

PRESS ETHICS AND PRACTICE OF JOURNALISM IN TURKEY:  
“A CASE STUDY ON TURKISH JOURNALISTS’ SELF  
EVALUATION OF THEIR CODES OF PRACTICE”

A THESIS SUBMITTED TO  
THE GRADUATE SCHOOL OF SOCIAL SCIENCES  
OF  
MIDDLE EAST TECHNICAL UNIVERSITY

BY

HİLAL KÖYLÜ

IN PARTIAL FULFILLMENT OF THE REQUIREMENTS  
FOR  
THE DEGREE OF MASTER OF SCIENCE  
IN  
POLITICAL SCIENCE AND PUBLIC ADMINISTRATION

SEPTEMBER 2006

Approval of the Graduate School of Social Sciences

---

Prof. Dr. Sencer Ayata  
Director

I certify that this thesis satisfies all the requirements as a thesis for the degree of Master of Science.

---

Prof. Dr. Feride Acar  
Head of Department

This is to certify that we have read this thesis and that in our opinion it is fully adequate, in scope and quality, as a thesis for the degree of Master of Science.

---

Prof. Dr. Raşit Kaya  
Supervisor

**Examining Committee Members**

Prof. Dr. Raşit Kaya (METU, ADM)

Prof. Dr. Korkmaz Alemdar (GAZİ UNIV.)

Dr. Barış Çakmur (METU, ADM)

**I hereby declare that all information in this document has been obtained and presented in accordance with academic rules and ethical conduct. I also declare that, as required by these rules and conduct, I have fully cited and referenced all material and results that are not original to this work.**

Name, Last Name : Hilal Köylü

Signature :

## **ABSTRACT**

### **PRESS ETHICS AND PRACTICE OF JOURNALISM IN TURKEY: “A CASE STUDY ON TURKISH JOURNALISTS’ SELF EVALUATION OF THEIR CODES OF PRACTICE”**

Köylü, Hilal

M.Sc., Department of Political Science and Public Administration

Supervisor : Prof. Dr. Raşit Kaya

September 2006, 99 pages

This thesis examines the practice of the profession of journalism in Turkey and whether the fundamental ethical codes and standards of journalism are being honored in the contemporary market-driven media sector.

While media owners have consistently used the press as an instrument in the furtherance of their interests, this problem has been aggravated by the recent concentration in media ownership. The perception of readers as ‘consumers’ has put a premium on entertainment and sensationalism while jeopardizing basic journalistic values. Forced to practice a type of journalism different to the model which drew them to the profession, many journalists have lost pride in their work along with confidence in the ability of the media to fulfill the public right to information in a democratic society.

The thesis begins with an overview of the emergence of the ethical codes and practices of the profession before focusing on the Turkish media and the implementation of the various codes of practice and regulatory procedures which have been developed in Turkey.

The basic issue in media ethics is the morality of those in the sector and the compatibility of journalism and ethics. In order to ascertain if Turkish journalists believe these standards are being maintained, extensive interviews were undertaken with a sample group of a 114 journalists, comprising new and veteran reporters, editors and members of editorial boards.

The study confirms that ethical codes and standards are not being followed in the Turkish media because of commercial constraints underlined by increasing concentration in the sector.

Keywords: Turkish media, ethics.

## ÖZ

### TÜRKİYE’DE BASIN ETİĞİ VE GAZETECİLİK: “ETİK İLKELERİN UYGULANMASINA DÖNÜK TÜRK GAZETECİLERİN KENDİ DEĞERLENDİRMELERİ ÜZERİNE ÖRNEK BİR İNCELEME”

Köylü, Hilal

Yüksek Lisans, Siyaset Bilimi ve Kamu Yönetimi Bölümü

Tez Yöneticisi : Prof. Dr. Raşit Kaya

Eylül 2006, 99 sayfa

Bu tez, pazar koşullarının hakim olduğu çağdaş medya dünyasında gazetecilikteki temel etik değerlerin ve standartların Türkiye’deki meslek pratiği içinde uygulanıp uygulanmadığını incelemektedir.

Medya sahipleri, basını sürekli kendi çıkarlarını korumak için bir araç olarak kullanmaktan yanadır ancak medya organlarının belli ellerde yoğunlaşması bu problemi ağırlaştırmaktadır. Bugün medya sektöründe okurların ‘tüketiciler’ olarak görülmesi, magazine ve sansasyona prim verilmesine yol açmış ve gazetecilikteki temel değerleri tehlikeye düşürmüştür. Günümüzde gazetecilerin çoğu kendilerini bu mesleğe çeken ideal çalışma ortamından farklı koşullarda çalışmaya zorlanmıştır. Bu durum, onların mesleklerine karşı duyduğu saygıyı yitirmesine yol açmıştır aynı zamanda medyanın demokratik bir toplumda halkın bilgi edinme hakkını kullanabilmesi görevini yerine getirdiğine ilişkin inançlarını da zedelemiştir.

Bu tez, gazetecilik mesleğindeki etik kodlar ile uygulamalarının ortaya çıkışı ve gelişimine genel bir bakışla başlamaktadır. Tezde daha sonra Türk medyası ve Türkiye’de geliştirilen çeşitli etik ilkelerine ilişkin düzenlemeler ile uygulamalar ayrıntılarıyla incelenmiştir.

Medya etiğindeki temel konu bu sektördeki gazetecilerin ahlaki değerlerinin meslek etiği ile uyumudur. Türk gazetecilerin, etik ilkelerin korunup korunmadığına ilişkin görüşlerini belirlemek için yeni ve kıdemli muhabirlerin yanısıra editör ve yazı işleri üyelerinin de katılımı ile oluşturulan 114 gazetecilik örnek bir grupta derinlemesine mülakatlar yapılmıştır.

Bu çalışma medya sektöründeki tekelleşmenin pekiştirdiği ticari kısıtlamalar yüzünden etik değerler ile standartlara Türk medyasında yeterince uyulmadığını göstermiştir.

Anahtar Kelimeler: Türk medyası, etik.

To The Man I will Share My Life with



## **ACKNOWLEDGMENTS**

I would like to express my gratitude to Prof. Raşit Kaya for his previous supervision as well as to Prof. Korkmaz Alemdar for his helpful advice.

I would also like to thank Dr. Bülent Aliriza for his review, encouragement and suggestions.

Finally, I would like to underline my appreciation of the moral support and assistance of Ms. Hacer Fidan, my photo reporter colleague Altan Burgucu and my family during the completion of this study.

## TABLE OF CONTENTS

PLAGIARISM .....	iii
ABSTRACT .....	iv
ÖZ .....	vi
DEDICATION .....	viii
ACKNOWLEDGMENTS .....	ix
TABLE OF CONTENTS .....	x
LIST OF TABLES .....	xii
CHAPTER	
1. INTRODUCTION .....	1
2. THE JOURNALIST AND ETHICS .....	4
2.1. The Principle of Morality .....	5
2.2. The Concept of Ethics .....	6
2.2.1. Ethics in the Media .....	7
2.2.2. Freedom of the Press, Restrictions and Ethics .....	8
2.2.3. Journalistic Ethics .....	11
2.2.4. Ethics and the Question of Monopoly .....	13
2.3. Ethical Codes and Principles .....	18
2.4. Basic Ethical Codes and Issues .....	22
2.5. The Press and Self Regulation .....	30
2.5.1. Press Councils .....	32
2.5.2. Ombudsman .....	33
3. JOURNALISM AND ETHICS IN TURKEY .....	35
3.1. Professional Organizations and the Problems of Press Ethics in Turkey .....	36

<b>3.1.1.</b> The Press Honor Board .....	37
<b>3.1.2.</b> The Press Ethics Codes of Journalists (1972) .....	41
<b>3.2.</b> The Changing Media Environment, Monopolization and Ethical Codes .....	42
<b>3.2.1.</b> The Changing Nature of Media Ownership .....	43
<b>3.2.2.</b> Concentration in Media Ownership and Media Ethics .....	45
<b>3.2.3.</b> The Turkish Press Council and Press Ethics.....	49
<b>3.2.4.</b> The Turkish Journalists Association – Rights and Responsibilities Declaration .....	55
<b>3.2.5.</b> The Ethical Codes of Media Organs .....	56
<b>3.2.6.</b> The Ombudsman or Readers’ Representative.....	60
<b>3.3.</b> The Views of Turkish Journalists on Ethical Questions .....	63
<b>3.3.1.</b> The Reasons for Lack of Adherence to Codes of Professional Practice....	64
<b>3.3.2.</b> The Ethical Questions Confronted Because of the Failure to Adhere to Professional Principles .....	73
<b>3.3.3.</b> Evaluation .....	78
CONCLUSION .....	80
REFERENCES.....	87
APPENDICES .....	90
A. THE TURKISH JOURNALISTS DECLARATION OF RIGHTS AND RESPONSIBILITIES .....	90

## LIST OF TABLES

### TABLES

<b>Table 1.</b> The experience and positions of the journalists interviewed .....	63
<b>Table 2.</b> The basic reasons for ethical questions according to the responses of journalists .....	64
<b>Table 3.</b> Basic ethical questions according to journalists .....	74

# **CHAPTER 1**

## **INTRODUCTION**

Previously, there was an almost universal consensus that the media played a vital and defining role in modern democracies in which the freedom press was legally institutionalized. Moreover, it was generally acknowledged that it was almost impossible for a democracy to flourish without an effective and independent media.

As a result of developments in the media sector during recent decades, the democratic role of the media can no longer be taken for granted, even in the highly developed democracies of the capitalist world. In fact, a sober look at how the media functions in the contemporary world suggests that it is not an effective component of the democratic process.

As a matter of fact, the media is merely an instrument which can be used to serve different ends. It is deemed to be indispensable to a democratic society because it can provide essential information without social or geographic distinction. However, it can fulfill this basic function only when those who control the media fully assume the responsibility to do so. There is a general perception that the press is failing to exercise its democratic responsibility.

The increasing concentration in media ownership has led to a situation in which the media institutions in most countries are controlled by a small number of companies with interests in other media institutions as well as beyond the media sector. The media owners, who perceive commercial considerations as the sole criterion of success, have increasingly undermined the traditional barrier between the commercial and editorial operations of press institutions. Furthermore, the primacy of market forces has subordinated the serious aspects of journalism to the trivial and sensational aspects for the transient entertainment of readers.

The provision to the public of what is termed ‘infotainment’ instead of the information it needs, is tantamount to ideological control as it deflects public time and attention away from real-world matters with political consequences.

Many journalists in the contemporary media claim that they were attracted to the profession by certain ideals relating to safeguarding the public from threats, such as the scurrilous and dangerous methods of ‘greedy entrepreneurs’ or the fraud, abuse and other unacceptable practices of ‘selfish politicians’.

In today’s market-driven media sector, the growing economic pressures are creating a serious rift between what most reporters and some editors recognize to be their journalistic responsibilities and the behavior patterns forced on them by their institutions. A majority of journalists believe that the overriding profit motive is encroaching on editorial decisions in ways that erode the quality of journalism.

The reality is that instead of practicing the type of journalism that originally drew them to the profession, many - if not most - journalists find themselves pressured to function in a manner that is against the principles of the profession. A significant number of journalists are less and less proud of their work. Moreover, as all recent polls confirm, their profession itself is becoming less reliable in the eyes of the general public.

The journalists have been forced to confront the causes and consequences of such pressures in order to avoid total alienation from the source of their livelihood. While the debate on the behavioral and attitudinal impact of the media is not new for those in the profession or society, the recent deterioration in the standards of the media makes the fulfillment of the expectations of the citizens in a democratic society that all members of the media should maintain the highest professional and ethical standards even more urgent.

In order to transform journalism into a profession providing quality public service in accordance with the public right to information on a level with other similar professions, such as law and medicine, various codes of practice and regulatory procedures have been developed.

This study aims to examine the conduct of journalism in Turkey within this framework and to ascertain whether the ethical codes and standards of journalism are being honored by those in the profession. Accordingly, extensive interviews were

carried out with a sample group of a hundred and fourteen (114) journalists, comprising average reporters, editors and members of editorial boards and new members of the profession as well as veterans.

The first section of the study provides an overview of the ethical codes and practices of the profession. The second section contains a brief historical review of the developments in the Turkish media and the professional codes of the Turkish media as well as the results and assessment of the survey.

The conclusion notes that the journalists who were interviewed, irrespective of their position in the profession, are unanimous in their opinion that the ethical codes and standards are not being followed in the Turkish media. It also notes their general acknowledgement that the prevailing condition of the media is a product of the commercial constraints which have been aggravated by increasing concentration in the sector.

The study makes it clear that the contemporary Turkish media is characterized by serious tensions between the journalists, who feel strongly that their professional integrity has been increasingly undermined because of commercial considerations and economic pressures, and the owners and managers of the media institutions.

## **CHAPTER 2**

### **THE JOURNALIST AND ETHICS**

Journalism, which is the leading instrument in the communication and expansion of ideas, has almost always been confronted by measures of control and censorship by governments or, at the very least, efforts in this direction. The primary goal was to prevent the press from opposing their interests. It is also possible to argue that the owners of newspapers have consistently used the press as a basic instrument in the furtherance of their interests. It is also often claimed that perceiving readers as ‘consumers’, leads to a lack of principles in journalism as it puts a premium on entertainment and sensationalism.

Nevertheless, journalism is generally regarded as an ‘honorable’ profession that performs a public service by ensuring the dissemination of knowledge news, comment, investigation and views. The healthy condition of a society, which claims to be democratic, depends on the performance of the public service of journalism in accordance with certain principles. Reference to the ‘proper’ performance of journalism in accordance with the principles of the profession brings us to the question of the ethical identity of the journalist.

In addition to such basic moral values as ‘accuracy, honesty and substance’, this identity also includes codes of conduct requiring the implementation of these values and sanctions when they are not. While allowing the journalist to perform his job in a satisfactory manner, these codes also strengthen him against interventions in the performance of his job.

The basic issue in media ethics is the morality of the employees in the media sector. In this respect, the first question which needs to be answered is whether journalism and ethics are compatible. Whenever the issue of ethics in the media is discussed, the



prevailing commercial considerations are brought up and it is argued that an ethical discussion in such an environment is unnecessary and pointless.

The media has now become a major industry. Journalists are ‘workers’ who are trying to survive in prevailing market conditions. They are not very different from those who work in other sectors. They are motivated by goals such as finding and keeping a job. On the other hand, it is generally accepted that journalism, just like medicine and the law, has to be a profession with ethical principles governing the conduct of its members. (Belsey, 1998: 3) For all these reasons, a study of the ‘ethical’ standing of journalists must begin with an examination of the principles of morality and ethics.

### **2.1. The Principle of Morality**

Morality comprises a series of rules designed to allow individuals to live in harmony. At its essence, there is personal judgment and it has its foundations in personal life, in other words, in conscience. The measurement of our moral actions is the inner voice of our conscience. Just as a good deed satisfies our conscience, a bad deed troubles it. (Özgen, 1998: 21)

Like religious and legal principles, moral principles are composed of the entirety of rules relating to values which have evolved on right and wrong, dictating what can and can not be done. These rules, which indicate the ethical standards to be adhered to by individuals to themselves and to their environment, are different to legal rules which have an external nature, as they deal with thought, intention and purpose. The basis of moral thought is consistency. (Bilge, 1995: 28)

In order to survive and create a degree of order, in addition to listening to the voices of their consciences, societies endeavor to base their actions on a moral foundation and to establish accepted rules of morality. It is normal for these rules to vary from society to society.

