“FREEDOM” OF THE PRESS IN TURKEY: JOURNALIST IMPRISONMENTS DURING THE LAST DECADE, 2002-2012

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ABSTRACT

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The noticeable increase in the number of imprisoned journalists in the past three years drew national and international attention to the problems of press freedom in Turkey. Arrests of distinguished reporters of Turkey's mainstream media, along with the ongoing limitations on the freedom of Kurdish and socialist press, caused the country to be referred as "the world's biggest prison for journalists" by the non-governmental press freedom organizations such as Reporters Without Borders and the Committee to Protect Journalists. Statements of the Justice and Development Party (AKP) government authorities claiming that the imprisoned journalists are "not journalists but terrorists," and their reluctance to amend the laws that cause hundreds of journalists to be jailed led to questioning the influence of politics on journalist imprisonments.

This study explores the problems of press freedom with a focus on imprisoned journalists. Based upon in-depth interviews with journalists who were behind bars in the last decade, this study aims to answer the questions of what has changed in terms of freedom of expression in the last decade under AKP rule, for what obvious and underlying reasons the journalists are imprisoned, whether censorship has been a part of the problems of press freedom in the last decade, and how limitations on the freedom of expression affect the public.

To my beloved family: my parents and my best friends, Hüriz and Erhan Kanver

To all the journalists who did not hesitate to risk their lives or their freedom as they sought the truth

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KEY TO ABBREVIATIONS

AA	Anadolu Agency (Anadolu Ajansi)
AKP	Justice and Development Party (Adalet ve Kalkinma Partisi)
BDP	Peace and Democracy Party (Baris ve Demokrasi Partisi)
CHP	Republican People's Party (Cumhuriyet Halk Partisi)
CIA	Central Intelligence Agency
CPJ	Committee to Protect Journalists
DHKP/C	Revolutionary People's Liberation Party/Front (Devrimci Halk Kurtulus Partisi/Cephesi)
DIHA	Dicle News Agency (Dicle Haber Ajansi)
DP	Democrat Party (Demokrat Parti)
EU	European Union
FP	Virtue Party (Fazilet Partisi)
IPI	International Press Institution
IRB	Institutional Review Board
KCK	Union of Communities in Kurdistan (Koma Ciwaken Kurdistan)
MHP	Nationalist Movement Party (Milliyetci Hareket Partisi)
MNP	National Order Party (Milli Nizam Partisi)
MLKP	Marxist-Leninist Communist Party (Marksist-Leninist Komunist Party)
NATO	North Atlantic Treaty Organization

NGO	Non-governmental organization
OSCE	Organization for Security and Co-operation in Europe
PDK	Democrat Party of Kurdistan/North (Partiya Demokrata Kurdistane)
PKK	Kurdish Workers' Party (Partiya Karkeren Kurdistan)
RP	Welfare Party (Refah Partisi)
RSF	Reporters without Borders
TCK	Turkish Penal Code (Turk Ceza Kanunu)
THKP-C	Turkish People's Liberation Party-Front (Turkiye Halk Kurtulus Partisi-Cephesi)
TIP	Turkey Labor Party (Turkiye Isci Partisi)
TGS	Turkish Journalists' Syndicate (Turkiye Gazeteciler Sendikasi)
TMK	Law on Fight against Terrorism of Turkey (Terorle Mucadele Kanunu)
TRT	Turkish Radio and Television Corporation

CHAPTER I. INTRODUCTION

When Reporters without Borders (RSF), one of the leading non-governmental organizations to defend freedom of information and freedom of the press, published its first Press Freedom Index in October 2002, Turkey was the 99th among 139 countries. That year also marked an important milestone in the history of Turkey: A decade of frequently changing coalitions was giving its place to the outright majority of the conservative Justice and Development Party (AKP). During the following decade under AKP rule, the party's philosophy of "conservative democracy," as Prime Minister Recep Tayyip Erdogan calls it (Yavuz, 2006), has been problematic in terms of the application of some rights and freedoms assured by the Constitution. Freedom of the press was among them: A decade later, in 2012, Turkey has dropped to 154th of 179 countries in RSF's Press Freedom Index, adding to its already-poor reputation in terms of freedom of expression. The increasing number of imprisoned journalists and the fact that some were very well-known to the public raised more awareness about the problems of the Turkish press than before. In their annual reports, the NGOs that advocate for journalists' rights and freedoms like the Committee to Protect Journalists (CPJ) and Reporters without Borders referred to Turkey as the "world's biggest prison for journalists," and "the world's worst jailer" (RSF, 2012; CPJ, 2013).

CPJ correspondent Ozgur Ogret (2013) blames Turkey's vague anti-terror laws for the recent problems of press freedom. In fact, the journalists who have been convicted, jailed or released pending trial in recent years have all been tried on charges of belonging to one of three terrorist organizations: Ergenekon, a counter-guerilla organization that allegedly works on coup plots

(Turkan, 2012); KCK (Union of Communities in Kurdistan), a pro-Kurdish organization similar to the globally recognized PKK (Kurdish Workers' Party) (Ogret, 2013); and the far-left terrorist organization DHKP/C (Revolutionary People's Party/Front) that Sevinc (2008) compares to the Irish Republican Army and other well-known left-wing terrorist organizations from around the world. In addition to Ogret's CPJ report, Christensen (2010) discusses how Turkey's anti-terror laws contribute to restricting the journalists' freedom to report and express opinions on certain subjects. Especially after 2010 and 2013 amendments to the Law on Fight against Terrorism in Turkey, even reporting about the acts or announcements of an outlawed organization makes journalists subject to a prison sentence[1]. Moreover, the first article of the same law, which states that "any criminal action conducted by one or more persons belonging to an organization with the aim of … enfeebling, destroying or seizing the State authority … is defined as terrorism," is open to misinterpretation and misuse by the authorities. According to this law, journalists as well as scholars, high-ranking military members, and civilians like college students who speak up or act against the government have been jailed on terrorism charges in the last few years.

When defining the Authoritarian theory of the press, which emerged in the 16th century in England and is still practiced in some countries, Siebert *et al.* (1978) mention three methods of press control, one of which is "prosecution before the courts for violation of accepted or established legal rules of behavior." Siebert *et al.* further explain this method as the prosecutions of the people who are "accused or suspected of disseminating information or opinions inimical to the authorities," and lists three categories that constitute a basis for the prosecution: (1) to attempt to overthrow the state; (2) to engage in activities that might lead to the overthrow of the established government; and (3) to advocate policies which might lead to an overthrow. Siebert

[1] See Section 2.3: Law on Fight against Terrorism of Turkey, Article 6.

then suggests that "the individuals or groups who try to reach the public through the channels of mass communication," such as the publisher, the editor, or even a reporter of a news media outlet that is critical of the government, "could readily be accused of 'activities that might lead to the overthrow of the state.'" When such definitions of Siebert *et al.* are taken into account, the Authoritarian theory of the press seems applicable to Turkey's current situation. The terrorism charges against imprisoned journalists interviewed in this thesis, especially the Ergenekon case, are good examples of the Authoritarian state's press control methods.

However, as discussed in *Four Theories of the Press*, the Libertarian theory, which started to replace the Authoritarian theory during Enlightenment, is supposed to be adopted by modern societies with political democracy and religious freedom. Considering the irrevocable provisions of the Constitution of the Republic of Turkey that states "the Republic of Turkey is a democratic, secular and social state governed by the rule of law," should one assume that this country must adopt the principles of the Libertarian theory of the press, like "all democratic countries in the world" (Siebert *et al.*, 1978)? These principles are basically freedom from government censorship, controls, or domination, and multiplicity of voices of the press available to the public, including the ones that oppose the government. As it will later be explained and exemplified in this study, in Turkey, there have been problems with the application of these principles both today and historically. According to Merrill's discussion of the A-L Dichotomy which suggests that governments do not have to be either Authoritarian or Libertarian but usually incline toward one of these, it would be safe to say that the AKP government demonstrates an "Authoritarian tending" in recent years (Merrill, 1974). Especially with the growing number of journalist imprisonments during the last decade under AKP rule, there seems to be an effort made by the authorities to silence the press.

The purpose of this study is to examine the problems that limit the freedom of the press in Turkey. In order to explore the underlying causes of such problems, relevant subjects such as the recent history of modern Turkey, different ideologies adopted in Turkish society, and media ownership and monopolies will be reviewed. As the main focus of the study is "journalist imprisonments," this issue is to be examined in detail. After an introduction to the statements of the government authorities that the imprisoned journalists are "not actual journalists but terrorists"[2] and the three main terrorist organizations that the journalists are allegedly connected with; the outcomes of the reverse transition from the adoption of the Libertarian theory of the press to the Authoritarian theory will be explored through the opinions and experiences of journalists who have been imprisoned and released pending trial in the last decade. In light of the in-depth interviews with five such journalists, different types of censorship and other limitations on the freedom of expression and the press will be discussed, and the discussion will be supported by published reports, columns, and articles from the news media.

As the ongoing pressure on leftist-revolutionist and minority journalists[3] started to affect more popular journalists of the mainstream media, Turkey's problems of press freedom drew both national and international attention. Citizens gathered to protest journalism imprisonments[4], international media outlets often reported on the issue[5], and international NGOs such as CPJ and

[2] See Chapter 4 for news reports and explanation.
[3] See Section 2.1.3 for details on minorities in Turkey. Minority journalists are primarily the Kurdish press; it may refer to Armenian-Turkish journalists as well.
[4] "Thousands Protest Detention of Turkish Journalists." March 4, 2011. <http://www.nytimes.com/2011/03/05/world/europe/05turkey.html>
[5] For example, articles from *The New York Times*, *Huffington Post*, BBC and *The Guardian:* <http://latitude.blogs.nytimes.com/2012/03/13/turkeys-media-are-a-poor-champion-of-free-expression-thanks-to-government-control/>, <http://www.huffingtonpost.com/committee-to-protect-journalists/erdoan-tells-turkish-jour_b_1884866.html>,< http://www.huffingtonpost.com/huff-wires/20110303/eu-turkey-coup-plot/?iframe=true&width=95%&height=95%>, <http://www.bbc.co.uk/news/world-europe-

RSF began publishing more reports on Turkey[6]; the importance of Turkey's press freedom issues has become better understood by the citizens and media professionals in the past few years. However, as this is a fresh topic, a comprehensive analysis has not been done on an academic level yet. Christensen's 2010 article that focuses on the murder of the Armenian-Turkish journalist Hrant Dink, Turkish scholar Turkan's 2012 article that studies "the arrest of journalists accused of being part of the alleged 'Ergenekon' coup plot," and Balci's 2010 article on media coverage of the Ergenekon case are among the recently published academic works related to the topic. The importance of this study is that unlike previously published literature, the problems of press freedom for Kurdish journalists, leftist/revolutionist journalists, and mainstream journalists

Based upon the interviews with at least one journalist from each of these three groups, this study aims to answer the following questions:

RQ 1: What has changed in terms of the freedom of expression in the last decade under AKP rule? How are the limitations of freedom of expression in the last decade different than before?

RQ 2: For what obvious and underlying reasons are the journalists imprisoned?

RQ 3: How are the problems of press freedom in the last decade related to censorship and self-censorship issues?

RQ 4: How do the limitations of the freedom of expression affect the public?

20083163>, <http://www.guardian.co.uk/media/greenslade/2013/jan/24/press-freedom-turkey?INTCMP=SRCH>, < http://www.guardian.co.uk/media/greenslade/2012/oct/23/press-freedom-turkey?INTCMP=SRCH>

[6] For example, the number of CPJ special reports on Turkey by year is two in 2009, five in 2010, eight in 2011, and twenty-six in 2012.

CHAPTER II. LITERATURE REVIEW

2.1 Dominant Ideologies in Turkey

A country that is seesawing between being European and Middle Eastern, religious and modern, conservative and liberal, Turkey has been suffering from such conflicts for decades. This identity crisis has caused many clashes of opinions in society, forming different groups supporting different ideologies during the country's 89-year history. In addition to political ideologies, ethnic and religious ideologies have been other causes of a polarized society in Turkey. The following subsections introduce these different "poles" in Turkish society.

