

# SEEKING JUSTICE ON SOCIAL MEDIA FOR FEMICIDES IN TÜRKİYE

Özlem ÖZDEMİR\*, Elif Başak SARIOĞLU\*\*

Received: 18.01.2024 - Accepted: 28.03.2024

Özdemir, Ö., & Sarioğlu, E. B. (2024). Seeking justice on social media for femicides in Türkiye. *Etkileşim*, 13, 142-156.

<https://doi.org/10.32739/etkileşim.2024.7.13.244>

*This study complies with research and publication ethics.*

## Abstract

Social media platforms have become powerful tools for advocating rights and pursuing justice by mobilizing virtual "crowds". In Türkiye, where confidence in the justice system has declined, social media has emerged as an alternative means to seek justice. Social media activism is frequently employed in response to femicides, encompassing various communication and legal aspects. This article aims to investigate how social media is utilized in the fight against femicide in Türkiye. Does seeking justice through social media truly influence court decisions? Do users adhere to democratic principles and freedom of expression while engaging in social media activism? What are the positive and negative effects? Additionally, what legal challenges arise from the use of social media? These are the questions explored in this study. Instances such as the release of perpetrators of violence against women, protracted legal processes, or defendants benefiting from lenient sentences deeply disturb public conscience, erode confidence in the justice system, and propel social media activism, which spreads rapidly among the masses. To examine the legal aspects of the issue, in-depth interviews were conducted with fifteen lawyers. The findings reveal that social media posts seeking justice for femicides have a significant impact on large audiences. The study demonstrates that social media serves as a mechanism of social pressure accelerating the process of justice and plays a crucial role in the pursuit of justice. Nevertheless, it also highlights the potential legal risks associated with social media activism.

**Keywords:** Türkiye, femicide, social media, digital activism, social justice.

\* Associate Professor/PhD, Fenerbahçe University, Faculty of Communication, İstanbul, Türkiye  
ozlem.ozdemir@fbu.edu.tr, ORCID: 0000-0003-3144-4651

\*\* Associate Professor/PhD, Fenerbahçe University, Faculty of Communication, İstanbul, Türkiye  
elif.sarioglu@fbu.edu.tr, ORCID: 0000-0001-5558-6596

# TÜRKİYE'DEKİ KADIN CİNAYETLERİNE SOSYAL MEDYADAN ADALET ARAYIŞI

Özlem ÖZDEMİR\*, Elif Başak SARIOĞLU\*\*

Gönderim Tarihi: 18.01.2024 - Kabul Tarihi: 28.03.2024

Özdemir, Ö., & Sarioğlu, E. B. (2024). Seeking justice on social media for femicides in Türkiye. *Etkileşim*, 13, 142-156.

<https://doi.org/10.32739/etkilesim.2024.7.13.244>

*Bu çalışma araştırma ve yayın etiğine uygun olarak gerçekleştirilmiştir.*

## Öz

Sosyal medya platformları, sanal "kalabalıkları" harekete geçirerek hak savunuculuğu ve adalet arayışında güçlü araçlar haline gelmiştir. Adalet sistemine olan güvenin düşük olduğu Türkiye'de sosyal medya, adalet arayışında alternatif bir yol olarak ortaya çıkmıştır. Kadına yönelik şiddet olaylarına tepki olarak sıklıkla başvuru sosyal medya aktivizmi, çeşitli iletişim ve hukuki boyutları kapsamaktadır. Bu makale, Türkiye'de kadın cinayetleriyle mücadelede sosyal medyanın nasıl kullanıldığını araştırmayı amaçlamaktadır. Sosyal medya aracılığıyla adalet arayışının gerçekten mahkeme kararlarını etkileyip etkilemediği, kullanıcıların sosyal medya aktivizmi sırasında demokratik ilkelere ve ifade özgürlüğüne bağlı kalıp kalmadığı, pozitif ve negatif etkilerin neler olduğu, sosyal medya kullanımından kaynaklanan hukuki zorlukların neler olabileceği gibi sorular bu çalışma bağlamında incelenmektedir. Kadına yönelik şiddet failinin serbest bırakılması, uzayan hukuki süreçler veya sanıkların hafif cezalardan yararlanması gibi durumlar kamu vicdanını derinden rahatsız etmekte, adalet sistemine olan güveni erozyona uğratmakta ve sosyal medya aktivizmini hızla kitleler arasında yaymaktadır. Konunun hukuki yönlerini incelemek için on beş avukatla derinlemesine görüşmeler yapılmıştır. Bulgular, kadın cinayetlerinde adalet arayan sosyal medya gönderilerinin geniş kitleler üzerinde önemli bir etkiye sahip olduğunu ortaya koymaktadır. Çalışma, sosyal medyanın adaletin ilerlemesini hızlandıran bir toplumsal baskı mekanizması olarak hizmet ettiğini ve adalet arayışında kritik bir rol oynadığını göstermektedir. Yine de, sosyal medya aktivizmi ile ilişkili potansiyel hukuki riskleri de vurgulanmaktadır.