The subject of ethics, which we can characterize as the philosophy of moral science, comprises the declaration of morality and the related definition of principles. Consequently, ethics can be characterized as the endeavor to deal with the issue of morality in a systematic manner and to reach a synthesis that will lead to moral

discipline or approach through the utilization of facts emerging from the process. (Özgen: 1998: 19)

## **2.2. The Concept of Ethics**

Ethics and morality are complementary concepts, as ethics constitutes an academic discipline that seeks to scientifically interpret the concept of morality, which identifies a way of life reflecting the values of society, and thus to reach some philosophical conclusions. (Pieper, 1999: 236)

The scope of ethics is determined by actions that have moral content and are consequently moral. By examining the contents that make actions moral, ethics try to reach conclusions. Ethics functions on the premise that ‘it is necessary to conclude that in life one option is good in the face of innumerable bad options.’

As its functional environment, ethics has chosen for itself actions that are not motivated by pressure. If a journalist has no control over his decisions or actions, it is pointless to talk about ethics. (Özgen, 1998: 40)

The philosophy of ethics comprises three classic ethical theories. According to ‘ethics of moral knowledge’, the adherence by the individual to certain rules directs ethical action. The theory known as ‘ethical theory related to natural order’ requires reaching an ethical decision by considering the likely consequences. The last is ‘individual or personal ethical theory’ which is based on personal motivation, individualism and spirit. Individuals overcome their ethical ambivalence through the application of these theories. (Gordon, Kittross, Merrill, 1999: 7-8)

Ethics endeavors to interpret morality in a disciplined manner and to use the results to determine ethical values.

Ethical values, which are the product of the utilization by individuals of characteristics that distinguish humans from other creatures and manifest themselves as actions in daily behavior, are also at the core of other human values. While giving meaning to the life of an individual and giving it a degree of order, they are essential in giving direction to existence. (Kuçuradi, 1996: 172)

### **2.2.1. Ethics in the Media**

Ethics is not only a question of a code of conduct; it also covers omissions and commissions in behavior. It is also not merely a set of rules to be followed. In fact, it has more to do with the application of 'objectivity' and 'neutrality' in human conduct, based on reasonable principles, with all its positives and negatives. The basic principle involved in acquiring a code of behavior is that of ensuring quality. (Belsey, Chadwick, 1994: 10)

Ethics in the media is, at its essence, about duty. It comes with concepts of freedom and responsibility. It comprises a set of principles and rules determined by members of the profession, preferably in cooperation with public opinion, to allow most if not all of the media to perform a better service.

Ethics in the media is possible only in a democracy. A person who does not believe in the capacity of individuals to think or live freely cannot accept self regulation which exists only in places where there is freedom of expression. The less developed countries also have a weak consumer profile. Consequently, there is less advertising. The media is weak and corrupt or is controlled or directly subsidized by the state. As a result, to a great extent, media ethics does not operate in many countries even if they are officially democratic. (Bertrand, 2005: 10-11)

Ethical concern is vital in determining the final decision of the journalist. A journalist who believes that he is acting in an ethical manner believes that he is doing his job well and thus earns public confidence.

People began to think seriously about the issue of ethics in the media in the US between the two world wars. Interest in professionalism and university courses in journalism flourished during this period. In 1947, the Hutchins Commission published its report. In the 1960's, there was a growth of interest in the social responsibility of the media. This is an expression favored in the US in referring to the responsibility of journalists towards their readers. In Europe the focus is more on 'public service.' As 'public service' is always part of the duties of the state, this is tantamount to acceptance of its regulatory function. (Crawford, 1924)

### **2.2.2. Freedom of the Press, Restrictions and Ethics**

The subject of press morality was first discussed at the beginning of the 20<sup>th</sup> Century in countries where the means of modern mass communication were developed. However, it has its origins in the 17<sup>th</sup> Century and the beginning of newspapers. The newspaper is an instrument of communication developed by commercial capitalism in West Europe, although they date back to the letters of merchants after the Middle Ages. The state, which has held a monopoly in organized communication throughout history, has also sought to control newspapers.

However, the development of commercial relations, the spread of culture and the troubled but continuous progress of democracy in Europe have restricted state control and permitted the expansion of the concept of freedom of the press. In this context, Britain made an important contribution as in the 18<sup>th</sup> Century it was the most developed country in international relations. The industrial revolution of the 19<sup>th</sup> Century and the expansion of technology transformed the newspaper into the most widespread means of communication in the Western World.

The examination of the issues of the freedom of press and morality by many thinkers during this development is noteworthy. John Stuart Mill defended the view that knowledge played the key role in the formation of individual personality. According to the principle of freedom espoused by Mill, along with John Milton, John Erskine and Thomas Jefferson, the press and other means of mass communication had to be in independent hands, free of financial relations with the state and thus able to follow facts and to act as a check on government. However, this concept placed responsibility on the readers rather than on journalists and with the press reporting what it saw right or wrong under these conditions, a somewhat irresponsible press freedom was defended on the principle that the reader could ‘distinguish between right and wrong’. (Alemdar, 1990: 19)

The Virginia Declaration of Rights drawn up in 1776 by the third president of the US, Thomas Jefferson, is the first written guarantee of press freedom. The principle is defined in the following manner in Article 12 of the Declaration: “The freedom of the press is one of the great bulwarks of liberty and can never be restrained by despotic governments.”

As libertarian thinkers regarded the media's primary goal as checking individuals, groups and organizations with influence in society, they helped to develop a generally accepted view of the media as a fourth force alongside the legislature, executive and the judiciary. According to them, the task of the media was to investigate and reveal corruption and mistakes in society and to caution governments by informing the public.

It has always been difficult to achieve compatibility between the press function of public service as a fourth power and the related development of the idea of regulating it according to certain principles, with the basic ideology of capitalist societies which is that the freedoms of liberalism can only be enjoyed under free market conditions.

Consequently, liberals such as John Locke, Adam Smith and the most fervent advocate of the freedom of thought, John Stuart Mill, defended the view that, as a public service, the press was subject to public regulation and rejected the idea of the market being the sole criterion for the press and the freedom of thought (Peters, 2004).

The development of the media into a very important component of the economy and the acceleration of monopolization in the media after the Second World War, strengthened the perception that the press was no longer a fourth force in society. The Hutchins Commission was formed in order to examine the democratic character of the press in the development of the freedom of thought in the democratic atmosphere of the post-war period. By drawing attention to the responsibilities of the media rather than to its freedom, its 1947 report carried the discussion to a new level in the country regarded as the cradle of liberalism. Prior to this report, it was believed that the liberal media would recognize its own responsibilities and regulate itself.

The Hutchins report made it clear that the media had a responsibility towards society and that the liberal media was not undertaking this responsibility. The report which provoked a serious reaction from journalists was composed of five articles:

1. The media should provide "an accurate and comprehensive account of contemporary events and their meaning." In addition to avoiding lies, it should separate facts and comment, give relevant information and go beyond the facts by providing the truth.

2. The media should be a forum for comment and criticism on matters of public importance. In the name of objective news, it should publish views contrary to its own and all important views and interests in society should be represented in the media.
3. The media should present a representative picture of the constituent groups in society.
4. The media is vital in the presentation and clarification of the goals and values of society.
5. The media must provide the public full access to information. It is essential to have a free and widespread circulation of news and ideas.

In their book, 'Four Theories of the Press', which is generally considered as a continuation of the new approach of the Hutchins Report, Fred Siebert, Theodore Peterson and Wilbur Schram developed the concept of 'social responsibility'. This is based on the notion that individuals and journalists in particular, do not possess the rational capacity envisaged by enlightenment ideology. According to this concept, the existence of authority is a prerequisite for a responsible press.

Subsequently, as the media enhanced its power by further developing its scrutiny and examination of government, there was also an increased need to deal with its ethical problems. In its race against time, the media gave little attention to ethical values. Moreover, the argument began to develop that recognition of knowledge as a value did not mean that each real problem was worth knowing. At the same time, a consensus emerged that while every aspect of learning was equally valuable, there was no value in examining every issue in an equivalent manner. (Finnis, 1983: 48)

Where the media should stand on issues of public interest has been a matter of debate. Where is the source of the media's responsibility in the public domain? Jürgen Habermas' definition of 'the public domain' is at the root of this discussion.

According to Habermas, the consolidation and organization of capital and the commercialization of the press has resulted in the loss of this important function and a return to feudalism. (Habermas, 1989) With the emergence of modern commercial

firms at the beginning of the 19<sup>th</sup> Century, governments have been constantly striving to balance the private interests of the investors with the public interest of workers, citizens and consumers. This kind of mediatory interventions stemmed from the belief that the economic gains that would follow the increase in the profits of investors would not be sufficient to sustain economic and social existence. At the same time, the importance of justice, equality and human dignity were underlined. In this context, because of its provision of the information and discussion necessary for the maintenance of democratic societies, the media assumed great importance. Accordingly, preventive measures were implemented to ensure the pluralism and diversity of views and to block a single company from becoming dominant in the communication sectors. (Çaplı, 2002: 89)

It was thought that as the media became freer and more transparent, political communication would be more balanced and objective. However, in commercial practice, the media has generally preferred instead to give prominence to polemical aspects of politics and thus to focus its perspective on political maneuvers and strategies and political personalities rather than on issues. In contrast, public service media institutions have tended to examine the political agenda in a more detailed manner because of their obligations and responsibility.

In order to achieve extensive political democratic participation in very different social and political subjects, it is considered essential for the media to allow the free circulation of information, comment and discussion. It is emphasized that in order to perform this task it is not enough for the media to be free, it is also essential for it to ensure the quality and diversity of the information it provides. Although it is claimed that this is a common characteristic of modern democratic societies, in reality there are serious differences between theory and practice in societies dominated by free market ideology. (Belsey, Chadwick, 1999: 55-67)

### **2.2.3. Journalistic Ethics**

In the traditional model, the journalist is a carrier who facilitates the transfer of data (fact-information) through minor changes from a source to the consumer (the reader). (Jurgensen, 1994: 262) However, technological developments have shown that the journalist does not remain passive in the performance of this task, that he reshapes

the information even as he provides it and that he is affected by both his working conditions as well as his environment.

Most aspects of the journalistic profession are examined and defined with reference to concepts such as freedom, honesty, neutrality and confidentiality that are related to ethics. In other words, ethics are an integral part of journalism. The first step in ensuring quality control in the press is to prohibit journalists from wrong actions while stressing a code of conduct that will hold them responsible for their actions. (Belsey, Chadwick, 1999: 10)

Today's societies are in agreement in recognizing that the path to quality in the press goes through reminding journalists of their ethical identity. In this context, the basic responsibility of the journalist is to provide public opinion, to which he directs news and information, with correct, unbiased and principled news. While the journalist has a contractual responsibility towards the owner of his newspaper, his responsibility to the public supersedes all his other responsibilities.

Because journalists race against time in their effort to provide news to their readers on a daily basis, it could be argued that they may be in a difficult position to examine whether they actually fulfill their responsibility towards the public. Here it would be appropriate to refer to Alemdar's description of a journalist:

*The journalist is a person who confronts on a daily basis what he can provide within time constraints in the limited space left over from the advertisements and announcements. In fact, even answering this question requires resorting to certain subjective criteria. In the West, in particular in the US, there are two fundamental rules journalists accept without reservation in order to stay as far as possible away from moral discussions: Accuracy and integrity. (Alemdar, 1990:23)*

Just as it is interesting to see the struggle of a journalist in a large media organization to satisfy these rules, it is equally interesting to see how he might surrender to market conditions without seeing any need for a struggle.

Professor Claude-Jean Bertrand views contemporary journalists in the context of the media organizations. According to Bertrand, all media organizations should be collectively considered as an industry, a public service and a political organization.



Bertrand describes the link between contemporary journalism and ‘ethics’ in the following way:

*The media and those who work in it should not be considered as a single entity. Their responsibilities are different. Journalists have their own personal capability to commit professional sins. Nevertheless, it is the public communication media owners and their representatives who determine editorial policy and attitude to ethics.*

*Top executives are expected to possess business acumen not moral consciences. They are also expected to respect laws and regulations. If they do not do so, they will appear in court. The vast majority of today’s executives see themselves as responsible only to shareholders interested in profits. However, because these individuals are powerful, it is beneficial for those interested in media ethics not to earn their enmity.*

*With the exception of a few major columnists, journalists are nothing more than paid second-class writers. There is also a category of journalists who constitute a separate and very important class. These are the editors who are appointed by the owners and delegated to determine the policy on publication with the right to hire and fire. The role played by these professionals on the issue of ethics is very important. (Bertrand, 2002:21)*

#### **2.2.4. Ethics and the Question of Monopoly**

It is generally acknowledged that the discussion of press ethics began with the emergence of newspapers. In the conceptual sense, the link between media and ethics has become a subject of analysis and research in the monopoly stage of capitalism. The media’s gravitation away from the public service mission and transformation into one of the main components of the business sector has played a determining role in this process.

The transformation of newspapers into major economic enterprises in the 20<sup>th</sup> Century and the increase in the power of the press in the formation of public opinion have brought with them a discussion of good-bad’ journalism.

Especially in the second half of the 20<sup>th</sup> Century, with the development in communication technology, the newspaper industry has organized itself into commercial enterprises requiring major investment. The media enterprises are now

affiliated with financial groups with investments in many different sectors. The degree to which journalists, who work as salaried employees, are able to perform their professional tasks without being influenced by the commercial considerations of the investment group that includes their medium and are able to find and show 'the truth' has become important.

There has been a major change in communication technology in the 1980's. The effects of the new technologies were strengthened by other developments. New consumer groups emerged in the Far East, there was rapid economic growth, it became even easier to spread liberal economic views and communism began to collapse. At the end of this process, which stressed individualism and private enterprise, initiatives to lift restrictions regulating the media became much more acceptable. In addition, mass organizations in the developed countries, such as trade unions and political parties, weakened further quantitatively as well as in terms of their power. The concept of the nation-state became one of the main issues of debate. (Çaplı, 2002: 44-45) It is argued that the current process of globalization is separate and different from past phases of capitalism. The foundation of this view is the claim that, due to the newly developed means of communication, this process is occurring simultaneously across the globe, or that if an effort could be made in this direction – at the very least if there is no resistance – it could occur simultaneously. An integral aspect of the unipolar New World Order based on new right thought and neo-liberal policies which have been dominant since the 1980's relates to money markets which are becoming globalized. The other relates to the globalization of the media. (Kaya, 1999)

The media has an important place in the new capitalist model. Privatization, deregulation and growing monopolization that are basic political methods of the new right's process of hegemony (The New World Order) have been intensively applied in the media sector. Virtually the entire appearance of the global communication environment – consequently of communication systems – has been changed. The New World Order has, as a prerequisite, a web of communication that would permit global control, especially in the military arena. The functioning of global financial markets also depends on a similar communications web. The technology that permits this is an advanced satellite communication system. Since the cost of this satellite communication system is exorbitant, its financing is made possible by allowing mass

news communication access to satellite communication. The development that would permit masses to become consumers of satellite communication is radio and television privatization alongside telecommunications. (Kaya, Alemdar: 1993)

This is the reason behind the development in the 1980's that changed the structure of radio and television in Europe and the rest of the world. As a result of policies of privatization and deregulation, public monopolies were broken in the radio-television sector and public service broadcasting took a serious blow. Consequently, giant media conglomerates –not more than twenty- mostly from the US or Europe established a dominance throughout the world and the foundations of 'global media' were laid.