2.1.1 Islamists

"The Turks started converting to Islam with the Battle of Talas, where the Turkic tribes of Central Asia fought together with the Arabs against the Chinese Army" has been a classic teaching in high school history classes in Turkey. If that were the fact, then it could be inferred that the Turks' commitment to Islam emerged in a political context. Whether this was the case or not, it is at least known that Islam has played a very important role not only in Turkish culture and but also in politics since the Ottoman Empire (Rabasa & Larrabee, 2008): A few examples are that in the later years of the empire, the political leader who was the Sultan was also the Caliph, the leader of the Muslim world (Rabasa & Larrabee, 2008), and it was Islam that caused 400.000 people from the Balkans to immigrate to Anatolia during World War I (Oktem, 2011). Unlike the time of the Ottoman Empire, however, there had been a special effort made to keep religion away from politics after the modern Turkish Republic was founded in 1923. Mustafa Kemal Ataturk's reforms that adopt the ways of Western civilization brought about the abolition

of the Caliphate system, "the enactment of a series of sweeping secularization measures," and even the change of the alphabet from Arabic to Latin. (Rabasa & Larrabee, 2008; Kaylan, 2005).

Despite the fact that Article 2, the irrevocable provision of the Constitution ensures secularity by all means, Political Islam could not be kept away for long. Religious organizations "resurfaced" in the 1960s and "mushroomed" in the 1970s (Rabasa & Larrabee, 2008), and the first Islamist party, the National Order Party (MNP), was formed. The leader, Necmettin Erbakan, was a long-lived politician who had been active in politics since the 1960s till his death in 2011. As Islamism was not welcome in the secularist-Kemalist understanding of the military, four of his parties[7] were shut down every time after a coup[8].

The most critical developments about political Islam started with Welfare Party (RP), which was founded in 1983 despite Erbakan and his lieutenants' ten-year ban from political activities. This party brought about "the spectacular rise" of Islamism in Turkish politics in the early 1990s (Rabasa & Larrabee, 2008; Hale & Ozbudun, 2010). Having received 19 percent of the vote in the 1994 local elections, RP won the mayor's office in 29 municipalities including Istanbul where current Prime Minister Recep Tayyip Erdogan was elected mayor. RP's success continued as it won the most seats in the parliament in 1995, and Necmettin Erbakan became the prime minister, although only for a short time. Following the "post-modern coup"[9] of 1997 the RP was

[7] National Order Party (MNP): 1970-1971
National Salvation Party (MSP): 1972-1981
Welfare Party (RP): 1983-1998
Virtue Party (FP): 1998-2001
Felicity Party (SP): 2002-current

[8] 1971 and 1980 military coups, and 1997 military memorandum.
<http://www.aljazeera.com/news/europe/2012/04/20124472814687973.html>

[9] A memorandum issued by the National Security Council (Turkish military forces) on February 28, 1997. The memorandum precipitated the resignation of Prime Minister Necmettin Erbakan and the government.

shut down on account of its anti-secular activities (Hale & Ozbudun, 2010). This shutdown led to "an internse internal debate and rethinking" about the future political strategy and agenda of the Islamists: They concluded that "the only way that they could succeed was by avoiding a direct confrontation with the secularists and deemphasizing the religious agenda" (Rabasa & Larrabbe, 2008). Out of RP's successor Virtue Party (FP), which was again closed down in 2001 for the same reasons, two different groups – the "traditionalists" who opposed change and the "modernists" who supported a more moderate approach towards sensitive issues about democracy, modernization, and Westernization – were formed. Erbakan supported the Felicity Party (SP) of the traditionalists, while Erdogan and his associate, the current President Abdullah Gul, founded the Justice and Development Party (AKP).

2002 general election results showed that the conservative, pro-Islamist community in Turkey appreciated a new, moderate approach in politics: The AKP won 34 percent of the national vote and became the first party in the Parliament, while the SP got only 2 percent of the votes. The remarkable change in AKP leader Erdogan's statements was proof of how his party would be different than the ones that had been closed down before. In his 1994 speech at the Welfare Party Umraniye District Office opening, Erdogan had said:

> One can't be both secular and a Muslim. You will either be a Muslim or secular. When the two are together, they repel one another. It is impossible that the two exist together. Why? Because the creator of the Muslims, Allah, has the absolute sovereignty. Now, the 'Sovereignty unconditionally belongs to the Nation'[10] is a lie; a huge lie! … It is only when they go to the polls that sovereignty belongs to the people. But both materially, and in essence, sovereignty unconditionally and always belongs to Allah! (*Hurriyet*, 2001)

[10] That phrase is Mustafa Kemal Ataturk's quote and the official definition of the Turkish democracy. It has also been an article of the Constitution since the first one in 1921.

On the other hand, as Kanra (2009) notes, Erdogan answered questions of whether his party was a threat to the secular state by saying in a post-election interview with the Washington Post in 2002: "Our party sees secularism as an important segment of democracy. … Our political party is not Islamic. It is not based on religion. A political party cannot be Islamist. These are inaccurate terminologies. Islam is a religion and a party is just a political institution" (Kanra, 2009). Since the day Erdogan came to office, he and his associates in AKP stressed that they are "not religion centric but conservative and democrat" (Yavuz, 2006). In fact, in *The Emergence of a New Turkey*, which is almost a manifesto of the AKP, the words "transformation", "change", and "identity" are used remarkably often in all the articles by Turkish and international scholars. AKP's philosophy is defined as "conservative democracy"; the concepts of 'Islamism,' 'Islamist agenda,' and 'Islamic ideology' within the party's "identity" are vehemently denied; the party's devotion to secularism and Kemalism is emphasized; and how AKP distanced itself from Erbakan and his policies is repeatedly noted (Yavuz, 2006).

Despite Erdogan's clearly Islamist statements such as "If the law made by two drunkards is to be respected, then why does the commandments of the faith become something to be denied?"[11], and "We want to see a pious generation" (*Hurriyet*, 2012), the ideology of the "pious" community of Turkey has officially been cited as "conservative democracy" and "a model for the accommodation of Islam and secularism" since the past decade (Yavuz, 2006).

[11] Erdogan said this on June 2, 2013, as an answer to the public reaction against a new law that aims to "crack down on" alcohol, banning the sale of drinks between 10 PM and 6 AM, and the sales near schools or mosques at all times. Related *The Telegraph* article: <http://www.telegraph.co.uk/news/worldnews/europe/turkey/10093453/Turkeys-protesters-accuse-Recep-Tayyip-Erdogan-of-Islamist-agenda.html>
Also, "commandments of faith" refers to the rules of Islam. It is stated in the Quran that alcohol is a "great sin."

2.1.2 Nationalists

Bora (2003) counts five different concepts of nationalism in Turkey: (1) Official nationalism (Ataturk nationalism); (2) Kemalist Nationalism; (3) liberal nationalism; (4) Turkist radical nationalism; and (5) nationalism in Islamism. He explains that this variety, which he calls "complexity," is rooted in two main dynamics that shaped Turkish nationalism in the 1990s. The following sub-sections introduce an understanding of these two dynamics: Radical, right-wing nationalism, which I refer to as "conservative nationalism," and pro-Western, Kemalist nationalism.

Kemalist Nationalism

As the successful commander of the Turkish Independence War and the founding father of the Republic of Turkey, Mustafa Kemal Ataturk is a figure admired by most citizens. Thus Kemalism, as Erik Jan Zurcher describes it, became a concept that has been adopted by people with "widely differing worldviews" (2004). Basic principles of Kemalism are based upon Ataturk's six principles defined as the agenda of the Republican People's Party (CHP)[12], which was founded by Ataturk: Republicanism, secularism, nationalism, populism[13], statism[14], and revolutionism[15] (Kaylan, 2005; Zurcher 2004).

Rather than alienating the ethnic and religious minorities in Turkish society as in the old Pan-Turkist understanding that aimed to revive the Ottoman Empire, Kemalist nationalism was originally focused on implementing the concepts of "citizenship" and "nation pride." In the

[12] The party logo consists of six arrows; each representing one of Ataturk's principles.
[13] National solidarity comes first. Interests of the whole nation should be put before those of any group or class (Zurcher, 2004).
[14] The State has preeminence over private enterprise in the economic field (Zurcher, 2004).
[15] Commitment to change is regarded as essential to achieve modernization.

Kemalist nationalist discourse, nationalism is regarded as the advocate of the process of secularization and seen as a means to achieve a modern Turkey (Kanra, 2009; Bora, 2003). As of the late 1960s, a new Kemalist understanding "dipped in leftist sauce" emerged; this nationalistic discourse favored an anti-imperialist and liberationist approach (Bora, 2003; Ozkirimli, 2013). In the 1990s, the focus of this new understanding of Kemalist nationalism was switched to secularism (Bora, 2003), most likely because of the increasing strength of the Islamist parties during the decade. Even the change of terminology for the words "nation" and "nationalism" explains how concerned the Kemalists were about the new Islamist trend in society: As the term "millet"[16] designates the religious community in the Ottoman language, its synonym, "ulus"[17], began to be used, while for "nationalism," the term "ulusculuk" was preferred ove "milliyetcilik" (Bora, 2003).

Ozkirimli (2013) explains how Bora's "official nationalism," "Kemalist nationalism," and "liberal nationalism" became unified in the new millennium: This synthesis of nationalistic discourses is called "ulusalcilik," and it is known to be a strongly anti-Islamist movement that favors militarism, opposes ethnic separatism, and protests Western "abuse" of Turkish economy. In other words, "the enemy figures of this new synthesis were the European Union, Islam, Kurds, and the 'liberal intellectuals' who support these" (Ozkirimli, 2013). This list of enemy figures can be expanded with the addition of the "Marxist-Leninists" and other foreign powers such as the Soviet Union, Syria, Armenia, Greece, and Iran: According to the late journalist Muammer Kaylan who was a follower of the Kemalist thought, these forces also played a role in "creating a nightmare for the Turkish nation" (2005).

[16] "Millet" basically means "nation" in Turkish. It is originally an Arabic word.
[17] "Ulus" also means "nation," but it is originally a Turkish word that is known to have been used since the 8th century A.D., if not earlier.

To see a few examples of the 2000s Kemalist stance, we can examine Kaylan's comments on those on the list of the "enemy figures." For instance, Kaylan states that Abdullah Ocalan, the leader of the PKK, was subsidized and supported by the countries listed in the previous paragraph, and their motive was to have access to the natural resources of Southeastern Turkey. He defines Islamism as a terror-like threat for the Turkish nation, and describes the headscarf problem[18] as "a bitter controversy over a piece of cloth." In the meantime, his comment on the Turkish military is as follows: "The Turkish army is a beloved and privileged institution. Most people fed up with extremism and governments diseased with corruption look up to the armed forces and see a guardian institution of their security." Kaylan states that the military coups in the country happen in order to "fine-tune" democracy:

> Reasons include the ineffectiveness of civilian governments in dealing with the pressing social and economic problems, the looting and plunder of the country's resources, the blatant abuse of secularist reforms by the Islamists, and the danger from the Kurdish separatists, the Marxists, and the Islamic reactionaries. The generals are highly protective of the country's unity and its secular Kemalist reforms. (2005)

This quotation is considered a good representative of 2000s Kemalist nationalistic discourse as it emphasizes the appreciation of militarism, lists the possible threats from the "ulusalci" point of view, and concludes with a description of the chief principles of Kemalist nationalism, "the country's unity and its secular Kemalist reforms."

Conservative Nationalism

The main elements that differentiate conservative nationalism from Kemalist nationalism is that the former focuses on ethnic and religious origins of Turkish nationalism (Kanra, 2009).

[18] According to the rules of Islam, Muslim women are supposed to wear headscarves. However, in accordance with the Kemalist ideology, headscarf is banned in public buildings such as courtrooms, universities, and government offices.

Bora suggests that the difference of these two types of nationalism can be measured on a quantitative level: On a scale of moderateness – extremeness, the conservative nationalistic discourse tends to be closer to the extreme end (2003).

