Concentration of ownership, the fall of unions and government legislation in Turkey
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What is This?
Breaking the news
Concentration of ownership, the fall of unions and government legislation in Turkey

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ABSTRACT
As a subject of academic research, Turkey has found itself caught in an intellectual and theoretical ‘no-man’s land’ located somewhere between south-eastern Europe and the Middle East. This article aims to position the Turkish media experience in relation to those of geographically, politically, economically and historically proximate nations/regions. It analyses the problems facing journalists and the institutions of journalism in Turkey by addressing three interrelated phenomena: (1) the concentration of media ownership in Turkey; (2) the efforts (largely successful) on the part of media owners to break the power of unions; and (3) government legislation affecting the rights and working environments of news workers. Following a presentation of empirical data on these three areas, I offer suggestions as to how the present situation in Turkey could open the door for the further refinement of research on, and theory regarding, nationally and regionally specific media.

KEY WORDS
clientelism ■ democratization ■ free market ■ journalism ■ media ownership ■ regulation ■ Turkey ■ unions

In his study on the impact of media commercialization on journalism in Greece, Papathanassopoulos (2001a) writes that, ‘dominant academic literature suggests that there has been a process of convergence among [global] media systems and journalistic practices, regardless of their parochial particularities’, yet points out that these peculiarities should not be ignored, ‘since media organizations reflect the differences between political systems, political philosophies, cultural traits and economic conditions’ (2001a: 505). For Hallin and Papathanassopoulos (2002), a key reason for the reduction of national, regional and/or local
factors to mere ‘parochial peculiarities’ is the presence of a simplistic
dichotomy in a great deal of research on the media in general, and the
news media in particular:

... the dichotomy between the liberal perspective, for which democ-
ratization of the media is purely a matter of the elimination of state
interference, and the critical political economy perspective, which has
focused on the control of media by private capital, but has until now not
been very sophisticated in its analysis of variations in the relation of capital
to the state, political parties and other institutions. Political and economic
institutions do not develop separately, and it is crucial that we develop
analytical tools that cut across this dichotomy. (2002: 184–5)

While overarching theoretical perspectives (such as critical political
economy) can provide scholars with useful tools with which to examine
national and/or regional media systems, there is a need, as Hallin and
Papathanassopoulos point out, for more context-bound research and
theory. This is particularly true in the case of work from or about Turkey,
a country which as a subject of academic research, has found itself
captured in an intellectual and theoretical ‘no-man’s land’ located
somewhere between south-eastern Europe and the Middle East. In an
effort to position the Turkish media experience in relation to those of
geofraphically, politically, economically and historically proximate
nations/regions (for example, Greece, Spain, Portugal and, to a certain
extent, Latin America), in this article I will analyze the problems facing
journalists and the institutions of journalism in Turkey by addressing
three interrelated phenomena: (1) the concentration of media owner-
ship in Turkey; (2) efforts (largely successful) on the part of media
owners to break the power of journalists’ unions; and (3) government
legislation affecting the rights and working environments of news
workers. Following a presentation of empirical data on these three areas,
I will offer suggestions as to how the present situation in Turkey could
open the door for the further refinement of research on, and theory
regarding, nationally and regionally specific media.

**Relationship between government and media**

On the subject of the relationship between politics and media in Greece
and Spain, Papatheodorou and Machin (2003) make the following
observations:

The historical development of South European media, their societal role and
relationship with the state has remained rather undertheorized. Like most
other media systems in the world, Anglo-American dominated media
research has viewed them as a ‘forgotten understudy’ . . . Yet, the exami-
nation . . . reveals a pattern of media development that is determined by
articulations between political power and media organizations quite
different to those encountered in West European societies. (2003: 32)

The key point here – echoed by the insights of Hallin and
Papathanassopoulos (2002) – is that it is problematic to simply
‘transplant’ a political-economic model or theory of commercial media
from one part of the world, in order to explain a situation in another
and expect the model to hold. In many cases, there are simply too many
variables in play to make such a procedure tenable:

Although there are similarities in the issues concerning media systems
around the globe . . . each national system still differs in many respects
when compared to others. The same applies to journalism, its practices and
its professional culture, since media organizations reflect the differences
between political systems, political philosophies, cultural traits and
economic conditions. In this globalized media era, one sees many common
issues, such as deregulation, privatization, commercialization, concentration
of ownership, an increase of the profile and role of journalists.
(Papathanassopoulos, 2001a: 505–6)

This notion of a regionally grounded understanding of media systems is
central to the work of Hallin and Papathanassopoulos, and serves as a
useful starting point for discussing the current situation in Turkey.

