

MOVIES AS AN EPISTEMIC SOURCE OF LAW AND ITS INFLUENCE ON LAWMAKING PROCESS

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Abstract: *Law and art are concepts intrinsically linked to culture and human society. Both can shape human communities in spiritual and material ways. This paper focuses on a relatively modern form of artistic expression – film – which emerged in the late 19th century. Despite its relatively short history, film has become an integral part of everyday culture on a global scale. The combination of moving images and sound possesses a unique informative and educational potential, which can be employed constructively but also misused to influence public opinion. This paper explores the distinctive power of film to shape legal consciousness and, in some cases, to directly or indirectly has influence on lawmaking process. The paper is structured into four parts. The first part outlines the theoretical relationship between film and law within the academic discourse. The remaining three parts present specific instances where films have influenced legislative changes. In each of these sections, we analyse two examples from the major legal systems around the world. For each selected film, we briefly summarise its essential content and the social issue it addresses. Then we examine what role film played in the process of lawmaking in six selected jurisdictions. Finally, we identify common factors shared by these films that led legislative action and legal reform.*

Key words: *Law; Movie; Source of Law; Legal Change; Society; Legal Systems; Written Law; Legislature; Culture; Social Pressure; Morality; Death Penalty; Abortion Policy; Female Genital Mutilation; Labour Strike; Globalisation*

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1. INTRODUCTION

In its relatively short history, film has risen from a novelty attraction to one of the most popular and influential forms of mass media. It first attracted scholarly attention within the framework of the law and literature movement and later developed into an independent legal-theoretical field known as law and film. The primary strengths of film as an art form lie in its universality, accessibility, mass appeal, and its capacity to shape public opinion. It is therefore not surprising that film has gradually emerged as a significant epistemic¹ source of law – one capable of conveying complex legal ideas to broad audiences within a relatively short time frame. Precisely because of this capacity, film has also become a powerful and effective tool of propaganda, capable of influencing public perception and societal attitudes on a large scale.

¹ The term gnoseological (which contain information about the law) has become established in the Slovak and Czech legal tradition. Others kind of sources of law are material (circumstances leading to a change in the law) and formal (as legal acts, precedent, legal custom and others).

But do films have a potential beyond merely informing or serving propagandistic purposes in the field of law? During our research, we have encountered the rather unconventional role of film as a medium that has contributed to changes in existing legislation or even to the creation of new laws. This paper therefore sets out to test the following hypothesis: *"Films, as an epistemic source of law, have the ability to directly or indirectly influence various stages of the lawmaking process when certain conditions are met."* To verify this hypothesis, we will employ established scholarly methods to analyse selected films and their influence on lawmaking. From their position as unwritten sources of law, films in these cases have subsequently resonated throughout society. A second method employed in this research is comparative analysis. We will examine examples from all the major legal systems, focusing on case studies from the United States, the United Kingdom, Belgium, Poland, Pakistan, and the Kurdistan region in northern Iraq. In addition, we will refer to further examples from other parts of the world, to which we will dedicate more detailed attention. The aim is to emphasise the global relevance of this phenomenon and to demonstrate its potential for universal applicability.

It must be noted that it is not common that films directly or indirectly influence lawmaking process. We have been addressing the issue of the relationship between law and film in its various forms for many years. In examining the issue of film as an epistemic source of law, we have discovered several examples where films have deviated from this set and have been able to influence lawmaking to varying degrees. Film was the trigger for legislative changes, influenced voting in the legislature, or contributed to informing the public about the adoption and content of a new source of law during the process of its publication. We used information from scientific papers, journal article (legal, sociological, cinematic) and few periodical,² which were most often available in English. The information was fragmented, and our goal was to consolidate and compare it and find similar features in different legal systems that would prove that this was not just a random phenomenon. Our ambition was to highlight the global and universal nature of film as a means of influencing lawmaking, so we decided to give examples from three major legal systems:³ Anglo-American; Continental; and Religious and Traditional.

As far as the selection of the films themselves is concerned, the deciding factor was not the time of their creation (the oldest one was made in 1966 and the newest one in 2011), but rather their social and global significance. The selected films have also been acclaimed beyond the borders of their country of origin, which has contributed to their popularity and importance. In this article, we also provide other examples of films that have influenced norm-setting, but we will not go into detail about them here. As far as the selection of countries is concerned, we methodologically chose two films from a major legal system and two films from a concrete legal order. The quality of the film was the primary deciding factor, with the countries being the secondary one. We chose globally known films so that readers could find them more easily and form their own opinions about their content, quality and their influence on the law-making process. As for the selection of two films, we felt that this was a sufficient sample to confirm that this was not a purely random event, and the reasons for selecting a different legal system from

² It was huge event when film had influence on lawmaking process. As example is article from Guardian about female genital mutilation: Maggie O'Kane - Patrick Farrelly FGM: 'It's like neutering animals' – the film that is changing Kurdistan. Available at: <https://www.theguardian.com/society/2013/oct/24/female-genital-mutilation-film-changing-kurdistan-law> (accessed on 10.10.2025).

³ There are several concepts for dividing legal systems or legal families. We have opted for the Eurocentric theory of approach to major legal systems, which was also developed by the most prominent Czechoslovak legal theorist, Viktor Knapp.

each of the three major legal systems pointed to the global nature of the phenomenon. All these factors influenced the final selection of the analysed films.