In addition to the structure of ownership, the composition of investment in the media sector also changed. The media organizations, which merged with finance coming from outside the press sector, mainly from banking and construction, began to expand beyond publishing into a variety of activities covering all forms of information production and distribution wholly determined by market conditions. Mass media, which from its very outset functioned on a commercial and industrial basis, has now become in the contemporary economy, one of the most pervasive and dynamic and consequently most popular sectors for the financial world.

In addition to its high potential for social and political influence, the media is now the very opposite of what it was before, namely a very profitable area of investment. Ironically, whether the functioning of press institutions should be left solely to market conditions has been a major issue for discussion in the context of the struggle for democracy even in liberal circles. (Kaya, 1985)

With the introduction of market rules into the communication sector, regulatory measures have been eliminated. The economy has now become the determinant of communication policies and the concept of 'the public interest' has been replaced by 'the interest of the company.'

In 1925 the management of the Wall Street Journal explained how a newspaper could function in accordance with corporate logic in the following manner:

*A newspaper is a private venture which has no obligation towards the public from which it derives no benefits. Accordingly, it is not bound to any public interest. Naturally a newspaper has to be considered as the property of an owner who is taking a risk in selling a product he produces. (Bertrand, 2002: 29)*

As a result of the European Union's initiatives based on its Television Without Frontiers concept, aimed at producing a common television market, private investors have moved into broadcasting and telecommunication. This process accelerated with the introduction of policies designed to support the emergence of strong companies in the communications industry and to increase their ability to compete with American companies. Major media companies emerged in Europe with bosses such as Leo Kirsch, Silvio Berlusconi and Rupert Murdoch who became famous throughout the world. (Schlesinger, 2001: 95-116)

It is a well-known fact that the real profession of the owners of the products in contemporary media is 'business'. However, when the reasons behind the ownership of multiple media organs by single media organizations are examined, it becomes clear that the monopolies are trying to poach readers from each other. Their sole aim is to achieve higher profits, in other words to increase circulation. What they want is for the entire communication media sector to work under the shadow of the profit-loss whip, notice-advertisement revenues, consumer demand, threat of bankruptcy and the orders of state censorship. (Keane, 1992: 142)

The most visible product of the relationship between the press and the capital market in the press sector is commercialism, tied to the current intense competition, which allows ethical concerns to be overshadowed by considerations relating to competition and profit. The press is caught in a virtual 'two-handed' market game based on profit. Newspapers and magazines are first sold to the reader and then to the advertiser. Beginning with the newspapers focusing on one theme, and continuing with newspapers and magazines appealing to a wide array of readers and eventually newspapers committed to defending ideas, the entire press sector gradually accepted the same marketing system. (Charon, 1992: 78-79)

The monopolization in the media developed in accordance with the same tendency in the capitalist production system. Due to the scope of the media's power, alienation was globalized. Driven by the profit motive like other capitalist enterprises, the

media is at the same time one of the most effective weapons in the hands of the dominant class in the perpetuation of the capitalist order as well as in controlling the masses. The monopolized contemporary media has reached its most advanced level in the most developed capitalist societies such as the US and the European countries. In fact, the process of monopolization has extended beyond national borders and finance, which has become internationalized, has also created international media monopolies. In other words, the right of the world to know has fallen into the hands of a few media monopolies. (Otan, 1995: 150)

The debate on whether the functioning of press institutions should be left solely to market conditions continues. The thinking behind this discussion is that the products and services produced or marketed in the media sector are different to other industrial or commercial activities.

The media produces and markets information, news and culture. What is produced and consumed is not just any product as it is directed to the intellectual-symbolic spheres of life. As such, it functions as an indirect tool in interpersonal and social relations. In short, the media is a social organization with important socio-political influence. Its production and marketing phases have distinctive characteristics. Most importantly, the ultimate consumers are not the main source of finance for the producing institution (the media). The advertisers or sponsors are the real customers, who cannot be put in the same social category as the ultimate consumers.

Another way to put it is that, at least in this case, the objects of the expression ‘the customer is always right’ are not the media consumers. The journalists, who are the real producers in the media institutions, are the producers of ideas and as such they are different to others in their institutions as well as in producers in other sectors. Although it is considered as an intervention in the functioning of the market, because of previously explained reasons and as part of the struggle for democracy being fought in the context of the freedom of expression, it is generally accepted, including by those in the liberal camp, that the activities of media institutions can be regulated in a special manner in the name of the public interest. In fact, after the 1980’s, publication principles were abandoned in the face of the expansion of monopolization due to such policies as privatization and deregulation and the media has virtually been surrendered to the methods of market logic. (Kaya, 1999)

It is certain that the media would produce a better service to the public with greater financial resources. However, this might undermine the public interest. With the corporatization of the media, a handful of individuals whose primary motivation is not to inform acquired great political power. As they make decisions on what should or should not be revealed, these individuals, who are not responsible to anyone other than shareholders, exercise great power over what is happening in the world. It is a matter of regret when certain sectors of the economy fall under the control of a monopoly or an oligopoly, particularly if this happens in the media which is one of the nerve centers of society. (Bertrand, 2002: 30)

How the media performs its job of communicating news and information is a much-debated subject. Critical media studies clearly reveal that, contrary to liberal analysis, the media is communicating ideological power instead of in a factual, multidimensional, unbiased, rapid and satisfactory manner designed to inform the public. All those who work in the media now accept that the media is being shaped in accordance with the demands of the market and that its traditional task of communicating news and information is being de-emphasized. (İnal, 1996)

### **2.3. Ethical Codes and Principles**

What distinguish a profession are values which are shared by a majority of its members. With journalists, as we have noted, this involves comprehensive, accurate, relevant and balanced production of news and the provision of the needs of the people. Journalistic values cannot be considered separately from the functions of the media. For this reason, the journalist has to be aware of these functions.

In 1896, Polish journalists established a list of duties and an honor panel for themselves. In 1910, a press council in Kansas adopted a series of codes to be applied to publishers and editors. In 1939, the Federation of International Journalists (FIJ) published its own code of honor. After the Second World War, such codes became more widespread. The United Nations has always had an interest in lists of codes; however the list of codes it forwarded to nearly 500 organizations for their evaluation was never adopted. The primary reason was the reluctance of governments.

It has almost become fashionable in contemporary journalism to adopt and publish ethical codes. In Britain over 350 press organizations have their own codes and there is a similar situation in the US and many other countries. Journalism is one of the oldest professions with such codes. The most important characteristic of these codes is that while they are widespread, their application varies greatly from country to country. Andrew Belsey defends the necessity of ethical codes even if they do not have enforcement provisions. The establishment of the ideal ethical standard for an individual in the media is important in enabling him to measure his own ethical values and performance and, when necessary, to improve them. Belsey defends the view that the honor of journalism depends directly on the protection of these codes and continues:

*The ultimate justification for having a code of conduct is that it ensures quality. However, even if certain ethical principles are accepted, it is impossible to establish the codes of behavior related to them as these codes cannot cover all questions relating to action and no code of conduct can remain permanently fixed without evolution. However, it is a fact that the lost honor of journalism will only be salvaged through the relentless pursuit of quality.*  
(Belsey, Chadwick, 1999: 28-85)

The function of ethical codes varies in accordance with the degree of freedom in countries. In authoritarian regimes, such codes can give moral support to a journalist under pressure and can encourage professional solidarity. In more liberal regimes, these codes will put more emphasis on protecting citizens than journalists. In fact, the contents of the code depend on the society preparing them. In Britain a trade union, the publishers' federation, a governmental committee and a legal team jointly formulated the codes. In the US, newspaper editors and the directors of radio and television took the leading role.

With respect to the sectors protected by the ethical codes, three main groups are mentioned. The first group is made up of the readers of the newspaper where the journalist works. Provisions designed to ensure the accuracy; relevance and objectivity of news protect the reader from manipulation and allow him to use the information provided in his daily life.

For this reason, declarations related to the basic duties of a journalist are included in the ethical codes accepted by the press councils or professional journalists' associations of different countries. For example, the German Press Council's list of codes states in its first article that "respect for the truth and the provision of accurate information to the people is the most important principle." According to the ethical codes adopted by the Yerevan Press Club of Armenia in 1995, "the most important code journalists have to adhere to is objectivity."

The codes adopted by the Austrian Press Council in 1983 identify the most important tasks of journalists as "care and accuracy in the collection and dissemination of information." The first article of the ethical code produced by the FIJ and adopted by the Czech and Dutch press institutions is "respect for the truth and society's right to learn the facts."

The first article of the ethical code adopted by the Belarus Journalists Association in 1995 is titled "the social responsibility of the journalist". This code makes it clear that it is necessary for the journalist to inform society of events of social importance in an accurate and timely manner and that securing the right of citizens to get information is "the first duty of the journalist."

The first sentence of the code of ethics implemented by the Bulgarian Journalists Association is as follows: "The right to information is an unalienable right and the freedom of expression and criticism and the right of individuals to be informed constitute the basis of the rights and obligations of journalists".

The second category includes the sources of the news the journalists are expected to protect. As there is information, the journalist is expected to behave accordingly. Because news sources supply information to journalists on the condition that they should not be identified for fear of 'dismissal or victimization', they expect the journalists to keep their word. A journalist who claims to be bound by ethical codes can say to a source "My guarantee is the code of ethics to which I adhere." What is expected from a journalist bound to ethical codes is that he sticks to this agreement. The ethical aspect of the agreement is described in the list of codes in the following manner:



Journalists have a moral responsibility to protect their secret information sources. (The British Press Complaints Commission)

Sources of information must be protected. The identity of a person providing information on a confidential basis cannot be identified without his permission. (The Journalists Union of Finland)

Media institutions have a moral duty not to reveal the identity of secret information sources (Estonian Press Professional Ethics)

The journalist must respect the principle of the confidentiality of sources. (IFJ)

If the source of the news wants his identity kept secret, his wish must be respected. However, the promise of confidentiality must not be kept if there is a plan to commit a crime or if the constitutional order is threatened. (German Press Council Code)

Before promising confidentiality to a source, journalists have to examine the real intentions of a source. They also have to clarify the conditions relating to the promises made in return for information. They have to keep their word. (The American Professional Journalists Association Code)

The third group is made up of those who are the subjects of stories investigated by the journalist. With respect to this group, the sanctity of privacy is emphasized and this is reflected in the ethical codes. This comprises provisions such as the use of legitimate methods in the collection of news, the avoidance of intrusion into private life and unjustified accusations, not revealing the names of child criminals and rape victims and refraining from discriminatory language in order to protect the individual.

A code has also been developed for journalists relating to 'news gathering'. The opportunities provided by new technologies, such as secret cameras, tape-recorders and telephoto lens, have made the news gathering profession dangerous. The basic rule here is for the journalist not to use deceptive methods in acquiring information, news, photographs, voice recordings or documents:

*As long as there are traditional methods available to acquire information deemed to be of vital importance from the public point of view, hiding identities and other methods of deception should be avoided.* (The American Professional Journalists Association Code)

A code which defends ideal standards of behavior without establishing a connection between these standards and how people behave will be regarded as inoperative and ignored by the majority of journalists and will not influence their behavior. Accordingly, it is necessary for a code to have practical reality as its basis. (Belsey, Chadwick, 1999: 87)

#### **2.4. Basic Ethical Codes and Issues**

In almost every country there are ethical codes the media is expected to adhere to. There are two main institutions that determine whether these codes are applied or not and their possible breaches. The first is made up of the professional associations, mainly press councils, which formulate and establish these codes. The other is an ombudsman within the media institutions.

There are great similarities between the ethical codes established by professional associations, such as press councils and other similar organizations and media institutions, to deal with arising issues in response to public pressure and complaints. The fact that the media sector has been able to reach general agreement on the scope of ethical codes, despite social, economic, political and cultural differences between countries, suggests that the problem relating to its influence and issues is a common one.

The main ethical codes, which are to a great extent universal, are as follows:

##### **a. Honesty-Accuracy**

The code which is listed first in almost every document on press ethics requires news to be provided in an “honest and accurate” manner. The presentation of news in a deliberately incomplete or distorted way is incompatible with ethical rules. Neither ignoring important facts nor using ‘contrived’ and consequently ‘false’ news are

acceptable. Journalists who proceed to publish without verifying all aspects of a story do great harm.

‘The Rules of Journalism’ adopted by the American Newspaper Editors Association in 1923 states “Earning the confidence of the reader is the foundation of all forms of respectable journalism. In accordance with good intentions, the newspaper has to be honest. The lack of care and attention by a newspaper, or its failure with respect to this basic requirement, can never be forgiven.”

The codes outlined by the American Professional Journalists Association (Sigma Delta Chi) have great importance in this respect. These codes, entitled “Clarity and Objectivity”, begin with the statement “Good will and confidence towards society is the foundation of journalism” and are as follows:

1. The most important goal is accuracy.
2. Objectivity in news is another goal. This is the standard aim to reach. We respect those who reach it.
3. Errors and mistakes cannot be excused.
4. The management of a newspaper must be completely aware of the contents of the news it publishes. Pictures must accurately reflect the event and irrelevant details should not be given prominence.
5. News and opinion should be separated. The news should be free of subjective views and should cover all aspect of the event.
6. Partisan publishing in which news is deliberately distorted is contrary to the spirit of American journalism.
7. Journalists have to accept their responsibility for their review, comment and coverage of social events and issues. They also have to convey the views of persons they recognize as having expertise in these areas
8. Columns dedicated to defending views or the opinions of the author have to be identified as such.

It is clear that there is a common principle requiring the media to accept its mistakes and errors with inaccurate and misleading news whatever the reason, to correct them and to take the necessary measures against those responsible.

#### **b. Neutrality and Objectivity**

It is important that the personal or institutional attitudes of journalists and editors do not play a role in the presentation of news. This code deems it essential for the difference between news and opinion to be clearly indicated.

In addition to the views of Sigma Delta Chi with respect to this code, the condition specified by the French *Le Monde* newspaper for its employees that they should not 'belong to any party' in order to ensure neutrality and objectivity is noteworthy. This stems from the newspaper's concern that its correspondents and editors might not be objective in their political news and comment if they were members of a party. If the political preference revealed by its editorial line and the nature of its readership is taken into account, it becomes easier to understand the importance of this rule.

The issue of biased reporting generally comes up with foreign and political news. There are economic, ideological and political interests involved in news that is fashioned in accordance with foreign policy. From the perspective of the imbalance in the distribution of international news, it is possible to perceive disinformation and distortion in the news directed from the developed countries (which also have a monopoly on news and communication) to dependent countries. These occur most in news about wars, terrorism, infectious diseases and natural disasters.

At the same time, biased reporting can also be seen in domestic political news. In this context, it is necessary to touch on the manipulation of the essence of the news. Manipulation is in contradiction with both press ethics as well as the freedom of the press as it involves influence over the reporter who writes the story or the institution that publishes it.

### **c. Separation of News and Comment**

Failure to distinguish between news and comment raises concern over possible bias in published stories. The amendments made to the Principles of the Press adopted by the European Council Parliamentary Assembly on this issue are as follows:

***Article 3:*** One of the basic moral obligations of journalism is to draw a clear line between news and facts. Comment reflects the thoughts, beliefs and personal values of the author, the publisher and the media institution.

