Democracy in Crisis: Corruption, Media, and Power in Turkey

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In researching this report Freedom House spoke with more than two dozen journalists and editors, as well as think tank representatives, civil society activists, and high-ranking Turkish government officials. We thank all of those who agreed to speak with us for their honesty and directness. Special thanks to Robert Ruby, Senior Manager for Communications for Freedom House.

Executive Summary
In November 2013, a Freedom House delegation traveled to Turkey to meet with journalists, NGOs, business leaders, and senior government officials about the deteriorating state of media freedom in the country. The delegation’s objective was to investigate reports of government efforts to pressure and intimidate journalists and of overly close relationships between media owners and government, which, along with bad laws and overly aggressive prosecutors, have muzzled objective reporting in Turkey.

Since November, events in Turkey have taken a severe turn for the worse. The police raids that revealed a corruption scandal on December 17, and the allegations of massive bid rigging and money laundering by people at the highest levels of the government, have sparked a frantic crackdown by the ruling AK Party. The government is also threatening the separation of powers by putting the judiciary, including the military, under direct control of the AK Party. More journalists have been fired or relocated across the country. Amendments to the Internet regulation law proposed by the government would make it possible for officials to block websites without court orders. The government is also threatening the separation of powers by putting the judiciary, including the military, under direct control of the AK Party. More journalists have been fired or relocated across the country. Amendments to the Internet regulation law proposed by the government would make it possible for officials to block websites without court orders. The government is also threatening the separation of powers by putting the judiciary, including the military, under direct control of the AK Party. More journalists have been fired or relocated across the country. Amendments to the Internet regulation law proposed by the government would make it possible for officials to block websites without court orders. The government is also threatening the separation of powers by putting the judiciary, including the military, under direct control of the AK Party. More journalists have been fired or relocated across the country. Amendments to the Internet regulation law proposed by the government would make it possible for officials to block websites without court orders. The government is also threatening the separation of powers by putting the judiciary, including the military, under direct control of the AK Party. More journalists have been fired or relocated across the country. Amendments to the Internet regulation law proposed by the government would make it possible for officials to block websites without court orders. The government is also threaten
Turkey’s democracy is in crisis. Three and a half million people across the country took part in the Gezi Park protests last summer. Yet the AKP-led government’s response, first to the protests and now to the December 17 corruption scandal, has been to crack down even harder on its critics, fanning even wider public alienation. At least 59 journalists were fired during the Gezi protests for criticism of the government, and more have lost their jobs in recent weeks to avoid judicial scrutiny. The December 17 corruption scandal has produced another string of firings of prominent columnists. The AKP has been far too slow to realize the seriousness of the threat to democracy in Turkey, and to place freedom of expression and democracy at the center of the policy relationship.

Although building a resilient democracy is fundamentally important to all Turkish citizens, the international community cannot afford to be bystanders. The European Union and the OSCE have raised strong concerns about government pressure on Turkey’s media, and the EU’s warnings against governmental overreach have been pointed. Unfortunately, the same cannot be said for the United States. The Obama administration has been far too slow to realize the seriousness of the threat to Turkey’s democracy. U.S. criticism of the Turkish government’s recent actions has come from the State Department spokesperson and White House press secretary, not from the high-ranking officials who need to be engaged in responding to a crisis of this scale. Where European governments and institutions have been specifically and publicly engaged with the government over the crisis, the Obama administration has avoided the difficult issues. It is time to recognize that in a democracy, a free press and the incentive for media owners to curry favor by distorting the news. Turkish media owners themselves must make a commitment to support changes in procurement practices if they are to win back the trust of Turkey’s citizens.

Although the party arguably won on the public’s desire to improve the economy, including liberals and members of minority groups interviewed for this report, agree that there was progress under the AKP in some important areas of free expression. Long-standing taboos against discussion of minority rights, including the rights of Kurds and Alevis, headscarves for women, and history outside the narrow bounds of secular nationalism. In 1997, leading media outlets supported the military’s efforts to undermine the coalition led by the Islamist Welfare Party, which eventually led to the collapse of the democratically elected government in what is often called the “post-modern coup.”

Yet credit for such gains cannot offset the atmosphere of intimidation that deepened as the AKP consolidated its power. Kurdish journalists have been arrested for criticizing the government, and others have lost their jobs in recent weeks to avoid judicial scrutiny. The December 17 corruption scandal has produced another string of firings of prominent columnists. Yet credit for such gains cannot offset the atmosphere of intimidation that deepened as the AKP consolidated its power. Kurdish journalists have been arrested for criticizing the government, and others have lost their jobs in recent weeks to avoid judicial scrutiny. The December 17 corruption scandal has produced another string of firings of prominent columnists. Yet credit for such gains cannot offset the atmosphere of intimidation that deepened as the AKP consolidated its power. Kurdish journalists have been arrested for criticizing the government, and others have lost their jobs in recent weeks to avoid judicial scrutiny. The December 17 corruption scandal has produced another string of firings of prominent columnists. Yet credit for such gains cannot offset the atmosphere of intimidation that deepened as the AKP consolidated its power. Kurdish journalists have been arrested for criticizing the government, and others have lost their jobs in recent weeks to avoid judicial scrutiny. The December 17 corruption scandal has produced another string of firings of prominent columnists. Yet credit for such gains cannot offset the atmosphere of intimidation that deepened as the AKP consolidated its power. Kurdish journalists have been arrested.
The government scandal broke this December has been a repeal who still hold their jobs admit to censoring their own Gezi—of media owners being told to fire specific across Turkey’s media told Freedom House about angry phone calls from the prime minister’s office after critical stories run, and—long before about media owners being told to fire specific reporters. In a growing number of cases, editors and owners are firing reporters preemptively to avoid a clash with government officials. Several prominent columnists are losing their jobs, such as Nazlı Ilıcak from Sabah and Murat Aksöz from Yeni Şafak.