If we take the issue of the trend toward ‘tabloidization’ of journalism
as an example, Bek’s (2004) explanation for the popularity of sensational,
popular news in Turkey illustrates just how context bound our under-
standing of the issue can be. Bek notes that Sparks (1988) attributed the
rise of the ‘trivial’ press to ‘the separation of political and economic
power from the actual lives of the ordinary people in the countries
where there is a stable bourgeois democracy’ (Bek, 2004: 374). According
to Sparks, the more stable the democracy, the more apolitical the
population becomes, and thus the more ‘trivial’ the popular press. The
interesting point made by Bek is that the situation in Turkey was
inverted:

This idea is not valid in the Turkish case, however, if we accept that Turkish
democracy is not a ‘stable democracy’ as defined by Sparks. In fact, it is
exactly the instability of democracy that may bring about depoliticization.
Specifically, after the third military coup of 12 September 1980, a major
depoliticization process ended all political activities and organizations and
restricted freedom of expression in Turkey. The public were discouraged from
discussing politics and encouraged to focus more on religion and popular
culture, especially football and the sensationalist press. These were
considered to be the antidote to leftist militancy. (Bek, 2004: 374)
While this argument glides over the important differences between the ‘instability of democracy’ and overt efforts by governments and the military to ‘depoliticize’ the media and society, as well as an over-reliance upon the ‘strong effects’ model of media influence (do people automatically focus more on football just because they are ‘encouraged’ to do so?), Bek’s broader point regarding contextualization is valuable.

In addition to the work of Bek, there have been a number of empirical/critical studies on journalists and journalism in Turkey in international publications (for example, Catalbas, 2000, 2003; Finkel, 2000, 2005; Ogan, 2003; Tunc, 2002, 2003), as well as other pieces written by journalism ‘insiders’ (for example, Tilić, 2000, 2001). While the volume of material written on (or from) Turkey is substantial, the Turkish media ‘experience’ has been treated as rather idiosyncratic, and rarely considered in relation to systems from other nations with similar social, political and economic histories. With this in mind, a particularly useful vein of research with which to compare and contrast empirical material gathered from Turkey is that from south-eastern Europe and parts of Latin America which addresses media and journalism from historical, socio-cultural, political and economic perspectives. Studies by Machin and Papatheodorou (2002), Papatheodorou and Machin (2003), Papathanassopoulos (2000, 2001a, 2001b) and Hallin and Papathanassopoulos (2002) are particularly useful in this regard, as the historical similarities (authoritarian rule, military coups, economic fluctuations, heavy media censorship and state control, rapid liberalization, etc.) between Turkey and, for example, Spain and Greece, provide interconnected contexts within which to consider recent developments in Turkish media.

From the studies on media in south-eastern Europe, Latin America and Turkey, a number of issues emerge as key: (1) the rapid – and sometimes uncontrolled – spread of free-market policies and ideologies; (2) the general perception in the population of a link between the free market and the democratization process; (3) the development of (and changes within) journalism and the mass media before, during and after the advent of free market policies; and (4) the importance of the notion of ‘clientelism’. Clearly, the shift to free market policies was a core element of the broader changes that took place in countries such as Turkey and Greece after the 1980s, and the transition from a highly centralized economy, heavy military influence and a state-run media, to a more free market economy with privately owned newspapers and television stations, was seen by some as a moment for hope. As Machin and Papatheodorou note, this was also the case in other nations geographically proximate to Turkey:
In the Southern European version of neo-liberal ideology, the free market came to be perceived as the sole option for truly democratic broadcasting, while intensified competition was presented as safeguarding the rights not of the sovereign consumer but of the informed citizen. (2002: 32)

The general failure of the free market on both of these fronts (providing ‘democratic broadcasting’ and creating ‘informed citizens’) notwithstanding (for example, Cizre-Sakallioglu and Yeldan, 2000), the present situation in Turkish journalism can only be understood within this context.

The early years of Turkish commercial media did, however, offer some tantalizing glimmers of critical, investigative journalism (Finkel, 2000), and scholars such as Karaman and Aras (2000: 46) have noted that during the 1990s the development of private media systems in Turkey led to a number of changes to oppressive ‘legal norms established earlier on under the monopoly of state control’. However, the rapid commercialization of the Turkish economy following the Özal neo-liberal revolution of the 1980s led to what Cizre-Sakallioglu and Yeldan (2000) described as the ‘hollowing out’ of politics in Turkey: a process of populist ‘anti-politics’ in which engaged civil society was replaced by the veneer-like ‘utopia’ of the market and consumption. During the 1990s, the authors argue, the Turkish mass media became little more than cheerleaders of this process:

The ways in which the mass media articulate with politics reinforces the ‘hollowing out process by either trivializing the real political issues that underlie the rhythms of daily life or by dramatizing and publicizing the trivial/unpolitical/private . . . The mass media, on the whole, contributes to the detachment of political demands from appreciations of socio-economic conditions. (Cizre-Sakallioglu and Yeldan, 2000: 503)

The media honeymoon in Turkey, in other words, was short lived, and the speed with which the Turkish business world recognized the myriad possibilities (economic and political) offered through control of for-profit media was not matched by swift, effective action on the part of the Turkish government to regulate an increasingly hyper-commercialized, oligopolistic system (Catalbas, 2000; Pekman, 2002).²