As famous American film critic, author, publisher, and educator Monaco observed, film is an integral part of our culture. It represents an expansive and far-reaching network of interconnected opposites: between filmmaker and subject, film and viewer, establishment and avant-garde, conservative and progressive aims, psychology and politics, image and sound, dialogue and music, genre and auteur, literary and cinematic perception, signs and meanings, culture and society, form and function, stigmas and paradigms, image and event, realism and expressionism, language and phenomenology (Monaco, 2006, pp. 430-431). Film, he writes, is *"a never-ending set of codes and sub-codes that raises fundamental questions in the relation of life to art and reality to language"* (Monaco, 2006, p. 431). The combination of law and film therefore appears to be an ideal way to educate the public about the most fundamental aspects of law—an area that is often extremely complex and difficult for laypersons to fully understand.

Films can be classified as an epistemic source of law that inform viewers about a wide range of legal concepts, including legal facts, legal institutions, the practice of the legal profession, the course of legal proceedings, sources of law, legal subjects, and numerous other phenomena associated with the legal system. At the same time, films are non-legal sources of law and must therefore be approached with critical caution. In a few exceptional cases, films have successfully exposed the existence of serious social issues and became an instrument that can activate society, which can subsequently influence lawmaking. We agree with the observation made by D. H. J. Hermann, who noted that *"... we live in a visual age. Films capture our interest and imagination. The viewing of films about lawyers, the legal system, law cases or legal issues provide valuable insight into the way these matters are understood in contemporary society."* (Hermann, 1998, p. 330).

2. RELATION BETWEEN MOVIE AND LAW – DIMENSIONS OF THE RELATIONSHIP

The connection between law and film unfolds on multiple levels that often intersect and influence each other. According to O. Kamir - *"This framework defines three distinct perspectives on law-and-film that, I believe, capture much of the law-and-film enterprise. These perspectives rely on three fundamental premises: that some films' modes of social operation parallel those of the law and legal system; that some films enact viewer-engaging judgment; and that some films elicit popular jurisprudence."* (Kamir, 2005, p. 255). On the basis of this, three dimensions of the relationship between law and film can be identified:

1. **Film as a Component of the Social Order.** Film as part of the social order that influences the development of the legal system. This relationship will be discussed in detail in the subsequent sections of this paper.
2. **Film as a tool for shaping audience perceptions.** Viewers' opinions may be influenced deliberately through propaganda or censorship, in which the state plays an active role. Alternatively, opinions may be shaped through the creative expression of individual filmmakers without direct state intervention.
3. **Film as a source of legal information, a subject of scholarly inquiry, and an educational tool.** Some scholars refer to this area of study as the *"Law and Cinema"* movement.

From the perspective of the **first dimension** of the relationship between film and law, the two concepts interact as integral parts of broader social dynamics. *"The law and cinema discourse rests on the observation that both the law and the cinema reside in the same social domain—culture—and therefore each practice influences (and is influenced by) the other."* (Reichman, 2008, p. 460). Through the narratives presented in films, society articulates its responses to a wide range of issues—both within the state or even outside its borders. Law, in turn, interacts with film in various ways: through the production of educational or promotional material, the censorship of inappropriate content (a practice particularly characteristic of totalitarian regimes), or through legislative responses to social problems highlighted by film. *"Today cinema focuses on realistic issues and matters rather than depicting impractical and unrealistic stories and it plays a major role in portraying certain fundamental social and political issues which not only entertains the masses but also educates them."* (Mukherjee, 2014, p. 229). In this way, the movies become a strong agent of social change and, under specific conditions, instruments capable of contributing to legal reform.

There are several pathways through which the interaction between law and film occurs. *"Films have a unique way of touching people's hearts and allowing them to employ their emotions in the processes of seeing, listening, understanding, discussing and analysing. Analysis of film from a new perspective is an exciting, intriguing and challenging experience for students, who take it home with them and share it with families and friends, thereby continuing its work. The intersection of law and film adds a personal aspect to professional legal training, making it more human, specific and meaningful."* (Kamir, 2005, p. 275). The legal ideas presented in a film often begin to circulate within close social circles—among family members, colleagues, and acquaintances—and subsequently expand through media coverage, eventually engaging a broader segment of society. *"Film and law are compared as epistemic systems, formidable social practices that, when combined, are exceptionally effective in defining what audiences think they know, what they believe they should expect, and what they hope for in a society that promises ordered liberty."* (Silbey, 2017, p. 16). The cultural phenomenon and the legal system coexist and, in many respects, complement perfectly one another. Law serves as a compelling subject matter; the courtroom provides a dramatic and lucrative setting; and legal professionals frequently appear as central figures in popular films and television series.

The interconnection between film, law and social reality can, in certain cases, be intentional and strategically directed. One such example is the 2016 Netflix documentary *13th*. *"In this thought-provoking documentary, scholars, activists and politicians analyze the criminalization of African Americans and the U.S. prison boom."* (Netflix, 2016) The authors of this film had a clear goal from the beginning. *"As didactic, documentaristic, and to a certain extent, "imperative" aim of 13th, reflects America's urgent need to raise public awareness, which is exactly what its mainstream director, whose films go beyond militant cinema, does."* (Festa, 2016, p. 242). The movie became a tool to provoke a social discourse that has the potential to initiate a process of social and, consequently, legal reform.

From the perspective of the **second dimension** of the law–film relationship, the focus lies on influencing the views of the audience. As V. Piturro wrote: *"The films make a difference because of the film itself, the promotion of the film, the film festivals in which it is shown, the online campaign surrounding the film, and the activism which follows. It is what Henry Jenkins calls the "convergence culture," where old and new media intersect in ways that make active participants out of the consumers. The result is a more socially active consumer who engages with other consumers to produce a final product – real social action through the formulation of a new public sphere."* (Piturro, 2014, p. 28). This type of

social activation is often initiated by cinematic works. In such cases, we refer to the indirect influence of film on the transformation of legal norms. This approach is considerably more common than direct influence. First, it is necessary to draw public attention to serious social problem through the film. As public debate intensifies, pressure on legislators increases, ultimately leading to the desired legal change.