The concept of conservative nationalism was first introduced by Turkey's first opposition party. Democrat Party (DP) was a center-right party that "linked nationalism to traditional values, particularly to Islam" (Kanra, 2009). After Alpaslan Turkes, who merged the legacy of the Turkist movement with a nationalist-conservative reactionary potential (Bora, 2003), founded the Nationalist Movement Party (MHP) in the late 1960s, the tendencies of conservative nationalism switched to a more radical, "fascist" understanding: This extreme anti-communist, anti-Kurdish, Islamic approach did not help the party get more than 10 percent of the votes until it was closed down in the 1980 military coup (Kaylan, 2005; Kanra, 2009; Baskan 2006).

After the party re-opened in the 1990s, the MHP drew closer to the political center and adopted a popular discourse (Bora, 2003; Kanra, 2009). In Bora's words, "by losing its extremist aspect," the MHP became "normalized," but it never lost its anti-leftist, ethnic nationalist sentiment. Towards the end of the 1990s, the new party leader Devlet Bahceli's rather moderate and populist attitude, along with the party's anti-Kurdish stance that has always been favored by many in Turkish society, helped MHP win about twenty percent of the vote (Baskan, 2006). Although the party never came close to being the ruling party in the parliament, it has received about thirteen percent of the general vote since 2007. The MHP is the third largest party in the parliament with 53 deputies.

In addition to these two main dynamics of Turkish nationalism, the nationalist approach of the Islamist parties that Bora (2003) and Ozkirimli (2013) talk about is also worth attention in

today's Turkey where the Islamist party is in charge. In the traditional Islamist discourse, the Muslim community (ummet) stands above the nation, but the strong nationalistic implications in the discourse at the center of the Islamist movement, namely the AKP in the last ten years, cannot be overlooked (Bora, 2003). Although the philosophy of the AKP conflicts with Kemalist nationalism (Ozkirimli, 2013) and does not exactly resemble the nationalistic discourse of the MHP, it still demonstrates a different nationalistic approach that may be comparable to the conservative nationalism of the DP in 1960s.

2.1.3 Ethnic and Religious Minorities

In a country where there are so many variations of nationalism and where the representatives of each variation together constitute a huge majority in the parliament, it is not hard to predict that

Ethnic Identities	Response of the Participant	Corrected Results
Turkish	81.3	78.1
Local Identities[19]	1.54	1.5
Central Asian[20]	0.08	0.1
Caucasian[21]	0.27	0.3
Balkanian[22]	0.22	0.2
Kurdish / Zaza	9.02	13.4
Arab	0.75	0.7
Roman (Gypsy)	0.03	0
Other Countries	0.05	0
Other Definitions	6.68	5.7

Table 2.1 Ethnic Identities in Turkey. Results of the 2006 Social Structure Survey results run by Konda Research and Consulting.

[19] Ethnic groups native to Caucasia or Anatolia: Laz, Yoruks, Turkmens etc.
[20] Tatars, Azerbaijani etc.
[21] Chechens, Georgians etc.
[22] Greeks, Bosnians, Albanians, Yugoslavians etc.

minorities are underrepresented. According to the most recent "Social Structure Report" of Konda Research and Consulting Company, in fact, more than one-fifth of citizens define themselves as belonging to a different ethnic identity[23].

Kurds constitute the largest minority group in Turkey. The estimated Kurdish population in the country is about 14.5 million in a total population of 80 million, according to the most recent estimations (The World Factbook, 2013). Compared to other minority groups, the Kurds have been more resilient not to lose their ethnic identities. The results of the Konda survey supports this as well: According to the CIA World Factbook data, other minorities in Turkey make up about 12 percent of the population, while Konda research indicates that only 3 percent of the respondents define themselves as a non-Kurdish minority. This may indicate that most non-Kurdish minorities simply define themselves as Turkish. However, such a gap does not exist between the Konda research findings and the CIA estimate for the Kurdish population, which may suggest that the Kurds are more committed to their ethnic identity compared to other ethnic groups.

Since the policies of the Ottoman Empire to assimilate the Kurds, a "Kurdish problem" has existed in Turkish society (Oktem, 2011). Today, the most significant aspect of this problem is PKK ("Partiya Karkeren Kurdistan" in Kurdish, meaning Kurdistan Workers' Party), a globally recognized group that is listed as a terrorist organization by the European Union (EU), NATO, and the United States. PKK is interrelated with KCK ("Koma Ciwaken Kurdistan," meaning Union of Communities in Kurdistan), which was founded by Abdullah Ocalan, the founder and leader of both organizations, who has been serving a life sentence since his capture by the

[23] About 80 percent of the 47958 survey participants defined their ethnic identity as "Turkish." The rest gave different answers.

Turkish authorities in 1999. The philosophy of PKK and KCK is "based on Marxist-Leninist thought" and their mission is "to establish an Independent Kurdistan."[24] Ismet Imset, a pro-Kurdish journalist and the author of many books on PKK, states that the organization was not founded with the purpose of using violence against the Turkish state or citizens; it was, instead, a passive student movement which became "a trained militant force" later due to the nature of the state that puts "Turkishness" in the first place and ignores ethnic identities (1996). PKK leader Ocalan further explains the Kurdish reaction against the increasing emphasis on "Turkishness" and ignorance of other ethnicities: He argues that Turkish nationalism in Ataturk's republican era was not racist but rather tended to embrace all Anatolian civilizations. Unlike recent debates claiming that Ataturk's motto, "Happy he who calls himself a Turk," is an "othering" statement, Ocalan suggests that it was not meant as a racist slogan but as a way to build the self-esteem and national pride of the Turkish people (2011). With the emergence of a new kind of nationalism – a racist nationalism that failed to keep up with the progressive nationalism movement in Europe and abused the existing legacy of Ataturk – in the late 1960s[25], a Kurdish movement led to rebellions and eventually the armed operations of the PKK progressed over the years (Ocalan, 2011).

After the recent "Kurdish opening" which led to negotiations between the government and the Kurdish leaders (Oktem, 2011), Kurdish identity has been promised to gain more "public visibility," and the PKK declared a ceasefire in March 2013. Currently, the Kurdish movement is represented in the parliament by the Peace and Democracy Party (BDP). The BDP currently has

[24] This definition is an excerpt from the first indictment of the KCK trials, 2011. <http://www.ankarastrateji.org/_videos/kckkk.pdf> (Available only in Turkish).
[25] See the 2nd paragraph in the previous section, "Conservative Nationalism" (pp. 12-13).

36 deputies in the Grand National Assembly of Turkey and holds the mayor's office in 97 municipalities, all of which are located in the southeastern part of Turkey.

Konda Research Company's 2006 survey shows that diversity of religious beliefs is not as significant as that of ethnic identities. Adherents of the Hanafi School of the Sunnite branch of Islam are the majority (see Table 2), but if branches and schools are disregarded, it can be said that almost everyone in the country is Muslims: Konda's survey of approximately 50,000 repondents shows that 99.35 percent reported that they believe in Islam.

The Konda survey shows that about five percent of the respondents are Alevites, but the estimates vary in different sources: According to Hale and Ozbudun, the Alevite population is between 6 and 17 millions, which equals about 12 to 25 percent of the entire population (2010). This ambiguity in the numbers is due to the lack of information in the official census data, and the "syncretic[26] nature of the Alevites" (Hale & Ozbudun, 2010).

Religion / Sect	Response of Survey Participant
Sunnite - Hanafi (Muslim)	81.96
Sunnite - Shafi (Muslim)	9.06
Other Muslim	3.31
Alevite	5.02
Christian	0.13
Jewish	0.01
Other Religion	0.04
No Religion	0.47

Table 2.2 Religious Beliefs in Turkey
Results of the 2006 Social Structure Survey results run by
Konda Research and Consulting.

[26] Syncretism: The combination of different forms of belief or practice (Merriam-Webster Online Dictionary).

There is no obvious "Alevite problem" as in the case of the Kurds. However, due to their appreciation for secularism and the Kemalist reforms, as well as their unorthodox interpretation of Islam, Alevites have been marginalized and oppressed at times when Islamist thinking has been dominant in the country (Oktem, 2011; Hale & Ozbudun, 2010). According to Hale and Ozbudun, Islamists policies toward the Alevites has varied between "benign neglect and efforts of assimilation" throughout history (2010). Currently, the most significant conflict between the pro-Islamic government and the Alevites is the official status of the "Cemevleri", the worship places of the Alevites, which the government refuses to acknowledge as worship places and rather defines as a cultural gathering place. Hale and Ozbudun explain this as: "Just as in the case of its stand on the Kurdish question, the AKP government seems to have opted for a 'politics of avoidance' towards the Alevites" (2010).

2.1.4 Socialist – Revolutionary Left

The influence of the socialist movement in the Turkish political arena has been very limited until 1960s. According to Culhaoglu (2002), Ataturk's Republican Era, which followed the 1917 Revolution in Russia and then the Turkish War of Independence (1919-1922), could be considered as the birth and formation period for the socialist movement in Turkey. Oguz Yavuz (2012) argues that an influential socialist movement in Turkey did not emerge until after the military coup of 1960. In the 1965 elections, Turkey was introduced to the country's first legal socialist party, the Turkey Labor Party (TIP), which was "based on a coalition of democratic socialists as well as Marxists, Leninists, and intellectuals who believed in a 'National Democratic Revolution'" (Oktem, 2011). The socialist-revolutionary movement became very popular among the university students, especially in the Ankara Political Sciences Faculty, and at Istanbul University, where Deniz Gezmis, the most iconic leader of the Turkish left, initiated the

"People's Liberation Army of Turkey." In the following years, violence mounted between "state-sponsored" extreme nationalist and Islamist groups and the Marxist-Leninist students on numerous campuses (Oktem, 2011). These continuous violent clashes led to the 1971 military intervention; this act, which was supposed to prevent "further bloodshed," ended up with the detention and eventually the execution of Marxist-Leninist student leaders Deniz Gezmis, Huseyin Inan, and Yusuf Aslan on May 6, 1972. Gezmis' last words may be considered a synopsis of Turkish socialist-revolutionary thought: "Long live a fully independent Turkey. Long live the great ideology of Maxism-Leninism. Long live the Turkish and Kurdish peoples' fight for independence. Damned be imperialism. Long live the workers and the villagers" (1972).

After a brief period of truce, the same Marxist-Leninist groups were formed again around 1975, and the clashes with the conservative nationalist groups turned even more violent than before (Yavuz, 2012). The main motive of the leftist groups, "the war against fascism," became an actual war rather than its symbolic representation (Yavuz, 2012). Again, to stop the ongoing violence between the two groups, another military coup happened in 1980. "The military intervention of 12 September 1980 was ruthlessly brutal", Kerem Oktem writes: "It led to the imprisonment and torture by the armed forces and police of more than half a million citizens … Despite the bloody nature of its birth, [it] also opened the gateways for the generation of new social classes, rising levels of wealth, a more liberal political culture and the emergence of new social and identity-based politics" (2011). Possibly as a result of the weariness after the brutalities of the coup, this new political environment consisted of milder poles. Since 1980s, socialist-revolutionary movement has been limited to small groups who are not represented in the parliament.

2.2 Turkish Media Organizations: Ownership and Political Affiliations

The number of newspapers in Turkey has been consistently increasing since the 1950s when private media ownership was first introduced in an effort to westernize Turkish media institutions (Aykol, 2008). In the following years, in order to benefit from news outlets' growing advertisement incomes, big corporations started to found new media organizations, or buy the existing media outlets (Ozsever, 2004; Aykol, 2008). Since the 1980s, Turkey's media scene has witnessed a big change. Although multiple newspapers had existed for a long time, the only broadcaster of the country was TRT (Turkish Radio and Television Corporation), which was state-owned. The first private TV channel, STAR1, was launched in 1990 by Ahmet Ozal, who is the son of the president of Turkey at the time, and Cem Uzan, who owned a big family corporation, Rumeli Holding. In 1990s, media barons such as Uzan, Bilgin, Dogan, and Gulen, who owned both newspapers and TV channels, started to dominate the media market.