***Article 4:*** The publication of news must be based on facts and its accuracy must be verifiable. The presentation and description must be done in an unbiased manner. The headlines and summaries should reflect the known facts as much as possible.

***Article 5:*** Comment could address general ideas as well as contemporary events. As comment is subjective, its accuracy cannot be criticized. We must instead ensure that comment is honest and moral.

***Article 6:*** Comments on events relating to individuals and institutions should not distort or hide reality or facts.

### **d. Loyalty to a Source**

This is the code specifying that a journalist should not reveal the identity of the news source without his permission for as long as he wants. In fact, in some countries the regulations have gone far beyond ethical codes and have been protected by laws or constitutional guarantees, as in the case of Sweden. In addition, this ethical code applies to information provided to a journalist on a confidential basis or with a request that it be delayed for a period of time. The revelation by journalists of confidential information or sources, even in court, is not acceptable.

This ethical code also prohibits a journalist breaking confidentiality with respect to secrets about his former boss, institution and colleagues in the event of a change of employment. The ethical code drawn up by the American Journalists Association on this issue is as follows:

*The journalists will not reveal information provided on a confidential basis or the sources of confidential information in court or in other judicial and investigative forums. The duty of a journalist to respect confidentiality also covers the secrets he shared with his previous boss even if he changes jobs.*

In some countries the misuse of information is regarded as a violation of this ethical code. The revelation by a journalist of information provided on a private basis in writing or in some other form or of information that should be known only by the management of his newspaper is a violation of the ethical code even if he does so within his newspaper. The publication or revelation through some other means by a journalist of state secrets, confidential information about his duties, industrial secrets or personal information which falls within the domain of personal freedom is also ‘a breach of secrecy’.

#### **e. Respect for Privacy**

Although laws in many countries protect the secrecy of private life, ‘respect for privacy’ has an important place in the ethical codes. The only exceptions that would lift the secrecy of private life are instances in which ‘public interest’ considerations apply. However, it is precisely because of the exception relating to the concept of ‘public interest’ that the principle of the secrecy of life is undermined by the media. The question that arises here is the following: What are the limits of the public interest and the secrecy of private life?

Article 23 of the ‘Principles of the Press’ adopted by the European Council Parliamentary Assembly states “The right of individuals to keep their lives private should be respected. Public officials have the right to keep their lives private as long as this does not affect official state activities. Those in such positions cannot be deprived of their right to keep their lives private because of their jobs.”

The British Press Complaints Commission states the following on privacy: “Discussing someone’s private life without his permission, questioning him about it or using telephoto lens to photograph them in their private residences are considered to be bad behavior and such actions are justified only when the public interest is involved”. According to the Commission, a person’s home and garden and attached

buildings are considered to be private residences while adjoining areas or parks are not. Hotel and hospital rooms however are covered by the definition of private residences. After the death of Princess Diana in a traffic accident in 1997, as she was escaping from journalists known as ‘paparazzi’, the aforementioned Commission extended the domain of private life. It stated:

1. Photographs obtained during a pursuit should not be published.
2. Editors have to know how material provided by freelance journalists and photographers was obtained.
3. When there is a media event, journalists should not stay there beyond that required by the public interest.
4. Young individuals should be able to pursue their education in comfort without being exposed to media assault.
5. The press should not pay for stories about minors.
6. Stories about a child’s private life could be published but only if there is a legitimate reason. If the sole reason is the fame of the child’s mother or father, then the story should not be published.
7. Personal space of individuals should not be trespassed.
8. Stories relating to people in grief should be written with care.

Moreover, use of methods such as secret cameras or secret recordings or videotaping from a distance in order to decipher what they were saying through lip-reading, are not acceptable in the context of media ethics. The opinion of the American Professional Journalists Association on the use of secret cameras for sensational journalism is important. It is as follows:

1. If the information has great importance, involves a vital public interest issue and will protect the people from great harm;
2. If all other means of obtaining the news have been utilized without success;
3. If the harm prevented by the revelation is greater than the harm done by the use of this method;

4. Then the use of a secret camera can to a great extent be viewed favorably.

#### **f. Remaining Within the Limits of Criticism**

The media should not permit baseless criticism targeting a person's honor or his moral character to be included in its news and comment. Once again, the use of intentional slander, vilification and defamation or baseless accusations are among the most serious violations of professional ethics.

‘The Ten Rules of a Journalist’ adopted by the First National and Pan-American Press Congress in 1942 states “A journalist worthy of the name recognizes slander, vilification, accusations directed at honor and baseless accusations as the most serious professional errors.” This rule is included in the ethical codes of many countries.

#### **g. The Right of Reply and Correction**

The media is obliged to give the right of reply and correction to those subjected to allegations and accusations. In fact, this rule is also directly related to rules covering objectivity, neutrality and the limits of criticism. The right of reply allows individuals to respond to allegations and accusations about them and to prevent one-sided information, while the right of correction allows those who are the subjects of false or misleading news to explain the facts. These rights are considered as the most effective weapons in the hands of individuals against a powerful press.

#### **h. The Rejection of Financial Journalism**

One of the ethical codes adopted by professional organizations around the world is the ban on financial journalism and the acceptance of gifts and travel opportunities from public and private institutions in return for articles.

Virtually all ethical organizations share the concern that the provision of gifts, travel etc. to journalists by public and private organizations is directed at purchasing



favorable articles in the media about a person or organization and that acceptance of such offers jeopardizes their independence.

The rule of the American Professional Journalists Association on this issue is as follows: “Journalists should reject gifts, favors, free travel and special treatment and should avoid second jobs, political connections, public office and service in non-governmental organizations which would jeopardize their journalistic integrity.”

#### **i. Ensuring that Institutional Interests do not Take Precedence over the Facts**

In many countries media bosses also have interests beyond the media. It is known that they use their media assets to facilitate such activities. For this reason, journalists, who are committed exclusively to providing the public with information, should avoid such relations. In this context, the provision of news or the suppression of facts in accordance with the interests of advertisers is incompatible with ethical codes.

The American Professional Journalists Association code on this issue is noteworthy: “Journalists should reject the expectations of advertisers and private interests relating to favorable news and should resist their efforts to influence news.”

#### **j. Opposing Terrorism, Violence and Pornography**

There are legal provisions as well as ethical codes of professional organizations in many countries relating to the coverage of terror, terrorism, crime and criminal gangs which establish limits and responsibilities for journalists.

While the American Professional Journalists Association’s code on “not publishing articles encouraging crime and misdemeanor” establishes a general limitation, one of the country’s biggest media groups, CBS News, has chosen to outline its own code for its personnel in covering such events. These are:

During a terrorist incident, the demands of the terrorists should, if possible, be conveyed by correspondents. They should not be given directly by the terrorists themselves.

Other than in exceptional circumstances or with the approval of the institution's president or vice president, kidnapping and forcible detention should not be covered live,

When members of the press know where the terrorists are keeping hostages, they should not contact the perpetrators and should assist the authorities in such circumstances,

The members of the press and the police should exchange the names of superiors to be contacted when necessary at the very outset of an incident,

Terrorist incidents should be covered in a balanced manner without displacing the other news of the day.

Many western countries, and especially the US and Britain, are particularly sensitive about the presentation of news on terrorism because of past experience. The claim by former British Prime Minister Margaret Thatcher that the media provides the publicity oxygen needed by terrorists received wide coverage and prompted very serious debate.

Violence, especially when directed against women and children, is one of the most controversial issues in current discussion of media ethics. It is frequently claimed that, due to the development of modern technology, there has been a rapid growth in broadcasts with violent, sexual and pornographic content in new communication environments, such as the internet, video games, interactive television etc., beyond the confines of traditional media and that this is beginning to threaten the institution of the family as well as the healthy development of children. It is also claimed that as all the technical means have not become universal and such methods like filtering and access codes have not been sufficiently developed, the most important and effective control is self-regulation.

## **2.5. The Press and Self Regulation**

Self-regulation by the press involves the maintenance of professional respect, the provision of correct and reliable news and comment and what should and should not be done in order to retain the confidence of the reader.

The press, which has assumed the task of serving the public interest, has been obliged to find answers to the moral questions and contradictions it has encountered in its daily functions and 'self regulation mechanisms' have come into operation in its search for solutions. The first mechanism is the determination of professional ethical codes.

The ethical codes of the press are composed of the entirety of the principles ensuring objectivity in news, the primacy of the public interest, the confidentiality of private life and news sources, the avoidance of the provocation of violence and conflict as well as of discrimination.

In democratic countries, these ethical codes have their origins in professional traditions, legal decisions and principles established by such organizations as Press Honor Boards or Press Councils. The press ethic codes also interact with legal provisions. Although ethical codes may have legal foundations, unlike the latter they do not have compelling provisions. The ideal situation is a consensus on these codes between journalists, newspaper owners, press associations and the public. The effort by a journalist to implement these codes, or at least to engage in an individual endeavor in this direction, is an important step on the road to establishing 'collective implementation.'

The effort to establish written ethical codes in journalism began with the creation of professional associations. These associations as well as the societies and trade unions that were formed at the beginning of the century referred to basic ethical principles in their declarations. Later, the press-media organs began to determine their own ethical codes. However, when they are compared it is clear that there are great similarities. They generally indicate the correct mode of conduct for journalists on receiving gifts, free travel and the rectification of errors in news. It could be argued that the codes do not have much influence as they do not have the power to compel. There are also those who claim that while such codes have influence over those with a degree of professional responsibility, they have none over those who need moral guidance. However, with the development in the level of professional education and culture, more journalists feel the need for such codes and accept their direction. (Alemdar, 1990: 25)

### **2.5.1. Press Councils**

Press councils are the principal self-regulatory mechanisms in many parts of the world. The very first press council was set up in Sweden in 1916, with the aim of promoting high standards of conduct in journalism. The Swedish Press Council was complemented in 1969 by the establishment of the office of Press Ombudsman, which deals with complaints against newspapers and decides whether to refer them to the council.

The press council includes the representatives of the public as well as of the press and has the power to issue adjudications which must be published in the paper concerned. It also has the power to impose small fines. The German equivalent of the Swedish council was instituted in 1956, although its legitimacy has been seriously called into question in recent years.

However, the most common model in Europe is that of the British Press Council which came into being as the General Council of the Press in 1953 with the twin objectives of preserving the freedom of the press and encouraging high standards in journalism. This council, which is financed by the 'industry' itself, is essentially voluntary and comprises members of the press as well as the public.

Until the 1980's, the performance of the press councils was considered satisfactory. Subsequently, criticism of newspapers, particularly of the tabloids, began to grow. They were perceived to be both careless with the truth and inventive. Such criticism was intensified by the events that followed the Falklands War.

Despite public reproach of tabloids for regular accounts of the sexual activities of prominent individuals, particularly in the entertainment profession, these continued to be published without regard for the privacy of the people concerned. There was a widespread belief that, in addition to publishing intrusive articles, newspapers often disseminated inaccurate information with little opportunity for corrections.

It is interesting to note that while opinion polls suggested public disapproval, this did not seem to affect consumption patterns as the circulation of the tabloids stayed high. Moreover, the press council seemed unable to intervene and was perceived to be impotent. Consequently, parliament set up a committee to inquire into "Privacy and Related Matters" under the chairmanship of a barrister, David Calcutt.

The Calcutt Committee recommended that the Press Council should be dissolved and replaced by a new Press Complaints Commission (PCC). The PCC duly became operational in January 1991. It created a code of practice the provisions of which were supposed to cover all newspapers and magazines which had collectively participated in drafting it, as well as in the establishment of the PCC.

This is often regarded as the last attempt by the press at self-regulation in order to avoid the imposition of the statutory tribunal suggested by the Calcutt Committee. The Code of Practice declared “All members of the press have a duty to maintain the highest professional and ethical standards” while noting that the code “both protects the rights of the individual and upholds the public right to information”.

In the mid 1990’s, there were around twenty press councils in the European countries with some of them also covering broadcasting. The situation in North America was different. Although a national council functioned in the US from 1973 until 1984, it collapsed after a sustained campaign led by the New York Times which evoked ‘the First Amendment’ in its opposition to any regulatory mechanism. However, in Canada a number of press councils were established in most of the provinces modeled on the British Press Council.

The number of complaints is an indicator of public interest in press councils. In order for the press councils to exercise effective control, it is necessary for its members to be appointed by independent press institutions and for the majority of journalists to be represented. However, the ability of press councils to influence the publishing policies of newspapers is limited. Some complaints are repeated with annoying frequency which suggests that these councils are satisfied with superficially criticizing those who do not follow the ethical codes rather than in opening these codes to renewed discussion. (Pritchard, 1992)

### **2.5.2. Ombudsman**

The third self-regulatory model is that of the ombudsman which was first established in Sweden. An ombudsman is someone who receives and evaluates the complaints of readers relating to the press and finds solutions to eradicate tensions between the press and the reader. He is responsible for investigating readers’ complaints about the accuracy, veracity, balance and quality of published news stories. At the end of his

investigation, the ombudsman produces appropriate suggestions and responses to clarify stories or to correct errors. Some newspapers use titles such 'readers representative', 'readers advocate' or 'public editor' instead of ombudsman.

The concept of an ombudsman has its origins in Japan. When Asahi Shimbun was about to start mass circulation publishing in 1938, its management established a committee of experts to examine the quality of the paper. In 1951, this was transformed into a complaints committee to hear the complaints of readers and to discuss them with the editors on a daily basis. The first appearance of an ombudsman in America was with the Courier Magazine in Louisville, Kentucky and the Louisville Times in 1967. These two local publications also initiated in the same year a column titled 'corrections' in which they acknowledged errors and informed readers accordingly. This method was subsequently adopted by hundreds of American newspapers. (Alemdar, 1990: 30)

The characteristic which establishes the independence of the ombudsman is his special status which separates him from the journalists. He functions without any responsibility towards either the owner of the newspaper or the executive editor. The ombudsman conveys his criticism, readers' complaints and occasionally his recommendations to journalists and the executive editor through a letter published on a weekly basis. However, in order to ensure the constructive nature of such criticism, all journalists, columnists and those with responsibility in the editorial team are given assurances that the criticisms do not constitute threats. The ombudsman cannot accuse or punish anyone for his mistakes. Those criticized by the ombudsman endeavor not to repeat their mistakes.

## **CHAPTER 3**

### **JOURNALISM AND ETHICS IN TURKEY**

The goal of this study is to review the discussion and implementation of media ethics across the world at a theoretical level before examining the extent to which they are implemented in Turkey. In this context, we have to begin with a review of the historical record of discussion of the media and ethics. To that end, extensive interviews were undertaken with journalists in Ankara and Istanbul on whether Turkish journalists implemented press ethics or not.

The ethical questions of the press first emerged at the Turkish Press Congress in 1935. The development which led to the convening of this congress was the plan of the Republican People's Party (CHP), which was the sole political party in the 1930's, to establish a 'Press Union' in accordance with its aim of incorporating the principles of 'Turkish reform' in the constitution.

The legislation establishing the 'Press Union' was adopted in 1938. It mandated membership for those who made their living in journalism and identified its goal as 'the protection of the honor and dignity' of journalism. However, it was dissolved in 1946 on the grounds that there 'was no equivalent' in Western Europe.

Although there were no problems in government-press relations at the beginning of the 1950's, efforts by the government to pressure the press became perceptible by the end of the decade. The 1960 coup took place just as the government was intensifying its pressure. 'Self regulation' came on to the agenda of the Turkish press after the coup.