Sherwin also marked movies as *"cultural sources also may be mined for their pedagogic and prescriptive content, whether as sites of popular resistance to legal authority, mass cultural manipulation, or as exemplars of new forms of affirmation and utopian striving."* (Sherwin, 2009, p. 256). The combination of moving image and possesses enormous potential. In a short amount of time, it is possible to effectively inform and influence an almost unlimited number of viewers and at the same time influence their opinion. Given the influence that film has on the formation of legal culture and individuals' views, it can be argued that *"film, as a semiotic system, creates meanings and simultaneously teaches viewers to understand these meanings, we can conclude that a film conceived in the spirit of the doctrine of legal realism provides its recipients with the opportunity to reconsider their view of the law and redefine its meaning."* (Mészáros, 2018, p. 285). In this way, film not only reflects the law but also has the potential to actively reshape how law is perceived and interpreted by society.

From the perspective of the **third dimension** of the law–film relationship, the scientific and educational potential of film comes to the fore. A distinct category within this context is represented by so-called legal films or courtroom dramas, which offer insight into the inner functioning of the judiciary. *"Law and legal film have both good and bad effects on each other. There have been instances when legal cinema has persuaded decision-makers and policymakers to evaluate the need of enforcing laws based on the topic depicted in the film. Other times, lawful film may face harsh criticism for deviating from the country's overall legal framework and exercising too much artistic freedom. It is essential to create a balance between the two, allowing cinema to promote constructive debates and the revision of societal rules."* (Batar, 2021, p. 366). Law is a complex system composed of diverse sources, situated within different legal orders that often come into contact—and sometimes conflict—at the international level. Films allow us to explore different legal cultures and help us grasp at least the basic and fundamental differences between them [*The Ballad of the White Cow* (2020, Iran/France) offers a glimpse of the judicial process in Iran, *25 Years of Innocence* (2020, Poland) reveals the background of one of the significant miscarriages of justice in Poland, *The Life of David Gale* (2003, USA/Germany/UK) gives us a hint of the struggle for the abolition of the death penalty in the state of Texas in the USA...].

As Sherwin wrote: *"Films not apparently about law may provide insights into analytical methods, social values, and community aspirations that lie at the heart of the legal mind and culture. The quest for justice, and how it goes astray, the clash between vengeance and mercy or between the formality of rules and the free play of equity, the struggle to solve a mystery amid the infinite complexities of human motivation and the recursive contingencies of time and circumstance – each of these themes has a place in the legal process."* (Sherwin, 2009, p. 241). Law, in its complexity and intricacy, is often far removed from the common man, despite the enduring old legal principle that "ignorance of the law is no excuse." However, through films, the law is humanised and brought closer to the public. Insights into the "merry-go-round" legal process provide a valuable addition to any film or television series.

3. WHEN MOVIES "SAVE LIVES AND ARGUE FOR FAIR WORKING CONDITIONS": A CONTINENTAL LAW PERSPECTIVE

In this section of the paper, we have selected two films from different parts of Europe that represent integral elements of the continental legal system. The first is the Polish film *A Short Film About Killing* (1987), directed by the renowned Krzysztof Kieślowski, and the second is *Rosetta* (1999), a Belgian-French co-production by the Dardenne brothers.

There are two versions of *A Short Film About Killing*: a shorter version (57 minutes, 1990) produced as part of the television series *Decalogue*, and a longer version (84 minutes, 1987) released as a regular feature film. As Dorota Ostrowska notes: "*The film focused on a young man, Jacek (Miroslaw Baka), who brutally murders a taxi driver Gan Tesarz at the outskirts of Warsaw. He is caught, sentenced to death and executed. The triangle made up of the perpetrator of crime and the victim is completed by a figure of a young lawyer (Krzysztof Globisz) whose first ever professional job is to defend the killer.*" (Ostrowska, 2010, p. 305). Both versions of the movie had a major impact in Poland and significantly influenced public and governmental opinions towards the death penalty.

As director of this movie Krzysztof Kieslowski said: "*I think I wanted to make this film precisely because all this takes place in my name, because I'm a member of this society, I'm a citizen of this country, Poland, and if someone, in this country, puts a noose around someone else's neck and kicks the stool from under his feet, he's doing it in my name. And I don't wish it. I don't want them to do it. I think this film isn't really about capital punishment but about killing in general. It's wrong no matter why you kill, no matter whom you kill and no matter who does the killing.*" (Stok, 1993, p. 160). As it turned out later, the voice of the director and his movie briefly became the voice of the entire Polish society.

It's safe to say that this film struck a precise and sensitive nerve. It appealed to the Christian morality deeply rooted in Polish society and directly referenced one of the Ten Commandments: "Thou shalt not kill". "*State is represented here as a rational machine, very able and competent, which kills in the name of the society and supposedly in order to protect it. It is only the young lawyer who disagrees with the ruling of the court but even he cooperates with the penal system.*" (Ostrowska, 2010, p. 318). The viewers were thus placed in the position of direct participants in the act of death penalty - not as detached uninvolved subjects, but as moral agents. Responsibility for the death of the executed no longer rested solely within the abstract apparatus of state power or its representatives but extended to every citizen who had legitimised those state authorities through democratic elections. Suddenly, the citizen's sense of individual accountability for each death sentence became far closer and more personal and alarming. This fundamental contradiction created a tension with Christian values that hold a strong tradition in Poland.