Television Channel	Owners[27]
NTV	*Dogus Holding*
CNBC-e	*Dogus Holding*
E2	*Dogus Holding*
KRAL TV	*Dogus Holding*
STAR TV	*Dogus Holding*
SAMANYOLU TV	*Samanyolu Yayincilik*
SAMANYOLU HABER TV	*Samanyolu Yayincilik*
DUNYA TV	*Samanyolu Yayincilik*
MEHTAP TV	*Samanyolu Yayincilik*
YUMURCAK TV	*Samanyolu Yayincilik*

Table 2.3 List of popular Turkish TV channels and their owners

[27] The groups / individual owners written in italics maintain a close relationship with the AKP government.

Table 2.3 (cont'd)

ATV	*Calik Holding*
A HABER	*Calik Holding*
MINIKAGO	*Calik Holding*
MINIKACOCUK	*Calik Holding*
CNN TURK	Dogan Media Group
KANAL D	Dogan Media Group
TV2	Dogan Media Group
BLOOMBERG HT	*Ciner Media Group*
HABERTURK TV	*Ciner Media Group*
SHOW TV	*Ciner Media Group*
KANAL 7	*Yeni Dunya Media Group*
ULKE TV	*Yeni Dunya Media Group*
KANALTURK	*Ipek Media Group*
BUGUN TV	*Ipek Media Group*
24	*Star Media Group*
FLASH TV	Goktug Media Group
FOX TV	News Corporation
SKY TURK 360	Cengiz-Kolin-Limak Joint Venture
TRT	*Turkish Radio and Television Corp*
TV8	*MNG Media Group*
BEYAZ TV	*Osman Gokcek*
TVNET	*Albayrak Holding*
ULUSAL KANAL	Yalcin Buyukdagli
MELTEM TV	Haydar Bas
TGRT HABER	*Ihlas Yayin Holding*
HALK TV	Gurbuz Capan (Former owner: CHP)

After 2002, when the AKP came to power, Bilgin and Uzan groups were pushed out of the race due to charges of corruptions and banking fraud (Sahin, 2011). Dogan Group, who had owned *Milliyet* since 1980, and Gulen Group, the owner of which (Fetullah Gulen) is the spiritual leader

of a politically powerful religious community kept competing in the market. In 2007, due to alleged violations of taxation laws, the government challenged Dogan Media Group with a tax fine worth 5 billion dollars (Sahin, 2011; Mavioglu, 2012). The underlying reason for this huge fine that cost Dogan Group two of its flagship newspapers, *Milliyet* and *Vatan*, is claimed to be its conflicting political ideologies with the AKP government (Sahin, 2011; Mavioglu, 2012).

This sanction, which almost knocked down Turkey's "media giant" and biggest media group (Aykol, 2008), was perceived as punishment for opposing the government by other media owners (Mavioglu, 2012). Having witnessed this, big corporations like Dogus and Ciner that own media organizations decided they could not risk all their business only for the sake of their newspapers and TV channels, and were forced to silence the opposing voices in their news organizations (Mavioglu, 2012). Meanwhile, leading newspapers and TV channels that had to be sold due to tax fines or bankruptcy were auctioned to corporations whose owners were known to have close relationships with the AKP government, like Calik and Demiroren (Mavioglu, 2012; Aykol, 2008). According to Mavioglu, these two developments – media owners' concern not to lose money and the up-and-coming barons of Turkey's media scene – marked how the AKP government took absolute control over Turkish media (2012).

Newspaper	Owner(s)	Political Alignment
Hurriyet	Dogan Media Group	Kemalist nationalism, Secularism, Center-left
Hurriyet Daily News	Dogan Media Group	Liberal-democratic, Center-left
Posta	Dogan Media Group	Populism, Center-left
Radikal	Dogan Media Group	Liberal-democratic, Left
Today's Zaman	*Gulen Group*	Conservative liberalism, Democratic
Zaman*	*Gulen Group*	Conservatism, Islamism
Aksam*	*Turkish Media Group*	Center-Right, Conservatism

Table 2.4 List of popular Turkish newspapers; their owners, and political perspectives. (Newspapers marked with an asterisk are known to have a pro-AKP stance.)

Table 2.4 (cont'd)

Gunes*	*Turkish Media Group*	Center-Right, Conservatism
Milliyet	*Demiroren Holding*	Nationalism, Center-right, Secular, Populism
Vatan	*Demiroren Holding*	Nationalism, Center-right, Secular, Populism
Sabah*	*Calik Holding*	Conservatism, Center-right, Populism
Takvim*	*Calik Holding*	Conservatism, Right-wing, Populism
Anadolu'da Vakit*	*Nuri Aykon*	Islamism, Conservatism, Far-right
Birgun	Birgun Yayincilik	Socialism, Left
Bugun*	*Ipek Media Group*	Conservatism, Center-right
Cumhuriyet	Cumhuriyet Foundation	Social Democracy, Secularism, Kemalism, Center-left
Ozgur Gundem	-	Kurdish, Left-wing
Milli Gazete*	*Omer Yuksel Ozek*	Islamism, Conservatism, Far-right
Ortadogu	Ileri Gazetecilik A.S	Conservative-Nationalism, Right
Sozcu	Estetik Publishing Ltd.	Kemalism, Populism
Star*	Star Media Group	Conservatism, Center right
Turkiye*	*Ihlas Media Holding*	Conservatism, Islamism, Right-wing
Yeni Asya*	*Mehmet Kutlular*	Islamism, Conservatism, Far-right
Yenicag	Yenicag Gazetecilik	Nationalism, Conservatism, Far-right
Yeni Safak*	*Albayrak Group*	Islamism, Conservatism, Right-wing
Haberturk*	*Ciner Media Group*	Conservatism, Right-wing, Populism
Taraf*	*Basar Arslan*	Cultural liberalism
Aydinlik	-	Left-wing, Kemalism
Yeni Mesaj	Haydar Bas	Conservatism, Islamism-Nationalism
Atilim	-	Left-wing, Socialism, Communism
Yurt	-	Kemalist nationalism, Secularism
Yeni Akit*	-	Islamism, Conservatism, Far-right
Sol	-	Left-wing, Socialism, Communism
Evrensel	Mehmet Sami Belek	Left-wing, Socialism, Communism

2.3 Legal Concerns: Press Laws, Penal Codes and Constitutional Rights

Many efforts are made to ensure press freedom, not only by journalist unions and associations on national and international levels, and globally recognized non-governmental organizations,

but also by national laws and constitutions. The constitutions of many countries, including Turkey, guarantee the protection of press freedom in addition to freedom of speech and expression, and legally profess that censorship is not to be tolerated. In the Constitution of the Republic of Turkey, freedom of expression is mainly ensured by Articles 26, 28, 29, 30, and 31. Article 26 assures the right to disseminate one's thoughts, Articles 29 and 30 focus on the right to publish periodical and non-periodical publications, and Article 31 specifies the individuals' right to own private media organizations. Freedom of the press, on the other hand, is specifically covered in Article 28 of the Constitution as, "The press is free, and shall not be censored. The establishment of a printing house shall not be subject to prior permission or the deposit of a financial guarantee. The state shall take the necessary measures to ensure freedom of the press and freedom of information" (2011). However, freedom of the press is not unconditional, according to the same Article. The statement is followed by a list of exceptions and restrictions:

> Anyone who writes or prints any news or articles which threaten the internal or external security of the state or the indivisible integrity of the state with its territory and nation, which tend to incite offence, riot or insurrection, or which refer to classified state secrets and anyone who prints or transmits such news or articles to others for the above purposes, shall be held responsible under the law relevant to these offences. Distribution may be suspended as a preventive measure by the decision of a judge, or in the event delay is deemed prejudicial, by the competent authority designated by law. … No ban shall be placed on the reporting of events, except by the decision of judge issued to ensure proper functioning of the judiciary, within the limits specified by law. (2011)

In addition to the related Articles in the Constitution, there is a Press Law that is used to regulate specifically freedom of the press and the exercise of this freedom (Salihoglu, 2012). The amended Press Law 5187 came into effect in 2004, replacing the Press Law 5680 which had been in effect since 1950 (Gunaydin, 2005). Article Three of the Press Law states that "the Press is free," and that "this freedom includes the rights to obtain and disseminate information, to

criticize, to comment, and to produce new works" (Press Law, 2004; Salihoglu, 2012). This law, which deals with all relevant regulations such as copyright issues, publishing rights, confidentiality of sources, and rectification, also specifies certain limitations to the freedom of the press:

> The application of the press freedom can only be limited when – as the grounds of a democratic society would require – the protection of the rights or reputation of others, morals or the welfare of the society, national security, public order or safety, and territorial integrity; as well as the prevention of crimes or declaration of the classified State information; and the assurance of the authority and the objectivity of the Legislation are in question (2004).

When combined with certain articles of the Turkish Penal Code (TCK), these exceptions have led to the imprisonment of many journalists for years. Article 301 of the TCK, which requires prison sentence up to three years to "any person who publicly denigrates Turkishness, the Republic or the Grand National Assembly of Turkey, or "the Government of Republic of Turkey, the judicial institutions of the State, the military or security organizations" (2005), caused public figures such as the assassinated Armenian journalist Hrant Dink, Nobel literature prize winner Orhan Pamuk, and publisher and human rights activist Ragip Zarakolu to be prosecuted.

With the introduction of the Ergenekon and KCK cases, in which the journalists are prosecuted as terrorists, Article 301 were mostly replaced by the charges under the Articles 220 and 314 of the same law (TCK) and the Law on Fight against Terrorism in Turkey (TMK). According to the Organization for Security and Co-operation in Europe (OSCE) report published by the Office of the Representative on Freedom of the Media, most journalists are in prison based on the Article 314 of the TCK and the Articles Five and Seven of the TMK (2012). The report goes on to describe these laws:

> (1) The Anti-Terror Law of Turkey[28], Articles 5 and 7 [relates] to articles of the Criminal Code on terrorist offences and organizations or assisting members of or making propaganda in connection with such organizations, as well as the lengthening of sentences;
> (2) The Criminal Code of Turkey[29], Article 314 [refers to] establishing, commanding or becoming member of an armed organization with the aim of committing certain offences. (OSCE, 2012)

In addition to these, Article Six in the TMK and Article 220 in the TCK are used often to bring terrorism charges against the journalists. Article Six is used mostly for the Kurdish journalists who report about the PKK.

> Those who announce or publish that a crime will be committed by terrorist organizations against persons, in a way that makes possible that these persons can be identified, whether or not by specifying their names and identities, or those who disclose or publish the identities of state officials that were assigned in fight against terrorism, or those who mark persons as targets in the same manner shall be punished with imprisonment from one to three years. Those who print or publish declarations or announcements of terrorist organizations shall be punished with imprisonment from one to three years. (TMK, 2010)

Article 220, which refers to "forming organized groups with the intention of committing crime", has been used to bring charges against the journalists being tried in Ergenekon, KCK, DHKP/C and similar leftist groups' cases. Among a group of different charges included in the article, the journalists, especially those in the Ergenekon trials, are generally accused of the sub-articles 220.2, "Those become a member of an organized group with the intention of committing crime, is punished with imprisonment from one year to three years;" and mostly 220.7, "Any person who knowingly and willingly helps an organized criminal group although not takes place within the hierarchic structure of the group, is punished as if he is a member of the organized group"

[28] This is what is referred to as the "Law on Fight against Terrorism in Turkey" in the rest of the text.
[29] This is what is referred to as the "Turkish Penal Code" in the rest of the text.

(TCK, 2008). The European Commission expresses their concern about these laws in Turkey Progress Report as, "The application of Articles 6 and 7 of the Anti-Terror Law in combination with Articles 220 and 314 of the Turkish Criminal Code leads to abuses; in short, writing an article or making a speech can still lead to a court case and a long prison sentence for membership or leadership of a terrorist organization" (European Commission, 2012).