The search for 'self regulation' to prevent journalists from being subjected to governmental restrictions first led to the Press Ethics Legislation and the Press Honor

Board. In addition to defining the duties of journalists, the legislation also included sanctions. The Press Honor Board was charged with the task of implementing the legislation. However, as it was not fully respected by the journalists, it was not able to perform its duty.

Until the 1950's, state control over the press was the norm in Turkey. Between 1950 and 1970, however, the press began to be 'corporatized.' When profits began to be made in journalism, technological investment in the press also increased. The media owners began to use the money they made in journalism in commercial activities beyond the press sector.

1980 is a turning point in the media as well as in many aspects of Turkish political life. The dominant forces, which wanted to establish order through a military coup, initiated the development and expansion of mass communications even as they enforced censorship.

The Turkish Press Council was formed in the 1980's, when the media witnessed total structural change. The Press Council, which set out with the aim of "a freer and more respected press", declared 'the Professional Ethics of the Press' to create a media environment in which ethical principles were implemented. However, the Turkish Journalists Association, which was formed in 1946, underlined its position that the Council did not represent all journalists through its own 'Rights and Responsibilities of Turkish Journalists Declaration' in 1998.

### **3.1. Professional Organizations and the Problems of Press Ethics in Turkey**

The ethical questions of the press first emerged at the Turkish Press Congress in 1935. The development which led to the convening of this congress was the plan of the Republican People's Party (CHP), which was the sole political party in the 1930's, to establish a 'Press Union' in accordance with its aim of incorporating the principles of 'Turkish reform' in the constitution.

The most important historical contribution of the Press Union was to enable journalists, who were given protection by the legislation, to become aware of their responsibilities. However, its activities were short-lived. In addition to its mandatory requirement, the most serious criticism directed at the Press Union was its perceived



opposition to the democratic and professional functions of the press as a governmental institution. (Özgen, 1998: 163)

The 1938-46 period in which the Press Union operated, was a one-party era during which state authority over the press was total. The Press Union, which was closed in 1946 prior to the transition to a multi-party system, failed to create an environment in which journalists could work freely and the press could regulate itself. A union which had the authority to solve problems relating to honor and dignity would have also had the power to expel journalists from the profession.

### **3.1.1. The Press Honor Board**

With the transition to multi-party system in 1950, Press Law No.5680 was introduced. Although the law was initially seen as opening a new page in the freedom of the press, subsequent amendments restricted its freedom to oppose.

After the 27 May 1960 coup, the issue for the Turkish press was self-regulation. Journalists had addressed the issue of self-regulation previously but due to the worsening of the relationship between the press and the government and the antidemocratic measures of the government they had shelved it.

With the suspension of the implementation of restrictions on the freedom of the press by the National Unity Committee immediately after the coup, the press 'felt free'. However, because of the 'irresponsible publishing practices' of certain newspapers, journalists were concerned that they would once again face restrictions. In order to alleviate these concerns, the Journalists Organization and the Istanbul Journalists Union convened a meeting with the newspaper owners and reached an agreement on the establishment of 'a self regulation mechanism'. Abdi İpekçi described the conditions of the era at the May 21-24, 1968 symposium organized by the Journalists Association, the Turkish Press Institute and the Economic and Social Studies Conference Delegation in the following way:

*The National Unity Committee had suspended the implementation of all measures restricting the freedom of the press and newspapers enjoyed great freedom. Other than the nature of the regime ushered in by the coup, there was no limit or pressure. Some newspapers*

*and magazines took advantage of this situation and began to publish stories about members of the overthrown regime without any responsibility whatsoever. The newly-won freedom had quickly been abused. The continuation of this situation would have created the impression that the Turkish press was not worthy of freedom leading to a reinstitution of restrictions.*

The journalists and newspaper owners who gathered to celebrate Press Day on July 24, 1960, proceeded to conclude the Press Ethics Code. They also adopted a document establishing the foundations of the Press Honor Council. 132 press and professional organizations endorsed the Council.

The goal of the Press Honor Council was to bring into operation the Press Ethics Code and thus to activate a self-regulatory mechanism. By adopting the Press Ethics Code, journalists were acknowledging for the first time the framework of their profession. While reminding journalists of their duties, the regulations also defined what were unacceptable. The following activities were declared to be beyond limits:

The use of the profession of journalism for immoral personal goals and interests and against the public interest

The publication of pornographic material

The use of profanity

Unjustifiable targeting of honor and dignity

Exposure of people's private lives in a demeaning manner without any public interest

Libel and innuendo

Abuse of religion

Deliberate slanting of facts

The inclusion of personal opinion and views in stories

The publication of information provided on a 'confidential' basis in the absence of overwhelming public interest

Distortion of the contents of a story in headlines.

According to the regulations, the duties of a journalist were as follows:

Investigating the veracity of suspicious aspects of stories within the limits of journalism prior to publication

Protecting the confidentiality of news sources and respect for secret information provided.

Adherence to embargoes

Clearly identifying publications of an advertising nature in a manner that leaves no room for uncertainty.

Publication of legitimate responses and corrections as quickly as possible in a manner which eradicates the effects of the incorrect items.

Through Press Law No.143 and Press Law No.212 also adopted during this period, guaranteeing the right of compensation, the freest atmosphere in Turkish press history was ensured. A newly- created Press Advertisement Council liberated advertising and announcements, which constitute the most important source of revenue for the press, from the arbitrary measures of politicians.

The Press Honor Board was a voluntary professional institution and membership in it required a written covenant. While seven of its members were chosen from among journalists by press institutions, the remaining three comprised an advocate belonging to the bar association, a professor from Istanbul University and the most senior criminal judge.

The board, which was created with great dynamism, was ultimately unsuccessful because of its shortcomings which emerged over time. The decision of the Turkish Daily Political Newspapers Owners to end their backing left the burden of professional support solely to the Journalists Association and Union and thus effectively ended its ability to function.

The Turkish press, unlike the European press, always needed the support of the state and lacked the necessary traditional framework and understanding to operate a self-regulatory mechanism. It did not even have a habit of following rules. Another shortcoming stemming from the structure of the board related to its public revelation

of the names of those guilty of breaching the Press Ethics Code without the power to impose sanctions. If it had been empowered to also defend the rights of those who worked in the profession in addition to reviewing them, it might have had the support of the members of the press and been able to survive. (Özgen, 1998: 177)

The presentation of Abdi İpekçi, who had participated in the establishment of the Press Honor Board, at the May 21-24, 1968 symposium on ‘The Self Regulation Experiment of the Turkish Press’ clearly outlined both the reasons for the formation of the board as well as its problems. İpekçi stated, “The Board, which was established after the adoption of the ten article Press Moral Code, was simultaneously establishing restrictions, while burdening the members of the press with certain duties they had to follow”.

Before the end of its first year, the Board had become powerless in preventing irresponsible publications because of its inability to obtain the necessary respect, as well as the failure of its only weapon of exposure. The effort by the Board to increase its power of sanction only provoked a negative reaction from members, prompting resignations.

In his book, *Self Regulation in the Press*, Sulhi Dönmezer outlines the reasons for the failure of the Press Honor Board in the following way:

Its failure to earn affection and prestige because it was merely an institution imposing sanctions.

The lack of effectiveness of its ‘exposure’ sanction

The negative effect on newspapers and periodicals of the implementation of Article 49 of Law No.195 restricting advertisements leading to revocations of covenants by the newspapers

The financial difficulties of the Board

The failure of the Board to follow the increasing number of infractions

The inability of Turkish public opinion to exercise effective supervision over journalists who contravened the Press Ethics Code

The absence of certain moral standards in the Turkish press as a cultural legacy passed from generation to generation

The ineffectiveness of sanctions to be applied to members of the press because the publications of the period were essentially under the control of owners.

The final part of Abdi İpekçi's 1968 presentation is noteworthy as it stresses the vital importance of press ethics in the press:

*Although the Press Honor Board initiative ended in failure, it is nevertheless an important initiative in the history of the Turkish press. This experiment showed that the codification of press ethics did not ensure their acceptance and implementation by journalists, while also showing that education, framework, democracy and traditional understanding are as important as press ethics and that these were not given sufficient importance by the Turkish press. (Özgen, 1998: 181)*

### **3.1.2. The Press Ethics Codes of Journalists (1972)**

The self-regulatory efforts of the press continued after the failure of the Press Honor Board and on 14 February 1972, the Turkish Journalists Union endorsed the Press Ethics Codes of Journalism adopted by the International Press Institute.

The codes, which comprised nine main articles, constitute the second basic document in the field of press ethics after the Press Ethics Code. The basic characteristic of these codes was their construction on the principle of the commitment of journalists to their implementation. They were as follows:

The journalists are obliged to show care in providing accurate and factual news to the public. They have a duty to check the details of the news. The deliberate change or omission of important points is unacceptable.

Journalism should serve the public interest. The pursuit of personal gain and the provision of an advantage to a private interest are incompatible with the profession of journalism.

Articles which attack honor and dignity or contain unjustified accusations, innuendo, insult and quotations without permission and the acceptance of gifts are serious professional misdemeanors.

The possession and demonstration of goodwill in favor of the public is at the foundation of journalistic duty. Those who publish demonstrably incorrect news are obliged to immediately correct them.

A journalist should only accept an assignment only if he can maintain his dignity and objectivity as he carries it out. The author of a story or comment assumes full responsibility for it unless he can guarantee its veracity.

It is essential to respect the honor and dignity of everyone. The publication of news and comment about someone's private life, which can damage his honor and dignity, is forbidden. Such publications are only permitted only if they are in the national or public interest. When such a news item is published, the person mentioned in the publication must be given the right of reply.

Only journalists with information that enable them to interpret events in other countries in a clear and neutral manner should be permitted to describe and analyze events there.

A journalist should use honorable methods in obtaining news or photographs.

### **3.2. The Changing Media Environment, Monopolization and Ethical Codes**

Until the 1950's, state control over the press was the norm in Turkey. Between 1950 and 1970 the press began to 'corporate'. When the press sector became profitable, technological investment in the press also increased. The owners began to use the money they made in journalism in commercial activities beyond the press sector.

1980, is a turning point in the media as well as in many other aspects of Turkish political life. The dominant forces, which wanted to establish order through a military coup, initiated the development and expansion of mass communications even as they were enforcing censorship.

There was massive investment in the 1980's in the communications industry, which occurred while investments in other sectors of the Turkish economy were in decline. In the second half of the 1980's, PTT generated only one per cent of Gross National Product (GNP) as investments in communication technology in both the private and public sectors were peaking. In fact, the investment in communication infrastructure amounted to four per cent of the total Turkish capital market and ushered in major changes in the Turkish media.

The process, which began in the 1980's, had totally transformed the Turkish media sector by the 1990's. Today there are 3500 newspapers and magazines in Turkey, one in six of which are national. A major portion of the national press has access to advanced technology. There are also 1150 radio stations, of which 30 are national, and 261 television channels, of which 16 are national, 15 regional and 230 local, which function on a regular basis.

### **3.2.1. The Changing Nature of Media Ownership**

The most important aspect of the change in the media environment relates to ownership and the nature of financial investment in the sector. Although radio and even television broadcasting with lower financial outlay appears possible because of technological advances, the competition in the sector and the necessary infrastructure necessitate exorbitant financial investment. Accordingly, profitability in the sector is directly dependent on the possession of major financial means or such backing from other sources with their own aims. The new media owners come from either the banking or construction sectors. Often they are in both. The only serious rival to these groups is the Islamic media backed by Islamic finance. In short, the capital accumulated by those whose profession is not journalism outside the press sector has now established dominance in the media. The process through which the press has been restructured by external capital is explained below.

The Doğan Group, which publishes Turkey's 'best selling newspapers', is also active outside the media in banking, textiles, insurance, tourism and automobiles. The group, which comprises such companies as Doğan Holding, Dış Bank, Ray Insurance, Milpa, Pen Tourism, Hür Imports and AD Publishing, has also joined İş Bank in purchasing a public company, Petrol Ofisi (POAŞ).

The private channels with the highest number of viewers, Kanal D and CNN-Turk, which is in partnership with CNN International, newspapers such as Hürriyet, Milliyet, Radikal, Posta, Fanatik and Gözcü, magazines such as Hafta Sonu, Tempo and Ekonomist and radios such as Radyo Foreks and Hür FM, all belong to this group. The Group, which also owns the Doğan News Agency, acquired Turkey's first English-language newspaper, the Turkish Daily News, in January 2000. More recently, the Dogan Group became a partner in Cine-5 and bought Star TV after its acquisition by the state from the Uzan Group. (Sönmez, 2002)

Dinç Bilgin, the boss of the Bilgin Group, which did not stray from the media sector until 1997, comes from a family with roots in journalism. Bilgin, who published Yeni Asır newspaper in Izmir, moved to Istanbul in mid 1980 and began to publish Sabah. The group also published such newspapers as Yeni Yüzyıl and Yeni Binyıl (both closed during the 2001 economic crisis) Takvim and Bugün and also acquired the private TV channel ATV. The Bilgin group began to decline after buying 50 percent of Etibank at the end of 1997.

Bilgin, who entered into a partnership with this privatized bank with Cavit Çağlar, subsequently acquired full ownership. In 2001, he was tried on charges of transferring the assets of the bank illegally to companies in the group and subsequently imprisoned. After coming out of prison before the November 3, 2002 elections, Bilgin engaged in serious self-criticism while his group began a 'Clean Media' campaign. Bilgin characterized his group's purchase of Etibank as 'a deviation from journalism' and acknowledged his mistake. The Sabah Group then came under the influence of Turgay Ciner's Park Holding. Ciner has also established a new television channel, 'Kanal 1' and become a partner of Cumhuriyet newspaper.

The group, which entered the media in 1990 by breaking the state's television monopoly, was the Uzan Group. The group also had İmar Bankası, Ada Bank, Çukurova Electricity, (ÇEAŞ), Kepez Electricity and Rumeli Cement outside the media sector. The Uzans, who had such private television channels as Star TV and Kral TV, then entered the press sector in 1999 with Star and Damga. The owner of the Star Group, Cem Uzan, revealed his intention to use his media assets for political objectives by participating in the 2002 elections with his own Genç Party. When the Uzan Group, which gained 7 per cent of the vote in its first election, tried to continue its opposition to the victorious party in the elections, AKP, it began to have conflicts



with the AKP government. The state ultimately determined that the Uzan Group had been involved in ‘money laundering’ and confiscated such Uzan companies as ÇEAŞ and Kepez as well as İmar Bankası. Subsequently, Kemal Uzan and his son Hakan Uzan were tried for irregular and corrupt business practices at İmar Bankası and were placed on wanted lists.

Çukurova Holding, which is considered to be one of the ‘big’ members of the media, is active in banking, construction, and industry as well as in communications. The group, which was forced to transfer to the state its Pamukbank and Yapı Kredi Banks during the 2001 crisis, continues its activities in the media sector with Akşam, Güneş and Tercüman newspapers, as well as with Show TV, Digitürk and Sky Türk television and Show Radio.

There is also the ‘Islamic media’ group. The first name that comes up in this category is Enver Ören. İhlas Holding, which he owns, comprises many firms such as İhlas Finance, İhlas Marketing, İhlas Trading, İhlas Foods and İhlas Fairs. İhlas Finans was taken over by the state in the 2001 crisis. The group has İhlas News Agency (İHA), TGRT television, TGRT FM radio and Türkiye newspaper as its media outlets.

