

# How the Justice System is Portrayed in Turkish Movies

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The Cinema Club, which carries out activities under the auspices of the Ankara Bar Association, also took part in the workshop on “Turkish Cinema in the Light of Justice” in the General Assembly of Law this year.

Since the general theme was “justice” at the Assembly, with a collage prepared by assembling scenes from Turkish movie – in which there were court rooms, trials, attorneys, judges, and hearings – one after another in order to show how the justice system has been portrayed in Turkish movies. Subsequently, the view of the people from the movie industry was discussed and evaluated by people from the field of law, which is the most cinematographic field. Discussing the places, explanations, visual presentations, and especially the aim of the courtroom scenes in the collage, which are “must” scenes for the film industry, with participant directors, actors and actresses make the legal practitioners think about the question of “how does the film industry see law?” For sure, the justice system portrayed by the movies directly or indirectly influences the average citizen’s idea of the justice system and jurists. Unfortunately, sometimes the portrayal is not just inaccurate but also misleading. For example, in Turkish movies the audience is generally put in the place of “jury,” which does not even exist in the Turkish judicial system, and the attorney, judge or prosecutor addresses the audience, the “jury.” As the typical Turkish film comes to its end, it does not matter whether the trial is concluded fairly according to the present judicial system. If justice is maintained in the eyes of the audience, the rest is nothing but details. Although the reactions of the jurist audience range from laughing to being shocked, the truth is that the jurist audience has been watching these scenes for years, and that they have remained “just” as the audience of these scenes for years. What is aimed at in this workshop naturally is not “being funny.” The question of whether Turkish movies that are found funny by the jurist audience are really humorous or not do not constitute the subject of this article.

Generally Turkish movies do not like to reach justice in the courtrooms or through the justice system. The main instruments of the justice system are usually presented as “dispensable” in our movies. Since reaching justice through poetic means instead of the legal system makes the audience feel emotionally satisfied; this satisfaction is obviously seen as sufficient by the film industry. The audience is sure that the innocence of the hero in the movie, with whom they identify, will emerge in one way or another. The emergence of this innocence in a hearing is not very important. For this

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reason, a crucial witness arrives at the courtroom at the very last minute, generally “because they cannot live with the pain anymore,” to give their critical testimony. And the prosecutor (Kenan Pars, *Avare* – 1964) “accusing” the suspect with all of his or her strength understands that s/he has made a mistake and the real criminal was “the father of the suspect.” Trials are usually depicted as either noisy, with claps and laughter of the inhabitants of the suspect’s neighbourhood (*Doktor Civanım* – 1982) or with a deadly silence only sometimes to be broken with long and high-tension speeches. Trials are usually dependent on crucial developments in the very last minute; every unfortunate or awkward event that is unlikely to happen actually does happen to the hero. (Sadri Alışık, *Şakayla Karışık* – 1967). Naturally, during all the legal processes, the law practitioner viewer can never understand the “subject” of the trial. In divorce suits, a board of judges can be seen in the courtroom or the verdict “acquitted” can be heard at the end of the trial. Or even in an action of debt, the judge of Turkish movies can be heard “to dismiss the accusation” and of course a civil trial would take place in a criminal court room. Because anything in Turkish movies is done “for the sake of the movie” and anything regarding the law is touched only enough for the sake of the movie. Essentially, there is no need for the attorneys, prosecutors or the justice system to solve any legal problem for the main character. The movie industry is not interested in judicial matters or the judicial system. If the victim is innocent, then there is no need for an attorney anyways. Thus, victims usually do not need attorneys in our movies, and they do not want to have attorneys either. The movie industry has no concern about depicting the justice system accurately; therefore it is not interested in narrating the truthful depiction of the judicial system to the audience through films. Considering the example of an actor who acts as the judge, prosecutor and attorney at the same time (Yılmaz Güney – *Umutsuzlar* 1971), saying that the real actors of the justice system are defeated from the beginning by the heroes of the movie, who settle their own justice by themselves, is not an exaggerated comment. Of course the caveat is that these comments are for the melodrama of the Turkish movie industry and the general bias of Yeşilçam.<sup>1</sup>