As reflected in Freedom House’s annual ratings, including Freedom in the World, Turkey is not a country where the government’s efforts to control the media has been to focus most of its attention and pressure on these “mainstream” outlets. The government-backed sales of Sabah and Akşam to pro-government business groups and the forced sale of Millet to a pro-government business group to pay off the Doğan Media Group’s tax penalties reduced these papers’ independence. Millet has left behind a group of newspapers considered “mainstream,” meaning that despite their media legacies they can reach an audience beyond the true believers of one ideological group. These papers include Hürriyet (409,000), Milliyet (168,000), Sabah (319,000), and Akşam (103,000). A key aspect of the government’s efforts to control the media has been to use its influence over the media to curry favor with the government has remained the AK Party’s media strategy.

Historical Development

The events of the last 12 years, including the AKP-led government’s intensifying crackdown on media freedom, cannot be understood without the context of decades of military “guardianship” and the overly close relationship between the military and the media. While ownership has shifted, in many cases the desire to curry favor with the government has remained the same. Following the coup of 1980 and the develop-ment of liberal economic policies under Prime Minister Turgut Özal, family ownership in the media market was replaced by corporate holding compa-nies (albeit still with a strong family component) that benefited hugely from their close relationships with the government.
In nearly all cases, these holding companies earn only a small fraction of their revenue from their media outlets, with the bulk of profits coming from other interests, such as construction, mining, finance, or energy (see Table 1). In Turkey’s still state-centered economy, privatization of government assets and government contracts are a huge source of the holding companies’ income. This has created a situation in which media outlets are used to promote the ownership group’s financial interests. Members of the media and the government alike describe newspapers’ Ankara bureau chiefs as “lobbyists” for their companies.

Holding company owners who rely on the state for business have shown little commitment to real debate, and even less sense of responsibility for providing a check on government power. In 1997, when the military forced the collapse of a coalition led by the Islamist Welfare Party, large media outlets supported the military with sensationalized and baseless stories about the Islamist threat to democracy.

The AK Party and the current government were forged by that history. Prime Minister Erdoğan and President Abdullah Gül were both members of the banned Welfare Party. When Erdoğan served four months in prison in 1997, and was subsequently barred from holding public office, the secularist media applauded.

Even as Erdoğan and Gül distanced themselves from the more aggressive Islamism of the Welfare Party, they still carried a profound sense of vulnerability and victimhood.

When the AK Party came to power in 2002, it bore the scars of those experiences. Erdoğan, now leader of the AKP, was only allowed to assume the premiership after a constitutional amendment in 2003. Five years later, the AKP faced another serious challenge to its existence when the Constitutional Court came only one vote short of ruling that the party should be dissolved for violating the constitution’s commitment to secularism.

From its inception, the AKP Party presented a very different image to that of its more Islamic predecessor. It committed to a government open to religion in public life in the context of its program to make Turkey more fully democratic. It actively embraced the free market, rejected anti-Western rhetoric, and pledged to implement an IMF standby agreement that required difficult economic reforms.

The AKP’s decision to pursue European Union accession required additional reforms and won new support from the international community, originally wary of the party’s Islamic roots. The aftershocks of the currency devaluation in 2001 and the IMF’s backing helped attract foreign investment, and the new macroeconomic stability created a windfall of lower interest rates and a decline in Turkey’s chronically high rate of inflation. This allowed the AKP to direct resources to its constituents in neglected cities across the country and to provide opportunities for the new business class. The EU’s strict demands for institutional reform provided a bipartisan mandate for decreasing the involvement of the military in public life and gave an opportunity to install new (and, in some cases, more professional) cadres in the civil service, police, and judiciary.

In its fight against the old guard, the AK Party also created a wider space for ideas and discussion. Yet as the AKP strengthened its political position, it began to assert more control over the media sector, and the old red lines were replaced with new ones. An important step came in 2007 when the country’s second-largest media group, Sabah-ATV, was sold to Cülcü Holding. Prime Minister Erdoğan’s son-in-law Berat Albayrak was the company’s CEO, and Albayrak’s brother led the media unit.16 In an unusual move, two state banks stepped in with financing worth $750 million of the $1.1 billion purchase. Sabah’s editorial line rapidly shifted from center-left to ardently pro-government.

That same year, the government took aim at the country’s largest media owner. When Doğan Media Group, which had long been associated with the secularist elite and had backed the 1997 “post-modern coup,” Doğan had enraged PM Erdoğan when its flagship papers, Hurriyet and Milliyet, gave extensive front-page coverage of a German court case, accusing several prominent Turkish citizens with ties to the top of the AKP of embezzling tens of millions of dollars from a Turkish charity.

Doğan responded by calling for a boycott of the entire media group.17 In February 2009, Doğan Media Group was hit with a $50 million tax fine, raised in September of the same year to $2.5 billion, four-fifths of the market capitalization of the entire company.20 The fine eventually forced Doğan to reduce its commanding position in the Turkish press, including by selling Milliyet and Vatan to another holding company with strong ties to the government.

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The AKP also took on the military in 2007. In April, the army issued a statement pledging to be an “absolute defender of secularism” in a veiled threat reminiscent of 1997.22 In June, police launched the raids that would lead to accusations against ten army generals and hundreds of other officers, as well as various journalists and professors, for seeking to undermine the government with a convoluted conspiracy—known as Ergenekon, after a mythical place of origin of the Turkish people—of assassinations and false flag operations. The indictments and trials were marked by appalling breaches of due process and judicial pounding of prétrial detention, and simple logical incoherence.

Nevertheless, Ergenekon ended in September 2013 with the conviction of 275 defendants, including the former chief of the Armed Forces. With military tutelage finally broken and the political opposition still tainted by its association with the military, the AK Party became the dominant political force in Turkey.