Feza Publishing, which is managed by the Fethullah Gülen community, constitutes the other major Islamic media group. The group has the financial backing of Asya Finans and includes Zaman newspaper, Aksiyon magazine, Samanyolu television and various magazines with an Islamist inclination. The other groups in the Islamic idea worthy of attention are the Albayrak group that controls Kanal 7 television and Yimpaş Holding which is close to AKP and owns Yeni Şafak newspaper.<sup>1</sup>

### **3.2.2. Concentration in Media Ownership and Media Ethics**

Investment from outside the media has altered the structure and function of the media institutions. The most important change that occurred as new management models were developed in accordance with the changed situation is the virtual disappearance of the division between the editors and the owners as the priorities of the owners gained full domination. It is inevitable for a giant institution operating within market

---

<sup>1</sup> Solmeclis, “The Media Working Group Media Review Report” (December 2003)

conditions and committed to profit maximization to also pursue a publication policy in accordance with a certain market strategy. In order to implement such a strategy, editors sit on the ‘boards’ established in media institutions and bear responsibility for the maintenance of publication policy within a market strategy determined by the owners.

The additional new identities of editors also legitimize in their minds ‘the pursuit of business interests’ for their corporations with the government or bureaucrats. In this process, the understanding that in order to ensure free and democratic communication in accordance with all accepted norms, ‘editorial’ decision-making has to be free of the influence of sponsors, advertisers and the authority that controls public funds (political authority) is being sacrificed to ‘market rules’.

The trend towards monopolization has acquired a new momentum in a media driven by market forces and restructured by market conditions. It is patently clear that the increase in the number of media institutions and publications does not indicate a wider dissemination of different views and ideas, that is to say, of pluralism. Of the 28 newspapers with national distribution, 16 belong to three groups (Doğan, Bilgin and Çukurova) which account for 84 per cent of the market. (Kaya, 1999: 633)

It is difficult to even speak of freedom of press when there is monopolization. The monopolies that dominate the media are able to manipulate the entire communications process in accordance with their wishes. Needless to say, the media should be utilized for the public interest and entertainment of all citizens and not for the personal interests or profit of those who possess political or economic power.

Monopolization hampers the acquisition of accurate information by the public and impedes the development of pluralism in ideas as well as democracy. It also restricts the number of jobs in the press sector, leading to increased unemployment, while prompting arbitrary policies relating to social rights and employment security. As the powerful financial forces outside the press sector gradually assume control over the press, there is a negative effect on press freedom. (Engin, 1999: 28)

The publication by the monopoly groups of many newspapers does not mean pluralism. The same views are being conveyed merely in different words and, in addition to failing to contribute to democracy, the creation of a single source of information damages ‘the public right to have accurate information’. The statement

by former Prime Minister Bülent Ecevit in 1999 reveals the extent of monopolization in our country:<sup>2</sup>

*The attempts by businessman with covert underworld or gang links to purchase various media institutions or banks at exorbitant prices may be part of an effort to gain control over the media and financial sectors, as well as of money-laundering operations. This cannot be permitted. Unknown individuals are entering the media and the financial world at a great cost. This is tantamount to gaining control of the state.*

Institutions that should be rivals cooperate in areas where rivalry ought to be at its sharpest, for example in advertising and circulation. Another ‘cartel-like’ method revealed by many journalists and not denied by media owners is an agreement that a media institution should not hire a journalist who leaves another.

It would not be wrong to say that journalists in contemporary Turkish media fall into two basic categories: (Kaya, 1999: 633)

*On one side there are the columnists or ‘star’ editors drawing astronomical salaries, who do not have contracts in accordance with press laws, as they have ‘good ratings’ or ‘raise circulation’. We watch in amazement as they quickly and fully adapt to the role of business executive pursuing business opportunities for their bosses and thus legitimizing their positions beyond the identity of a journalist. There are also others who have no rating or circulation appeal but continue to be in demand in ‘the marketplace of journalism’ because they are able to utilize their journalist identity and contacts for the advantage of their companies. The use of their identity as a journalist for direct personal gain by others is a matter of complaint by their colleagues. The other category, an overwhelming majority, comprises journalists, the ‘amateurs’ of the profession, who have no job security and receive salaries that are not only incomparably lower than that of the stars in the first category but also below standard market levels. While the journalists in the first category are being alienated from the values of journalism, the majority of those in the second are being alienated from the practical methods of their profession. Opinion polls confirm the shrinking credibility of journalists. In sum, what*

---

<sup>2</sup> Günçkiran Bülent, “Medyayı Nasıl Bilirsiniz”, Cumhuriyet Gazetesi, Sayı: 663, Aralık 1998

*is being lost is the profession of journalism and the contribution it could make to society.*

It is natural for the income of journalists to be in proportion to the contribution their work makes to the institutions where they work and for some to be paid less than others. However, if the salaries of some journalists are even higher than their equivalents in the richest countries, then it is necessary to be concerned about the existence of ‘a media aristocracy’ based on big payments rather than on professional principles.<sup>3</sup>

The lack of reaction by the journalistic community because of its emasculation by the owners, has only served to embolden the owners. They use their institutions for advertising, blackmail and low-interest credit bargaining with governments without any concern for press ethics. The tightening control exercised by the financial world in the press sector and the entry of those active in other sectors into this sector have also led to the de-unionization of the press sector employees in front of the owners.<sup>4</sup>

Employment and social security are the most basic rights of those who work in the media. However, the fact that Press Employment Law No. 212 does not cover most journalists is important evidence of the denial of their social security. The majority of journalists are hired in accordance with Labor No. 1475 or employed under temporary contracts without any insurance or permanent position.

The majority lack job security. Despite its admittedly limited provisions, the new Labor Law No. 4587, which came into force after its publication in the Official Gazette on 10 June 2003, included provisions of job security but because of the opposition of media owners, journalists are unable to join a union. In at least one major media group for example, only 60-70 journalists are members of the Turkish Journalists Union, with the remainder reluctant to join because of fear of dismissal. In fact, a number of media owners have taken advantage of the inadequate employment provisions of Law No. 4587 to force journalists to conclude individual contracts with journalists which make working conditions even more difficult while

---

<sup>3</sup> Alpaz Şahin, “Medyada Kalite”, Hürriyet Gazetesi, 31 Ekim 2000

<sup>4</sup> Soner Şükran, “Söküğünü Dikemeyen Terzi”, Cumhuriyet Gazetesi, 13 Ekim 2000

effectively eliminating job security and all legal provisions in favor of workers since Labor Law No. 212. (Soner, 2003: 352)

The process of unionization in the profession of journalism has virtually come to an end during this period. While it is undeniable that the union movement has lost ground in the last twenty years which has been characterized by the domination of the New Right, no other sector is in the helpless state of Turkish journalism. With a few exceptions, today's unionized journalist is an unemployed journalist. It is undeniable that this situation also directly affects the attitude of the media towards trade unions. As the union movement is being eliminated, 'societies' are becoming widespread. In addition to 'the Journalists Association', there are a growing number of societies based on areas of activity. A society is being formed for virtually every specialized page in a newspaper. These societies focus more on the pursuit of individual hedonistic interests beyond the confines of the profession than on its structure or ethical principles. Their primary goal is to obtain a share of what can be wrested from public funds through special links with the dominant political and economic elements. (Kaya, 1999: 634) The contents of the media coverage have also been directly affected by the changes in the sector. As the principles and values that gave direction to the profession have changed, professional methods and products have also changed. The first of these is the disappearance of the division between news and comment. Moreover, while news is being provided in commentaries, news coverage has been reduced to little more than entertainment for the sake of greater circulation. When one also takes into account the inadequacies of journalists and the willingness of editors to interpret their responsibility as not just filling their time with enjoyable activities but in 'wasting time', it is difficult to describe the picture that emerges in an academic manner.

### **3.2.3. The Turkish Press Council and Press Ethics**

The Turkish Press Council was established in the 1980's, when the media was going through fundamental structural change, as a result of the initiatives of Oktay Ekşi, who is chief columnist at Hürriyet in addition to being the President of the Council. The Council found itself fighting outside the sector to prevent the censorship and closures ushered in by the military regime while endeavoring to deal with the

practical and structural problems created within the sector by the growing corporatization and the emphasis on entertainment.

The Press Council, which set out with the slogan ‘a freer and more respected press’, wanted to be a defender of press institutions and, when necessary, of journalists in contrast to the Press Honor Board which focused on sanctions. There was a consensus that the Council should have the capability and authority to solve press ethic infractions without recourse to outside intervention. Journalists who participated in two meetings in 1986 at the invitation of Press Council President Oktay Ekşi formed a nine-member working group. This group, which included Hasan Cemal, Güneri Civaoglu, Yalçın Doğan, Oktay Ekşi, Teoman Erel, Orhan Erinç, Yurdakul Fincancı, Güngör Mengi and Rauf Tamer, participated in a number of meetings.

The journalists, who backed the idea of ‘forming a press council’, prepared a draft that was sent to 294 journalists and then finalized in the light of their responses. In addition, Oktay Ekşi was given the task of preparing another draft after reviewing the Press Principles in various countries. After extensive discussions, ‘The Code of Professional Ethics of The Press’ and ‘the Press Council Agreement’ were prepared and sent to 400 journalists. 141 among them who said “I support this initiative and want to be a founding member of the council”, gathered in Istanbul on February 6, 1988 to establish the Press Council.<sup>5</sup>

As the Press Council Agreement adopted by the members specified, three boards – the Council Members Board, the Representatives Board and the High Board – and the General Secretariat carried out the functions of the Council. The institution which dealt with applications to the Press Council, the High Board, was empowered to warn and deplore as it saw fit and to convey its decision to all affiliated institutions.

The Code of Professional Ethics of The Press consisting of 16 articles relating to the professional responsibilities and codes of conduct of journalists is as follows.

*Considering the Freedom of Communication in our country as the basic precondition of achieving human dignity, open government and democracy;*

---

<sup>5</sup> Dept interview with Oktay Ekşi, İstanbul, January 2005.

*Pledging with our own free will that we shall struggle whenever and wherever necessary against all restrictions concerning Freedom of Communication generating from the lawmakers or other organizations and individuals;*

*Accepting the Freedom of Communication as an instrument of the people's right to know the truth;*

*Assessing that the main function of journalism is to discover the facts and to communicate them to the public without distortion or exaggeration;*

*Reiterating our rejection of any external interference over the activities of the Press Council;*

*We, the journalists, declare to the public that we will observe the following Code of Professional Principles of the Press as a corollary of our aforementioned fundamental beliefs:*

1. No person shall be denounced or ridiculed in publications on the account of his race, sex, age, health, disability, social status or religious beliefs.
2. Nothing that restricts freedom of thought, conscience and expression or is damaging or offensive to public moral, religious sentiments or the foundations of the institution of family shall be published.
3. Journalism is a public function and shall not be used as a vehicle of immoral private pursuits and interests.
4. Nothing that humiliates, ridicules or defames private or public persons beyond the limits of fair criticism shall be published.
5. Private lives of individuals shall not be reported except when made necessary by the public interest.
6. Every effort shall be made to ensure that news stories that can be verified through normal journalistic channels shall not be published before investigation or shall not be published (broadcast) before a thorough assessment of its validity.
7. Information given on condition of confidentiality shall not be published (broadcast), except when made urgently necessary by the public interest.

8. A media item produced by a medium of communication shall not be presented to the public by another medium or communication as its own until completion of its distribution process. Attention shall be paid to ensuring the citation of the source of items received from news agencies.
9. No person shall be declared "guilty" until he has been tried and convicted by judicial authorities.
10. Those actions deemed criminal by laws should not be attributed to individuals without reasonable and persuasive evidence.
11. Journalists shall protect the confidentiality of their sources, except in circumstances where the source is deliberately trying to mislead the public for personal, political or economic reasons.
12. Journalists shall refrain from doing their duty with methods and manners that may be detrimental to the reputation of the profession.
13. Publication of material that is conducive to violence, offensive to human values and the use of force shall be avoided.
14. Paid announcements and advertisements shall be presented in such a way that leaves no room for doubt about their true nature.
15. Embargoes on publication dates shall be respected.
16. The press (media) shall respect the right of reply and correction arising from inaccurate reporting.”

When these codes are compared to those adopted through the creation of the Press Honor Board in 1960, there are clear differences. To begin with, they identify the goal of struggling against existing restrictions on press freedom and the right of the public to be informed before the definition of professional principles. In addition to describing the professional principles in greater detail than in 1960, they also comprise codes of behavior required by modern life such as avoiding discrimination based on religion, race, gender or class. However, both chose to include representatives from outside the press in their organizational frameworks.



From the first day of discussions on its formation, differences emerged between journalists on the Press Council. The Turkish Journalists Union and the Modern Journalists Union, for example, opposed the initiative and advised their members against joining it.

Some of the journalists resisted because they did not understand the concept of a press council. Others argued that ‘there was no need when there was a solid organization like the Turkish Journalists Association’. In fact, the Turkish Journalists Association participated in the eighteen months of discussion which preceded the formation of the council and the current president, Orhan Erinç, served as its representative.<sup>6</sup>

Nail Güreli, Uğur Mumcu, Oktay Akbal, Rahmi Turan and Ali Sirmen led the journalists who opposed the Press Council. Their opposition stemmed from concern that such an initiative would further worsen the situation following the many restrictions on the press. They held the view that emphasis should be put on a struggle for freedom in the press.

According to Oktay Ekşi, the Council did not introduce ‘new’ codes but merely ‘activated’ principles that were already known and respected by every journalist by putting them into written form. Ekşi argues that the Council did not ‘punish’ journalists but on the contrary ‘encouraged’ them to adhere more closely to professional principles. He says that the Council began its work in 1989 during which year it made 9 decisions.

The Council also took complaints about press institutions and journalists who were not members. The Council High Board chose one of the three alternatives below as it considered a complaint:

1. If there was no breach of ‘The Code of Professional Ethics of The Press’, it declared that ‘the complaint was groundless’.
2. If there was a breach, it decided to ‘warn’ the party concerned (newspaper, journalist, radio or television)
3. If there was a serious breach, it decided to ‘deplore’ the action of the party concerned.

---

<sup>6</sup> Dept interview with Oktay Ekşi, İstanbul, January 2005

Some decisions of the council caused disagreement among the members. For example, the Journalists Association President, Nezih Demirkent, filed a complaint about the executive editor of Sabah newspaper Zafer Mutlu on the grounds that Mutlu's January 15, 1990 article titled 'A Divorce Story and a Jealous Fat Man' had 'demeaned and degraded him'. After considering the complaint, the Council decided by majority vote in its February 15, 1990 meeting to warn Mutlu. This provoked Mutlu into voicing his concerns about the Council in his weekly column in Sabah and then to resigning from the council.

There was another resignation in April 1990 involving the Asil Nadir Group. After Asil Nadir had sent a letter to the publications he owned outlining the views to be defended in items about Cyprus, the Council criticized him. This led to the resignation of 8 members who opposed the decision and the withdrawal from the Council of the 3 newspapers and 10 other publications owned by Nadir. (Alemdar, 1990: 112)

According to Ekşi, the Press Council receives approximately 160 complaints a year. However, not all of these cases require action as some are withdrawn following a compromise between the parties. Consequently, the Council makes 120 decisions a year. The Council, which collects dues from its members, is able to maintain its independence and transparency and was chosen by the UN Economic and Social Committee (ECOSOC) in 2004 as a 'Special Advisor Organization' from among the press councils around the world.