The film premiered in Poland at the time of totalitarianism, when the state power was already gradually weakening. The death penalty is a powerful and popular tool in totalitarian state regimes to deal with opponents of the regime, while spreading fear among ordinary citizens. "*Film was released at a time of change across Eastern Europe and at that time debate had arisen in Poland about the death penalty. The film secured a place in the public discourse supporting the abolitionist perspective. A year later, a five year moratorium on capital punishment was introduced, which later became a permanent abolition. This film is therefore an example of how film can play an important role in public debate and reform.*" (Bennett, 2012, p.15-16). In this context, it can be argued that the film

contributed to saving lives from a cruel death by firing squad and ultimately played a role in the complete abolition of the death penalty in Poland.

The next film and its impact on the change of written law that we have chosen to look at is set in Western Europe in Belgium and addresses the issue of labour law, specifically the working conditions of underage workers. The film *Rosetta*, which premiered in 1999, won the prestigious Palme d'Or for Best Film at the Cannes Film Festival that same year, while Emilie Dequenne received the award for "Best Actress". This recognition gave the film resonance far beyond Belgium's borders. *"The film centers on Rosetta's urgent desire – and need – to find paid work so that she can support her mother and herself. ...She works at a minimum wage in precarious jobs that do not even afford unemployment benefits because she is fired when her probation period comes up, and yet she cannot not accept these jobs, because she needs her wages to care for her mother, whose alcoholism puts not just economic, but also emotional stress on the young woman."* (Knauss, 2016, p. 53-54). At just 17 years old, Rosetta must face the harsh reality of life in an unfairly set coercive environment that undoubtedly discriminates against juvenile employees. The film serves as a social probe, a critique of an unfair system and a socio-cultural appeal to correct a serious legal and ethical issue.

The movie addressed the real problem of discrimination against underage workers in Belgium. At the time of its premiere, the issue was already under debate in the local parliament. It can be argued that the film significantly contributed both to raising public awareness and accelerating the legislative process. According to Elsaesser: *"Film that raises the issue of the boundary between thought experiments and social reality: how are the consequences of a thought experiment carried over into social reality? For Rosetta gave rise to the Plan Rosetta, a law adopted by the Belgian legislature to help just-out-of-school teenagers their first employment, which suggests that a film can cross the boundary and produce real social consequences."* (Elsaesser, 2019, p. 79). Shortly after the release of the film, the Belgian Parliament enacted significant legislative changes regarding the employment of minors. In his book, Elsaesser adores the film and perhaps gives it too much credit. Legislative changes in Belgium had already begun before the film was released, but the publication is also part of the legislative process. The film *Rosetta* contributed to the huge promotion of the new law, and, thanks to the film, many Belgian citizens learned about its existence, so its influence on the law-making process cannot be overlooked.

Influence on lawmaking process in Continental legal system (short summary):

1. ***A Short Film About Killing* (1987, Poland, winner of Prix du Jury- Cannes Film Festival)** - significant impact on the public opinion about immorality of the death penalty and indirect impact on the subsequent legislative change approved by the Polish parliament - A moratorium on executions was put in place in December 1989. Capital punishment was officially abolished in Poland in 1997.
2. ***Rosetta* (1999, Belgium, winner of Golden Palm- Cannes Film Festival)** - the film facilitated the adoption of legislative changes and promoting them to the public - the framework for a "youth employment plan" in Belgium. It was introduced by the Belgian Minister for Employment, Laurette Onkelinx in November 1999 with the aim of promoting the employment of young people under the age of 25 in Belgium.

4. WHEN MOVIES "FIGHT FOR MORAL VALUES": THE PERSPECTIVE OF THE ANGLO-AMERICAN LEGAL SYSTEM

One of the first film to have a major impact on changing the prevailing law in the Anglo-American legal system is the controversial British movie *Alfie* (1966). The British Board of Film Classification provides a detailed report⁴ on the 1965 film, including a statement by then-Director John Trevelyan, who described it "*as a picture of an immoral and amoral young man but we all felt it was very moral in its message and would show young people that 'sleeping around' produces nothing of permanent value.*" (British Board of Film Classification, 1965). Public reaction to the film followed quickly, prompted by its striking depiction of British society at the time. The film sparked a nationwide debate about the need to ease the UK's overly restrictive abortion laws. This culminated a year after the film's premiere in the passage of the Abortion Act 1967⁵ (Meteňkanyč, 2020, p. 210). In the 1960s, it was unusual for a Conservative-led British parliament to take such a bold and progressive step as enacting the Abortion Act. The film started extreme social pressure, which is why we included it here as a clear example of the indirect influence of cinema on lawmaking process.

Nearly 60 years since the release of the film *Alfie*, the issue of abortion remains ever-present, with the on-going clash between the pro-life and pro-choice camps continuing to unfold across legal, political and cinematic arenas. "*While conservative proponents of the fetus' right to life fight against abortions at any (or almost any) circumstances, and while liberal proponents of the women's freedom of choice fights for her right to freely decide over her body, evictionists offer a solution which, as they say gives the woman considerable freedom over her body and the same time respects the principal value of the life of fetus.*" (Turčan, 2020, p. 184). And this debate is still alive and well at the academic, social, film and legal levels. Evidence of this is recent films that have processed the issues of abortion as *Right to Choose* (Czech Republic, 2024), *April* (Italy, France, Georgia, 2024), *In the Company of Women* (Spain, 2023), *Ninjababy* (Norway, 2021), *Happening* (France, 2021), *Never Rarely Sometimes Always* (USA, UK, 2020) and many others.