**Anahtar Kelimeler:** Türkiye, kadın cinayetleri, sosyal media, dijital aktivizm, sosyal adalet.

\* Doçent Doktor, Fenerbahçe Üniversitesi, İletişim Fakültesi, İstanbul, Türkiye  
ozlem.ozdemir@fbu.edu.tr, ORCID: 0000-0003-3144-4651

\*\* Doçent Doktor, Fenerbahçe Üniversitesi, İletişim Fakültesi, İstanbul, Türkiye  
elif.sarioglu@fbu.edu.tr, ORCID: 0000-0001-5558-6596

## Introduction

“The development and proliferation of digital technologies have brought about significant reorganizations and recompositions in economic and social life, while also reflecting the fundamental contradictions of neoliberal capitalism as a social system. ‘Industries of the future,’ such as new communication networks (5G), pose risks in areas such as employment, working conditions, security, social and regional inequalities, privacy violations, and democratic rights” (Fouskas, 2023, p. 160). However, the development of internet-based networking technologies has also provided users with incredible opportunities to communicate and has introduced new concepts and perspectives to academic studies. The use of social media-which has become a part of our lives with the advancement of digital technologies- goes beyond the mere sharing of news articles, photos, and visuals. It has also become an active platform for individuals seeking to amplify their voices and pursue justice worldwide. This shift has led to the reinterpretation of various concepts in the context of technological developments, such as freedom of expression, activism, digitalization, justice, communication, network society, and surveillance. Several events around the world have demonstrated that protests can mobilize masses in both physical and virtual spaces. The outcry of someone who believes they are victims of injustice can now raise their voices, share their story, and gain support globally through *hashtags* (#), *retweets*, emojis, internet memes, or mentions (@), which have recently become part of the literature.

The concept of public space has also acquired a new dimension with the advent of the Internet. Previously, this concept referred to a physical location, whereas the contemporary definition encompasses numerous online and offline spaces. New technologies can be defined not only as shared virtual spaces, but also as a means through which share problems and common interests (Timisi, 2003, p. 98). Social media platforms have added new channels to the public space, blurring the boundaries between online and offline realms. Consequently, the concept of public space has become more comprehensive than ever before. At the present stage, social media plays a significant role in strengthening public spaces, particularly when effectively utilized by non-governmental organizations, activists, and social movements. It serves as a vital catalyst in raising awareness and fostering collective consciousness within society. In recent years, the internet has become an essential tool, enabling self-representation and media communication strategies for non-governmental organizations, thus bypassing the mediation of mainstream media. Additionally, the internet has facilitated the interaction, connection, and collaboration of dispersed activist networks both locally and across borders (Balley et al., 2015, p. 154).

Prominent social media activist movements originating from Türkiye include *#MelekipekSerbestBırakılsın*, *#melekipekicinadalet*, *#eminebulut*, *#OzgecanAslan*, *#sulecet*, *#ALEYNAÇAKIR*, and *#duygudelenicinadalet*. These movements often focus on violence against women. The release of individuals who

have committed acts of violence against women after providing statements, the prolonged duration of legal cases, and defendants benefiting from lenient sentences disturb public conscience and contribute to the perception that the justice system is not functioning effectively. As a result, social media activism intensifies and spreads to grassroots levels. This study aims to examine the extent to which social media reactions to violence against women impact the justice system. The findings presented are derived from in-depth interviews with fifteen lawyers who specialize in this field<sup>1</sup>. The study reveals an increasing blurring of boundaries between the concepts of social media and public space. It also highlights a lack of legal knowledge in society regarding social media activism and the potential risks associated with using social media as a tool for digital activism.