The inability, or the unwillingness, of successive Turkish administrations to curb the power of media owners – while at the same time hindering, via restrictive legislation, the ability of journalists to engage in critical reporting – is mirrored in the Greek experience. Papathanassopoulos (2001a), for example, notes that weak government, combined with the shift to a commodified media market, had a number of effects on television journalism in Greece:
The fast and haphazard deregulation and commercialization of the Greek electronic media have affected journalism as well. Four intrinsic changes have taken place: first, a shift away from ‘hard’ news, especially parliamentary news (Demertzis and Armenakis, 1999), foreign news, culture and investigative stories; second, an almost total visualization of news stories; third, a convergence with a tabloid agenda, including police and crime news; and, fourth, more features focused on the problems encountered in everyday life. (Papathanassopoulos, 2001a: 510)

Similarly, Bek writes that the ‘tabloidization’ of the news media in Turkey is the result of, ‘fierce competition between big media groups for ratings, the low investment in experienced employees and the consequent decrease in investigative reporting’ (2004: 376). As noted, the combination of a number of historical, socio-political and economic factors makes the situation in Turkey not unlike those to be found in other countries. Hallin and Papathanassopoulos, for example, identified the following common ‘media denominators’ in a number of south-eastern European and Latin American countries:

... low levels of newspaper circulation, a tradition of advocacy reporting, instrumentalization of privately-owned media, politicization of public broadcasting and broadcast regulation, and limited development of journalism as an autonomous profession. (Hallin and Papathanassopoulos, 2002: 176)

The situation facing journalists in Turkey is a combination of the hyper-commercialization of the media sector with a traditionally ‘clientelist’ and ‘patrimonial’ relationship between media and state. ‘Clientelism’ is defined by Hallin and Papathanassopoulos as:

... a pattern of social organization in which access to social resources is controlled by patrons and delivered to clients in exchange for deference and various kinds of support. It is a particularistic and asymmetrical form of social organization, and is typically contrasted with forms of citizenship in which access to resources is based on universalistic criteria and formal equality before the law ... The greater prevalence of clientelism in southern than northern Europe is intimately connected with the late development of democracy. (Hallin and Papathanassopoulos, 2002: 184–5)

In much the same way, Turkey has a strong patrimonial state tradition in which the state provides employment for lower income groups, while at the same time supporting ‘eligible’ businessmen with various forms of generous subsidies. This process was entirely discretionary and discriminatory, and the rules and procedures were regularly changed, thus creating highly unpredictable and unstable economic and political environments (Emek, 2004).
The combination of market and state power in a clientelist/patrimonial state is not a paradox. In fact, the rise of the commercial media sector in Greece led to a situation where the nexus between state and media has not been broken, but inverted (Papathanassopoulos, 1999; cited in Hallin and Papathanassopoulos, 2002: 185). This situation is mirrored in Turkey, where, prior to the boom in commercial media/journalism, the state wielded enormous power over content. After the deregulation of media markets, however, newspaper owners began to utilize the pressure they could place on politicians through their media organs, thus leading to the inversion of the relationship. Corporate involvement in the media sector had more to do with the indirect (though lucrative) benefits of ownership than with a desire to develop a flourishing, democratic media:

Without question the greatest danger facing the Turkish media is pressure based on the financial interests of its proprietors. While no newspaper can afford to be totally discredited, some run unacceptable risks by bartering political support for financial advantage. Industrialists and financiers are attracted to newspaper and television ownership not just as businesses in their own right, but as ‘loss leaders’ for their other commercial activities. Dedicated media owners see the advantage of moving into non-media fields. They are prepared to peddle influence in return for credits, incentives and other advantages. (Finkel, 2000: 155–6)

In Turkey, one result of this abuse of media power was, and continues to be, the ‘instrumentalization of reporting’ discussed by Hallin and Papathanassopoulos (2002). Other aspects of clientelism include: the limited development of the mass-circulation press as a result of an authoritarian political culture; a delayed development of democratic and civil society institutions; and a breakdown in the ‘horizontal solidarity’ of journalists and the merging of ‘journalistic logic’ with the logic of party politics and family (i.e. owner) privilege (Hallin and Papathanassopoulos, 2002: 186–9).

In this section, I have attempted to link recent research on Turkish media and politics to work done on south-eastern Europe. While the similarities between the post-1980s ‘nascent democracies’ of Spain, Greece and Portugal (Önis, 2003b) and Turkey are often remarked upon, few efforts have been made to connect the Turkish media experience with those of other, proximate nations. In an effort to do so, in the subsequent section I will present empirical material on three issues critical to the present and future development of Turkish media – ownership, union rights and free speech legislation – followed by a consideration of how the Turkish case might inform our understanding of regionally specific research and theory.
The three-pronged attack on Turkish journalism

In January 2007, the newspaper editor Hrant Dink was gunned down in front of the Istanbul offices of the Turkish-Armenian newspaper, Agos. Just over a year earlier, Dink had been convicted for ‘insulting the Turkish identity’ in an article published in Agos (of which Dink was editor-in-chief). Although Dink, a Turkish citizen, served no jail time, his six-month suspended sentence – justified by the court on the grounds that the article was ‘disrespectful to our Turkish ancestors, martyrs and values’ – prompted many inside and outside of Turkey to question the government’s commitment to the concepts of freedom of speech and freedom of the press. Hrant Dink’s murder by a teenage member of a Turkish ultra-nationalist group, however, has led to a wave of self-reflection in Turkey, particularly on the question of the impact of repressive speech legislation on the Turkish media and Turkish civil society. As such, the murder of Hrant Dink and the subsequent debate make for an apropos (if sombre) starting point for considering journalism in Turkey. In this section, the following issues will be addressed: the increasing concentration of ownership in Turkish media; the professional weakness of Turkish journalists in the face of corporate and state power (particularly as a result of a de-clawed organized labor movement), and the use of legislation to silence and/or intimidate journalists.