The plot of the second film from this the Anglo-American legal system is set in the USA, specifically in Harlan County, a region in southeastern Kentucky. The film, directed by Barbara Kopple, is aptly titled *HARLAN COUNTY, USA* is about the strike. *We don't learn much about what it feels like to work beneath the earth or get much sense of the texture of daily life lived in the shadow of the mine. The film is not an ethnographic study of a quaint community of mining folk. What we do get are images of struggle: picket lines, meetings, face-to-face interviews with UMW militants—which is just about everybody.*" (Biskind, 1977). Impact of the movie and other important events (Bahr, 2024):

1. *"The Brookside mine strike and the events depicted in Harlan County, USA had a lasting impact on the labor movement in the United States.*
2. *The documentary helped to raise awareness about the struggles of working-class Americans and the importance of labor activism in securing fair treatment and better conditions.*

⁴ Report about movie *Alfie* is available at: <https://www.bbfc.co.uk/education/case-studies/alfie> (accessed on 10.4.2025).

⁵ The original text of the Abortion Act 1967 is available at: <https://www.legislation.gov.uk/ukpga/1967/87/contents/enacted> (accessed on 27.11.2025).

3. *The miners' victory at Brookside served as an inspiration to other workers and activists, demonstrating the power of solidarity and collective action in the face of corporate opposition.*"

The film transcended the Harlan County in southeastern Kentucky and had a broader impact on the improvement of the working conditions in various industries throughout the United States. Notably, the miners' strike itself, which lasted 13 months during 1973-1974, was significant in labour history. The film *Harlan County U.S.A.*, which captured this struggle, received in 1976 the most important film prize, the Academy Award (Oscar) for Best Documentary, a recognition that significantly contributed to its widespread popularity. There was a huge wave of activism for improved working conditions, which resulted to several major legislative changes. *"The year 1976 was marked by a sharp upturn in the activity and consciousness of the workers' movement. The year saw many long and militant strikes, including more than 3,000 in the first half of the year alone."* (Saba, 1977). Subsequently, major legislative changes⁶ were introduced across the United States next years.

In both the UK and the US, there are several similar cases where film had influence on lawmaking process or on individual cases, when the failure of the judicial system occurred. One of the most prominent examples is the film *Let Him Have It* (GB, 1991), which deals with one of the most infamous miscarriages of justice in British history. The film depicts the story of Derek Bentley, a 19-years old who was executed back in 1953. Upon its release in 1991 film sparked a huge social controversy, leading to the case being reopened and Bentley's posthumous rehabilitation 2 years after the film's release. Interestingly, the inscription on his tombstone reads, *"Here lies Derek William Bentley A victim of British justice."* From the USA comes a powerful contribution in the form a documentary on the reconstruction of the investigation into the murder of a police officer, which highlights a fatal failure of justice so skilfully that it resulted in the acquittal of a man unjustly sentenced to death. The movie *The Thin Blue Line* (USA, 1988) by Errol Morris had a direct impact on the re-opening of the case of Randall Dale Adams, who had been sentenced to death in 1976 for shooting of Dallas police officer Robert W. Wood. As a result of movie, Adams was subsequently ordered to be released following a habeas corpus hearing in 1989. Although neither case resulted in changes to legal norms, we can conclude that identifying and addressing miscarriages of justice always affects the legal system. It also shapes the perception of the judicial system as a fallible mechanism, which, in turn, prompts measures to prevent similar cases from occurring in the future.

Influence on lawmaking process in Anglo-american legal system (short summary):

1. ***Alfie* (1966, the United Kingdom, winner of Prix du Jury- Cannes Film Festival)-** had great impact on the public opinion and started social debate about abortion in the UK. After huge social pressure, Abortion Act of 1967 was subsequently adopted by the British Parliament.
2. ***Harlan County U.S.A.* (1976, USA, Academy Award winner) –** film was part of labour conflict, strike events and mine-safety failures, which led legislators at the federal level to adopt several labour regulations and improvement of the working conditions over the next few years.

⁶ About significant changes in year 1977 in the USA see Bond (1977).

5. WHEN MOVIES SAVE 'WOMEN'S FACES AND BODIES': THE PERSPECTIVE OF RELIGIOUS AND TRADITIONAL LEGAL SYSTEMS

From the perspective of Religious and Traditional legal systems, we have chosen two documentaries that have played a crucial role in influencing legal change. In both cases, these documentaries depict significant human rights interventions. *"Documentary film has the power to both inform and induce social action in a globalized society, using the very tools of globalization to formulate public spheres among disconnected publics."* (Pituro, 2014, p. 25). Documentaries captures reality in its raw, unchanged form, documenting real situations and outlining social problems that must be addressed. They are often used as propaganda tool to influence public opinion, such as the 1940 movie *The Eternal Jew* created in Nazi Germany. In some cases, documentaries can even go beyond national borders and influence the law in an entire region.

The first chosen movie from religious and traditional legal system is called *Saving face* (2011) played a significant role in promoting the adopted law and in providing assistance to victims of these heinous acts. *"Saving Face chronicles the lives of two acid-attack survivors in Pakistan, Zakia and Rukhsana, as they attempt to bring their assailants to justice and move on with their lives. The women are supported by NGOs, skilled doctors, and empathetic policymakers such as the Acid Survivors Foundation-Pakistan, plastic surgeon Dr. Mohammad Jawad who returns to his home country to assist them, attorney Ms. Sarkar Abbass who fights Zakia's case, and female politician Marvi Memon who advocates for new legislation."* (Sterling, 2019, p. 2). The film sparked global interest in the victims of so-called acid violence in Pakistan after it received the Oscar for Best Short Documentary in 2012.