### Digital Activism

At the present state, *hashtags* play a pivotal role in social media activism, which is often interchangeably referred to as “hashtag activism.” The symbol ‘#’ signifies the textual emphasis of keywords or experiences. By incorporating the ‘#’ symbol to mark keywords, *Twitter* users indicate their intention to share specific words on the social network in a chosen classification format. This approach enables third-party providers to track hashtag usage and aggregate *tweets* with the same hashtag. Retweeting relevant content and replying to *tweets* are effective means of maintaining a strong presence on *Twitter*. The solidarity of social media users in cyberspace, in their pursuit of rights and justice, can be evaluated as an extension of digital activism. The growing number of individuals who employ social media platforms to seek justice and use them as tools to advocate for justice underscores the significance of this phenomenon.

Thanks to its ability to rapidly disseminate news and information to large audiences, social media has emerged as a preferred medium for those seeking justice and individuals desiring to amplify their voices after experiencing injustice. Within this framework, thanks to its capacity for swift and collective responses facilitated by user-created networks, *Twitter* is among the most widely utilized social media applications. *Twitter*’s popularity stems from its concise format, limited to a specific number of characters, enabling the sharing of information in a succinct manner. The tagging system and the ease of information gathering have contributed to the rapid growth of *Twitter*’s user base. Tagging also aids in coordinating individuals who seek to be social voices by joining relevant discussions through the addition of pertinent tags to their posts (Bruns, 2011, pp. 1023-1024).

---

<sup>1</sup> This research received Ethics Committee Approval in accordance with the law no. 7 of 06/2023 of the Fenerbahçe University Social and Humanities Research Ethics Committee.

Social media represents the silent cry of the masses that often go unheard. At times, groups organized around specific campaigns on social media strive to make their voices heard through digital activism. A successful example of this can be found on the website [change.org](http://change.org). Additionally, individuals or groups seeking to raise awareness about particular issues or advocate for specific causes endeavour to amplify their voices and garner support through social media accounts representing themselves or their organizations/associations (Sarioğlu & Özgen, 2019, p. 297).

Currently, 75% of social media users incorporate hashtags in their daily posts. Given the potential virality of social media content, it is unsurprising that hashtags have become integral to online activism, enabling faster and more effective communication. Hashtag activism involves demonstrating support for a cause through likes or shares. Regardless of the goals of digital activism, hashtag activism emerges as a tool to raise awareness, mobilize support, or encourage action (Razo, 2020).

Social media has enabled activists to organize around global political and social movements, with *hashtagged* keywords facilitating rapid dissemination. Additionally, the hashtag has allowed users to organize conversations without clutter. *Twitter*, in particular, brings attention to many issues that may be overlooked or underreported by traditional media due to their perceived lack of newsworthiness. Mainstream media, as a determining factor in shaping the political climate, is often male-dominated, resulting in limited or biased coverage of violence against women.

The distinguishing factor between *Twitter* and traditional media lies in the former's dynamic and open nature, allowing for the instant dissemination of a multitude of comments and opinions. Consequently, it prevents a single perspective from dominating discussions and enables diverse viewpoints to be shared. Notably, the concept of gatekeepers in social media is less influential compared to traditional media, which facilitates the widespread dissemination of digital activism.

When considering the situation in Türkiye, public trust in the country's justice system is gradually diminishing. The "Prisons and Prisoners Perception Survey" conducted by Konda for the Human Rights Association provides significant insights into this issue. According to the aforementioned report, only 31% of respondents answered positively to the question, "Do you trust the justice system in Türkiye?", while the remaining 69% expressed distrust (Çamurcu, 2022). Several factors contribute to this distrust. The monopolization of mainstream media as a single voice and the perception that the judicial system is influenced by political decisions undermine trust in justice. Consequently, individuals are increasingly turning to digital activism as a means to make their voices heard on social media platforms.

