



History of forensic medicine in Turkey

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ABSTRACT

Turkey has a short history of forensic medicine compared to the developed countries. Sultan Mahmud II established the first medical school of the Ottoman Empire named as Mekteb-i Tibbiye-i Şahane to provide health services to the army in 1839 [Gok S. Tomorrow, today and yesterday of the forensic medicine. 1st ed. Istanbul: Temel printing office; 1995]. It is also accepted as an important milestone of both medical education and forensic medicine in Turkey [Gok S and Ozen C. History and organization of forensic. 1st ed. Istanbul: Istanbul University Cerrahpasa Medical School Publications; 1982]. The first lecturer of forensic medicine at Mekteb-i Tibbiye-i Şahane was Dr. Charles Ambrose Bernard (C.A.). and he was also the first to perform autopsy in the history of Ottoman Empire [Gok, 1995]. Approximately 40 years after the first forensic medicine lecture in 1879, the Department of Medical Jurisprudence was established as a division of Zabita Tababet-i Adliye (Law Enforcement Office) in Istanbul [Sehsuvaroğlu and Ozen. History and development of forensic medicine in the world and in our country. Mag Istanbul Univ Med Fac 1974;36(60)]. This paper documents the first two cases of autopsies performed in Turkey with the original papers from the National Library.

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Introduction

The term “Forensic” was derived from the Latin word *Forensis*, meaning “belonging to the market place or forum.” In ancient Rome the “forum” or public meeting place was the center where legal cases were tried and pleaded. History of human beings is full of examples that law and justice have consulted to medicine, especially in some criminal offences to decide accurately. Forensic medicine, being a part of the modern medicine, has been the most addressed department both in the past and in the present [4]. The history of forensic medicine in Ottomans began relatively late with the foundation of the Mekteb-i Tibbiye-i Şahane, which was the first modern medical school of Ottomans, by Padishah Mahmud II. This school has been accepted as an important milestone for the development of forensic medicine both in Ottomans and in the Republic of Turkey. Dr. Charles Ambrose Bernard (C.A.) was the first lecturer of forensic medicine in this school, and he was also the first director of Mekteb-i Tibbiye-i Şahane [1]. The first efforts to organize a forensic medicine unit in this medical faculty have also built up the roots of the forensic medicine in the Republic of Turkey today.

During the Ottoman period, attempts for getting consent for autopsy and exhumation in suspicious deaths were rejected by the Sheikh ul Islam, the religious chief of the Ottoman Dynasty [3]. Therefore, during that period of time doctors had very limited

opportunity for performing autopsies with the permission from of the padishah [5].

The first “modern” forensic autopsy, which was also a part of an investigation about on the death of a building constructor whose head was crushed after a big stick fell on him was performed in 1841 by Dr. Bernard at the Austrian Hospital [2,6,11].

The following ancient writings are the reports from the first autopsy that was performed by Dr. Bernard with the permission of the padishah in Ottomans (Fig. 1 A and B).

The translation of the first report (Fig. 1A) is; “While a Croatian worker was gathering pieces of wood a big stick fell on his head. He died immediately. His body was brought to Australian Hospital, and the director of Mekteb-i Tibbiye-i Şahane monsieur Bernard, performed the autopsy. At the same time I was writing about autopsy findings and other medical school students followed up the findings of monsieur Bernard. Monsieur Bernard found that the size of the Croatian worker’s heart was 2 times bigger than the normal size. In addition to that, aortic valves were approximately covering the entrance of the aorta. However, this man had a healthier body than many healthy men, and his illness was not known. This man was working as a carrier and was carrying heavy luggages in his daily life. And while he was carrying these luggages he did not complain about anything [7].”

The following text is originally a part of the book *Makalat-ı Tibbiye* (Fig. 1B). This is the 246th article of that book “Helplessness and laxity pave the way for death”.