However, criticism that the Council does not represent all journalists and that it is not a 'legal' organization continues. According to Nazmi Bilgin, the President of the Ankara Journalists Association, the Council was 'stillborn'. Claiming that the Council is unreliable, Bilgin describes it as a 'gentlemen's club'. Bilgin continues, "Many stories, opinion columns and photographs are published in Hürriyet contrary to our professional values. If you assume an important position and ignore these, then your reliability and neutrality become a matter of serious debate."<sup>7</sup>

---

<sup>7</sup> Dept interview with Nazmi Bilgin, Ankara, March 2005.

#### **3.2.4. The Turkish Journalists Association – Rights and Responsibilities Declaration**

The Turkish Journalists Association (TGC) was established on June 10, 1946. The Rights and Responsibilities of Turkish Journalists Declaration published by the Association in 1988 made it clear that it did not accept the Press Council codes. The organization, which included Sedat Simavi, Burhan Felek, Necmi Tanyolaç and Nail Güreli among its founders, has 3,119 members.

The Rights and Responsibilities of Turkish Journalists Declaration defines the scope of responsibility in a more comprehensive manner than the Press Council and its section on the rights of journalists is entirely different to that of the Council. The main differences are as follows. (Topuz, 1996: 203-204)

1. Its comprehensive description of a journalist in the age of communication and information is accompanied by an accurate and detailed definition of the status of the media.
2. The declaration is based not only on texts relating to journalism, but also the fundamental rights and freedoms outlined in universal human rights texts.
3. The link between the freedom, rights and responsibilities of journalists is emphasized.

Parallel to underlining the rights of journalists with respect to both news sources and employers, the declaration also stresses the need for them to assert these rights. The TGC is a professional association which functions in accordance with legal principles and has a legal personality. This status is a product not of a unique evaluation but of legal definitions. Moreover, the TGC is the only such organization with members from a wide variety of ideologies. Consequently, its approach to every issue is focused on professional principles.

The Rights and Responsibilities Declaration covers all aspects of journalism. Journalists specializing in one particular area have preferred more detailed documents because of the unique aspects of their areas.<sup>8</sup>

### **3.2.5. The Ethical Codes of Media Organs**

In recent years, some media groups and newspapers have declared their own professional codes and established self-regulatory institutions. The most noteworthy is the Publication Council of the Doğan Group with its publication codes.

The Doğan Publication Council, formed in 1999, has the task of determining the publication codes for newspapers, television, radio and magazines belonging to the group while ensuring their compatibility with the law. The Council, which is headed by Aydın Doğan, the Chairman of the Doğan Group, is composed of the representatives of the newspapers in the group. Its members are the following:

“Güneri Cıvaoğlu, Milliyet chief columnist, Hakkı Devrim, Radikal columnist, Oktay Ekşi, Hurriyet chief columnist, Doğan Heper, Milliyet board member, Doğan Hızlan, Hürriyet publishing advisor, Ertuğrul Özkök, Doğan Media Group vice president and Hürriyet executive editor and Mehmet Ali Yalçındağ, Doğan Media Group president. At the meeting convened at the Hurriyet building in Istanbul to announce the council, Aydın Doğan drew attention to the discussion of ‘ethical journalism’ and outlined the goals of the Council in the following way:

“In order to deal with the justified criticism directed at us, the Doğan Media group has decided to follow the example of the West in establishing a publication council. The message we wish to give to Turkish public opinion and to ourselves is that we are opening a new era to further improve the good aspects of the Turkish press and to correct aspects which have been criticized.”<sup>9</sup>

At the same meeting, Ertuğrul Özkök stated his ‘conviction’ that the Council would reduce the criticism of the press. The statement of the Council on June 11, 1999, drew attention to ‘the growing role of the media in society and the increase in its

---

<sup>8</sup> See, Appendix A in the References part of this thesis

<sup>9</sup> See, Hürriyet Newspaper, 12 June 1999.

responsibilities'. The statement defined the Council's area of responsibility as follows:<sup>10</sup>

The Doğan Media Group Publication Council is responsible for providing its ideas and suggestions on the institutions to the responsible parties within the Doğan Media Group.

The Council will define the codes which will be followed by the Doğan Media Group and determine whether the publication standards are in accordance with universal journalism principles, the supremacy of the law and the Constitution.

The Council will examine in a systematic manner whether the members of the Doğan Media Group are acting in accordance with these principles.

The Council will review incidents which arise, give its opinions about them and provide reports and recommendations to the chairman of the board, the president and the vice presidents of the media group.

The Council will examine issues within the group as well as outside and produce solutions.

The Council will not restrict the freedom of journalists through its codes or activities. In its evaluations and recommendations, it will exercise prudence with respect to the creativeness of journalists and their freedom in writing stories."

The Doğan Publication Council defined the publication codes of the Group after working on them for two years. These were first introduced to the columnists and then to the editorial and news departments. All the written and visual institutions in the Doğan Media Group, headed by Hürriyet, were requested to adhere to them. The 20 publication codes emphasized that the main aim of journalism was to produce information without any pressure and to convey it to the public as quickly as

---

<sup>10</sup> See, Hürriyet Newspaper, 12 June 1999.

possible. They also established certain limits while making it clear that there would be action against those who did not observe them extending to dismissal. The codes were as follows:

1. The main function of journalism is to convey to the public the most complete information available in the shortest possible time without any distortion of the truth, exaggeration or any kind of external pressure.
2. The journalist keeps his profession independent of all other interests or forces. As such, he does not actively participate in any political party. Employees who work in the departments that prepare reports dealing with the economy or finance sections of Doğan Media Group publications cannot own stocks and/or trade directly or indirectly on the stock market.
3. The journalist must avoid methods and attitudes that might debase the respectability of his title. The employees of the Doğan Media Group cannot accept travel invitations without the consent of their division heads.
4. Employees cannot accept gifts or privileges contrary to the ethics and traditions of the occupation from persons or organizations that are the subjects or possible subjects of publication.
5. No one can be disparaged or condemned on the basis of race, gender, social status, religious beliefs, physical handicaps or age.
6. Publications which limit freedom of thought, conscience and expression, or which threaten the general tenets of morality, religious feelings and the institution of the family are unacceptable.
7. Epithets and expressions which mock, disparage or falsely accuse persons or organizations beyond the limits of legitimate criticism are unacceptable. 20% of the indemnity caused by cases arising from libelous and false accusations in the columns is paid by the writer himself.
8. No one can be depicted as "guilty" unless his guilt is confirmed by the judicial system.

9. News, the content of which is within the boundaries of investigative journalism, cannot be covered without prior investigation or the reporting of the results of investigation or confidence in the accuracy of those results. Journalists who provide misleading information and/or publish inaccurate news stories are subject to sanctions ranging from a "warning" to "dismissal."
10. No one can be accused of criminal action unless credible and reasonable grounds are presented.
11. The private lives of individuals cannot be made the subject of news reporting except for cases dealing with lifestyle or with requirements of public interest, which presuppose the implicit or explicit consent on the part of the persons concerned.
12. With the exception of cases in the public interest, methods of investigation which violate civil liberties - such as the use of hidden cameras and secret audio recordings, as well as breaking into and entering private property - are unacceptable.
13. The identities of the relatives or acquaintances of persons convicted or charged with a criminal offence will not be made public unless they are themselves involved or their exposure is necessary for accurate reporting.
14. Unless it is a prerequisite in the public interest, information acquired under the condition of secrecy cannot be revealed.
15. Except in cases of intentional deception of the public, the confidentiality of sources will be honored with utmost respect and care.
16. It is necessary that the investigation, preparation and publication of news will always be carried out in a balanced, accurate and impartial manner.
  - a. The perspective of the accused party must be included in the published report. It also needs to be specified if the relevant party has not responded or could not be contacted.

- b. Quotations cannot be summarized and/or changed when there is the danger of portraying the source as incomprehensible or preposterous. The source and date must be clearly identified in all published quotations.
  - c. All public polls must be reported with the name of the polling agency, the identity of the petitioner and the financial source and the date and number of people surveyed, as well as the method of investigation.
17. Reporting that inspires or incites violence and usurpation, influences children negatively in sexual matters and inflame hatred and enmity between persons, communities and nations is to be avoided.
  18. Announcements and advertisements must be explicitly identified as such.
  19. The time limit set for publication must be observed.
  20. The rights of reply and correction of inaccurate items must be respected and necessary steps taken accordingly. To correct its mistakes, the Doğan Media Group has instituted intervention mechanisms that operate in an organized manner.

### **3.2.6. The Ombudsman or Readers' Representative**

The institution of ombudsman was initiated in Turkey with the appointment of Yavuz Baydar by Milliyet, which is part of the Doğan Media Group, at the beginning of 1999. Baydar used his weekly 'Readers' Representative' column in Milliyet to respond to complaints from readers and to criticize editors and journalists in the context of professional principles. Baydar also published the views of the journalists responsible for the stories. Baydar joined the board of the World Ombudsman Organization in 2001 before becoming its vice president in 2002 and its president in 2003.

Due to a disagreement with the management, Baydar resigned from Milliyet and began to perform a similar task at Sabah. While underlining the importance of ensuring the independence of an ombudsman, Baydar nevertheless considers being



paid by the newspaper as normal. Baydar states the following about his resignation from Milliyet: <sup>11</sup>

*How the independence of an ombudsman is guaranteed is important. This is directly related to the existence and contents of an agreement between the ombudsman and his employer. I initiated the practice of having an ombudsman in Turkey at Milliyet. Unfortunately, I could not get the employer to accept a separate agreement defining the principles of the post. A reader-newspaper conflict (on an incorrect story) grew into a crisis in which the independence of the ombudsman was ignored and this could not be overcome. The ombudsman was forced to resign. I am now focusing solely on this task at Sabah in accordance with a contractual agreement incorporating the principle of 'independence'. I am fully convinced of the benefits for our press of having an ombudsman in the 'original' model who would review in its own pages in an independent manner the 'uncontrolled' accusations, attacks and vilification frequently resorted to by the press. Having a section in which the criticism of readers are considered and discussed is, at the very least, a sign of respect for them.*

Hürriyet, Vatan and Yeni Şafak newspapers have now also appointed ombudsmen. Underlining the importance having readers' representatives in the major newspapers, Okay Gönensin, who occupies this position at Vatan, states that it should not be overlooked that they endeavor to eliminate mistakes, big or small, at newspapers:<sup>12</sup>

*The real function of an ombudsman or a readers' representative is to educate not only the journalists but also the readers. It is not the duty of the readers representative to scold the journalists but to ensure that mistakes-regardless of importance- are not repeated. Thinking of this job as being directed solely at the management of the newspaper effectively prevents its success. Having readers' representatives in the major Turkish newspapers is important in itself. It is also important to avoid the pursuit of unattainable 'ideal' systems and to concentrate on improving the current process.*

---

<sup>11</sup> See, "The Ombudsmen Speak", Radikal Newspaper, Radikal-2 Supplement, April 2006.

<sup>12</sup> See, "The Ombudsmen Speak", Radikal Newspaper, Radikal-2 Supplement, April 2006.

Acknowledging that most of the issues which arise are with the younger and middle-aged journalists, the readers representative of Hürriyet, Temuçin Tüzecan, points to the need to avoid a linkage between solving this problem and the independence of the readers' representative.

Stressing his belief that their work greatly enhances the efforts to improve the quality of newspapers, Tüzecan wants the institution to be considered from this perspective:<sup>13</sup>

*It is vital for a readers' representative to be a persuasive and respected journalist who can establish good relations. A newspaper who establishes such a position is a newspaper which recognizes that there is room for its improvement and gives priority to a more productive relationship with its readers. It is good and essential for there to be readers' representatives in Turkey and their existence has been beneficial for the newspapers which have them.*

The readers' representative of Yeni Şafak newspaper, Yusuf Ziya Cömert, who does not consider himself as a 'typical' readers' representative, states that, parallel to his task of evaluating and acting on complaints, he is also a part of the management of the newspaper. Describing an ombudsman as 'a judge who does not punish', Cömert believes that the functioning of the ombudsman in the Turkish press will become more professional in time:<sup>14</sup>

*There is naturally a contradiction in simultaneously being part of the management and reviewing our own actions. My ombudsmanship is similar to judging myself. Just as conscience is a judgment determinant in human beings, an ombudsman is a judgment determinant within newspapers. However, an ombudsman is a judge who decides but does not punish. Such a judge will improve the quality of newspapers. The system of ombudsmanship will also become institutionalized in Turkey in due course.*

---

<sup>13</sup> See, "The Ombudsmen Speak", Radikal Newspaper, Radikal-2 Supplement, April 2006.

<sup>14</sup> See, "The Ombudsmen Speak", Radikal Newspaper, Radikal-2 Supplement, April 2006.

### 3.3. The Views of Turkish Journalists on Ethical Questions

When we look at the Code of Professional Ethics of the Turkish Press Council, as well as the Rights and Responsibilities Declaration of the Turkish Journalists Association, it is clear that the ethical principles are very close to contemporary philosophy. However, beyond the acceptance of these codes as a matter of philosophy, there is a serious question about their implementation in practice.

In order to understand how Turkish journalists view ‘ethics’, ‘whether they implement ethical codes’ in their professional life and the approach of the Turkish Press Council and the Turkish Journalists Society on the issue, extensive interviews were undertaken with journalists. During these interviews, questions were directed to journalists on ‘fundamental ethical issues’, ‘their understanding of professional codes’ and ‘the basic reasons for ethical problems’.

As part of this research carried out in Ankara and Istanbul, there were 114 interviews with journalists, including administrators from Hürriyet, Milliyet, Birgün and Sabah and reporters from Cumhuriyet, Radikal, Zaman and Yeni Şafak. At the same time, there were also extensive interviews with Turkish Press Council President Oktay Ekşi, Turkish Journalists Association President Orhan Erinç and Ankara Journalists Association President Nazmi Bilgin to ascertain their attitude on ethical issues in Turkey

**Table 1. The experience and positions of the journalists interviewed.**

Journalists		
5 years of professional experience	22	19.2 %
10 years of professional experience	24	21 %
20 years of professional experience	25	21.9 %
Over 20 years of professional experience	23	20.1 %
Administrators	20	17.5 %
Total	114	100 %

As the above table shows, 20 of the journalists interviewed were administrators while 94 were reporters with varying degrees of experience. There were 5 categories comprising those with ‘5 years experience’ (22 journalists), ‘10 years experience’ (24 journalists), ‘20 years experience’ (25 journalists), ‘over 20 years experience’ (23 journalists) and ‘administrators’ (20 journalists). Despite their varying experience and positions, all the journalists interviewed agreed that ethical codes were not being implemented in Turkey. When they were then asked ‘Why not?’, most of the journalists began their response with a request that ‘their names should not be used in the study’. Consequently, while there will be references to the views of a number of the journalists, their names will be not be revealed.

When we break them down according to gender, 44 were women and 70 were men. Although there were interviews with 3 women administrators, only one of them permitted the use of her name in the study.

As stated, all of the journalists interviewed believe that journalists do not adhere to codes of professional practice. Their explanations of the reasons for this fall into 4 separate categories comprising ‘monopolization’, ‘the absence of editorial freedom’, ‘the lack of job security’ and ‘the failure to accept ethical codes’. Table 2 below illustrates this division.