## Perspectives of Interviewed Lawyers

### Social media as a pressure mechanism

The interviewed lawyers expressed their views on social media as a mechanism of pressure that can impact legal processes. They provided the following statements:

I believe that the pursuit of justice on social media accelerates the legal process in Türkiye. Social media has now become a platform where people gather, quickly receive information about events, and collectively defend their rights. Individuals, thanks to social media, can engage in the process of seeking justice with significant support and mass involvement (A.C.).

Social media has an influence on the legal process in the pursuit of justice, both in our country and globally. I perceive the quest for justice on social media as the voice of society. Social media is the only place where we can hear this outcry with minimal oversight. The pursuit of justice on social media puts pressure on the justice system. In cases where the control mechanism of the higher judiciary in Türkiye is inadequate, the control mechanism established by society through social media has to step in (F.S.).

The role of social media in representing public conscience and exerting pressure on judges and prosecutors in legal processes cannot be denied (M.A.).

Some lawyers also expressed the view that social media functions similarly to a court jury and can have a significant impact on court decisions. They shared a similar perspective:

Social media appears to have assumed a role akin to that of a jury in the US legal system and can be extremely influential. It is important to mention the concept of 'public conscience' and the understanding of justice. Public conscience can be defined as the collective viewpoint of society in response to any administrative or legal decision made by state authorities, considering the moral, ethical, and traditional values of society (D.F.).

In the in-depth interviews, it was found that digital activism on social media is primarily effective in legal processes. However, some experts argue that it is not appropriate for digital activism to have an impact on legal proceedings. These experts emphasize that good and qualified judges should not be influenced by digital activism and should base their decisions solely on evidence.

I believe that actions on social media will not affect the outcome of a case. If the person is truly guilty and there is evidence to prove it, the judge should already assess the situation based on these facts. This is what is expected from a good and qualified judge (S.A.).

### 'Twitter' justice

Previously criticized for contributing to social isolation, social media now serves as an interactive environment where people can come together, exchange ideas, and develop common perspectives (Sarioğlu, 2020, p. 293). More specifically, *Twitter* is a platform where a significant amount of content is generated and where topics related to the national agenda are discussed by users. Violence against women in Türkiye is frequently highlighted on *Twitter*, as it remains a prominent issue in the country. According to the annual report of the *We Will Stop Femicide Platform*, 334 women were killed by men in 2022, and 245 women were found dead under suspicious circumstances (DW, 2023).

"Twitter justice" refers to the phenomenon of using *Twitter* as a means to seek justice, raise awareness, and voice grievances. It encompasses the use of social media platforms and online networks to shape public opinion and challenge those in power (Chen & Ding, 2009, pp. 367-379). Social media serves multiple functions. As the voice of resistance, it disrupts those in power (İnceoğlu, 2014, pp. 11-12). Social media's ability to set and change the agenda has become more evident in almost all events that generate public outrage.

Those who cannot make their voices heard through traditional media and perceive themselves as victims seek to communicate, share, and contribute to change more actively on social media and online platforms. The reasons for the dissatisfaction with traditional media include the persistence of male-dominated discourses, the failure to remove gender codes from news content on violence against women and children, and the lack of sensitivity in the coverage of such news. Those who want to reach a broader audience have turned to social media. It has become a new hope for the oppressed to have their voices heard. A brand-new medium has emerged where injustices can be voiced, and suggestions can be shared to advance with a collective mindset.

On the other hand, while social media offers individuals the opportunity to make their voices heard, in most cases (except for events that evoke great public outrage), these voices can get lost amidst the noise and complexity of the internet. Although social media has accelerated the pursuit of justice, it should not be forgotten that online environments are fast-paced mediums. Unless a subject remains actively discussed on social media, it becomes a space where cries for justice are swiftly consumed, aligning with humanity's recent culture of instant consumption. Therefore, one of the crucial aspects of seeking justice on social media is to keep the issue alive. This necessitates regular sharing and interaction. However, the need to keep the matter on the agenda and make it visible on social media also raises another concern. Believing that justice can only be achieved if it is visible on social media is a highly perilous situation. It undermines the concept of equal justice for all (Özdemir, & Sarioğlu, 2021, p. 160).

Many legal professionals agree that *Twitter* is the most popular platform for the pursuit of justice. Their views can be summarised as follows:

Undoubtedly, *Twitter* is the most common platform for justice-seeking on social networks. Its structure allows for easy sharing of opinion articles worldwide, without encountering restrictions such as limited followers, or establishing connections on other platforms. By sharing each other's articles, it becomes feasible to create a globally influential sharing network. Of course, individuals who have experienced legal victimization can share their situation on social media within certain limits after seeking redress through the appropriate judicial channels (D.A.).