The AKP did not break the old media or military tutelage by itself. Until recently, one of its key allies was the Gülen movement, a tightly networked group following the teachings of Islamic preacher Fethullah Gülen. The movement wields enormous economic and social power with a network of hundreds of schools and colleges in Turkey and abroad, and extensive business interests inside and outside the country. Turkey’s highest-circulation daily Zaman and the influential English-language Today’s Zaman are owned by the Gülen-affiliated Feza Media Group. Koza İpek Holding, which owns Bugün daily and Kanaltürk TV station, is also affiliated with the movement.

When Doğan Media Group was under attack, Gülenist outlets were vocal in defending Erdoğan and blaming the group’s owner Aydin Doğan for triggering the prime minister’s wrath upon himself.23 During the Ergenekon trial, prosecutors allied with Gülen were said as driving the charges against the military through leaks and stories in the movement’s outlets and to sympathetic journalists.

The alliance between Gülen supporters and Erdoğan started to change as the government took a more confrontational stance towards Israel and pursued rapprochement with the Kurdistan PKK, which the Gülen movement has opposed for decades.24 A failed attempt to remove Turkey’s intelligence chief Hakan Fidan in February 2012 was widely attributed to Gülen supporters within the judiciary unhappy with the outreach to PKK leader Abdullah Öcalan.25 The split between Gülen supporters and Erdoğan has now burst into full public view with the December 17 corruption scandal, which has been played out in leaks to sympathetic journalists and stories in the movement’s outlets.

Table 1: Main ownership groups in Turkey’s media, January 2014

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<thead>
<tr>
<th>Ownership Group</th>
<th>Newspapers</th>
<th>TV</th>
<th>Other Business Interests</th>
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<tbody>
<tr>
<td>Doğan Group</td>
<td>Hürriyet, Radikal, Posta</td>
<td>CNN Türk, Kanal D</td>
<td>Energy, retail, industry, tourism</td>
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<tr>
<td>Doğuş Group</td>
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<td>NTV, Star</td>
<td>Finance, Automotive, Construction, Energy, Retail</td>
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<tr>
<td>Fza Media Group</td>
<td>Zaman, Today’s Zaman</td>
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<td>Not available</td>
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<td>Ethem Sarbacan</td>
<td>Akşam</td>
<td>Sky Türk 360</td>
<td>Pharmaceuticals</td>
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<td>Star Media Group</td>
<td>Star</td>
<td>Kanal 24</td>
<td>Energy (50 percent owned by the State Oil Company of Azerbaijan)</td>
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<tr>
<td>Kalyon Group</td>
<td>Sabah, Takvim</td>
<td>ATV</td>
<td>Construction</td>
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<tr>
<td>Ciner Group</td>
<td>Habertürk</td>
<td>Show TV, Habertürk TV</td>
<td>Energy, Mining, Services</td>
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<tr>
<td>Demirören Group</td>
<td>Milliyet, Vatan</td>
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<td>Energy, Mining, Industry, Construction, Tourism</td>
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<tr>
<td>İhlas Holding</td>
<td>Türkiye</td>
<td>TÖRT Haber</td>
<td>Construction, Industry, Tourism, Mining</td>
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<tr>
<td>Albayrak Group</td>
<td>Vos’u Şafak</td>
<td>TVNET</td>
<td>Construction, Industry, Logistics, Energy, Services</td>
</tr>
<tr>
<td>Koza İpek Holding</td>
<td>Bugün</td>
<td>Kanaltürk</td>
<td>Mining</td>
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The Media in Crisis

The tools used to pressure and control media outlets and individual journalists existed before the AK Party came to power. But the party, with its extraordinary political dominance, has used them unapologetically and with increasing frequency and force. The wave of firings and resignations during the Gezi Park protests, as outrageous as they are, are unfortunately just one example of the AKP’s determination to suppress a free press and full public debate.

The Gezi Park protests started on May 27, 2013, with a small group of environmental activists determined to block government plans to replace a park in Istanbul’s Taksim Square with a complex of hotels, a shopping mall, and restaurants. As news of the occupation spread on social media, hundreds of people joined, united by their frustration with the government’s lack of accountability. The tipping point came on May 29 and 30, when police routed protesters with tear gas and water cannons. Images of the brutality circulated rapidly on social media. A Reuters photograph of a young woman being sprayed in the face with pepper gas by a policeman wearing a gas mask became the iconic image of the protest. Tens of thousands rushed to occupy all of Taksim Square. Over the next two weeks, protests spread to 80 of the country’s 81 provinces, with more than 3.5 million people participating, according to the government’s own estimates.

Many of Turkey’s media outlets were caught off guard by these events and slow to adapt their coverage, drawing popular ire. Most notoriously, on June 1, as news outlets filed suit, the government showed round-the-clock coverage, the Doğan-owned CNN Türk was broadcasting a nature documentary about penguins. The penguin became an ironic symbol of media cowardice in the protests. Some papers and television stations, including CNN Türk, soon caught up with the news, while other pro-government stations like NTV continued to push the government’s conspiratorial talking points (protesters even gathered in front of NTV’s offices). But the initial failure to cover Gezi showed the reflexive compliance and conflict aversion of the conglomerate-dominated media.

It is difficult to firmly establish the number of report- ers, editors, and broadcasters fired in the wake of Gezi. On July 26, the Turkish Journalists’ Union said that 59 journalists had been fired or forced out; the opposition Republican People’s Party (CHP) has compiled a list of 77 journalists who were fired or forced out due to their coverage of the protests. Some media employees cite much higher numbers. NTV Türk, a history magazine owned by NTV, was shut down entirely and its staff let go after the magazine’s editors prepared a special “Gezi edition.” The Gezi firings continued through the fall. In November, the public broadcaster TRT fired two employees who used social media to voice their support for the protests.