Acid violence is the deliberate use of acid to attack another human being. It is estimated that roughly 80 % of victims are women, with nearly 40 % being under the age of 18. *"The Pakistani Parliament passed a landmark law – to give life sentences to those found guilty of acid throwing. The film shows clips of the arguments being made in the Parliament and the victorious sponsor of the bill after it is passed. Zakia then begins working with a lawyer, an activist for women's causes, and they bring Zakia's husband to court. It would be the first test of the new law in all of Pakistan. After many delays and court maneuvering, they finally get a verdict. The court rules in favor of Zakia, and her husband receives two life sentences."* (Pituro, 2014, p. 32). In this instance, the film was able to contribute to achieving individual justice for one of the documentary's protagonists. Through its mere existence, it has directly or indirectly influenced the fate of many women in Pakistan who have been, or potentially could have been, victims of horrific acid attacks.

The second film we've focused on addresses the widespread problem of female genital mutilation (FGM), which *"is primarily practised in about 30 countries in Africa and the Middle East. It is also practiced in some countries in Asia and Latin America and among communities coming from these regions. Although it is illegal in the EU and some member states prosecute even when it performed outside the country, it is estimated that about 600,000 women living in Europe have been subjected to FGM and a further 180,000 girls are at a high risk in 13 European countries alone."* (European Parliament, 2020). The film that aimed to change this situation is called *Handful of Ash*.⁷ It focuses on female genital mutilation in the Kurdish area of Garmian in northern Iraq, where research from 2005 indicated that around 60% of women and girls have been subjected to genital mutilation.

"A Handful of Ash documents the stories of women and female genital mutilation in Kurdish northern Iraq. The movie evolved from the work of the relief organization WADI,

⁷ The film is available at: <https://www.womensvoicesnow.org/films/handful-of-ash>.

which combats female genital mutilation in northern Iraq. To raise awareness in European publics to the problem of FGM in Iraqi-Kurdistan, filmmaker Nabaz Ahmad created a documentary, in which Kurdish women vividly describe their experiences. The movie approaches the subject respectfully and carefully, with expressive pictures of a simple life in a remote landscape." (Women's Voices Now. *Handful of Ash* Synopsis). The filmmakers spent almost a decade interviewing women and men about this horrible practice carried out in this region. The film was screened directly for members of the Kurdish parliament, who responded by declaring female genital cutting illegal. However, despite legislative changes, it has become apparent that many tribes in this geographic region still practice this inhumane interference with women's bodies.

Influence on lawmaking process in Religious and Traditional legal system (short summary):

1. ***Saving Face* (2011, Pakistan, Academy Award winner)** - The film won Academy Award shortly after the change in legislation, specifically after the adoption of Section 336A and Section 336B in the Pakistan Penal Code.⁸ Film helped with implementation of these legislative changes, informed citizens and helped victims of acid attacks seek help.
2. ***Handful of Ash* (2005, Kurdistan region in northern Iraq, an official selection of the 2014 WVN Online Film Festival)** - initiation of legislative changes after and direct impact on lawmaking process. Members of the initiative promoting the ban on FGM through film wrote: "In 2010 with the support of Human Rights Watch we presented joint findings on FGM which put a lot of pressure on the Kurdish Regional Government" (Wadi, 2022). After the film presentation "was shown in the Kurdish parliament, it had a profound effect on the lawmakers." (O'Kane and Farrelly, 2013) The Iraqi Kurdistan parliament passed by a large majority legislation banning the practice of FGM in June 2011 through Law No. 8 of 2011 the Act of Combating Domestic Violence. Following this success, the film *Handful of Ash* became a global phenomenon and serves in the fight against FGM around the globe.

6. CONCLUSION

Movies are a global sensation that can shape public opinion with their content and, in some cases, even influence lawmaking. We have attempted to demonstrate this global influence through a comparative method, selecting two cases from each of the major legal systems. While many more examples could be cited, we have selected two films to discuss in more detail for the sake of comparison. We also sought to showcase the diversity of themes explored in these films. In *Harlan County, U.S.A.*, the focus was on the right to strike and the terrible working conditions of the miners; in *Alfie*, it centred the woman's right to freely choose to terminate a pregnancy; in *Rosetta*, the issue was equal conditions for underage workers; the movie *A Short Film About Killing* highlighted the immorality of the death penalty; *Saving face* addressed the problem of revenge through acid attacks on woman's face and *A Handful of Ash* addressed the practice of female genital mutilation in the Kurdish part of northern Iraq. All the themes touch on important fundamental rights and freedoms, which are most often guaranteed by constitutions,

⁸ For more details, see changes in Pakistan Penal Code: https://www.na.gov.pk/uploads/documents/1306730721_572.pdf (accessed on 27.11.2025).

international treaties and, not least, domestic legal norms, whether in the form of normative legal acts, precedents or legal customs.