Based on my observations, I can assert that *Twitter* is the most effectively utilized social media platform in terms of user profiles and objectives. Victims need to be cautious and refrain from disclosing all contact and identity information of the perpetrator, including detailed accounts of the incident, and making any insulting or threatening statements in their posts. Failure to adhere to these guidelines may subject victims to criminal charges, such as violating the privacy of the perpetrator's personal life. While sharing such information may be justifiable in preventing a crime, social media is not the appropriate platform; instead, it should be reported to the prosecutor's office and presented in court (A.B.).

Victims should exercise discretion in their social media posts by not disclosing the perpetrator's full contact or identity information and refraining from using insulting or threatening language. Sharing the identity or specific details of the incident on social media can lead to uncontrolled reactions in society. The collective psychology may cause individuals to target perpetrators whose crimes have not yet been confirmed. Moreover, employing offensive and threatening expressions in posts can result in accusations of privacy violations. Lawyers emphasize that such information should only be shared with the prosecutor's office:

I believe that *Twitter* is the most effective platform for seeking justice on social media. However, victims and their relatives should prioritize protecting their privacy and personal lives. Preserving the confidentiality of a victim's private life becomes more crucial, especially in cases that have garnered public attention, to minimize the risk of exposing the victim to further scrutiny. In this regard, individuals should respect the privacy of their private lives, while the government should implement more rigorous measures to safeguard this right of the victim (B.Ö.).

From a legal standpoint, victims should exercise caution and refrain from engaging in insulting behaviour while expressing their grievances. In their pursuit of justice, victims or their relatives may inadvertently commit offenses. In short, they may find themselves guilty while seeking their rights (H.A.).



## **Violence against women**

Since years the issue of violence against women in Türkiye has a prominent concern. Alongside this, there is a prevailing sentiment that justice cannot be adequately served. Digital activism has emerged as a vital tool for those striving to amplify their voices in this domain. In Türkiye, the pursuit of justice through social media and the influence of social media play a fundamental role in addressing violence against women. The responses we received from lawyers regarding this matter are as follows:

The aspect that Turkish women express most passionately is their very lives. While we may struggle to achieve strong unity on other issues due to our differences and divisions, we find common ground and unanimous agreement when it comes to saving women's lives. Consequently, we gather and try to make our voices heard, with social media being the most prevalent medium to do so (Y.E.).

On the other hand, attorney A.B. emphasized that the prevalence of a male perspective within society makes it challenging to curb violence solely through legislation, regardless of position, education, or age differences. He further indicated that this issue can be observed on an international scale:

From patriarchal system judges to politicians, bureaucrats, and officials of non-governmental organizations, it impacts individuals from all walks of life in one way or another. Unfortunately, the decisions taken, and the laws enacted neither effectively prevent violence nor impose sufficient deterrent sanctions on those who perpetrate it. The male perspective lies in wait, ready to emerge, Understanding the significance of unity in this context and aware of the limitations of relying solely on legal measures, women are compelled to raise their voices through social media (A.B.).

Some lawyers attribute the frequent occurrence of violence against women to our cultural norms, highlighting that men feel entitled to commit acts of violence against women:

I believe that social media is predominantly used to seek justice in cases of violence against women due to the high frequency of such incidents in our country, and I deeply regret this situation. Sadly, countless women face physical and psychological violence every day. Social media plays an exceptionally active role in amplifying women's voices and sharing their experiences. While numerous factors contribute to the escalation of violence against women, culture stands out as a significant influence. Growing up in a patriarchal culture, men who perpetrate these actions consider it their right to exert control over women, resulting in insults, harassment, and violence (B.Ö.).

## Presumption of innocence

The release and subsequent re-detention of the accused individuals, following the public outcry on social media, sparked discussions in society. Lawyers addressed the legal aspects that people were most curious about and provided the following explanations:

According to Article 91, paragraph 5 of the Turkish Code of Criminal Procedure 5271, once an individual is released after being detained without a warrant, he can not be detained again for the same crime, unless new and sufficient evidence related to the conduct that led to his previous arrest without a warrant is obtained, and an arrest warrant is issued by the public prosecutor. Therefore, a re-arrest requires the presence of new evidence and a decision by the public prosecutor. The reasons for the initial arrest are also listed in the Turkish Code of Criminal Procedure 5271 (H.A.).