The government and its backers insist that there is no proof that the coverage of Gezi was behind any of these firings. That argument is hard to accept, given the government’s track record of intimidation and pressure against the media. Even before Gezi, it had become commonplace for top officials, especially Erdoğan, to publicly attack journalists who displease them, and for those journalists to be fired soon after. In 2011, after NTV host Nuray Mert compared the government’s policies in eastern Turkey to a nationalist massacre 70 years before, the prime minister denounced her writing as “despicable.” She lost her show with the channel, and was later fired from Milliyet. In August 2012, as the government’s peace process with the PKK faltered, the prime minister warned the press in a televised debate that it must ignore the conflict, arguing that broadcasting information about Turkish soldiers’ deaths would provide propaganda support for terrorists. “I really expect the media to act as one hand, one heart,” he said. “On whose side will the media be?”

In March 2013, Milliyet columnist Hasan Cemal, one of Turkey’s most respected journalists, defended his paper’s decision to publish leaked information on PKK leader Abdullah Ocalan’s attitudes toward peace talks. In a speech two days later, the prime minister attacked Cemal, saying, “If this is journalism, then down with your journalism!” Milliyet fired Cemal later that month. In December 2013, one of Sibh’s best-known columnists Naziç Ikacak was fired the day after she criticized the government over the corruption scandal on a television news show. In January this year, Murat Alksoy, a prominent writer for Yeni Şö福k, was also dismissed after making similarly critical remarks on air.

Editors and journalists in the mainstream media say that they receive regular phone calls from the prime minister’s office to change stories, to downplay coverage, or to fire report- ers or columnists. The accounts are consistent and come from both government critics and those who have supported the AK Party, although the government officials Freedom House met with all denied such calls take place. One journalist said that the phone calls were no longer necessary: “There isn’t a person who calls every five minutes, but there is an expectation that they will.” Some editors have developed a pre-Pavlovian response—firing those who fail to heed the party line even before they hear the bell.

The government also uses the courts to go after offending journalists. Despite strong international criticism, defamation is still criminalized under Turkish law. There is no official tally of defamation lawsuits by the prime minister, but the number may be in the hundreds. In addition to journalists, Erdoğan has sued high school students, political cartoonists, and musicians. In February 2012, he sued the then-editor of Taraf daily, Ahmet Altan, for defamation after Altan wrote an editorial criticizing his refusal to apologize after 34 civilians were killed by a Turkish airstrike. Altan later stepped down under pressure from the ownership of Taraf after advertisers became reluctant to advertise. In July 2013, Altan was convicted of defamation and ordered to pay EUR2,800 fine, on top of the 6,000 euros he was already required to pay in compensation to Erdoğan under a previous civil suit. In December 2013, Erdoğan accused Taraf journalist Mehmet Baransu of “treason” for a story describing a National Security Council plan to counter the influence of Gulen and his movement. Baransu and Taraf are under criminal investigation for the story. In 2008 and 2009, the National Security Organization (MIT) ordered wiretaps of several journalists at Taraf who broke major national security stories. It was later revealed that MIT used false names for the reporters to prevent the judges from knowing who was being wiretapped.

Journalists say it has become increasingly hard to predict what will draw the prime minister’s ire. One editor in chief told Freedom House, “It could be environmental, economic. After all, everything related to life is related to politics.” Journalist Can Dinçar, who was fired from Milliyet in August 2013, said about his editors, “They told me at Milliyet, I don’t want news that will irritate the prime minister, but I don’t know what news will irritate him. Anything can be irritating; and once we irritate them they fire us.”

The prime minister is not alone in practicing intimida- tion. During the Gezi protests, the AKP mayor of Ankara, Melih Gökçek, started a Twitter campaign against BBC reporter Selin Girit with the hashtag “#Don’t be a spy in the name of England Selin Girit.” The BBC issued a statement calling the campaign “unacceptable.” In October, the AKP mayor of Eskişehir sent an email to a reporter from Radikal saying it was “vile and inglorious” to continue to report on the case of a protester who was beaten to death by police.

One journalist described how her colleagues relished interviewing the opposition because it gave them a chance to act like “real journalists” by asking difficult questions and pressing for answers. Such aggressive reporting, she said, is not allowed with the AK Party. That too ensures that the coverage of the opposition is far more critical than that of the government.
How a History Magazine Fell Victim to Self-Censorship

Andrew Finkel

The abrupt closure of NTV Tarih, a popular history magazine with a healthy circulation, may not be the most egregious example of self-censorship in Turkey. But it is an unhappy illustration of a mainstream media nervousness of its own shadow.

“We weren’t stuffy, and we weren’t ideological. “There was an element of happenstance,” explains Neyyire Özkan, who was herself forced to step down as head of the Doğuş Magazine Group. She describes the magazine as a “star” in a list of publications that consisted of mainly Turkish-language franchises for titles such as Vogue, National Geographic, and Q2. NTV Tarih was among the best-selling monthly magazines in Turkey, but created entirely in-house.

“We weren’t stuffy, and we weren’t ideological. We took on controversies and tried to make people understand them from different historical perspectives,” says its editor, Gürsel Göncü. In short, it tried to turn “official” history into just history. When Prime Minister Erdoğan issued a guarded apology in November 2011 for the massacre of Alevis Kurds in the late 1930s in the eastern province of Dersim, the magazine found their way to the families of those who died.