According to Committee to Protect Journalists' count, the number of imprisoned journalists increased from eight in 2011 to 49 in 2012. However, the number in the "imprisoned journalists" list of Turkish Journalists Syndicate was 95 in December 2011. This discrepancy is due to a confusion that has always existed: While researching the number of imprisoned journalists in Turkey, CPJ used to the problem to settle on what they mean by "journalist" because of the cases where journalists "were persecuted as journalists" and cases where they "were persecuted as activists" (CPJ, 1985). This conceptual confusion remains the same during the last decade as well. As terrorism charges noted in this section are brought against the journalists who were imprisoned in the last decade, whether to define a journalist as a "journalist" or a "terrorist" becomes a challenge, especially for the international NGOs. Regardless of the allegations, it is known that the imprisoned journalists in the TGS[30] list are reporters, columnists, publishers, and editors who had been working actively as journalists by the time they were arrested (Mavioglu, 2012).

[30] See Appendix: TGS List of Journalists in Prison

CHAPTER III. METHODOLOGY

3.1 Qualitative In-Depth Interviewing

This section explains the two aspects of the method used in this study: the use of qualitative methodology, and the use of in-depth interviews as a qualitative research method. Lindlof (1995) suggests that "lived experience as a subject of systematic study" is the common point of qualitative research methods, which is also the basis of this study. The main qualities of qualitative research listed in Johnson and Christensen's comparison of qualitative and quantitative methods also justify why qualitative methods are appropriate for this research project: Inductive reasoning, where "the researcher generates new hypotheses from data collected during fieldwork," fits well in this study. The focus of the study is broad; the aim is to learn more about an issue rather than test a specific hypothesis as in quantitative research; and the topic "freedom of expression" by nature tends to be subjective and personal (2007).

Hartin-Iorio explains the benefits of in-depth interviews in "identifying budding political issues, understanding individuals' interpretation of highly publicized issues, and learning the connection between personal affairs and larger social problems" (2004). Along with these benefits, the reason why in-depth interviewing was chosen for this study is best summarized by Lindlof's basic objectives of qualitative interviewing: Qualitative interviewing helps researchers to learn about things that cannot be observed directly by other means, and to understand a social actor's perspective (Lindlof, 1995). Therefore, it can be concluded that one of the most effective ways to gain insight into the problems of the press is to interview journalists who are already going through such problems.

Lindlof counts five genres of interviews in communication: Ethnographic, informant, respondent, narrative, and focus group (Lindlof 1995; Lindlof & Taylor, 2002). Among them, the respondent interview that employs open-ended questioning was used for this study. Respondents were selected according to one key criterion: that they have appropriate experience. "Respondents who have been through the critical events, career paths, or social routines and rituals of their institutions and groups are likely to deliver a rich lode of information," according to Lindlof and Taylor (2002). The experienced respondents who have been through critical events and are supposed to deliver a lode of information are the imprisoned journalists in this case.

Brennen lists three basic types of interviews in *Qualitative Research Methods in Media Studies* (2012). These three categories – structured, semi-structured, and unstructured interviews – are classified according to the outline of questions asked. Structured interviewing, which is generally used for survey studies, consists of the same questions being asked to the respondents in a predetermined order. Semi-structured interviews are also based on a pre-established set of questions, but they are much more flexible than the former; the order of questions can be changed and follow-up questions can be asked to clarify points or to dig deeper into some of the issues addressed by the respondents. Unstructured interviews, on the other hand, are in-depth conversations that attempt to understand the historical, social, or cultural experiences of individuals. A general list of topic areas and open-ended questions lead the unstructured interviews (Brennen, 2012). In this study, a set of questions to be asked to the journalists was prepared beforehand, but they were general, open-ended questions. Thus, the interviews conducted for this research were semi-structured by definition, but they also demonstrated some characteristics of unstructured interviews.

3.2 Sample Description

As mentioned in the previous chapter, qualitative interviewing is an important method that helps the researcher understand and report a social actor's own perspective (Lindlof, 1995). Lindlof suggests that there is one condition that makes a qualitative interview useful:

> Often a researcher will interview persons only if their experience is central to the research problem in some way. They may be recruited for their expert insight, because they represent a certain status or category, or because of critical events in which they have participated. The researcher expects the special nature of what they experienced to result in a special articulation: words that can be expressed only by someone who has "been there."

Needless to say, in this project that focuses on journalist imprisonments and problems of press freedom during the last decade, the experiences of the journalists who have been imprisoned in that period is indeed central to the research problem. In order to have "useful" interviews as in Lindlof's description, a criterion was set while selecting the sample: Journalists who have been jailed or imprisoned for performing their jobs during the last decade. Supporting conditions for the interviewees were (1) being active professionals and currently employed by a media organization; (2) being able to evaluate the changes in the levels of censorship before and after the time they spent in jail or prison; and (3) having been released after a certain amount of jail time. The third criterion was set due to Human Research Protection program requirements: As the Institutional Review Board (IRB) at Michigan State University does not approve projects that involve prisoners for safety reasons, the sample was limited to journalists who were imprisoned and released during the last ten years.

The sample was selected using snowball sampling. In his article on snowball sampling in qualitative research, Chaim Noy defines this type of data collecting as a procedure in which "the

informants whom the researcher meets are those who supply the referrals" (2008). In this study, the first link of the chain was Ahmet Sik. Sik referred the author to his close friend and fellow inmate, Nedim Sener; the editor-in-chief of the socialist-revolutionary newspaper *Atilim*, Sedat Senoglu; and Kurdish journalist and publisher, Bedri Adanir. Then Adanir referred Zuhal Tekiner, Dicle News Agency concessionaire and reporter. As mentioned in the introduction, three main terrorism charges have been pressed against journalists: (1) being a member of "Ergenekon," planning a coup against the AKP government; (2) being a member of or collaborating with KCK and/or PKK; or (3) being a member of DHKP-C, MLKP, THKP/C, and other far-left terrorist groups, engaging in illegal activities of Marxist-Leninist revolutionary left organization. With five journalists in the sample, each of these categories was represented by at least one journalist. The number of journalists in the sample was limited to five, not only due to location-based problems and time constraints; but also in order to enhance the quality of the interviewing process. In their journal article "The Logic of Small Samples in Interview-based Qualitative Research," Crouch and McKenzie argue that "a small number of cases will facilitate the researcher's close association with the respondents, and enhance the validity of fine-grained, in-depth inquiry in naturalistic settings" (2006).

Three of the interviews took place in Istanbul; Sik, Sener, and Senoglu were interviewed in their offices. The interviews were conducted in Turkish, and lasted from 45 to 90 minutes each. The interviews were audiotaped with the informed consent of the subjects according to IRB requirements. As Adanir and Tekiner reside in Diyarbakir, a city in the Southeastern Turkey about a thousand miles away from Istanbul, the other two interviews were conducted via e-mail. A question template and the IRB informed consent forms were sent to the subjects as Word documents. These interviews were conducted in Turkish as well.

CHAPTER IV. PRESS FREEDOM AND IMPRISONED JOURNALISTS BY CASE

Relevant articles in the Turkish Penal Code and the Law on Fight against Terrorism, which facilitate limiting the freedom of the press, are noted in Section 2.3. Towards the end of the 2000s, Turkey was introduced to a different way of charging the journalists for what they had written. As part of the illegal organizations cases, Ergenekon, KCK, and DHKP/C, tens of journalists were detained and jailed on charges of active or passive participation in a terrorist organization. Vague as the some of the proofs in the indictments were[31], these accusations meant months or even year of jail time for them. According to Nedim Sener, a journalist who was imprisoned for allegedly helping members of Ergenekon terrorist organization and released after a year in jail, the presence of journalists being tried in those cases was "based on the assumption that if there is an illegal organization, there must also be a media branch of it" (2013). The following sections introduce the Ergenekon, KCK, and DHKP/C cases, and discuss how these cases negatively affected the Turkish media.

4.1 The "Ergenekon" Case

4.1.1 Introduction

A general definition of "Ergenekon" in reports and academic studies is that it is the name of an alleged illegal ultra-nationalist organization accused of planning to overthrow the "pro-Islamic Justice and Development Party government". This clandestine group allegedly has ties to Turkey's military and security systems (Licursi, 2012; Efe & Yesiltas, 2012; OSC, 2010). The term as the name of a secret secular, nationalist group was first used in 1997 by the writer and

[31] This argument is to be supported in the following sections with excerpts from the indictments.

political analyst Erol Mütercimler, but the time of its first activity is unknown (Balci 2010). As the word "clandestine" in the definition of the group suggests, details such as exactly who belongs to the group, and to what extent the organization is active are not known to the public, even though new literature that focuses on these has been published in the last few years[32].

The Ergenekon investigation started in June 2007, with an anonymous phone call that informed the police about the presence of grenades and other explosives in a house in Istanbul. The investigation led to hundreds of arrests, including members of the military, political figures, academicians, and journalists. The conclusion in the indictments was that Ergenekon members were planning a coup against the government. Efe and Yesiltas describe the Ergenekon case as "the largest and most controversial judicial investigation in recent Turkish history" and "one of the fault lines of Turkish politics" (2012). Initial information about the organization appeared in documents belonging to journalist Tuncay Guney in 2001, as the Open Source Center report notes (2010).

When the number of journalists who have been on trial in the Ergenekon case – about thirty since 2008 – is compared to the number of journalists in the KCK and DHKP-C trials, which is more than twice as many, it could be assumed that the latter two organizations would be the focus of the discussions of press freedom. However, as the Ergenekon case involves more popular figures – like reporters in the mainstream media, as well as high-rank army members and well-known academicians – this case drew more national and international attention than the others. The arrests of *Cumhuriyet* editor-in-chief Ilhan Selcuk, *Cumhuriyet* columnist and former

[32] Ertugrul Mavioglu and Ahmet Sik's two-volume *Kirk Katir Kirk Satir 1: Kontrgerilla ve Ergenekon'u Anlama Kilavuzu* and *Kirk Katir Kirk Satir 2: Ergenekon'da Kim Kimdir* (2010); Nedim Sener's *Ergenekon Belgelerinde Fetullah Gulen ve Cemaat* (2010); Samil Tayyar's *Operasyon Ergenekon* (2008) are a few examples.

Ankara correspondent Mustafa Balbay who was later elected to parliament while in jail, and Tuncay Ozkan who worked for many mainstream media organizations for a long time, helped popularize the case. However, among all "waves" of operations, each of which ended up with detentions of tens of suspects, the 18th wave, involving distinguished journalists Ahmet Sik and Nedim Sener along with five others, became the "turning point" that "has discredited a necessary investigation" (Bihr & Julliard, 2011). Journalist imprisonments in the 18th wave, which was also the last "wave" against the Ergenekon operations so far, made the problems of press freedom "visible" to the public (Sener, pers. comm.). Sik and Sener's detention on March 6, 2011, drew public reaction against the limitation on the freedom of the press: Thousands gathered in Istanbul and Ankara to protest journalist imprisonments on March 13 and 19, respectively.

Figure 4.1 Protests in Istanbul on March 13, 2011. (Photo Credit: Bianet)

Figure 4.2 Protests in Ankara on March 19, 2011. (Photo Credit: Burhan Ozbilici, AP)

4.1.2 Two Journalists Who Became the Face of Turkey's Press Freedom

Considering the imprisoned journalists in the KCK, DHKP/C, and Ergenekon trials, one can categorize the press case of KCK as "against the Kurdish journalists," DHKP/C as "against the left-wing journalists," and the press cases of Ergenekon as "against the mainstream media." One of the reasons why Ahmet Sik and Nedim Sener's arrests created a big reaction is that they

worked for one of the biggest media corporations in Turkey, Dogan Media Group, for a long time.

Sik, started his career as an intern in Dogan's Media Group's *Milliyet*. After working for the center-left newspaper *Cumhuriyet*, socialist *Evrensel*, liberal newspapers *Yeni Yuzyil* and *Radikal*, and the news magazine *Nokta*, Sik started teaching at Istanbul Bilgi University while continuing to write as a freelance journalist. Sener, an investigative reporter honored as the "World Press Freedom Hero" by the International Press Institute (IPI) in 2010, has only worked for Dogan Group's mainstream newspapers, namely *Milliyet* and *Posta* since 1994. These two journalists are famous for their groundbreaking investigative reports and books, and as Mavioglu suggests while referring to their one-year jail terms, "they had to pay for it" (2012). In the following part of this section, journalist imprisonments in the last decade, and the problems of press freedom for mainstream journalists will be examined in the light of the interviews with Sik and Sener.