The director of Mekteb-i Tibbiye-i Şahane monsieur Bernard, did performed the autopsy of an Austrian man (His name was

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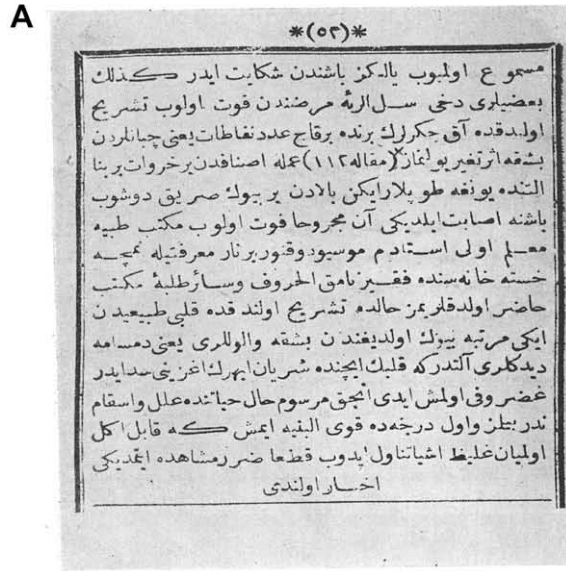


Foto 4, A: Hayrullah Efendi'nin Makalât-ı Tıbbiye adlı eserindeki
Birinci otopsi vakasına ait niteleme



Foto 4, B: Hayrullah Efendi'nin Makalât-ı Tıbbiye adlı eserindeki
Kıncı otopsi vakasına ait niteleme

Fig. 1. (A) This is a part of the first padishah permitted original autopsy report performed at Ottomans [7]. (B) This is a part of the second padishah permitted original autopsy report performed at Ottomans [7].

Luyi). At the same time I was writing about autopsy findings. We found inflammation of the stomach. After opening of the stomach we discovered focuses of some metastasis. When we asked a nurse about the general medical condition of Luyi before he died she said that he was unable to think straightly and his hands had no sensitivity, he could not feel them.

Monsieur Bernard performed the autopsy of the Austrian man. At the same time, other medical school students followed up the findings of monsieur Bernard. This Austrian man was working as

a sailor in an Austrian warship. As soon as he ate something he started to vomit. The warship doctor gave some medicine. Unfortunately he died. Warship's company was in doubt about he being poisoned. For this reason, Bernard performed the autopsy of the Austrian sailor and took some samples from the stomach and intestine. The inner side of the stomach was reddish, color and there were some small points on it. Additionally, duodenum was reddish. However, normally, the inner sides of the stomach and duodenum are pinkish. And duodenum was full of digested food

and the smell of this food also was not rotten. But, the existence of ulcer might have been the cause for foul smell.

In conclusion, because of the suspicious nature of the death, we had to take some samples from the suspected parts of the body. After we had taken the materials from the suspected areas, we opened the cranium. We found that, in subdural area, there was bleeding from an artery. This hemorrhage was covering all the parts of the subdural area. This is a part of the second original report of the autopsy that was permitted by the padishah and performed at Ottomans. (7)

Forensic medicine lectures were started by Dr. Bernard, who was assisted by Dr. Serviçen Efendi, in 1841. After the death of Dr. Bernard in 1844, Dr. Serviçen Efendi carried out the forensic medicine lectures until 1846 [1]. His successor was Dr. Agop Handanian who had passed the examination and had acquired the position of an Associate Professor at Mekteb-i Tıbbiye-i Şahane in 1866. Then Dr. Agop Handanian gave the first forensic medicine lecture in a non-military medical school named as Mekteb-i Tıbbiye-i Mülkiye in 1867. This medical school was the first to conduct the lectures in Turkish language instead of in French in Ottomans [2].

Dr. Agop Handanian was the first to translate forensic medicine books from French to Turkish language in Ottoman age [8]. These books were written originally by Brande and Chande in 1877 and 1885 and were named as “Book of Medical Jurisprudence” (Kitab-ı Tıbb-i Kanuni) and “Book of Legal Chemistry” (Kitab-ı Kimyay-ı Kanuni), respectively [5].

In Turkish jurisprudence history, the term “medical expert” was initially defined by Ceza Kanunname-i Humayun (Criminal Law) in 1858. According to this law, when asked, the medical experts had to declare their thoughts about the crimes. Additionally under this law not only doctors but also nurses and health-officers had to share their experiences when asked by public prosecutor to give their opinions about the crimes [3].

In 1879, Kanun-u Muhakemat-ı Cezaiye (Judgment in Criminal Law) was changed, and in this law it was explained that in some crimes, which involved killing a man or assaulting or battering, the prosecutor had to take the opinion of a doctor. This doctor, called as an “expert”, could be a surgeon or a practitioner [3].