Göncü was expecting an even more enthusiastic reception for the July 2013 issue, which was inspired by the previous month’s head-line-grabbing occupation of Istanbul’s Gezi Park. It set out to chart the history of popular protest in Istanbul from the 404 AD Nika riots of Byzantium, through Ottoman and Republican times. And it tried to see Gezi in the context of world events. The editors had also reconstructed a painstaking, hour-by-hour, tweet-by-tweet timeline of the Gezi events. This was billed on the front cover as #yaşarkenyazılanlar

Cover of the censored edition of NTV Tarih. Reproduced by permission of the publisher

(whishorywrittenasisvilled). Success for the issue seemed all but guaranteed by an ingenious front cover: Artist Taça Alkan had recreated the iconic photo of the Gezi protest—a young woman university lecturer in a red dress being sprayed in the face with pepper gas by a masked policeman—in the style of an Ottoman miniature painting.

NTV Tarih was not the only Doğuş Group publication to use the Gezi theme. Even that month’s issue of Turkish Vogue featured Gezi chic. However, by the time the presses were ready to turn, the entire media group had become embroiled in far greater controversy. NTV television station, the group’s flagship 24-hour channel, had come under bitter attack by its own viewers for its initial reluctance to cover the Gezi events, and then for its eagerness to comply with the government’s spin that the protests were part of a greater conspiracy. As a result, crowds of demonstrators gathered in front of the media giant’s imposing Istanbul headquarters. On the other side of the city, near Gezi Park itself, protesters set upon and destroyed an NTV remote-broadcasting truck.

These protests appear to have prompted a great deal of soul-searching within the NTV newsroom. Cem Aydın, the media groups chief executive officer, assembled the entire staff to confess that the organization had lost its way. Well before Gezi, the news channel had begun axing its hallmark discussion programs and shedding many well-known presenters and commentators who had given the station its critical edge. It had adopted an all too familiar, anodyne editorial policy to avoid giving the government offense. “We only covered news that wasn’t news,” one cameraman said, according to accounts by those who attended the meeting. Aydın pledged to recover the public’s trust, no matter how long it took. Tayfun Ertan, NTV television’s first editor in chief, reflects on the irony of it all. The station was founded in 1998 by Cavt Çağlar, a business-man-politician who had been a supporter of then-President Süleyman Demirel and who was later convicted of bank fraud. “We only signed on to the project when he gave his word he would never interfere with news content. And he kept that promise, even during politically turbulent times,” Ertan says.

Erta, still working for Doğuş Group (he was subsequently dismissed), listened to Aydın’s apology, and afterwards the two men spoke. “We have to get ourselves organized like we were at the beginning,” Aydın told him. Instead of trying to strike a balance that was not possible, he said that NTV should go back to its first principles of doing the news.

He never got the chance. A few days later, Aydın stepped down from his post. All this was before NTV Tarih tried to go to press.

Erman Yerdelen, chairman of the board of Doğuş Media Group, makes it clear that Aydın had no authority to convene that meeting of employees, nor to change the direction of NTV’s editorial policy. He describes that policy as “center of the road.” He rejects suggestions that NTV news channel had turned into an uncritical vehicle for the ruling party’s point of view but says nor is it the station’s mission to be a soapbox for the government’s critics.

If the television conveyed the message of the government, this was because it was regularly elected by 50 percent of the population and they wanted to know what the government had to say. The views of the opposition were also being reported. “To my way of thinking, Turkey has full freedom of the press. Anyone can start up a newspaper tomorrow,” Yerdelen says.

And Yerdelen is unapologetic about his decision not just to spike the Gezi issue of NTV Tarih but to shut down the magazine, lock, stock, and barrel. The reasons he gives are twofold. Despite its relatively high sales (twice as many copies as Turkish Vogue), it wasn’t bringing in advertising revenue. Printing extra copies would not have made it profitable. And he accused its editor of turning a history magazine into a political platform, and of trying to rush the magazine into press without approval.

“It overstepped the boundaries,” he says. Göncü takes issue with this interpretation of events. He says it is impossible that a strong-selling magazine produced by an editorial staff of five, that did not pay a foreign license, could have been taking a loss. And he says it was inconceivable to think the magazine could leave the printers without the publisher’s consent.

At the same time, he remains philosophical about his brainchild’s plight. The pages of the magazine found their way onto the Internet, and from there to the publishing house Metis, who reprinted the Gezi issue as a book. The proceeds go to the families of those who died in the Gezi protests. “What happened to the magazine cannot be erased. It became part of the history it tried to write.”
Media Ownership and Dependency

Money is the government’s most potent tool for controlling the media. The breakup of Turkey’s two dominant media groups was complete by 2011, when the Sabah-ATV group had been sold to Çalık Holding, led by Erdoğan’s son-in-law, and Doğan sold the newspapers Milliyet and Votan to settle its bill from the tax case. The sale of Milliyet, perhaps the most respected brand in Turkish journalism, dramatically diminished the influence of the Doğan Media Group. The huge tax fine also served as a clear warning to other media owners of the cost of challenging the government.

Every holding company with interests in the media sector benefits from government contracts. The following are only select examples:

- Doğuş Holding (NTV, Star TV) won a $702 million bid in May 2013 to operate Istanbul’s Galataport in Karaköy.

- In November, İhlas Holding (Türkiye Gaziosmanpaşa) signed a $1.86 billion deal to redevelop Istanbul’s İhlas News Agency, TGRT TV) signed a

- The Demirören Group, whose Milangaz subsidiary is one of the country’s liquefied petroleum gas giants and which built the controversial Demirören shopping center on Istanbul’s Istiklal Avenue, bought Milliyet and Votan from Doğan in 2011. According to Erdoğan himself, the company’s owner, Erdoğan Demirören, asked the prime minister for his recommendation for editor in chief of Milliyet after buying the paper.