Concentrated ownership: the media oligopoly in Turkey

After the 1980s, the ownership structure in the media of Turkey changed radically. ‘Traditional ownership’ structure was replaced by one of ‘new ownership’. Almost every journalist has complained about the negative influences of the new ownership structure. The new ownership structure represents extreme commercialization and is seen to be directly influencing both the communication process and individual journalists. Interviews with journalists indicate that the editors-in-chief are running media institutions as managers whose powers are legitimized by their connection to the property owner. (Tilic, 2000: 1)

While it is perhaps an overstatement to say that ‘almost every’ journalist in Turkey has complained about this new ownership structure, it is not an overstatement to say that most of the major media companies in Turkey are in the hands of an ever-decreasing number of owners. The true shift in media ownership in Turkey came in the mid-1980s, as family-owned media outlets were bought by larger conglomerates (Finkel, 2000, 2005; Tilic, 2000, 2001; Tunç, 2002, 2003). What made
this shift significant was that the new owners were a different breed, more interested than their predecessors in instilling a ‘corporate mentality’ into operations. In addition, the new owners often had little experience in the media world, and used their media companies for ulterior motives (Tunç, 2003).

It is important to recognize that these media owners wield, and freely exercise, an enormous amount of power both inside and outside of the newsroom. The following account of Turkey’s most powerful media baron, Aydin Dogan (head of the Dogan Media Group) illustrates this point:

Few people who have crossed swords with Mr. Dogan have survived unscathed. Consider Sadettin Tantan, a former interior minister who campaigned against corruption. Shortly after he dared to suggest, last March, that Disbank, a financial institution owned by Mr. Dogan, may have been tainted by irregularities, Mr. Tantan was forced to resign. Or there is Nazlı Ilıcak, a former member of parliament who wanted to probe claims that Mr. Dogan was exploiting his media muscle to bully governments into extending him commercial favors. She was banned from politics last June on charges – widely echoed in Mr. Dogan’s newspapers – of promoting anti-secularism. (The Economist, 2002: 65)

This level of political influence is the result of Dogan’s control over a broad cross-section of media companies. The core of his media stable, however, lies in the field of print journalism, and his media group controls a significant portion of the overall circulation, as well as a dominant share of the circulation of the nations’ leading newspapers (see Tables 1 and 2). Of particular importance is Dogan’s level of control over the most popular newspapers in Turkey (see Table 2). The commanding position claimed by Dogan in the area of circulation has translated into an even more commanding position in the newspaper advertising market (see Table 3). In 2004, for example, Dogan’s newspapers took almost two-thirds of all newspaper advertising revenues in Turkey.

In addition to a stranglehold on the newspaper market, following the purchase of the Star channel in late 2005, television channels under the Dogan Media Group umbrella now attract approximately 25–30 per cent of the viewing audience on a nightly basis (see Table 4). Prior to the purchase of Star, Kanal D was the only Dogan channel in the Turkish ‘top ten’ (based on audience share). Despite this fact, Dogan managed to take almost 30 per cent of the $627 million Turkish ad market (see Table 5). With the addition of Star, however, and based upon 2004 figures, the Dogan broadcasting arm will be approaching 40 per cent control of the broadcasting ad market in 2005.
Table 1

Top 15 Newspapers in Turkey in 2005

<table>
<thead>
<tr>
<th>Title</th>
<th>Average daily circulation (01–05–2005)</th>
<th>Owner(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Posta</td>
<td>627,307</td>
<td>Dogan</td>
</tr>
<tr>
<td>Hürriyet</td>
<td>538,384</td>
<td>Dogan</td>
</tr>
<tr>
<td>Zaman</td>
<td>510,939</td>
<td>Feza/Samanyolu</td>
</tr>
<tr>
<td>Sabah</td>
<td>447,538</td>
<td>Merkez (Ciner)</td>
</tr>
<tr>
<td>Milliyet</td>
<td>310,464</td>
<td>Dogan</td>
</tr>
<tr>
<td>Vatan</td>
<td>287,245</td>
<td>Bagimsiz Gaz. (Mutulu)</td>
</tr>
<tr>
<td>Takvim</td>
<td>255,124</td>
<td>Merkez (Ciner)</td>
</tr>
<tr>
<td>Aksam</td>
<td>242,812</td>
<td>Cukurova</td>
</tr>
<tr>
<td>Fanatik</td>
<td>238,780</td>
<td>Dogan</td>
</tr>
<tr>
<td>Turkiye</td>
<td>205,602</td>
<td>Ihlas (Oren)</td>
</tr>
<tr>
<td>Taraftar Foto</td>
<td>194,920</td>
<td>Merkez (Ciner)</td>
</tr>
<tr>
<td>Gunes</td>
<td>142,366</td>
<td>Cukurova</td>
</tr>
<tr>
<td>Gozcu</td>
<td>137,598</td>
<td>Dogan</td>
</tr>
<tr>
<td>Yeni Safak</td>
<td>115,379</td>
<td>Diyalog Gaz. (Albayrak)</td>
</tr>
<tr>
<td>Star*</td>
<td>110,624</td>
<td>Turkish State (formerly Uzan)</td>
</tr>
</tbody>
</table>

Note: *Star was owned by the Uzan group, but was seized by the Turkish state following the filing of criminal charges against most of the members of the Uzan family.