As H.A.'s statements suggest, an arrest cannot be made without sufficient evidence. However, attorney H.A. highlights another dimension:

Detention and arrest are both protective measures. These measures are sometimes implemented to safeguard evidence, protect victims or suspects, and ensure the proper progression of the criminal procedure. To summarize, someone has been apprehended and taken into custody, but he has not been issued an arrest warrant, he is released due to reasons such as the expiration of the detention period or the completion of detention procedures. Re-capturing this person requires obtaining new and sufficient evidence regarding the act that led to his initial arrest. Events that trigger public outrage and posts on social media may fall within this scope and serve as grounds for re-apprehension. In particular, if the suspect's safety and a fairer criminal procedure are at stake, an arrest warrant may be issued by the authority. Due to the confidentiality of investigation procedures under our law, the reasons for a re-arrest, or the issuance of an arrest warrant in such cases can only be known from the investigation file (H.A.).

In cases where an event shared on social media generates public outrage, detaining the person again and obtaining an arrest warrant may be considered to protect the suspect's life and ensure a fair criminal procedure. Attorney A.B. reminds us that in law, the key focus is on the pending trial, and if a suspect is not at risk of fleeing, they should be released with judicial supervision. Otherwise, detaining him would be a disproportionate decision. A.B. explains the decision to re-arrest a person who was previously released after public reactions, referring to the judge's conscientious conviction:

In such cases, both a detention warrant, and an arrest warrant are vital temporary protective measures that can be taken to preserve evidence and prevent the possibility of the accused escaping. We want to emphasize that these measures serve the purpose of ensuring a fair trial, not punishing the suspect. Punishment cannot be imposed without a judgment. The primary principle in law is that individuals are released by the court pending trial. Moreover, the judge can only issue a detention decision for a maximum of four days. If the suspect's escape can be prevented through judicial supervision, an arrest decision is disproportionate. This is primarily

based on the principle of ‘presumption of innocence.’ As we all know, individuals are presumed innocent until proven guilty and have the right to a fair trial, regardless of the crime they have been accused of (A.B.).

In general, the lawyers we interviewed discussed the importance of the “Presumption of Innocence”. They cautioned that digital activism on social media can have a negative impact on the presumption of innocence. Therefore, it is recommended to proceed with awareness of legal issues while engaging in digital activism. The presumption of innocence is a principle that considers individuals innocent until proven guilty (Şık, 2012, pp. 103-144). It is a fundamental element of the right to a fair trial, recognized universally. *Article 11* of the 1948 Universal Declaration of Human Rights states, “Everyone charged with a penal offense has the right to be presumed innocent until proven guilty according to law in a public trial at which they have had all the guarantees necessary for their defense,” and;

No one shall be held guilty of any penal offense on account of any act or omission that did not constitute a penal offense, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offense was committed (Universal Declaration of Human Rights, 1948, *Article 11*).

*Article 6* of the European Convention on Human Rights also states, “Everyone charged with a criminal offense shall be presumed innocent until proven guilty according to law” (European Convention on Human Rights, 1950, *Article 6*). In paragraph 4 of *Article 38* of the Constitution of the Republic of Türkiye (1982), it is stated,

“No one shall be punished for any act that does not constitute a criminal offense under the law in force at the time committed; no one shall be given a heavier penalty for an offense other than the penalty applicable at the time when the offense was committed” (The Constitution of the Republic of Türkiye, 1982, paragraph 4, *Article 38*).

### **Social media as a public space**

According to Habermas, the public sphere is a space where individuals engage in rational discussions to form public opinion by reasoning about common issues. It is a field where everyone is equal, and it is open to every individual (Habermas, 1997, p. 32).