The role of public tenders and privatization in maintaining government influence over media cannot be overstated. The prime minister’s office controls billions of dollars in projects per year as the chair of the Privatization High Council (OİB). The PM has final say over privatization approvals, creating a clear incentive for diversified holding companies to avoid all conflict with his office. An even larger amount of money flows through the public procurement process. In 2012, the government issued $46.2 billion worth of contracts, with key holding companies with media outlets eagerly bidding. Billions more are distributed through the Housing Development Administration (TDK), also run by the prime minister’s office. Defense industry procurement, also overseen by the PM through the Defense Industry Executive Committee, is another major source of patronage and pressure.

Over time, these procurement practices have become even less transparent. In the last two years, amendments to procurement law placed tenders in multiple agencies and transferred government influence to the Housing Development Administration. In the 2012 tender for Istanbul’s Galataport in Karaköy, for example, the winning bid of Doğuş Holding was challenged in the Constitutional Court, and the court overturned the government’s decision. The Constitutional Court overturned the legislation in December 2012, yet the Court of Accounts has been unable to audit public institutions for the last two years and will not be able to do so for at least three more because of an amendment that exempted state institutions from providing account details.

The Savings Deposit and Insurance Fund (TMSF), the body attached to the prime minister’s office that recovers debt owed to banks and failed financial institutions, provides another means for to assert control over the media. TMSF has on several occasions seized control of media organizations whose parent companies have been in trouble. The reliable result is to companies sympathetic to the AK Party. This was the mechanism by which the Sabah-ATV group was sold to Çalık Holding in 2007, and in 2013 Çukurova’s media properties went to Ethem Sancak, a wealthy businessman and a passionate supporter of the PM. Even before Sancak’s purchase of Akşam, TMSF had appointed a former AKP deputy to be the editor in chief of the newspaper.

A remark heard frequently during Freedom House’s investigations is that many owners of powerful holding companies regard media properties as a burden rather than a privilege—a levy that must be paid to ensured continued access to government contracts. An increasingly common phenomenon is a game of “pass the can,” where holding companies bear the cost of running a pro-government media group for a time and then try to transfer ownership to another beneficiary of government favor as quickly as circumstances allow.

The result is an atmosphere of complicity, censorship, and outright stenography on the part of a large segment of the media. It is no longer unusual for multiple newspapers to run the same headline when the political stakes are particularly high. In November, during a very public rift between Deputy Prime Minister Bülent Arınç and Prime Minister Erdoğan over Erdoğan’s vow to use the police to investigate co-ed student housing, six newspapers ran near-identical headlines quoting the prime minister playing down the feud. “We will solve it amongst ourselves” is what readers saw when they picked up their papers.

The same thing happened in early June when seven papers ran headlines with an identical quote from the prime minister on his return from North Africa during the Gezi protests: “I would give my life for the demands of democracy,” he declared, suggesting that like his hero Adnan Menderes, the prime minister hanged by the military in 1960, he was willing to martyr himself for the cause of democracy.
The government and its supporters acknowledge that media owners are eager to please the prime minister, and even that these owners may be afraid of the consequences of displeasing him. But they refuse to take responsibility for the atmosphere of intimidation described consistently by reporters, editors, and even some owners, speaking privately. Without apparent irony, ministers insist that if owners and editors are “real journalists,” they should be able to withstand the pressure against them.” As the editor in chief of one of the country’s leading papers told Freedom House, “You are ‘free’ to write anything, if you are willing to pay the price. This is the atmosphere created by the prime minister’s office.”

**Imprisonment and Detention**

The most chilling example of government abuse is the detention and imprisonment of a large number of journalists, mainly but not all Kurdish. As of December 1, 2013, the Committee to Protect Journalists (CPJ) found that 40 journalists were imprisoned as a result of their work. While down from the 49 that the organization documented in 2012, the number still made Turkey the top jailer of journalists in the world, ahead of China and Iran. Local monitoring organization Bianet lists 59 imprisoned journalists and 23 media employees. As other reports have documented, the majority of the journalists in prison or in pretrial detention are Kurds working for outlets associated with the Kurdish movement. According to some analysts, the government is keeping the journalists and activists to be used as bargaining chips with the PKK in negotiations.

Approximately one-quarter of the imprisoned journalists (as counted by CPJ) work for media outlets associated with banned leftist movements, while a smaller number were swept up in the Ergenekon trials. Two of the reporters that covered the trial, Ahmet Şık and Nedim Şener, were held in pretrial detention for over a year on charges of being part of Ergenekon, the organization they were supposed to be covering. Şener, who had written a book accusing police of organizing the murder of Armenian journalist Hrant Dink, and Şık, who had written a book about Gülen supporters in the police, are still facing charges of supporting an armed terrorist organization in the OdaTV case, one of the spinoffs from the original Ergenekon trial.

The high number of imprisoned and detained journalists in Turkey is a direct consequence of overly broad and aggressively applied antiterrorism laws, combined with a judicial system that too often sees its role as protecting the state, rather than the individual. Flagrant abuses of due process and fair trial are common. Even after several rounds of reform, the antiterrorism laws make it possible to prosecute journalists for producing “propaganda” for terrorist organizations or “aiding” a criminal organization with a low burden of proof. The definitions of “terrorism,” “terrorist organization,” and “propaganda” continues to be so open-ended that interviews with PKK leaders or descriptions of PKK activities, as well as other “armed” or “terrorist” organizations, could easily be used for prosecution of journalists. According to Human Rights Watch, the Ministry of Justice’s own figures show that 8,995 people were imprisoned as of last year on terrorism charges. These fundamental ambiguities in the law and the history of their use should be remembered when Erdogan describes the Gülen movement as an “organization” that has committed “treachery.”