Table 2

Control of Turkish newspapers in 2004 by Dogan Media Group (DMG)

<table>
<thead>
<tr>
<th>Circulation total (est.)</th>
<th>As % of circulation of all newspapers</th>
<th>No. of DMG papers in category</th>
<th>Total DMG circulation in category</th>
<th>DMG circulation (as % of circulation total)</th>
</tr>
</thead>
<tbody>
<tr>
<td>All (41)</td>
<td>5,025,496</td>
<td>100%</td>
<td>7</td>
<td>1,898,922</td>
</tr>
<tr>
<td>Top 10</td>
<td>4,365,082</td>
<td>87%</td>
<td>5</td>
<td>1,852,533</td>
</tr>
<tr>
<td>Top 5</td>
<td>2,434,632</td>
<td>48%</td>
<td>3</td>
<td>1,476,155</td>
</tr>
<tr>
<td>Top 3</td>
<td>1,676,630</td>
<td>33%</td>
<td>2</td>
<td>1,165,691</td>
</tr>
</tbody>
</table>

Table 3

Newspaper advertisement market share (2003–2004)

<table>
<thead>
<tr>
<th>Company/Group</th>
<th>2003 ($315 million)</th>
<th>2004 ($443 million)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dogan</td>
<td>60%</td>
<td>62%</td>
</tr>
<tr>
<td>Sabah</td>
<td>17%</td>
<td>19%</td>
</tr>
<tr>
<td>Cukurova</td>
<td>5%</td>
<td>5%</td>
</tr>
<tr>
<td>Uzan (now defunct)</td>
<td>3%</td>
<td>1%</td>
</tr>
<tr>
<td>Ihlas</td>
<td>2%</td>
<td>2%</td>
</tr>
<tr>
<td>Other</td>
<td>13%</td>
<td>11%</td>
</tr>
</tbody>
</table>
What makes the figures in this section particularly telling is the extent to which two or three corporations control the lion’s share of the Turkish print and broadcasting advertising markets, leaving only a few crumbs to be fought over by a slew of smaller, weakened competitors. In the newspaper market in 2004, two companies (Dogan and Sabah) took 81 per cent of all advertising revenues; in the broadcasting market in the same year, 70 per cent of revenues were taken by three companies (Dogan, Sabah and Cukurova).

The power of Dogan in the media world in Turkey, however, is not limited to control over the most popular media outlets. Dogan has been careful to complement his larger outlets with smaller, higher-profile acquisitions, even if these acquisitions never make a penny in profit for the company. Ownership of the newspaper *Radikal*, and part-ownership of the television channel CNN Türk® are excellent examples of how Dogan has cultivated a serious image for his media empire. *Radikal* is a centre-left publication, which (along with the independently owned,
non-Dogan *Cumhuriyet* newspaper) is considered to be one of the better higher-quality newspapers in Turkey. Similarly, the joint venture between CNN and Dogan to start CNN Türk has been a public relations coup, as the channel quickly took pride of place at the top of the ‘serious’ television news world. A quick look at some basic figures however, reveals that these two outlets are little more than window-dressing in the Turkish news market. In 2004, for example, *Radikal* had an average daily circulation of approximately 45,000: a mere one-fourteenth of the circulation of the most popular newspaper in Turkey (Dogan’s *Posta*), not enough to place it in the top 20 newspapers in the country, and a drop in the ocean in a country of 70 million.

In this section I have attempted to illustrate the degree to which the Turkish media market is dominated by a limited number of actors, with Dogan at the forefront. In the Turkish context, highly concentrated corporate media power (such as Dogan’s) is even more significant when three additional factors are considered: (1) the willingness of corporate owners to ‘instrumentalize’ reporting in order to fit the wider political-economic interests of the parent company; (2) the weakness of journalists and other employees in the face of the power of corporate owners; and (3) the fact that corporate power is combined with restrictive state regulation on issues of freedom of speech. It is the second of these issues I will address in the next section.