"They Are Not Journalists, They Are Terrorists"

The main argument of government authorities against criticisms coming from the national and international entities always included this sentence. Prime Minister Erdogan's interview with the Italian newspaper *Corriere Della Sera* where he suggested that 90 percent of the journalists in jail are not actually journalists but terrorists (*Yurt*, 2012); Speaker of the Parliament Cemil Cicek's answer to the prime minister of Norway saying "They seem to be working as journalists, but they are in jail because they are either terrorists or they commit crimes like forgery etc." (*Zaman*, 2012); and Minister for EU Affairs Egemen Bagis's statements on BBC World such as, "There is no journalist who has been detained because of his profession… They are caught

raping another person or robbing a bank" (BBC, 2012), and many others claiming that the journalists in jail are terrorists received a lot of negative reaction.

In order to answer the first research question, what has changed in terms of freedom of expression in the last decade under AKP rule, it is necessary to understand how the situation was different in the past. When this question was asked, Sik noted similarities between the statements of Erdogan, Cicek, Bagis, and former president of the Turkish Press Council Oktay Eksi: "About the Kurdish journalists imprisoned in the 1990s, Eksi, as the president of the Press Council made an announcement, saying 'They are not journalists; they are either terrorists or they help terrorist organizations.'" Kaylan (2005) quotes a similar announcement in 1997 by former president Suleyman Demirel, as well. What CPJ referred to as "defending the jailing of 80 journalists" at the time (Kaylan, 2005), along with Sik's example, show that the officials' attitude against the jailed journalists has not changed much between then and now. Sener thinks this claim, "they are not journalists, they are terrorists," refutes the current government's arguments that they respect the freedom of expression: "When they are asked about their attitude towards freedom of expression, they tell how they lifted the ban on the sales of Marx's *The Communist Manifesto* – about 150 years after the book was published! In the meantime, they accuse the people who will write a book about today of being terrorists. This undermines their whole argument."

Sener also argues that journalism imprisonments on terrorism charges discredit the journalists whose works are recognized not only in Turkey but around the world. As an example, he tells his personal story of why and how he was imprisoned.

> Just as I was being recognized for my investigative reporting around the world – just when I reached that level when my potential to give the government a hard time with new reports was discovered, I was accused of being a terrorist. And on what grounds, with

> what proof? We have never been involved in bombs or arms; we haven't been to places where there are bombs or arms… We only wrote books, made news. … The reason why I have been accused of being a terrorist is the book I wrote in 2009, on the murder of Hrant Dink[33]. In that book, I revealed that the police and the officials of the National Intelligence Organization (MIT) were behind Dink's murder. I had been sued for that book and I was acquitted; then they accused me of being a terrorist. The main ground of the accusation was this: I was supposedly making Ahmet write a book. On the grounds of such a claim, both Ahmet and I were jailed.

As he mentions, after publishing *The Dink Murder and the Lies of the Intelligence* in 2009, Nedim Sener received the International Press Institute's 56th World Press Freedom Hero award, PEN International Freedom of Expression award, Turkish Publishers Association Freedom of Thought and Expression Award in 2010 – and a few months later was arrested. The charges in the indictment against both Sener and Sik were based on the message, "Be brave as you work on the book. This book needs to be more comprehensive than "Simon."[34] I congratulate Nedim. He will help Ahmet,"[35] on a Microsoft Word document. Based on the message, it was presumed that Sik and Sener were taking orders from the Ergenekon organization to write their books *The Army of the Imam*[36] and *The Dink Murder and the Lies of the Intelligence*. The Word document was claimed to have been sent into the host computer through the use of a computer virus[37], but even

[33] Hrant Dink was the Turkish-Armenian editor-in-chief for Turkey's Armenian weekly *Agos*. He was assassinated in 2007 by the 17-year-old Turkish nationalist Ogun Samast, but Turkish deep-state is presumed to be behind Dink's murder plan.

[34] It refers to Hanefi Avci's book, *Halic'te Yasayan Simonlar: Dun Devlet Bugun Cemaat*. The book is about the religious Gulen community, the Intelligence, and their relations with the police; similar to the topics of the works of Ahmet Sik and Nedim Sener. Former Police Chief Hanefi Avci is in jail on charges of being a member of DHKP/C and helping Ergenekon.

[35] The full text of the indictment is available online on Wikisource website. It is only available in Turkish. <http://tr.wikisource.org/wiki/Odatv_iddianamesi>

[36] The book was an unpublished draft at the time.

[37] According to the Data Devastation Company report on December 2012, that document along with others used as prime evidence in the case was sent using several malware. Turkey's semi-independent science institution TUBITAK could not conclude if that was the case in August 2012, but later in November they changed their report, denying the claims that the documents found on their computers were sent by viruses.

if it is assumed that the allegations are true, the fact that publishing a book or helping someone publish a book can be a crime is an indicator of the problems of freedom of expression in the country.

Censorship and Self-Censorship

In Turkey where censorship is said to be "a fact of life" (*Human Rights Watch*, 1999), the abundance of elements that lead to censorship does not seem surprising. According to Istanbul Bilgi University professor Esra Arsan's survey of 67 journalists from various mainstream media outlets (2011), 95 percent of the respondents said the government intervenes in the newsmaking process, and 89 percent said media owners do that as well. Among all the journalists who participated in the survey, it was unanimously agreed that censorship and self-censorship are "definitely" or "fairly" common (85.1% and 14.9% respectively).

The main categories of censorship in Turkey can be listed as (1) government-based censorship, (2) media owners' censorship, and (3) self-censorship. These categories are often interrelated, and they may further branch out. For instance, Ahmet Sik suggests that government-based censorship can refer to state censorship regulated by some laws[38] or simply refer to the direct intervention of the government authorities. Likewise, editorial censorship can be regarded as the outcome of a mix of self-censorship and media owners' censorship.

Government censorship that involves direct intervention of the authorities is mainly based on given orders. Esra Arsan mentions the "pressure of the incoming phone calls from Ankara[39] to the newsrooms," implying the authorities' direct orders to make the news they ask for or not

[38] These laws are defined in Section 2.3
[39] The name of Turkey's capital is generally used when referring to the government.

report a certain issue (Sahin, 2012). Arsan notes that these incidents are spread only from the word of mouth, but in fact, they sometimes become visible if certain news published by different outlets is checked carefully (Figure 4.3).

Figure 4.3 Six different newspapers with the same headline, quoting the same sentence from Erdogan's speech. Headlines read, "We are/I am all in for democratic demands."

Mavioglu explains prime minister Erdogan's "war with the headlines[40]" with an example of *Milliyet* columnist Can Dundar's article that divulges how his lead story was pulled out after a series of phone calls to Dundar's director from a high-ranking diplomat, and another person who

[40] Mavioglu refers to Prime Minister Erdogan's 2012 statement, "We reached where we are today by fighting the headlines."

is “very close to the Prime Minister,” (2012). Mavioglu concludes his section arguing that the headlines in Turkey are nowadays managed by phone calls. The figure that pictures the front pages of six newspapers is an example that to illustrates Mavioglu’s argument: A week after the beginning of the protests in Istanbul’s Gezi Park[41], which came as an “unprecedented challenge for the AKP government,” as RSF General Director Christophe Deloire calls it, prime minister Erdogan gave a speech to his supporters. The following day, six newspapers whose close relationship with the AKP government is noted in Section 2.2 came out with the same headline quoting the exact same sentence from Erdogan’s speech.

In addition to “managing headlines” and news stories, Mavioglu argues that by phone calls and special requests, the government controls other procedures in media outlets (2012): The story that Nedim Sener tells, where the owner of a news organization is called and asked to stop paying a certain journalist working for the company; or another example given by Ahmet Sik that claims how the official news agency of Turkey, Anadolu Agency (AA), edited prime minister Erdogan’s discriminatory statement that “Turkey will not give up on the idea of one nation, one flag, one religion, one state” before publishing the wire feed[42], illustrate Mavioglu’s point.

Self-censorship also happens in connection with the government pressure, especially after the imprisonments of the mainstream journalists during the last decade. Ardan Zenturk, a columnist in the daily *Star*, tells why he and his other colleagues restrain themselves:

[41] See next chapter, “Discussion” for details of the incident.
[42] Original statements on *Haberturk*, May 6, 2012. <http://www.haberturk.com/gundem/haber/739892-tek-dil-degil-tek-bayrak-tek-din-tek-devlet-dedik->. The AA feed is deleted or no longer available.

> Of course, we all experience this from time to time. No matter what their job requires them to be, journalists are human beings, too. People may expect so much from us; they may expect us to be very, very brave, but in the end, we have our families, our future, our home and automobile loans to pay, our kids' school expenses to cover as well. You can't expect journalists to be Supermen. Unless you have strong familial bonds – a journalist without a family can act more freely in Turkey. Otherwise, journalists can sometimes choose to remain silent, not to step up (pers. comm.).

Sik and Sener, the two prominent figures of the journalist imprisonments, strongly oppose the idea of self-censorship despite the fact that they have a family and kids as well. However, they admit that their imprisonment was perceived as a threat by their colleagues. Sik suggests that their imprisonment, along with generals, professors, and other well-known public figures was indeed a message from the government that implies the mainstream media, "the media of the old regime" to "watch out." Some journalists, as Zenturk mentions, might have felt threatened by this message indeed: Mehmet Ali Birand, the late journalist, political TV show host, and anchorman of Dogan Media Group, and his last interview with PM Erdogan can be an example for this. A rather non-partisan and liberal journalist, Birand was well-known for his documentaries that challenge Turkey's political past in the 1990s. However, in his 2011 interview with Erdogan in his own political TV show *32. Gun*, Birand's avoidance to ask questions about contradictory issues that Erdogan would not have liked to talk about was noticed by the public, and was interpreted as self-censorship[43].

Even when journalists do not avoid reporting controversial issues for fear of the terrorism charges or jail time, media owners' concerns interfere. Due to the government pressure on media owners, which is explained in Section 2.2, media owners lay off their employees who report

[43] Twitter comments of the journalists and the audience posted during the show are compiled at <http://www.medyafaresi.com/haber/62279/guncel-birand-ve-erdoganin-32-gun-performansi-twittera-dustu.html>

about controversial issues in a manner that is critical against the government (Mavioglu, 2012; Sik, pers. comm.). Mavioglu cites columnist and TV show host Rusen Cakir's article in *Vatan*. Cakir tells how all his fellow journalists were anxious about losing their jobs: During the protest against Sik and Sener's imprisonment, all everyone asks were questions such as "Who has got fired? Who is about to get fired? Who was laid off? Whose show is canceled?" Cakir wrote (Mavioglu, 2012). Shortly after this article, Cakir was dismissed from NTV for the very reasons Mavioglu mentions. Sik argues that journalist imprisonments including their own, caused fear among media owners; knowing that everyone can go to jail under current circumstances, media "barons" began to fire journalists who might cause that, and Cakir was one of them.

In addition to these types of censorship, there is editorial censorship, which can be interpreted as a mix of media owners' censorship and self-censorship. Assuming that a certain story would give their institution or their boss trouble, editors sometimes refuse to publish a reporter's work without discussing it with their director. Sik tells about a similar experience of his in the 1990s:

> As *Yeni Yuzyil* was being founded and its news team was being formed, an editor[44] was offered the job. The forest fires in Kurdish villages[45] were quite popular at the time. But only the Kurdish and the socialist newspapers were reporting about them; it was ignored in the mainstream media. The team that offered the job to the editor was telling how they planned to have a democratic and liberal approach. Then the editor asked, "Now that we have the photos, and the proving documents, will we be able to report the village fires, make it our lead story?" The team said, "Well, no; we can't do *that*." He did not like the answer, but he agreed to talk to the owner anyway. During that conversation, the owner said, "I want such a good newspaper that the village fires should be the lead story."