The Gezi events and the December corruption scandal have reinforced the AK Party leadership’s historic sense of victimhood and its fear of another coup. With the military marginalized, its suspicions are primarily focused on the many members of the judiciary and the police that are affiliated with their former allies in the Gülen movement. At the same time, they are stepping up attacks on freedom of expression. Proposed amendments to Law 5651 regulating the Internet, under discussion in parliament at the time of writing, would allow government officials to order websites blocked for “violations of privacy” without a court order. This would be a flagrant rejection of the European Court of Human Rights, which ruled on this issue in a case against Turkey in December 2012. Unless the prime minister and his advisers change course, tensions will grow, with additional revelations of corruption likely and the country preparing for three critical elections (for local office in March 2014, president in August 2014, and parliament in June 2015). One of the most pernicious effects of the widespread firings of reporters and editors from the “mainstream” media is that there are fewer moderate voices to be heard. The result is an increasingly shrill and divisive media—and public debate—split into “Erdoğanist” loyalists and polemical critics.

In the medium term, there are reasons for hope, especially if the United States and other members of the international community do more to support and defend Turkey’s democracy. The clash between the powerful Gülen movement and the AK Party has opened more space for critical reporting as well as criticism of the government, despite the government’s best efforts to silence debate. The rise of social media provides a new platform for journalists to challenge the government’s claims and voice their opinions. After her firing from Soboch in December, Nazlı Iliçak cited her Twitter reach, saying, “I have 500,000 followers. That’s more than Soboch’s circulation.” Most important, there is a new generation of media outlets developing, with a strong commitment to more balanced reporting.

Gezi also showed there is a strong demand in Turkey for professional news and journalists willing to stand up to government pressure. The news site T24 has become a refuge for fired journalists and has seen its readership quintuple from 25,000 to 125,000 this year. Upstart sites like Vagus, TV, founded by journalist Serdar Akinaran, incorporate user-generated video and commentary. The dramatic changes in Turkey’s politics, economy, and media present an opportunity for entrepreneurs, international foundations, and development agencies to invest in Turkey’s media market.

Turkey’s business community has an important role to play. The current crisis notwithstanding, the long-term promise of increasing European investment remains a guiding incentive for business leaders to press the government to support legal reforms, including more transparent procurement practices. The Transatlantic Trade and Investment Partnership (TTIP), currently being negotiated between the United States and Europe, provides an opportunity for a parallel investment pact between Turkey and the United States. If approached with rigorous standards that condition agreement on greater accountability and transparency in government, these processes could help promote institutional development and a more democratic political system.
Turkey

The AKP-led government must recognize that its efforts to control a free debate are further alienating Turkey’s citizens and could potentially threaten the country’s stability. It could also put at risk Turkey’s integration with Europe and its strong alliance with the United States.

The problems of how to construct and defend a democratic state are fundamentally ones the Turkish people must resolve. In Freedom House’s meetings with high-ranking officials in November 2013, the government came prepared to discuss legal reforms and the long list of imprisoned journalists. We saw this as a sign that international criticism was having at least some impact. The harsh official response to the “positive agenda” begun in May 2012, the opening of a new chapter of the acquis, and the recent agreement to pursue visa liberalization are all positive steps. The EU must continue to press for reforms in Turkey, while offering economic incentives to help keep those reforms on course. It must also make clear that backsliding into repression will doubt on whether a government that sees itself accountable in the bidding process. The GPA will be complementary to both EU accession and a TTIP parallel pact with the United States.

- Review, in coordination with the EU, the institutional arrangements that place the Housing Authority (TOKI) and the Privatization High Council (DOB) in the prime minister’s office and that make the prime minister the chair of the Defense Industry Executive Committee. Authority for procurement should be aligned with EU best practices in order to prepare for accession.

European Union

The European Union has encouraged important reforms in Turkey. But the EU’s leverage diminished as some member states, consumed with their own crises and wary of admitting a Muslim-majority nation, obstructed further progress and soured many in Turkey on the accession process. With the European financial crisis stabilized, a new president in France, and a relatively pro-Turkey Social Democratic Party now in the ruling coalition in Germany, there have been signs of progress. Accession still remains a distant goal, but the process of harmonization is the best course for Turkey’s economic and political future. The “positive agenda” begun in May 2012, the opening this year of a new chapter of the acquis, and the recent agreement to pursue visa liberalization are all positive steps. The EU must continue to press for reforms in Turkey, while offering economic incentives to help keep those reforms on course. It must also make clear that backsliding into repression will damage the relationship and cause serious harm to Turkey’s economy. Specifically, the EU must do the following:

- Commence accession to the World Trade Organization Government Procurement Agreement (WTO GPA) in order to improve transparency and accountability in the bidding process. The GPA will complement the TTIP parallel pact with the United States.

United States

For years, the Obama and Bush administrations oversold Turkey’s potential to be a model for the reconciliation of Islam and democracy. This government’s increasing authoritarianism cannot be ignored or denied any longer. The United States urgently needs a policy that fits the reality of current events in Turkey.

President Obama cultivated a close relationship with Prime Minister Erdoğan—in October 2011, the Los Angeles Times said he had spoken more with Erdoğan than any world leader other than British Prime Minister David Cameron—, but Erdoğan has received nearly all of the benefit. Obama’s decision to visit Turkey on his first overseas trip in 2009—in the midst of the government’s fierce attacks on the Doğan Media Group—was viewed as a particular triumph for Erdoğan, and Obama’s decision to complement Turkey’s performance on media freedom in his speech to parliament was a profound error. It was inevitably seen by the Turkish government as new license to harass and intimidate the press. Several pro-Western journalists interviewed for this report expressed anger and bitterness over that speech and at the administration’s uncritical support for Erdoğan until very recently.

The White House’s attitude toward Turkey has soured in recent months, primarily because of Erdoğan’s refusal to follow through on rapprochement with Israel as well as differences over Turkey’s support for extremist groups in Syria. But the Obama administration is still not speaking out at a high enough level against Turkey’s suppression of the media and dissent. Statements of concern from the State Department spokesperson are not enough. Prime Minister Erdoğan must be put on notice that there is a limit to the overpricing of Turkey’s accession process, including by emphasizing European integration as a European project, not as a parallel pact with the United States.