In this article we have provided several examples of when movies had impact on lawmaking. It must be noted that this is not a common and frequent phenomenon. In fact, in our view, there must be a specific set of circumstances that make such a situation possible:

1. The theme addressed in the film is relevant and up to date, dealing with a social problem that persists and causes negative phenomena in society.
2. The topic has the potential to provoke a strong social reaction, or the film is specifically created for the presentation to representatives of the legislative power.
3. The events depicted in the movie align with reality. While it's not necessary for a film to be exclusively documentary (*Harlan County, U.S.A., Saving face...*), fiction stories can also strongly influence the public opinion (*Alfie, Rosetta, Short Film about Killing...*).
4. The film offers a genuine solution to a social problem and leads to open public debate, raises awareness of key issues, or contributes to increasing the legitimacy or social acceptance of changes in existing law, either directly or indirectly. Direct influence is very rare and much more often film is just one of the social attributes that lead to changes in the law.
5. The film itself is crafted at an excellent artistic level, as evidenced by its international success and numerous prestigious film awards. This brings it to the attention of a broader audience both at home and abroad.

In the Slovak Republic, an interesting example of a film influencing legal change is the 2017 film *Kidnapping* (Slovakia, 2017), directed by Mariana Čengel Solčanská. In this case, the film was one of the factors that contributed to the abolition of the controversial Mečiar's amnesties. As a result of the social and media pressure, which was triggered by the film, the abolition of the "Mečiar's amnesties" was constitutionally enshrined, and the Constitutional Court of the Slovak Republic took a position on it. This film was intended to address the injustices of the past and to shed light on the events of the politics of the 1990s for the current generation. In this case, there was an indirect effect on changing legal norms.

The main goal of this paper was to verify the hypothesis: "*Films, as an epistemic source of law, have the ability to directly or indirectly influence various stages of the lawmaking process when certain conditions are met.*" Given the relevant examples we successfully identified and justified within the paper, we conclude that the hypothesis has been confirmed. Considering the chosen scientific methods, it became clear that this is not just a regional anomaly, but that films can influence on the law-making process in each of the major legal systems. We have also identified five specific circumstances that enable films to have potential to impact on lawmaking process. It is important to note that films act as a trigger, activating societal debate, and only the subsequent public and media discourse leads to real changes in lawmaking process.

Each of the selected films had an impact on the law-making process at various stages. In some cases, the film was the catalyst for legislative changes (*Handful of Ash*). In others, it premiered during the ongoing legislative process and contributed to its successful completion (*Rosetta, Alfie*). The film also premiered shortly after the adoption of legislative changes, which were reflected in its content. In this way, it contributed to the popularisation of the law and subsequently facilitated the application of legal norms (*Saving Face*). Sometimes it was part of larger social events that led lawmakers to adopt several legislative changes over a longer period (*Harlan County, U.S.A., Short Film about*

Killing). In some cases, films have been able to influence specific cases, reopening legally terminated cases and saving a person from the death penalty (*Thin Blue Line*) or at least securing the rehabilitation of a victim of a miscarriage of justice (*Let Him Have It*), although we did not discuss this effect in more detail in the article. The range of their effects is truly diverse, and they have entered various stages of the law-making process, from the preparation of the legislative proposal, through the procedure on the approval itself, the popularisation of legal norms during the publication, the facilitation of the application of these norms, to the redress of damages committed in the past.

BIBLIOGRAPHY:

- Bahr, B. (2024). *Harlan County, USA – Narrative Documentary Production*. Available at: <https://library.fiveable.me/narrative-documentary-production/unit-10/harlan-county-usa/study-guide/t4Hjqfoaq8BgLS5> (accessed on 20.4.2025).
- Batar, S. (2021). The Impact of Legal Cinema on Ancient Law Reform. *Asian Journal of Research in Social Sciences and Humanities*, 11(10), 366-371. DOI: 10.5958/2249-7315.2021.00117.9
- Bennett, J. (2012). A Short Film About Killing (1988). *Prison Service Journal*, 199, 13-16.
- Biskind, P. (1977). "Harlan County, USA: The miners' struggle." In *Jump Cut*, 14, 3-4. Available at: <https://www.ejumpcut.org/archive/onlinessays/JC14folder/HarlanCty.html> (accessed on 20.4.2025).
- Bond, D. T. (1977). State labor legislation enacted in 1976. *Monthly Labor Review*, 100(2), 25-38. Available at: <https://www.jstor.org/stable/41842043> (accessed on 25.11.2025).
- Elsaesser, T. (2019). *European cinema and continental philosophy: Film as thought experiment*. New York – London: Bloomsbury Publishing Inc.
- European Parliament (2020). *Female genital mutilation: where, why and consequences*. Available at: <https://www.europarl.europa.eu/topics/en/article/20200206ST072031/female-genital-mutilation-where-why-and-consequences> (accessed on 23.4.2025).
- Festa, B. M. (2016). Netflix and the American Prison Film: Depictions of Incarceration and the New Prison Narrative in Ava DuVernay's 13th. *Hungarian Journal of English and American Studies*, 28(1), 221-249, <https://doi.org/10.30608/HJEAS/2022/28/1/9>
- Hermann, D. H. J. (1998). The Law in Cinema: An Emerging Field of Study. *NYLS Law Review*, 42(1), 305-330.
- Kamir, O. (2005). Why 'Law-and-Film' and What Does it Actually Mean? A Perspective. *Journal of Media & Cultural Studies*, 19(2), 255–278.
- Knauss, S. (2016). Visionary Critique: Gender, Self and Relationship in Rosetta and Two days, one night. *Journal for Religion. Film and Media*, 2(2), 45-66, <https://doi.org/10.25364/05.2:2016.2.4>
- Mészáros, T. (2018). Právna realita na filmovom plátne [Legal reality on the silver screen]. *Kino-Ikon*, 22(2), 272-286.
- Meteňkanyč, O. M. (2020). Právo na život a ochranu nenarodených detí verzus právo na súkromie a slobodné rozhodnutie ženy vo veci prerušenia tehotenstva [The right to life and protection of unborn children versus a woman's right to privacy and free choice in matters of termination of pregnancy]. In Mészáros, T. and Meteňkanyč, O. M (eds.), *Právo vo filmovom umení. Osobitná časť* [Law in film art. Special section] (pp. 186-217). Šamorín: Heuréka.