In 1879, (Zabita Tababet-i Adliye) the Department of Medical Jurisprudence was established as a part of the Law Enforcement Office in Istanbul. (Forensic jurisprudence spread from Istanbul to other cities where public, private and also military doctors and health-officers and midwives tried to serve forensic medicine services [5].) But only doctors were responsible for performing the autopsies. Doctors performed autopsy only at the Autopsy Room at Askeri Tıbbiye-i Teşrihane (Military School of Medicine) [1].

In 1909, military medical schools were clubbed with other medical schools and their names were changed to “Haydarpaşa Medical Faculty” [2] where Dr. Bahaettin Şakir was appointed as a professor and he wrote the first Turkish copyright forensic book in our country in 1910. However, this book was published in the form of fascicles [5].

In 1908, the first Morgue office and Chemistry office were established in the organization of Umur-u Tıbbiye-i Mülkiye and Sıhhiye-i Umuriye (Ministry of Health) [3]. So that the core of forensic medicine organization was built up early. Again autopsies were performed in the Autopsy Room at the Military School of Medicine [2].

In 1917 the Department of forensic medicine became the Department of Ministry of justice [1].

Turkish Republic

In 1920, during the warfare, the Turkish Parliament TBMM decided upon the forensic medicine doctors' duties and rights. Dur-

ing the warfare of liberation, forensic medicine provided services at the government house in Ankara. The autopsies were performed at Ankara Gureba Hospital. Also other activities, such as reporting the degree of mental illnesses and legal capacity of people were examined again in the same hospital [3].

In 1926, the demand for forensic medicine services increased. For this reason, the term “forensic medicine” was changed to “forensic medicine presidency”. At the same time, Morgue, Observation and Chemistry offices were opened. New forensic medicine offices were also established in the five different cities of Turkey [3].

Until 1926, Forensic medicine services were the place for Forensic Medicine. forensic medicine services was shifted to Velihaht Yaveran Dairesi in Dolmabahçe Palace. But one year later, it was again shifted from this palace to the Barracks of Military Middle School (Rüstiye-i Askeriye) at Soğukcesme due to the law of protection of national palace. Until 1982, Soğukçeşme Rüstiye-i Askeriye was used efficiently, but later, this building lacked sufficient qualifications for forensic medicine services so it was shifted to the campus of Cerrahpaşa University [3].

The first autopsy technique was written by Hamdi Suat Aknar in our country [9].

Under the new law, in 1953 it was noticed that psychiatry institutes and department of forensic medicine of universities could provide expert service. Under the same law, eight departments were established. These were Morgue, physic, chemistry, Observation, biology, psychiatry, traffic, and graphology. Also the term forensic medicine was changed to “Council of Forensic Medicine [2].”

Today Forensic Medicine is a branch and department of medical faculties and also faculties' law has lectures on forensic medicine. All medical faculties have departments of forensic medicine. Prof. Polat opened the first DNA identification laboratory and modernized morgue for the first time at the Council of Foundation of Forensic Medicine.

At present, there are three organizations in Turkey which are involved in the forensic medicine field (1) the Universities of Medical Sciences the number of which reached 42, (2) the Council of Forensic Medicine, and its branch offices in cities and (3) the Institute of Forensic Medicine. The Council of Forensic Medicine is an official body of the Judiciary, which is situated in Istanbul.

Result

Recently, forensic medicine is being practised widely by the medical doctors, and all the criminal cases are being investigated in terms of forensic sciences. Medical faculties have forensic medicine departments. Also, all cities have their own forensic medicine experts.

Clinical forensic medicine is also performed for all violence cases of child abuse and domestic violence. Especially multidisciplinary teams are working with the coordination of forensic experts at the university hospitals.

Today there are approximately 500 forensic medicine experts. Forty of them are academically involved, and books, and journals are published which are titled as journal forensic medicine (?), Criminology, Bulletin of Forensic Medicine [10].

Discussion

There is confusion about the dates of the first autopsy performed in history. This paper documents the first two cases with the original papers which are kept in the National Library archives. In detail Dr. Bernard wanted to make autopsy legal in Ottoman Empire. So he tried to take the permission from padishah. But autopsy and exhumation in suspicious deaths were rejected by the Sheikh

ul Islam [5]. We know that between 1841 and 1843 there were two padishahs who permitted autopsy. And in 1841 the first modern constitution was accepted, so the padishah had permitted for autopsies being done in the country. And they were performed according to the rules of modern law [11].

Conclusion

In conclusion, this paper presents the information on the first two autopsies with their documents. Also we want to mention that some autopsies were performed before 1841 in Ottoman Empire, but these were not legal autopsies.

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