It that the end, when all these Turkish movies are watched, especially the melodramas, there is no main character who is an attorney or a judge that the audience can identify with to satisfy their sense of justice. There is almost no attorney in our movies solving cases, no prosecutor chasing criminals, or no judge adjudicating a difficult case fairly, with determination, in spite of any controversy. However, many Turkish jurists remember *Petrocelli* clearly. The average Turkish audience, even if they were jurists or not, learned about long trial scenes, how to talk to the judges, how witnesses take oaths, how many people there are in a jury, and even cross examination from the serial programs *Advocate Petrocelli*, *LA Law*, *the Verdict*, *Accused* and *In the Name of Father* or from other American movies. They have not only learned about the American legal system and all the procedures of an American trial, but they also identify themselves with the “enlightening attorney uncovering the lies one by one” (Emma Thompson – *In the Name of Father*) or “with the

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<sup>1</sup> The Turkish “Hollywood”.

ambitious attorney of the victim” (Kelly McGillis – *Accused*) as in another example. Although the Turkish audience knows how an American judge dresses, the fact that a British judge wears a wig, where a solicitor stands or where the jury is located in the courtroom, it is unfortunately a troublesome question whether they can distinguish the robes of Turkish judges from the robes of Turkish attorneys. In the movie *Ne Olacak Şimdi (What Will Happen Now)*, a love story whose main characters are attorneys and reflecting how the attorneys can change roles with their clients in a humorous way, the question of why these attorneys (Nevra Serezli and Levent Kırca), wear court attire of different colours is nothing more than a little detail that makes a law practitioner say “a typical Turkish film in the end” (*Ne Olacak Şimdi* – 1979). The number of people thinking that there is a jury in Turkey should not be just a very few and it is not an unseen fact that a witness “holding his right hand up” while taking an oath or asking “where is the Holly Book” in real trials. The courtroom image in which long trials are made, breaks are given and false witnesses are made to feel ashamed in the mind of an average citizen dies all of a sudden when he or she enters an actual courtroom for the first time in his or her life with the bewilderment and thought of “it was so quick that we did not understand anything.” Of course the Turkish movie industry alone is not responsible for the inaccurate understanding of the Turkish legal system, but it is not unfair to say that the Turkish movie industry has not tried to establish the sense of “justice” and accurate depictions of judicial actors such as judges, prosecutor and attorneys.

In current movies, we observe that the industry, using the field of law again as a necessity, is beginning to depict the judicial system in a more realistic and accurate way. There are movies in which the legal problems are solved within the justice system, like in the movie “*Barda*” (*In the Bar*). While the audience would have been satisfied for the first time with the sentence the criminals received, it is observed that the industry could not easily give up the rules of melodrama. In “*Barda*” (*In the Bar*), the prosecutor is heard saying to the *victims* “they could get their own justice by self-help,” because the sense of justice of the audience would be satisfied by “taking more of the revenge of the victims.” Although the other jurist, the “judge,” and “victims,” and average citizens do not agree with the prosecutor’s approach, the criminals cannot escape from being severely beaten in prison for the audience to see. It is in fact the industry itself that is beating the criminals who raped and tortured the victims in the movie. This means that it is once again metaphorically stressed that revenge of the innocent is nonetheless taken by the industry. Another example, the movie “*Pardon*,” in essence, was produced from a subject explaining that justice does not occur in the trial. In *Pardon*, the stereotyped justice characters successfully and realistically show the judicial system to the audience in a very convincing way (*Pardon* 2004). The trial in *Pardon* is a real trial and the short defence of the attorney is stereotypical but legally accurate. Victims are innocent, but they still have attorneys. On the contrary, in the “*Barda*” there is no mention of the attorneys for the victims; as usual in Turkish movies, the need for attorneys only belongs the guilty. As law practitioners watch the typical scenes in silence or by saying “whatever,” because they are used to such melodramas.

Jurist audiences cannot help saying “this is just too much” when they see multiple suspects having only one attorney.

Justice, whether revealed in the courtroom or not, must be shown accurately by the industry. I do not wish for the industry to never harm the judicial system in melodramas, or to have the “let the snake that doesn't bite me, live a thousand years”<sup>2</sup> attitude. Wishing these means not obtaining the benefit of the criticism that the cinema will offer since it is one of the most important media. An effort is needed to question the judicial system through cinema. In this way, examining heroes from all aspects before announcing them as popular heroes and breaking the acceptance of “an eye for an eye justice” imprinted in the minds of the public by the cinema would be possible. The analysis and criticism of the justice system, or both fair and unfair legal decisions by the cinema, which is the strongest medium of the contemporary age, will accomplish a meaningful meeting of cinema and the justice system. This meaningful meeting will directly affect the public's understanding of law and justice.

In conclusion, to change the reflection of the public's understanding of the justice system on the cinema, jurists/law practitioners should not keep themselves away from the cinema and the movie industry should review its awareness of the realities of the justice system.

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<sup>2</sup> A common Turkish proverb.