work refers to a range of unacceptable behaviors and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm, and includes gender-based violence and harassment (b) the term "gender-based violence and harassment" means violence and harassment directed at persons because of their sex or gender, or affecting persons of a particular sex or gender disproportionately, and includes sexual"

Although school violence was not mentioned explicitly in this international movement, and the only concern was to address violence against women, the term violence can be relied upon to establish the term violence within the scope of international law.

The second; Protecting children's rights and education:

According to international law, the states have an obligation to protect children from violence, governments should address violence in schools. The United Nations Convention on the Rights of the Child "20



November 1989” guarantees children the right to non-violence, including "physical and psychological violence, injury and abuse, neglect and negligent treatment, maltreatment or exploitation, including sexual violence”

In addition to that, the case law of the European Court of Human Rights (ECHR) relating to violence against children clearly establishes that states have a positive duty to take effective measures to protect children from violence.

But, violence against children is still too often considered socially acceptable and tolerated in today's world. For example, as UNESCO noted, by 2016 most countries had abolished corporal punishment; starting with Poland which had already abolished it in 1783; but 67 countries still allow corporal punishment in schools, including parts of the United States, a few states in Australia, and several countries in Africa and Asia.

It should be noted that violence is prohibited by law in both Iraq and France, however, France is more committed than Iraq in preventing the use of violence, due to the nature of the societal difference between the two countries.

5. Criminal confrontation of violence in French and Iraqi law

4.1: In France

In France, it took until 2011 for the violence to be named and defined. This is verbal, physical or psychological act, exercised by one or more students on another student, repeatedly and with the intention of harming. According to French ministry statistics, it would be one in ten students, mostly between the ages of 8 and 15 Student often targeted because of their difference, as explained very well by this grandmother, who wished to remain

anonymous.

Article R421-10 of the Education Code (3°) provides that the head of the establishment "**takes all measures**, in liaison with the competent administrative authorities, to ensure the safety of persons and property, hygiene and the sanitation of the establishment.

To combat the school violence, two important steps were taken in France, the first: when it adopted the principle of **Right to schooling without violence** under Law No law of July 26, 2019 for a school of trust. This law helped create a safe environment for the student throughout the study period.

The second is that the violence is considered as crime in the French penal code. It should be noted in the policy of punishment, the French legislator didn't care about determining criminal behavior, but rather relied on the final results criminal;

Provisions of the law mention that 3 years' imprisonment and a fine of €45,000 when he has caused total incapacity for work of less than or equal to 8 days or has not caused any incapacity for work. If the facts led to incapacity for work for more than 8 days, the punishment will be 5 years' imprisonment and a fine of €75,000. And the punishment will be 10 years of imprisonment and a fine of €150,000 when the facts led the victim to commit suicide or to attempt suicide. These sanctions can also be pronounced when the facts continue while the author or the victim no longer studies or no longer exercises within the establishment.

In addition, France adopts awareness programs and trainings for all parties in order to secure the right to education for a slave against the use of violence.

4.2: In Iraq:

The problem of violence in Iraq is the most complex. The phenomenon is rooted, due to social and cultural reasons. In fact, the teacher believes that he has the right to use violence against the students in order to guide them and teach them. Which complicates the matter, it can be said here that there is some kind of tacit acceptance of the use of violence in schools and universities in its various forms and degrees. Moreover, it is not possible to limit the number of cases of violence due to the absence of an accredited body that highlight this problem. But a question may be asked, is violence considered a permissible act in Iraq?

The Iraqi Penal Code No. 111 of 1969 considered the act of violence in general a crime and considered it as crimes of harm.

Article 410 mention that “Whoever intentionally assaults another by beating, wounding, or using a harmful substance, or by committing any other act that violates the law, without intending to kill him, but it resulted in his death, shall be punished with imprisonment for a period not exceeding fifteen years. The penalty shall be imprisonment for a period not exceeding twenty years if the crime was committed premeditatedly, or if the victim was of the offender’s ancestry, or if he was an employee or assigned to a public service, and the assault occurred on him during the performance of his job or service, or as a result thereof. “The Iraqi legislator has considered the use of violence a crime under the Penal Code. But, the question here is, what if a teacher hits a student with the intention of disciplining him lightly and leaving no trace?

According to Iraqi law, this act is not considered a crime based on the provisions

of Article 41 of the same law. Article 41 states: “ There is no crime if the act takes place in the use of a right established by law, and it is considered as a use of the right: 1- The husband’s discipline of his wife, the parents and teachers discipline minors within the limits of what is prescribed by law, law, or custom.”

In fact, it is very difficult to define a sentence (**limits of what is prescribed by law, law, or custom**). In addition, it cannot be guaranteed that this limits will not leave a negative result in the victim.

We As a result, it can be said that this article should be deleted because it does not comply with the requirements of preserving human rights or the requirements of education, and it contradicts the provisions of Article 410 of the same law.

The UNICEF reported that decades of conflict and lack of investment in Iraq have destroyed its education system, which was once considered the best education system in the region, and severely impeded children's access to quality education, as today there are approximately 3.2 million Iraqi children of school age who are out of school. Therefore, I urged Iraq to improve management in education, develop the quality of education, and invest in education as well.

. So, Iraq needs a comprehensive strategy to prevent violence in education and to create a safe educational environment.

Conclusion

At the end of the research, we would like to show that we did not spend much time describing the act of school violence, because it really exists and is widespread in most countries of the world.

In fact, the goal was to explain this phenomenon and limit it at the level of international and national law, as well as



also to benefit from the experiences of other countries in order to combat school violence. This was the reason behind making a comparison study between Iraqi and French law.

The study concluded that school violence is a phenomenon spreads in most schools, regardless of the difference in societies, due to a combination of historical and social factors, but the mechanisms to combat it differ from one country to another.

Therefore, we are not faced with the policy of ending the phenomenon of school violence, because it is like an impossible task, but rather with limiting it and reducing its incidence through effective mechanisms for diagnosing and treating these cases and creating a healthy school environment.

Perhaps these mechanisms were more clear in France, while Iraq still needs a lot of work. Indeed, the legislative texts in Iraq have not made up their minds to end the phenomenon of violence in all its forms. Therefore, we call on the Iraqi legislator to unify the policy to combat school violence in order to lay the foundation for a comprehensive strategy. To combat school violence.