**Breaking ‘horizontal solidarity’**

The new owner called each journalist one by one after buying the newspaper and asked them to leave the syndicate [trade union]. Journalists were forced either to sign their resignation from the syndicate or to leave the job. [On] the first day, no syndicate member signed the resignation from the syndicate. The second day all of them lost their jobs. The next day everyone resigned from the syndicate. The notary was brought to the newspaper and there they made a line in front of him to leave the syndicate. It was in 1990. (Tilic, 2000: 4)

This was a description given by a Dogan employee of the first days at the newspaper *Milliyet* following the takeover by Aydin Dogan. Following his purchase of *Milliyet*, Tilic notes, Dogan purchased *Hürriyet*, and the same procedure – forcing workers to leave the union immediately or be fired – was repeated in that newsroom. From the very early years of the commercial media boom in Turkey, therefore, trade unions were under attack by corporate owners. Dogan was by no means the only anti-union owner, as noted in a wide-ranging study on the state of journalism in
Turkey published jointly in 2002 by the International Federation of Journalists and European Federation of Journalists:

At the beginning of 1990s, workers of two major newspapers, *Hürriyet* and *Milliyet*, resigned from the union because of pressure from the employer (Aydin Dogan). Hostility from employers meant that some workplaces where there had been union organisation (including, for example, *Tercüman*, *Günes*, and the privately owned UBA news agency) were closed down. Union organisation was not possible in newspapers (*Star*, *Radikal*, and others) nor in radio and television companies which began their publication and broadcasting lives later on. The Sabah group and other media groups have never permitted union organisation. (IFJ/EFJ, 2002: 4)

Prior to the 1990s, many journalists were members of the Journalists’ Union of Turkey (TGS), which protected their rights and negotiated collective bargaining agreements with the Turkish Newspaper Owners Trade Union on behalf of members. Since the start of the 1990s, however, membership in the TGS has collapsed to the point where there is not a single newspaper where journalists are represented by the union. To all intents and purposes, as Tunç notes, unions are a non-entity in the Turkish media market:

As a result of the domino effect, union organization began to fade away in the whole publishing and broadcasting spheres in Turkey. This situation left nearly all journalists vulnerable to all kinds of economic and social crises. According to Ministry of Labour and Social Security statistics, the number of journalists who actually have unfettered access to union rights is approximately 5 per cent (about 500 people) of the total number of workers in the journalism sector (roughly 10,000 people). Ironically, though, aside from the media conglomerates devoid of union and social rights, union organization does not exist in more radical or marginal leftist and Islamist publications or broadcasting outlets either. (Tunç, 2003: 9)

If blunt tactics such as threatening journalists with job termination should they fail to leave the union did not work, most newspaper and television owners in Turkey made sure that their employees stayed in line via a raft of other anti-union strategies. The most common of these was the complicated tactic of breaking the larger media company into myriad subcontracting mini-companies – on paper only, of course. In this way, rather than working for a newspaper or television station with hundreds of co-workers (where union formation would be easier and legal), journalists found themselves employed by tiny, subcontracted companies with only a handful of staff. In many cases, journalists had no idea who they were legally working for, as the employment structure could change from day to day, depending upon the whims of the owners. Most importantly, the number of staff employed by these micro-...
companies was always small enough to ensure that union organization was legally impossible. The maze-like ownership structure of these corporate entities would make the work involved in labor organization too time consuming to be of any great value (personal interview, 2005; IFJ/EFJ, 2002).

In addition to forming complicated employment structures, media conglomerates in Turkey reduce the power of journalists by taking advantage of a number of other legal loopholes. For example, Turkish journalists are often forced to sign clauses from the labor code defining them as ‘ordinary’ labor (clause No. 1475), as opposed to a clause in the labor code (clause No. 212) which offers journalists special legal protections and minimum salary and working entitlements. Importantly, the national union (TGS) can recruit journalists and media workers who are employed under 212, but cannot do so for workers signed under 1475. Dogan and other media owners have described 212 as being ‘too generous’ to workers, hence their efforts to redefine their staff as regular labor. In order to qualify for public advertising, however, media companies must have a certain number of ‘editorial’ employees, of which the organizations make sure they have only the absolute minimum. A final tactic on the part of owners is to hire journalists on a temporary basis, thus avoiding the possibility of unionization. The law requires that employees hired as journalists under 212 must be offered a contract after a three month ‘training’ period, or be relieved of their duties. Before this three month period is up, however, the workers (as non-permanent ‘trainee’ staff) have no legal rights in the company. Because of this, the three month period is often used to hire a large number of part-time staff who are forced to work for below the minimum wage, and without the possibility of union membership (IFJ/EFJ, 2002).

One more nail in the coffin for ‘horizontal solidarity’ amongst journalists in Turkey came with the severe financial crisis of late 2000 and early 2001:

The striking magnitude of the crisis may be illustrated by the fact that GNP in real terms declined by 9.4 per cent during the course of the year. The result was a dramatic drop in per capita income from $2,986 to $2,110 per annum and a massive increase in unemployment by 1 million people. The crisis, moreover, had a deep affect on all segments of society . . . highly educated and skilled employees also lost their jobs in large numbers. Small and medium-sized businesses were severely affected, resulting in widespread bankruptcies and layoffs. The crisis also led to a major increase in the number of people living below the $400 per month poverty line and the $200 per month subsistence line. (Önis, 2003a: 14–15)
The knock-on effect of the crisis for journalists in Turkey was devastating: between 3000 and 5000 journalists and media workers lost their jobs. Researchers (for example, Tilit, 2000, 2001; Tunç, 2003;) and media watchdogs (IFJ/EFJ, 2002) claimed that the media owners used the financial crisis to rid themselves of unwanted or ‘troublesome’ staff under the guise of economic necessity. As Tunç writes, with specific reference to Dogan:

> Undoubtedly, the financial crisis played a significant role but this is too simple an excuse. It was a perfect time to get rid of some of the journalists who had become longtime opponents to corruption in Turkish politics and an obvious threat to their boss, media tycoon Aydin Dogan. (Tunç, 2003: 9)

Rather than weaken the hand of media owners, the financial crash of 2001 actually intensified their control. Savage cut-backs in staffing levels mean that jobs are even harder to find than before, and with much lower salaries. Journalists and other media workers, therefore, are wary of crossing their corporate bosses since these owners often control more than one media outlet. In other words: getting fired from one newspaper can mean losing all chance of working at five or six others under the same corporate umbrella (and perhaps a few TV stations thrown in). This, coupled with the lack of any union or labor support means that journalists are in a weak position in terms of their professional independence (personal interview, 2005). As if this level of corporate pressure were not enough, however, news workers in Turkey must deal with attacks on their independence and freedoms from another powerful actor: the state.

**Turkish law and freedom of the press**

In this section I discuss one of the most recent pieces of legislation passed by the Turkish government, and how that legislation, while seemingly offering hope for journalists, still falls some way short of ensuring the creation of an environment in which journalists can produce truly free and critical work. The legislation in question was an updated version of the Turkish Penal Code (TCK), slated to come into effect on 1 April 2005. However, following an outcry from a number of groups, including many journalists, the date was pushed back to 1 June 2005, in order for the parliament to review, and possibly amend, the code. While a number of minor amendments were made, the code was still sufficiently worrying for the Organization for Security and Co-
Operation in Europe (OSCE) Representative on Freedom of the Media, Miklos Haraszti, to publish a review of the draft TCK (Haraszti, 2005) in which he outlined 23 of the most problematic aspects of the new code (in relation to their possible effects on freedom of the press).

In his report, Haraszti (2005) addressed a number of areas of concern, including: the increase in penalties for crimes committed through print or mass media; a lack of provisions ‘securing the rights of journalists to report and discuss’ public interest issues; restrictions on access and disclosure of information; and overly vague and subjective ‘defamation’ and ‘insult’ provisions which put free and open discussion of public affairs at risk. The first of these issues – the fact that the proposed TCK would stipulate more severe punishments for offenses committed through the media – was particularly worrying for Turkish journalists. As an example, the original version of Article 217 of the TCK stated that a person who ‘incites people to commit crimes’ is to be given a prison sentence of between nine months and three years. However, when the same crime is committed ‘through’ the media or the press, the sentence was to be automatically increased by one-half. Article 299, however, was even more problematic, as it stipulated that a person who ‘defames the President of the Republic’ should be imprisoned for between one and four years. However, if the offense is committed via the media, the sentence was to be automatically increased by ‘one sixth’.

The critiques of the code offered by the OSCE and national journalists were heeded by the Turkish government, and, once again, the start date for the TCK was pushed back in order to allow further debate and revision. On 29 June 2005, an amended version of the TCK was finally approved by the Turkish parliament. While the new TCK did not include the previous provisions which increased penalties for crimes committed through the media, in total only seven of the 23 points raised in the OSCE review were amended in the updated penal code. Many of the penal code violations (impacting the newsgathering profession) remain vague and discriminatory. The following are examples of particularly problematic articles taken from the new TCK:

- **Article 125, Section (3)(a)**: If the offence of defamation is committed ... [against a public official or a person performing a public service and the allegation is connected with his public status or the public service he provides ... the minimum length of the penalty cannot be less than one year.

- **Article 278, Section (1)**: A person who fails to inform the competent bodies about the crime being committed shall be imprisoned for a term of up to one year.
- **Article 329, Section (1):** A person who discloses information whose nature requires it to be kept secret for reasons relating to the security, or internal or external political interests of the State shall be sentenced to imprisonment for a term of five to ten years.

- **Article 336, Section (1):** A person who discloses information whose disclosure has been prohibited by the competent authorities through laws or regulatory procedures and whose nature requires it to be kept secret shall be sentenced to imprisonment for a term of three to five years.

- **Article 301, Section (1):** A person who explicitly insults being a Turk, the Republic or Turkish Grand National Assembly, shall be imposed a penalty of imprisonment for a term of six months to three years.

- **Article 301, Section (2):** A person who explicitly insults the Government of the Republic of Turkey, the judicial bodies of the State, the military or security organisation shall be imposed a penalty of imprisonment for a term of six months to two years. (Haraszti, 2005)

The potential ‘chilling effect’ of these articles on the practice of journalism is clear: under these legal guidelines, it would be virtually impossible for investigative journalists to, for example, expose political or military corruption, or to implicate a public official in criminal activity, without running the risk of themselves being convicted of a crime. As pointed out in the OSCE report, no provisions are made in the TCK for ‘public interest’ or the protection of journalists.