With the increasing use of social media in our lives, questions have arisen regarding whether a digital public space can be formed on social media. Can it be a space where different views and oppositions can be expressed, and consensus can be reached? Or is the internet a place of hopeless fragmentation where it is impossible to accommodate the interests of the collective? Such questions arise. Although social media has been considered a large public

space due to its participatory and interactive nature and its pluralistic structure, it has certain limitations due to factors such as unequal access, state censorship, market dominance, cost, and dependence on the advertising sector (Moyo, 2009, pp. 142-143).

Today, the original distinction between public and private space has become blurred. However, it is still a structural concept, albeit adapted to new boundaries in the digital environment. The activities of digital activism carried out on social media necessitate a reconsideration of the public sphere. The legal framework of the digital public sphere and the areas beyond the legal boundaries of social media activism were discussed with experts.

Let's not forget that even in the public sphere, where one person's freedom begins, the freedom of another person ends, if there is a violation of rights. Whether we consider social media as a public domain or not, we are obligated to respect the legal framework even when defending or asserting our rights in the posts we share on these platforms. It is very common today to see that some crimes listed in our Turkish Penal Code are committed through social media. Our responsibility is to refrain from actions that would make us guilty even when we are right. We can face various criminal penalties in cases such as insulting the perpetrator of a crime that we are a victim of or disclosing personal information. Therefore, while sharing content on social media, it is in our best interest to express our demands within the framework of the law, and avoid any actions that could constitute a crime (Y.E.).

Attorney A.B., on the other hand, provided more specific information about what can be considered a crime and what should be considered regarding comments shared on social media:

We can compare movements that unfold through social media platforms, centred around a specific topic or using social media jargon, such as a 'hashtag,' to a physical gathering of a community protesting a particular issue. In this context, we can say that the same considerations that apply to individuals in the physical community should also apply to those who support movements in the virtual environment. Accordingly, comments shared on social media should not contain any expressions that encourage or incite violence, insult, threaten, or blackmail any person. Personal data belonging to any individual should not be shared without their consent (A.B.).

In the in-depth interviews conducted during our research, it was understood that social media intersects with the public sphere. It was shared that ignoring the legal dimension of digital activism can lead to becoming a victim. On the other hand, the presence of users from various professions on social media allows for the reflection of different perspectives, opinions, and thoughts. In particular, the use of social media by lawyers, who bring legal knowledge to the planning and interpretation of events, raises awareness of many possibilities. The content of the events that are the subject of policy planning is also crucial. People rely on the media to understand what is happening in the world. As lawyers have pointed out, digital activism practices are often effective. However, it is important to approach it from a legal perspec-

tive to prevent grievances.

## Conclusion

Social media has played a transformative role in amplifying the voices of marginalized and disadvantaged groups. It has provided a platform for individuals who were previously unheard to share their experiences of violence, oppression, and discrimination. Through sharing platforms, these individuals can reach potentially millions of people worldwide. However, it is important to note that amidst the vastness and complexity of the internet, many voices can easily get lost or overshadowed, except for events that cause significant public outrage. While social media has accelerated the search for justice, it is also a space where issues can quickly fade away in the fast-paced consumption culture of online environments. Therefore, one crucial aspect of seeking justice on social media is to keep the issue alive by regularly sharing and interacting with it. Nonetheless, the necessity of keeping an issue on the agenda and making it visible on social media raises concerns. The idea that only visible issues can attain justice undermines the notion of equal justice for all. It is important to address this challenge and ensure that justice is not solely dependent on visibility or popularity on social media.

Social media has become a powerful medium for those seeking rights and justice, thanks to its ability to shape agendas and change power dynamics. Its features such as hashtags, likes, retweets, emojis, and mentions can quickly gather large audiences around a particular topic. This article highlights the expanding influence of social media as a public sphere, its transition from the panopticon to the omniprison era, social activism movements, and examples from Türkiye illustrating the use of social media in the pursuit of rights and justice.

The interviews conducted with lawyers reveal that social media is extensively used for seeking justice, particularly regarding violence against women in Türkiye. The legal aspects that need to be considered, such as the violation of rights and the presumption of innocence, were emphasized to avoid victimization in the pursuit of justice on social media. There was a common consensus among the interviewees regarding the increase in violence against women in Türkiye and the parallel activism witnessed on social media concerning this issue.