- Monaco, J. (2006). *Jak číst film: Svět filmů, médií a multimédií [How to Read a Film: Movie, Media, Multimedia]*. Praha: Albatros nakladatelství. New York: Oxford University Press.
- Mukherjee, T. (2014). Emergence of Cinema as a strong Tool of Social Change. *Global Journal for Research Analysis*, 3(4), 229-233.
- O'Kane, M. and Farrelly, P. (2013). FGM: 'It's like neutering animals' – the film that is changing Kurdistan. Available at: <https://www.theguardian.com/society/2013/oct/24/female-genital-mutilation-film-changing-kurdistan-law> (accessed on 10.10.2025).
- Ostrowska, D. (2010). A Short Film About Killing: Debates on Death Penalty in Socialist Poland. In Riber Christensen, J. and Toft Hansen, K. (eds.), *Fingeraftryk: studier i krimi og det kriminelle (Festskrift til Gunhild Agger)* (pp. 305-321). Aalborg: Aalborg University Press.
- Piturro, V. (2014). Documentary Film Rhetoric: Saving Face and the Public Sphere. *Journal of Media, Communication and Film*, 2(1), 25-37. Available at: <https://iafor.org/archives/journals/iafor-journal-of-media-communication-and-film/10.22492.ijmcf.2.1.03.pdf> (accessed on 25.11.2025).
- Reichman, A. (2008). The Production of Law (and Cinema): Preliminary Comments on an Emerging Discourse. *Interdisciplinary Law Journal*, 17, 457-506. Available at: <https://ssrn.com/abstract=3561586> (accessed on 25.11.2025).
- Saba, P. (1977). 1976 in the Labor Movement: A Year of Activity and Growing Consciousness. *The Call*, 6(1). Available at: <https://www.marxists.org/history/erol/ncm-3/ol-76-labor.htm> (accessed on 20.4.2025).
- Sherwin, R. K. (2009). Imagining Law as Film (Representation without Reference?). In Sarat, A., Anderson, M. and Frank, C. O. (eds), *Law and the Humanities: An Introduction* (pp. 241-268). New York: Cambridge University Press.
- Silbey, J. (2017). American Trial Films and the Popular Culture of Law. In *Northeastern Public Law and Theory Faculty Research Papers Series No. 321*. Available at: https://scholarship.law.bu.edu/faculty_scholarship/1385/ (accessed on 25.11.2025).
- Sterling, F. (2019). Saving face Viewer's Guide. Available at: https://www.wmm.com/uploads/2019/02/savface_guide.pdf (accessed on 23.4.2025).
- Stok, D. (1993). *Kieslowski on Kieslowski*. London – Boston: Faber and Faber.
- Turčan, M. (2020). Right to life and freedom of choice according to evictionism: Christian critique. *Communio Viatorum*, 62(2), 184-207.
- Wadi (2022). A Handful of Ash: The Campaign to eliminate Female Genital Mutilation in Iraqi Kurdistan. Available at: https://wadi-online.org/wp-content/uploads/2022/02/fgm-brochure_05.pdf (accessed on 10.10.2025).
- British Board of Film Classification (1965). *Alfie rating*. Available at: <https://www.bbfc.co.uk/education/case-studies/alfie> (accessed on 12.4.2025).
- Netflix (2016). *13th*. Available at: <https://www.netflix.com/sk-cs/title/80091741> (accessed on 10.4.2025).
- Section 336A and Section 336B in Pakistan Penal Code. Available at: https://www.na.gov.pk/uploads/documents/1306730721_572.pdf (accessed on 10.10.2025).
- The UK Parliament (1967). *UK Public General Act 1967 chapter 87 (Abortion Act 1967)*. Available at: <https://www.legislation.gov.uk/ukpga/1967/87/contents/enacted> (20.4.2025).

Women's Voices Now. *Handful of Ash* Synopsis Available at:
<https://www.womensvoicesnow.org/films/handful-of-ash> (accessed on
23.4.2025).

FILMOGRAPHY:

13th (Dir. A. DuVernay, 2016).
25 Years of Innocence (Dir. J. Holoubek, 2020).
A Short Film About Killing (Dir. K. Kieślowski, 1987).
Alfie (Dir. L. Gilbert, 1966).
April (Dir. D. Kulumbegašvili, 2024).
Handful of Ash (Dir. N. Ahmad, 2005).
Happening (Dir. A. Diwan, 2021).
Harlan County, U.S.A. (Dir. B. Kopple, 1976).
In the Company of Women (Dir. S. Munt, 2023).
Kidnapping (Dir. M. G. Solčanská, 2017).
Let Him Have It (Dir. P. Medak, 1991).
Never Rarely Sometimes Always (Dir. E. Hittman, 2020).
Ninjababy (Dir. Y. S. Flikke, 2021).
Right to Choose (Dir. R. Lipo, 2024).
Rosetta (Dir. J-P. Dardenne - L. Dardenne, 1999).
Saving Face (Dir. S. Obaid-Chinoy – D. Junge, 2011).
The Ballad of the White Cow (Dir. B. Sanaeëha – M. Moghadam, 2020).
The Eternal Jew (Dir. F. Hippler, 1940).
The Life of David Gale (Dir. A. Parker, 2003).
The Thin Blue Line (Dir. E. Morris, 1988).