This, as Sik also suggests is a great example of how editorial self-censorship works. Considering that this happened in the 1990s, we can infer that censorship issues did not change

[44] The name of the editor is not to be revealed for confidentiality purposes, upon Sik's request.
[45] Since the early 1990s, several civil society groups have claimed that the Turkish army burned forests and destroyed other livelihood resources in the southeastern region of Turkey where the Kurdish population was concentrated, as it evacuated settlements. (Van Etten *et al.*, 2008)

as much over time. The significant difference is – because the army was the most powerful institution of the country at the time – journalists and media owners avoided having a conflict with the army; nowadays – as the AKP government has power over most of the institutions in the country – journalists and media owners need to stay away from government criticism instead.

4.2 The Free Press Tradition: Cases against the Kurdish and Socialist Press

4.2.1 The KCK/PKK Cases

The Kurdistan Workers' Party (PKK), a Kurdish organization founded in the 1970s, is described as "a political, practical movement" by its leader, Abdullah Ocalan (2011). Due to its armed forces which have fought with the state since 1980s, the organization is recognized as a "terrorist organization" in Turkey and around the world. In fact, as the name suggests, the PKK was originally a party[46] favored by a majority of Kurdish people of the southeastern part of Turkey, and rivaled by Democrat Party of Kurdistan/North (PDK), another illegal political party known in the southeastern region. The Union of Communities in Kurdistan (KCK), on the other hand, is a confederation of Kurdish communities announced by Ocalan in 2005: According to the declaration, KCK is a union of local assemblies that deny the nation state model, and is based on "the freedoms of political, social, economic, cultural, sexual, and ethnic rights"[47]. Like the PKK, the KCK adopts a Marxist approach that "opposes capitalism and all state-based class societies" (Ocalan, 2011). Due to its organic connection with the PKK, KCK is also characterized as an illegal movement in Turkey.

[46] It is not a legal organization that can be registered to participate in the elections in Turkey.
[47] Full text is available online. <http://www.freemedialibrary.com/index.php/Declaration_of_Democratic_Confederalism_in_Kurdistan> (English version) -- <http://tr.wikisource.org/wiki/KCK_S%C3%B6zle%C5%9Fmesi> (Extended Turkish version)

In April 2009, a KCK investigation started in Turkey. About ten thousand suspects have been detained and interrogated, thousands have been released pending trial, and about a thousand suspects are in jail on charges of being a member of the illegal PKK/KCK organization[48] (*Radikal*, 2012). According to the indictments[49], KCK has a press committee that "determines the [confederation's] press-related policies … and works on promoting unity of the nation and ideologies." According to Dicle News Agency (DIHA) concessionaire and reporter Zuhal Tekiner, forty-eight journalists were detained, thirty-six of them were jailed, and among them, twenty-two journalists are still in jail for allegedly being members of the KCK press committee. Unlike the journalists being tried in Ergenekon, it is not the first time that Kurdish journalists were tried on terrorism charges. According to CPJ's annual report of 1985, the Kurdish journalists were not arrested as journalists, but as terrorists at the time, as well. Therefore, there has not been much change in the problems of press freedom for journalists working in Kurdish media outlets.

Due to the ambiguity of the definition of "terrorist," which is explained in section 2.3, many people, including journalists, publishers, and even professors can easily be accused of being terrorists. Bedri Adanir, the editor of Aram Publishing and a reporter in Bianet Online News, was held in jail for three years on multiple charges, all of which were about "making/spreading propaganda of PKK." He says he was sued for the books he published, and columns and news reports he wrote, but according to him, the most interesting charge was "using the photographs of the PKK authorities" in the news reports about PKK: "I was accused of publishing the photos of the PKK members in an article that reports the speech that person gave. The national TV

[48] PKK and KCK are counted as one, and referred to as PKK/KCK in KCK indictments.
[49] Full text of the first KCK indictment is online at <http://www.ankarastrateji.org/_videos/kckkk.pdf>. (In Turkish)

channels had shown the same photos – and they were reaching a far bigger number of people than our newspaper of 10,000 circulation. The real reason why they meticulously inspected our papers was us being Kurdish and publishing in Kurdish language." Adanir's argument turns out to be right; when the news site of a mainstream news organization is searched with the keyword "PKK," almost all the results that are shown have a photograph of PKK members and executives[50].

4.2.2 MLKP, DHKP/C and Similar Cases

The *Washington Post* article that covers DHKP/C's U.S. Embassy bombing in Ankara simply defines the group as "a Marxist-Leninist party and terrorist group that strongly opposes any NATO or U.S. influence over foreign policy in Turkey. For the past few decades, they've targeted a series of Western and Turkish officials, professors and businessmen with suicide bombings" (2013). MLKP is a similar illegal organization that is allegedly related to suicide bombings or similar terrorist actions like those of DHKP/C (*Sabah*, 2006). On September 8, 2006, alleged members of the MLKP were detained in an operation called "Gaye" (Cicek, 2007). *Atilim* editor Necati Abay, editor-in-chief Sedat Senoglu, executive editor Ibrahim Cicek, and Cicek's wife, Ozgur Radio executive editor Fusun Erdogan were among those who were arrested. According to the indictments, *Atilim* was allegedly the official media outlet of MLKP – which is strongly criticized by Cicek (2007). In the following years, journalists in *Odak*, and *Yuruyus* were also detained with similar allegations, in different trials such as DHKP/C and THKP-C (TGS, 2011). As these socialist press trials do not include well-known academicians

[50] A few examples are from *Milliyet*, *Haberturk*, and NTVMSNBC websites:
<http://gundem.milliyet.com.tr/pkk-li-karayilan-dan-ateskes-icin-3-kosul/gundem/gundemdetay/21.05.2010/1240859/default.htm>;
<http://galeri.haberturk.com/gundem/galeri/427621-pkknin-ilk-grubu-sinir-disina-cikti>;
<http://www.ntvmsnbc.com/id/25431804>.

and mainstream journalists, they have not been the highlight of the problems of press freedom in the recent years. Unlike the KCK and Ergenekon cases, the indictments of these cases are not even available online.

The cases of left-wing journalists are similar to those of the Kurdish. Like the Kurdish press, the leftist–revolutionist press outlets do not have as high circulation as mainstream, center-right, or center-left press. Ozsever discusses the close relationship between newsmaking and the dominant ideology in the society (2004). He argues that in order to comply with media owners' own interests or to conform to the ideology of the existing audience in the market, mainstream media cannot usually present news that are against the dominant ideology of the society. According to Ozsever, news organizations that can be generalized as "leftist" press tend to oppose the dominant ideology, but their opposition cannot be effective due to these organizations' limited financial opportunities and distribution problems. As he answers the question of whether he or his colleagues in *Atilim* are subject to self-censorship as "no," Sedat Senoglu mentions the same problem Ozsever explains – that the only thing that might prevent them could be the "insufficiency" of their resources. Senoglu explains, "The difference between the opportunities and the technical equipments of the mainstream media, and us, the dissident, revolutionary, leftist press' is beyond imagination." However, he appreciates what they do, and their audience does, too. Senoglu tells why censorship is "not even possible" in *Atilim*:

> Under such conditions, *Atilim* and other alternative news organizations in the Free Press Tradition are based on volunteering. As our reporters, editors and other staff do not make incredible amounts of money while working here, it is obvious why they are not censored. Who would volunteer somewhere and accept censorship anyway? As we are not a corporate media group, we do not go through the pressure of the media owners either, for sure.

One of the main difficulties for the leftist press is the limitation of their freedom of expression. In one of his articles, Imset explains that the freedom enjoyed by Turkey's "profuse and colorful daily newspapers" is not the same for Kurdish and left-wing media: The prime minister at the time, Tansu Çiller, urged action for the "elimination of all dangerous media" in a secret decree which was later leaked to the press; by "dangerous," she meant the left-wing media, which supports the ethnic Kurds' social and cultural rights (1996). This hostile attitude against left-wing media has indeed been similar even before the founding of the modern Republic of Turkey. Closing leftist newspapers and magazines for a certain period or for good, or confiscating published issues, which have been the two most common practices against left-wing media, emerged in the 1910s (Topuz, 2003). Senoglu notes that there is not one issue of Atilim that has not been sued or confiscated. He argues that limiting the freedom of the socialist/revolutionist press has become an auto-response of the prosecution office: "Two or three hours after our newspaper is distributed, they issue a confiscation warrant. How quickly can they read and decide that the content is inappropriate, really?"

CHAPTER V. DISCUSSION

John Merrill, in his book that focuses on freedom of the press and theories of journalistic autonomy, examines media effects on society (1974). Merrill mentions the lack of cause-effect studies to answer the question of whether he mass media has an impact on the development of a society. As external variables such as other cultural and social effects interfere, it seems unlikely to realistically test the media impact alone, and even if it is, seeing a noticeable impact will take years of observation (Merrill, 1974). Although Merrill argues that the cause-effect relationship of media impacts is not obvious enough to be theorized, he cites McNelly's four general positions to interpret mass communication's developmental role. The "Pragmatic Position," the one McNelly also prefers, accepts the fact that the researcher does not have adequate theory to know the media impact on the society for certain: By seeking empirical evidence on the effects of media in a society, the researcher "simply checks out" the consequences case by case as they occur. Merrill suggests that the ones who accept McNelly's pragmatic position should ask the following question: "What has been the observable impact of the mass media in this specific case?" (1974)

In the case of Turkey's journalist imprisonments and other press freedom problems explained in the previous chapters, rather than the information that the media spread, the information that the media could not or purposely did *not* spread made an impact on the society. From a pragmatic position, it can be inferred that the ongoing limitation of the freedoms of mass media along with other variables, namely the limitation of other social and cultural freedoms, eventually created a reaction in the society. On May 28, 2013, when the demonstration of a

group of environmentalists who protested the demolition of trees in Istanbul's Gezi Park faced the attack of the police forces, a revolution-like protest started in that very park with the participation of thousands of young people[51]. The protests spread to the other cities in Turkey and around the world where the Turks are populated, and the number of protesters increased from thousands to millions[52] all over the country in a few days. As the general director of RSF, Christophe Deloire noted in the *Huffington Post*, "The protests [embodied] the political inertia of Turkey's past, as civil society [had] come head-on with the AKP's stalling democratization process. One glaring example is the repression of the media" (2013). In fact, only a while ago before the protests started, Sedat Senoglu predicted the outcomes of the ongoing repression of the media along with other anti-democratic practices of the AKP government:

> During the last few years, we are noticing that the younger population is gradually becoming more aware of the repression of the press and more responsive to the attacks on press freedom. And I know that this awareness and sensitivity is going to rise and deepen and become more widespread. And when people who are deprived of their freedoms begin to realize this, and take it to the streets, all the restrictions and censorship will be useless. This is, in fact, the biggest fear of those with an oppressive mentality.

Deloire calls the Gezi protests a "wake-up call that the old pattern of a military state with a controlled democracy is no longer wanted." Considering the country's background and the military coups that used to happen every ten years, it is safe to say that Deloire has a valid point. The younger generation of Turkey has grown up witnessing the strict control of the army over the three branches of governance and the fourth estate, the press. By the time the children of the

[51] See the *New York Times* article that tells how the protests started. <http://www.nytimes.com/2013/06/05/world/europe/istanbul-protests-started-over-trees.html?pagewanted=all&_r=0>

[52] According to the Human Rights Foundation of Turkey fact sheet, 2.5 million demonstrators attended the protests. <http://www.fidh.org/IMG/pdf/fact_sheet_on_gezi_park_protests__08072013.pdf>

1980s and 1990s became young adults, power had changed hands. The diligently secular and Kemalist Turkish military that used to limit the freedoms of the pro-Islamic politicians and insitutions is now dominated by the same pro-Islamic politicians in power. Ahmet Sik calls it a "war" that started after AKP got elected for the second time in 2007:

> The leaders of the new regime are fighting a war with the leaders of the old regime. To win the war, they use trials like Ergenekon. As the Kurds are still the 'natural enemy,' they use the KCK trials against them. And the ones who cannot be grouped as belonging to the old or the new regime and who are not Kurds either, namely the Turkish left, are being tried in a case like DHKP/C. The poles are too sharply defined, and the public is forced to belong to either one of those.