In conclusion, while social media has provided a platform for marginalized voices and has the potential to facilitate justice-seeking movements, it is essential to navigate its complexities and address the limitations and risks associated with seeking justice solely through this medium. Achieving justice on social media requires careful attention to legal considerations, preserving the

issue's visibility, and ensuring that equal justice is pursued for all.

## References

- Balley O. G., Cammaerts B., & Carpentier N. (2015). *Alternatif medyayı anlamak* (B. Çoban & B. Ataman, eds.). Kafka Epsilon Yayıncılık.
- Bruns, A. (2011). How long is a tweet? Mapping dynamic conversation networks on Twitter using Gawk and Gephi. *Information, Communication & Society*, 15(9), 1023-1024.
- Chen, X., & Ding, G. (2009). New media as relations: Special commentary. *Chinese Journal of Communication*, 2(3), 367-379.
- Çamurcu, M. H. (2022). Adaletin bu mu dünya: Türkiye'de toplumun adalete bakışı. <https://turkiyeraporu.com/arastirma/adaletin-bu-mu-dunya-turkiyede-toplum-adalete-bakisi-9406/>.
- DW. (2023, January 2). Türkiye'de 2022'de 334 kadın öldürüldü. <https://www.dw.com/tr/t%C3%BCrkiyede-2022de-334-kad%C4%B1n-%C3%B6ld%C3%BCr%C3%BCld%C3%BC/a-64261797>
- Fouskas, V. K. (2023) Digital age: the changes in economy, society, politics. *Journal of Balkan and Near Eastern Studies*, 25(1), 160-165. <https://doi.org/10.1080/19448953.2022.2132004>
- Habermas, J. (1997). *Kamusalığın yapısal dönüşümü* (T. Bora & M. Sancar, Trans.). İletişim Yayınları.
- European Convention on Human Rights. (1950). *Article 6*.
- İnceoğlu, Y., (2014). İnternet ve sokak. S. Çoban (ed.) *Direnişin @ hali* (pp. 8-13). [www.interaktisit.org](http://www.interaktisit.org).
- Moyo, L. (2009). Digital democracy: Enhancing the public sphere. G. Creeber & R. Martin (Eds.), *Digital cultures understanding new media* (pp. 139-150). Open University Press.
- Razo, V. (2020). *Understand the versatility and necessity of hashtag activism*. <https://learn.g2.com/hashtag-activism>.
- Sarioğlu E. B. (2020) The concept of justice in social media: The reflections of violence against women and children on social media. *Karadeniz Uluslararası Bilimsel Dergi*, 1(45), 291-317. <https://doi.org/10.17498/kdeniz.664868>
- Sarioğlu, E. B. & Özgen E. (2019) Use of language affirming violence against wom-

en in the press, an analysis of internet journalism. *Turkish Studies Social Sciences*, 14(3), 1053-1075.

Şık, H. (2012). Suçsuzluk karinesi. *Uyuşmazlık Mahkemesi Dergisi*, 1, 103-144.

The Constitution of The Republic of Türkiye (1982). *Paragraph 4, article 38*.

Timisi N. (2003) *Yeni iletişim teknolojileri ve demokrasi*. Dost Yayınları.

Universal Declaration of Human Rights. (1948). *Article 11*.

**Ethics committee approval:** This research received Ethics Committee Approval in accordance with the decision number 7 dated 2023-06 of Fenerbahçe University Social and Humanities Research Ethics Committee.

**Conflict of interest:** There are no conflicts of interest to declare.

**Financial support:** No funding was received for this study.

**Author contribution rate:** Ö. Özdemir (50%), E. B. Sarıoğlu (50%).

**Acknowledgements:** We thank all the lawyers interviewed for their time and comments.

**Etik Kurul Onayı:** Bu makalenin araştırması, Fenerbahçe Üniversitesi Sosyal ve Beşeri Bilimler Araştırma Etik Kurulu'nun 2023-06 tarihli 7 sayılı kararı gereğince Etik Kurul Onayı alınmıştır.

**Çıkar çatışması:** Çıkar çatışması bulunmamaktadır.

**Finansal destek:** Finansal destek bulunmamaktadır.

**Yazar Katkı Oranı:** Ö. Özdemir (%50), E. B. Sarıoğlu (%50).

**Teşekkür:** Görüştüğümüz tüm avukatlara zaman ayırmaları ve yorumları için teşekkür ederiz.