**Conclusions**

Finkel, a journalist in Turkey for most of the 1990s, who was himself charged under the Turkish penal code, summarizes the position of journalists in Turkey very succinctly as follows:

> "Throughout the 1990s, the Turkish press was depicted as competitive and vibrant, despite the attempts by an oppressive state apparatus to prune it back. The implication in the annual reports of organizations concerned with press freedoms, such as the International Press Institute (IPI), was that if the press does not speak out more openly, it is because it is confronted by an antediluvian statute book and the deep-seated illiberality of the Turkish establishment. These organizations have been slow to take on the proposition that there may be something rotten inside the media itself . . . Indeed, a strategy only to criticize the state and not consider the corporate cultures of media organizations themselves has led to an erosion of press freedom and legitimated bad practice. (Finkel, 2005: 24)"

The role of the Turkish state in the suppression of free speech has been well documented, yet it is the combination of state and corporate
influence that must be considered in order to fully comprehend the problems facing Turkish journalism – in other words, a true examination of the political economy of Turkish media.

This idea is very much in step with the work of scholars such as Machin and Papatheodorou (2002), Papatheodorou and Machin (2003), Papanassopoulou (2000, 2001a, 2001b) and Hallin and Papanassopoulou (2002), who have gone a long way toward placing media structures – structures found often in socio-political and socio-economic environments quite different from those of the United States or the United Kingdom – into specific regional and/or national contexts. When viewed in light of the theoretical discussion on the political economic evolution of media systems of the post-1970s and post-1980s ‘nascent democracies’ such as Spain, Greece and Portugal, the empirical data presented in this article suggest that a truly comprehensive understanding of, and theorizing on, post-1980s south-eastern European media should include research into developments within Turkey during the same period.

As we have seen, the similarities between Greece and Turkey, for example, are striking: authoritarian histories, military interventions, restrictive media legislation, rapid market liberalization, clientelism, and populist journalism, to name but a few. However, just as there are similarities between Turkey and proximate nations such as Greece, Spain and Portugal, so there are a number of key differences. Most obviously, Turkey, unlike its southern European neighbours, is not a member of the European Union. As Önís (2003b) points out, the rapid development of democracy (as well as national economies) in Spain, Portugal and Greece was linked directly to EU accession. It is noteworthy that membership of the EU for Greece (1981), Spain (1986) and Portugal (1986) came only 7 (in the case of Greece), 11 (Spain) and 12 (Portugal) years after their respective military/authoritarian regimes ended. It has now been 27 years since the last military coup d’état in Turkey, yet, as the material presented in this article indicates (particularly on the breaking of unions and government legislation), there remain significant problems in Turkey regarding the legal protection of media workers and free speech rights. The final issue, concentration of ownership, is a global phenomenon, yet it is particularly relevant in the Turkish case when considered in conjunction with labor rights and speech/press laws.

Where the Turkish case can add to our understanding of regional (i.e. south-eastern Europe) media systems and development, therefore, is in a comparison between the transitions from authoritarian regimes to EU membership that have taken place in countries such as Greece, Spain
and Portugal, and the ongoing developments in the Turkish media and socio-political arenas. To what extent, it would be interesting to ask, are/were the anti-union measures in Turkey outlined in this article reflected in pre- and post-EU Portugal? Also, how do freedom of speech laws originating in Athens stand up vis-a-vis those originating from Ankara?

The strikingly similar ‘parochial peculiarities’ of the countries in question make the divergences that took place in the 1980s (the EU path versus the non-EU path) particularly salient. While Turkey is often portrayed as a nation separated from the European experience by ‘culture’, ‘religion’ and ‘tradition’, further research could indicate that a willingness to shift from authoritarian to democratic systems of government, and to cultivate a thriving civil society, have more to do with the (lucrative) influence of Brussels and historical contingencies than with genetically determined democratic sensibilities.

Notes

1 I make the point about ‘international publications’ because I only reference literature published in English. There exist a wide variety of materials published in Turkish, yet the impact of these domestic publications is limited due to the issue of language.

2 A number of Turkish scholars have addressed the myriad changes that took place in Turkey during the 1980s and 1990s (see e.g., Bayar, 1996; Cosar, 2004; Keyman and Koyuncu, 2005; Önis, 2004).


4 The now infamous Article 301 of the Turkish Penal Code, through which it is a crime to ‘insult Turkishness’, being the most hotly debated piece of legislation.

5 Tables 1–5 contain (occasionally combined) data obtained from AGB (for television), Yay-Sat Dagitim and Merkez Dagitim (for print media) and Reklamcılar Derneği (for the advertising market).

6 A Dogan–Time Warner joint venture.

7 The Turkish-language version of the penal code can be found at http://www.tbmm.gov.tr/kanunlar/k5237.html

8 This is the Haraszi/OECD translation of the Turkish version of the TCK.

9 At the time of writing this article, and as a result of the outcry following the January 2007 murder of Hrant Dink, negotiations were underway between representatives of the Turkish government and civil society organizations on the issue of (possibly) amending the aforementioned Article 301 of the Turkish Penal Code.

10 The end of the regime of the Colonels in Greece (1974), the death of Franco in Spain (1975), and the ‘Carnation Revolution’ in Portugal (1974).
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Interviews

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