- Provide greater resources in support of media independence and civil society as part of its pre-accession funding programs.

- Expand public diplomacy efforts across Turkey, including outside of Istanbul and Ankara, promoting both democratic values and the economic and political benefits of Turkish integration into the EU.

- Review, in coordination with the EU, the institutional arrangements that place the Housing Authority (TOKI) and the Privatization High Council (DOB) in the prime minister’s office and that make the prime minister the chair of the Defense Industry Executive Committee. Authority for procurement should be aligned with EU best practices in order to prepare for accession.

- Oversee further legal reforms with high-ranking officials in November 2013, the government came prepared to discuss legal reforms and the long list of imprisoned journalists. We saw this as a sign that international criticism was having at least some impact. The harsh official response to the “positive agenda” begun in May 2012, the opening of a new chapter of the acquis, and the recent agreement to pursue visa liberalization are all positive steps. The EU must continue to press for reforms in Turkey, while offering economic incentives to help keep those reforms on course. It must also make clear that backsliding into repression will damage the relationship and cause serious harm to Turkey’s economy. Specifically, the EU must do the following:

- Cease all efforts to bully and intimidate the press. High-ranking officials must drop their personal vendettas, and the government must fully implement European Court of Human Rights rulings that have clearly stated that Turkish officials who bring defamation suits to silence criticism are violating freedom of expression. The court has also ruled that issuing injunctions against publications without strict judicial scrutiny violates freedom of expression.

- Abolish the Anti-Terror Law (TML), which makes investigation, prosecution, and sentencing of people accused of crimes involving terrorism fall under a different, dangerously vague, and draconian legal regime. This law has been used repeatedly to prosecute journalists for doing their job.

- Further revise Article 220 of the criminal code (TCK) concerning “Criminal Organizations.” The article’s overly broad language, including “committing a crime in the name of” or “aiding” a criminal organization, gives the courts far too much discretion.

- Abolish Article 301 of the criminal code criminalizing “insulting the Turkish nation.”

- Decriminalize defamation by abolishing Article 125 of the criminal code.

The government must also address the widespread perception of corruption in the public procurement and privatization processes. The government cannot dictate that media owners will place journalistic mission and ethics above the profit motive. But with more transparency and fewer conflicts of interest, the capacity for Turkish governments to control media content will diminish. To improve the transparency of public procurement, the government should do the following:

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Erdogan and President Abdullah Gül both need to hear unequivocally from President Obama that steps to roll back democratic reforms are damaging relations and undermining the ability to work towards shared goals. In addition to speaking out, the United States should support Turkey’s democracy with the following steps:

- Establish a new policy framework that integrates human rights and democracy as enduring pillars of the bilateral relationship on par with the security and economic dimensions. This should be shared from the highest levels of the U.S. government with Turkish counterparts, and a regular timetable should be established for assessing progress, such as biannual policy dialogues. A senior official on each side should be designated as point person for these dialogues, and there should be a component that facilitates input and transparency with the media and civil society.

- The appropriate U.S. government bodies (i.e., State Department, Department of Defense, National Security Council) must work more collaboratively in constructing a longer-term, holistic Turkey policy that acknowledges that the viability of Turkey’s democracy and its adherence to human rights commitments, starting with freedom of expression, affect United States foreign policy objectives, shape U.S. trade negotiations, and encourage democratic commitments, starting with freedom of expression, a threat to Turkey’s democracy. They must not go unchallenged.

Turkey is an important player in some of the U.S.’s most important strategic arenas and interests, including resolution of the war in Syria, maintenance of the NATO alliance, and preservation of the territorial integrity of Iraq. Washington and Brussels both must recognize that Turkey’s future as a stable democracy, and a reliable ally, is increasingly in doubt. The current government’s abuses pose a serious threat to Turkey’s democracy. They must not go unchallenged.

Endnotes
3. Turkish Media at a Glance, Republic of Turkey Office of the Prime Minister, 2013.
4. Ibid.
5. This report uses as its primary lens changes in the daily newspaper sector because newspapers remain more focused than television on journalism, because newspapers are still the source of prestige and affiliation for Turkish journalists, and most Turks still buy or access the newspapers where they work as colleagues, and because the changes in ownership structures and political allegiances are most visible through the newspaper industry.
6. Circulation numbers, which fluctuate weekly by week, are rounded from the week of 6–12 January 2014 on Mediatav.com.
10. Albayrak left CHP in November 2013, one month before Sabah-AV was sold to Kalyon Group, a construction firm involved in the redevelopment of Taksim Square in Istanbul.
24. Interview with journalists, November 2013.
27. “Call the Prime Minister a Turkey, Get Sued,” The Wall Street Journal, 7 June 2011.
41. Dilek Soyalo, “Turkish Court of Accounts in Crisis: An Urgent Problem, Yet Not a Main Concern?” Research Turkey, 19 December 2013.
46. Interviews with government officials, November 2013.
The KCK is a civilian body connected with the leadership of the PKK. Under the aegis of fighting terrorism, the government has arrested thousands of people allegedly connected via the KCK to the PKK, including journalists, professors, publishers, and members of parliament. Of the 40 journalists imprisoned in CPJ’s 2013 tally, 24 were associated with Kurdish activism.

For detailed discussion of the laws as they currently stand after the effect of recent reforms, see TESEV, Judicial Reform Packages: Evaluating their Effects on Rights and Freedoms, November 2013.


“Erdoğan declares war on Gülen’s ‘empire of fear’,” AFP, 15 January 2014.

Yıldırım v. Turkey, 2012.