This power play between the old and the new, and this obligation to be polarized seem to have backfired among the Turkish youth. The core philosophy of the protests, which originally started off with environmental concerns, can be identified as a reaction against all the elements that constitute the "old pattern of 'us' versus 'them'" that Deloire talks about. Efforts to keep political ideologies away from the protests became visualized in banners and wall slogans.

Figure 5.1 A banner used in Gezi Park demonstrations that reads, "We do not resist under the patronage of any party, we are the People."(Photographer unknown)

Figure 5.2 A wall slogan in Istanbul, "We are the army of Mustafa Keser;" a sarcastic remark that picks on Kemalist militarism. (Photographer unknown)

The wall slogan pictured in Figure 4 is a good example for the denial of all dominant ideologies explained in Section 2.1. “We are the army of Mustafa Kemal,” a statement used by the Kemalist, pro-military community in Turkey was rephrased as “We are the army of Mustafa Keser,” a Turkish folk music singer who had no relevance to politics or Gezi protests at the time. This sarcastic remark that picks on Kemalist militarism is an indicator of the philosophy of the protests – and the new generation’s sense of humor.

Figure 5.3 Journalist Ahmet Sik shot by the police with a gas canister (Photographer unknown)

Protests that started in Gezi Park, had a direct cause-effect relationship with the media. As mentioned earlier, limitation of the freedoms was the underlying motive behind the protests. Along with other civilians, journalists attended the protests: They did their duties, and sometimes supported the protests. During the protests, journalists have been exposed to two types of violence, however: (1) Use of excessive force by the police harmed the journalists, as well as thousands of other citizens. (Figure 5.3); and (2) As some mainstream media organizations, such as NTV did not report the protests objectively and did not cover the story in detail due to media owners’ censorship and government pressures, the public reacted to these media organizations, sometimes in a violent fashion (Figure 5.4)

Figure 5.4 Satellite uplink van of NTV attacked by the civilian. Slurs written on the van (Photographer unknown)

CHAPTER VI. CONCLUSION

6.1 A Brief Summary of Findings

One of the four main objectives[53] for this study was to explore "what has changed in terms of the freedom of expression in the last decade under AKP rule." Depending partly on the reviewed literature and mostly on interviews with five formerly imprisoned journalists, the following conclusions to answer this research question were drawn:

As NGO reports such as those of the CPJ and RSF, Turkey has become a "worse place" for journalists during the last decade. While the number of journalists behind bars has increased, Turkey's rank in RSF's Press Freedom Index has dropped from #99 to #154. This suggests that the condition of press freedom in the country, which was not good before 2002 either, has become worse.

All five journalists who were interviewed agreed that the "traditional" ways of limiting press freedom, namely assassination and torture, were abandoned; these were replaced by journalist imprisonments. Journalists are charged with being members of terrorist organizations such as Ergenekon, KCK, PKK, DHKP/C, and MLKP, depending on their ideological stance; mainstream journalists are tried in Ergenekon, Kurdish journalists are tried in KCK and PKK cases, and socialist journalists are tried in DHKP/C, MLKP, Devrimci Karargah or similar far-left groups' cases.

As the big media corporations' future depends on their relationship with the AKP government, censorship and dismissal of journalists becomes more widespread in mainstream media. Due to

[53] See Chapter I - Introduction.

the fact that media organizations oppose the idea of labor unions; the rights of dismissed journalists' rights are not properly protected against unfair dismissal (Ozsever, 2004).

6.2 Limitations

Conducting this study from abroad is a challenge as access to legal documents and journalists' news reports are mostly limited to online documents only. This hardship is explained in the form of a notice by the Organization for Security and Co-operation in Europe (OSCE) report on imprisoned journalists in Turkey:

> It should be noted that in some instances it was not possible to obtain complete information in order to confirm some details. In cases classified as secret, access to trial documents was not permitted even to the defense lawyer of the charged journalist. In some cases it was not possible to find the writings for which a journalist was imprisoned, as these documents were classified once the journalist was charged or convicted. In many cases the charges upon which convictions were based were not related to journalism, but it was widely perceived by the public and human rights organizations that imprisonment was the result of their writing. (2012)

Another challenge of conducting this research study is not having easy access to the relevant literature as well. As most of the sources that focus on the situation of Turkey's media scene in the recent years are newly published, they are not available in the United States yet. This was partly overcome by having such works shipped to the United States, except for some that were sold out at the time.

Another limitation for this study is the constant progression: As people mentioned during the Gezi protests, Turkey is currently "witnessing the history." A lot has changed even during the process of writing this thesis study; thus, keeping it up-to-date required extra time and effort. The trials of most journalists are still pending as of August 2013; therefore, it is not possible to comment on how the situation of press freedom will turn out in near future.

APPENDICES

Appendix A - Interview Questions

***** Describe your current professional activities, including your present position and responsibilities.

***** For what reason / on what charges you were sent to jail / prison? When were you released?

***** Please evaluate the level of press freedom in Turkey in the last ten years (since Justice and Development Party became the ruling party). How do you see the freedom of expression in the past decade compared to the post-coup times (1980 and after)?

***** Please tell me your opinions about censorship in Turkey.

***** Do the owners of the media company you work in want you to report or not report certain news? Do your news directors and editors refuse to publish reports/articles on controversial issues?

***** Have you or any other journalist you know been subject to government censorship? If yes, what do you and/or other journalists do in situations like this?

***** How about self-censorship? Have you ever censored yourself for some reason? If yes, what was the reason?

***** How did the levels of media owner censorship, government censorship, and self-censorship change after you were released from jail/prison? Were they any different before you went to jail/prison?

***** Do you foresee any positive improvements in press freedom in near future? What do you think should be done to promote freedom of expression in Turkey?

Appendix B - Journalists in Prison

Source: Turkish Journalists Syndicate (TGS)[54]

	Name	Date of Arrest	# Days in Prison	
1	Abdullah Çetin	16 Dec 2011	417 days in prison	KCK
2	Ahmet Akyol	9 May 2011	638 days in prison	PKK
3	Ahmet Birsin	14 Apr 2009	1393 days in prison	KCK
4	Ali Konar	27 May 2010	985 days in prison	PKK
5	Ayşe Oyman	24 Dec 2011	409 days in prison	KCK
6	Aziz Tekin	29 Jan 2012	342 days in prison	
7	Bayram Namaz	10 Sep 2006	2340 days in prison	MLKP
8	Cengiz Kapmaz	26 Nov 2011	437 days in prison	KCK
9	Çağdaş Kaplan	20 Dec 2011	413 days in prison	KCK
10	Davut Uçar	24 Dec 2011	409 days in prison	KCK
11	Deniz Yıldırım	9 Nov 2009	1184 days in prison	Ergenekon
12	Dilek Demiral	24 Dec 2011	409 days in prison	KCK
13	Dilşah Ercan	26 Sep 2010	863 days in prison	PKK
14	Erdal Süsem	1 Feb 2010	1100 days in prison	TKP/ML TİKKO
15	Erol Zavar	20 Jan 2007	2177 days in prison	THKP/C
16	Ertuş Bozkurt	24 Dec 2011	409 days in prison	KCK
17	Fatih Özgür Aydın	25 Jul 2011	561 days in prison	KCK
18	Fatma Koçak	24 Dec 2011	409 days in prison	KCK
19	Faysal Tunç	5 Apr 2007	2133 days in prison	PKK
20	Ferhat Aslan	05 Oct 2012	123 days in prison	KCK
21	Ferhat Çiftçi	16 Feb 2011	720 days in prison	
22	Füsun Erdoğan	10 Sep 2006	2340 days in prison	MLKP
23	Hamit Dilbahar	13 Feb 2010	1088 days in prison	
24	Hasan Özgüneş	28 Oct 2011	466 days in prison	KCK
25	Hatice Duman	1 Apr 2003	3598 days in prison	MLKP

Table B.1 List of journalists in prison as of February 2013

[54] This list is used as it is the most recent official list of imprisoned journalists. Some of the journalists in the list, such as Zuhal Tekiner, Zeynep Kuray, and Zeynep Kuris are known to have been released since February.

Table B.1 cont'd

26	Hikmet Çicek	25 Mar 2008	1778 days in prison	Ergenekon
27	Hüseyin Deniz	24 Dec 2011	409 days in prison	KCK
28	İsmail Yıldız	24 Dec 2011	409 days in prison	KCK
29	Kenan Karavil	11 Dec 2009	1152 days in prison	PKK
30	Kenan Kırkaya	24 Dec 2011	409 days in prison	KCK
31	Mazlum Özdemir	24 Dec 2011	409 days in prison	KCK
32	Mehmet Emin Yıldırım	24 Dec 2011	409 days in prison	KCK
33	Mehmet Haberal	17 Apr 2009	1390 days in prison	Ergenekon
34	Miktat Algül	17 May 2010	995 days in prison	
35	Murat Aydın	22 Oct 2011	472 days in prison	KCK
36	Musa Kurt	18 Sep 2012	140 days in prison	DHKP-C
37	Mustafa Balbay	6 Mar 2009	1432 days in prison	Ergenekon
38	Mustafa Gök	1 Feb 2004	3292 days in prison	THKP/C
39	Nahide Ermiş	24 Dec 2011	409 days in prison	KCK
40	Nevin Erdemir	24 Dec 2011	409 days in prison	KCK
41	Nilgün Yıldız	24 Dec 2011	409 days in prison	KCK
42	Nurettin Fırat	24 Dec 2011	409 days in prison	KCK
43	Nuri Yeşil	27 May 2010	987 days in prison	PKK
44	Ömer Çelik	24 Dec 2011	409 days in prison	KCK
45	Ömer Çiftçi	24 Dec 2011	409 days in prison	KCK
46	Ömer Faruk Çalışkan	19 Jul 2008	1662 days in prison	
47	Özlem Ağuş	24 Dec 2011	409 days in prison	
48	Pervin Yerlikaya	24 Dec 2011	409 days in prison	KCK
49	Ramazan Pekgöz	24 Dec 2011	409 days in prison	KCK
50	Sadık Topaloğlu	24 Dec 2011	409 days in prison	KCK
51	Selahattin Aslan	24 Dec 2011	409 days in prison	KCK
52	Semiha Alankuş	24 Dec 2011	409 days in prison	KCK
53	Sevcan Atak	18 Jun 2010	963 days in prison	
54	Seyithan Akyüz	11 Dec 2009	1152 days in prison	KCK
55	Sibel Güler	24 Dec 2011	409 days in prison	KCK
56	Sultan Şaman	7 Feb 2012	364 days in prison	
57	Şahabettin Demir	9 May 2010	1003 days in prison	

Table B.1 cont’d

58	Şükrü Sak	26 Apr 2012	285 days in prison	İBDA-C
59	Tayip Temel	8 Oct 2011	486 days in prison	KCK
60	Tuncay Özkan	27 Sep 2008	1592 days in prison	Ergenekon
61	Turabi Kişin	2 Jan 2012	369 days in prison	KCK
62	Turhan Özlü	19 Aug 2011	536 days in prison	Ergenekon
63	Yalçın Küçük	7 Mar 2011	701 days in prison	Ergenekon
64	Yüksel Genç	24 Dec 2011	409 days in prison	KCK
65	Zeynep Kuray	24 Dec 2011	409 days in prison	KCK
66	Ziya Çiçekçi	24 Dec 2011	409 days in prison	KCK
67	Zuhal Tekiner	24 Dec 2011	712 days in prison	KCK
68	Sadiye Eser	12 Dec 2012	55 days in prison	
69	Zeynep Kuriş	07 Nov 2012	90 days in prison	
70	Yeliz Kılıç	18 Jan 2013	18 days in prison	DHKP-C
71	Doğan Karataşın	18 Jan 2013	18 days in prison	DHKP-C
72	Gamze Keşkek	18 Jan 2013	18 days in prison	DHKP-C
73	Veysel Şahin	18 Jan 2013	18 days in prison	DHKP-C
74	Fatih Özgür Aydın	18 Jan 2013	18 days in prison	DHKP-C
75	Sami Menteş	18 Jan 2013	18 days in prison	DHKP-C

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