### 3.3.1. The Reasons for Lack of Adherence to Codes of Professional Practice

**Table 2: The basic reasons for ethical questions according to the responses of journalists**

	Monopolization	Lack of Editorial Freedom	Job Insecurity	Non-acceptance of codes
5 years	22 (19.3%)	18 (18%)	16 (18.2%)	15 (23.8%)
10 years	24 (21.1%)	22 (22%)	19 (21.6%)	14 (22.2%)
20 years	25 (21.9%)	20 (20%)	21 (23.9%)	13 (20.6%)
20+ years	23 (20.2%)	21 (23%)	20 (22.7%)	12 (19.1%)
Administrators	20 (17.5%)	17 (17%)	12 (13.6%)	9 (14.3%)
Total	114	100	88	63

As Table 2 shows, the journalists interviewed pointed first to ‘monopolization’ in their explanation of the failure to implement ethical codes in Turkey. This underlines the extent of ‘monopolization’ in the Turkish media. The 114 journalists in the study all linked the absence of ethical codes to monopolization without any variation due to experience or gender.

For those interviewed, the second reason is ‘the absence of editorial freedom’. This view is expressed by 18 of those with 5 years experience, 22 of those with 10 years experience, 20 of those with 20 years experience and 21 of those with over 20 years experience. It is noteworthy that ‘the questioning of editorial freedom’ increases with experience. Gender is not a factor in evaluation.

The third reason given by the journalists is ‘the lack of job security’. While 16 of those with 5 years experience say that ethical codes cannot be implemented for this reason, the same response is given by 19 of those with 10 years of experience, 21 of those with 20 years experience and 20 of those with over 20 years of experience. In contrast, only 12 of the administrators accepted a link between job insecurity and the absence of ethical codes.

The fourth reason is ‘the failure to accept ethical press codes’. The number of those who give this answer decreases with the length of professional experience. It was cited by 15 of those with 5 years experience, 14 of those with 10 years of experience, 13 of those with 20 years experience and 12 of those with over 20 years of experience as well as by 9 administrators.

The expression of these views by the journalists is explained in detail under the appropriate headings below:

**Monopolization:** All the journalists stated that the basic reason for the failure to implement ethical codes should be sought in ‘the monopolization’ in the structure of the media.

It is significant that the journalists with 5 years of experience and those with longer experience are united in the view that the monopolization in the media prevents them from implementing ethical codes. Journalists with varying experience explain this situation in the following ways.

A journalist with 5 years of experience stated that it was not possible for journalists to act with ‘ethical concerns’ in a media ‘monopoly’ and that ‘nobody has the right to expect journalists to adhere to ethical codes while newspapers maintained commercial ties to other sectors.’ The same journalist described the effect of media ‘monopoly’ on journalists in this way:

“Nearly eighty percent of newspaper circulation in Turkey is in the hands of two or three media groups. These groups have televisions and banks. It is meaningless for us to expect journalists to show any effort on the issue of ethics in such a structure as they recognize that they have more important duties. A journalist who perceives the interests of the newspaper management as overriding everything else will not act ethically. Acting in accordance with the interests of the newspaper and thus retaining his job comes before ethics.”

The Ankara Representative of Sabah, Aslı Aydıntaşbaş, who also has experience of working in the American media and who had no objections to being quoted by name, stated that while American journalists work ‘independently’, this is not the case for the vast majority of Turkish journalists. Aydıntaşbaş said “A journalist works for one particular group in the system. Even if he does not act in accordance with the interests of that group, he is nevertheless identified with that group. He finds himself involved in a competition for circulation rather than in ethical concerns and nobody could question the application of ethical codes in that competition.”<sup>15</sup>

According to Aydıntaşbaş, unlike the US, where discussion of the issue of ‘ethics’ leads to such questions as independence from news sources and the receiving of gifts, in Turkey the issue is essentially reduced to one of “How can the journalists be questioned about ethics when they cannot write accurate stories?” Aydıntaşbaş, stated that certain ‘attitudes’ govern the behavior of journalists as they write stories and their media groups influence them. In her view, the journalists need ‘much more self-education’, ‘development’ and ‘being guided by the need to avoid personal conflicts and to focus on educating the public’ in order to be able to move away from this attitude.

---

<sup>15</sup> Dept interview with Aslı Aydıntaşbaş, Ankara, December 2005.

The Economic Correspondent of Radikal, Hanife Şenyüz, who has been in journalism for 23 years, stated that the dominant system in the media prevents journalists from being alone with their consciences and forces them to act in accordance with its wishes. Şenyüz argues, “A journalist who has to work in a media environment serving the interests of the owners is forced to act in accordance with the wishes of the owner in his collection, writing and presentation of articles. He believes that his articles will be printed only if he acts in this way. It has unfortunately become natural and normal for all of us to see in the articles which appear not the product of independent news gathering and research but the expression of the interests of the group.”

A journalist with 10 years experience, who works for a newspaper in ‘the Islamic Media’, agreed that it has become normal to produce articles in conformity with the interests of the monopoly structure of the media. He continued, “I am a professional journalist and write articles that my newspaper wants and will publish. There are occasions when I add comments to articles in accordance with our publishing policies. In any case, writing shapes the news. As I write articles designed for my newspaper, we sell more newspapers.”

Sedat Ergin, who was Ankara Representative of Hürriyet at the time the survey was taken and who has since become the Executive Editor of Milliyet, claimed that the monopoly environment directly impeded the adherence of journalists to ethical codes. Arguing that this left the journalist no alternative to ‘listening to the voice of his conscience’, Ergin drew attention to the primacy of questions raised by the ownership structure of the media over ethical questions.<sup>16</sup>

*In my view, the primary problem of the Turkish press is the structure of ownership in the media rather than the ethical codes for journalists. We all know that the majority of the media owners have been accused of corruption. Some have been banned from traveling abroad. Dinc Bilgin, for example, goes to the airport and upon presentation of his identity documents, the police determines by looking at his computer that he cannot travel. All this is happening because he misappropriated 650 million dollars from his bank.*

---

<sup>16</sup> Dept interview with Sedat Ergin, Ankara, January 2005.

Doğan Tılıç, who was a member of the editorial board of Birgun newspaper which was published without the backing of ‘a boss’ at the time of the survey and who is now a columnist with Birgun, claimed that the monopoly structure of the media compelled journalists to write stories in accordance with the interests of the owner. He added that ethical codes were easily ‘overlooked’ in this process.<sup>17</sup>

*Journalism is based on conveying the facts and this characteristic makes journalism an essential prerequisite of all democracies. However, the reality of the universal consolidation of media institutions in a few hands constitutes one of the biggest threats to the ability of journalists of the 21st Century to tell the truth. Unfortunately, the investments which have been made in the restructuring of the media have not been directed at improving the human resources and quality of journalism. Instead of focusing on the professional development of journalists, the changes have been directed to improving competitiveness, reducing costs and forcing journalists to work in conditions of insecurity.*

Tılıç believes that only journalists not concerned about losing their jobs through conflicts with the interests of their bosses can adhere to ethical standards:

*Ultimately what is called ethics is the perception of ‘right-wrong, correct-incorrect’ which, to a great extent, exists within us. If there is social awareness, then the individual also feels it. Errors in journalism ought to be punished but this is not happening. On the contrary, ‘errors’ are being rewarded. A discussion of ethics is nothing other than a discussion of the economy and the politics of the media. If you can write things contrary to the interests of your boss and you do not fear dismissal, then you are in pursuit of the truth. However, this seems difficult in Turkey at the moment.*

**Lack of Editorial Freedom:** The journalists surveyed drew attention to the direct influence of the monopolist structure on ‘editorial freedom’. The number of journalists who say “It is impossible for us to talk about editorial freedom in a monopolist structure’ was higher among those with longer experience.

---

<sup>17</sup> Dept interview with Doğan Tılıç, Ankara, February 2005.



While a journalist with 5 years experience, who works at Hurriyet, stated “My understanding of editorial freedom is that the editorial team which decides on the news to be published and prepares and presents them to the public should be far away from the influence of owners”, but was unable to confirm that this was what he observed at his newspaper. The same journalist also said “Editors function like the owners’ men. They never publish news stories contrary to the interests of their bosses. As a result, we also begin to conform to this system rather than to ethical codes.”

Göksel Bozkurt, the Ankara news bureau chief of Birgün newspaper, explained that he started working at Birgun because of the lack of editorial freedom elsewhere. He commented that every executive editor who believed that there was no editorial freedom at his newspaper had an obligation to force a discussion, to obtain support from the journalists and to bring it to the attention of the public:<sup>18</sup>

*Birgün is a newspaper which aims to belong to workers, employees and non-governmental organizations. It was financed by contributions from nearly four thousand individuals. It does not have an executive editor and instead has an editorial council. While the newspaper faces serious financial difficulties, everyone here is working in conditions compatible with ethical principles and not in accordance with the interests of the owner. In order for this approach to be more widespread in journalism, the other journalists will also have to act collectively.*

A journalist with 10 years experience who works at Cumhuriyet said “the media has been transformed into a pressure group. We cannot talk about editorial independence in a country where there is monopolization. There are many editors in the Turkish press who pursue publication policies in accordance with the profits of their group. Like their bosses, these editors are pursuing power.”

---

<sup>18</sup> Dept interview with Göksel Bozkurt, Ankara, February 2005. (Bozkurt has left Birgün because of its financial problems and is now parliamentary correspondent for the Turkish Daily News belonging to the Doğan Group)

According to Nazmi Bilgin, the President of the Ankara Journalists Association, the editors are totally under the control of the owners and this has the effect of accelerating the process taking journalists away from ethical principles:<sup>19</sup>

*The sole criterion for the implementation of press codes is editorial freedom and we do not have it in Turkey. No matter how many rules are established, none of them could be implemented if there is no editorial freedom in a media institution. Moreover, nobody could be punished because they are not implemented. I regret to say that the executive editors and television administrators in our country have signs behind their desks which identify 'those who could not be subjects of negative stories'. Even if you establish ethical values, they cannot be implemented. As we do not have press freedom, we can not talk about media ethics.*

**Lack of Job Security:** While underlining 'their need for job security' in order to implement ethical principles, journalists also draw attention to the fact that the system in Turkey does not provide them with such security. The more experienced journalists are more willing to raise questions relating to 'the lack of job security' than those in their early years in the profession.

A journalist with 5 years experience who works at Sabah said that he went to work each day with the fear of 'dismissal' and was 'in no position to think about ethical principles or how to apply them'. A journalist with 10 years experience working at Radikal noted that the number of journalists working at the newspaper had diminished, that the journalists were the first to face the prospect of unemployment in each crisis and that journalists lived in constant fear 'of losing their jobs'.

A journalist with 15 years experience at Milliyet described the effect of such fear on him in the following way:

"We all know that the bill for each crisis will be presented to us. The management constantly makes us aware of this. Consequently, we are forced to comply fully with their demands and to apply pressure on ourselves to do so".

---

<sup>19</sup> Dept Interview with Nazmi Bilgin, Ankara, March 2005.

Turkish Journalists Association President Orhan Erinç drew attention to the need to strengthen unionization in order to ensure job security for journalists while acknowledging the legal impediments:<sup>20</sup>

*The Union Law and the Employment Sector Directive constitute the most important legal impediments. The Union Law states that membership in press unions require employment in accordance with Press Employment Law No. 5953, in other words as a full member of staff covered by the Social Insurance Institution (SSK). However, even this is insufficient as he has to work at a newspaper, magazine or news agency. This is because the Employment Sector Directive identifies journalism in this way. Although journalists who work in television are described on paper as such, this does not work in practice. The reality is that there are many who work as journalists who are not recognized as journalists by labor law. As some of them are employed through affiliated companies under a broad employment law arrangement and others as freelance journalists paid on a copyright basis, they lose their social security rights. These journalists also do not have the right to join a union.*

The Ankara Representative of Birgün, Sedat Bozkurt, pointed to the monopoly structure of the media as the source of the problem of job insecurity. Bozkurt said, “Nobody thinks about the journalists in a media sector driven by the interests of the group. Those controlling the media remember them only when they need them to pursue or defend their interests. In such an environment it is very difficult for us to expect a journalist to adhere to ethical principles.”<sup>21</sup>

The Economic Correspondent of Radikal, Hanife Şenyüz, declared bluntly that it is impossible for journalists to obtain ‘job security’ as long as ‘the bosses’ dominate the media. She continued, “A journalist who does not have job security cannot ask ‘Where is the mistake?’. The editors who give direction to the newspaper do not engage in such questioning. As a result, it is impossible to talk about either editorial independence or the application of ethical codes in Turkey. Eventually journalists

---

<sup>20</sup> Dept Interview with Orhan Erinç, Ankara, March 2005.

<sup>21</sup> Dept Interview with Sedat Bozkurt, Ankara, January 2005. (Bozkurt, now working for The New Anatolian Newspaper belongin to Çevik family)

begin to question the system but do not find a way out of it. Journalism based on ethical codes remains a utopia in our minds.”

**The Failure to Accept Ethical Codes:** The final reason given by the journalists surveyed was ‘the failure to accept ethical codes.’ The view that they should be accepted appears to diminish with the length of experience.

The journalist who has been working for 5 years at Milliyet said that although he entered the profession as an ‘idealist’ as a result of his journalism course at university, this idealism, which incorporated behavior in accordance with ethical codes, was not ‘taken seriously’ by the newspaper management:

“Our administrators never mentioned to us which principles were accepted by the newspaper when we began to work. We are always questioned about stories which are in other newspapers but not about ours. To this day I have not heard of anyone being questioned about the veracity of the stories in the other papers.”

Sedat Ergin, the Hürriyet Ankara Representative, responded to the complaints of the journalists about management, by saying that ethics could not be established through bans or codes and that the journalist would find the true path by listening to his conscience:

“It is not possible to bring about an ethical correction in the press through laws, regulations or directives. This is above all related to the conscience of a journalist. Some people have strong consciences, others do not. Some can easily commit acts of injustice against others. This is a matter of upbringing and family traditions. The views of those accused in newspapers are never sought. A person is convicted before being tried and acquitted. The news of his acquittal is often not reported or reported as a minor item. However, that person is forced to live his life with the embarrassment of the label attached to him and is treated as a leper wherever he goes. I am trying to change this but I cannot say that I have had much success.

In order to get journalists to act with ethical concern, it is first necessary to ensure a correctly-functioning system. Nevertheless, those who do their jobs properly should be respected. At its core, ethics are a matter of conscience. In a country like Turkey

where legal standards are not sufficiently settled, it is very difficult for journalists to attain perfect ethical standards.”

A journalist with 15 years experience who works at Zaman and a journalist with 20 years experience who works at Yeni Şafak stated that they had difficulties ‘in accepting ethical codes’. In their view, there was a contradiction between the public right to accurate information and the principles protecting the right to privacy of the individuals cited in stories.

A journalist with 10 years experience who works at Cumhuriyet believes that ethics need to have a compelling dimension in order to be adopted and implemented. The journalist said, “Ultimately, all principles depend on the conscience of the journalist. However, nobody can know how compatible a journalist’s conscience will be to ethical principles.

### 3.3.2. The Ethical Questions Confronted Because of the Failure to Adhere to Professional Principles

**Table 3: Basic ethical questions according to journalists.**

	Experience					
	5 years	10 years	20 years	20(+)	Administrators	Total
Biased journalism	22 (21.6%)	23 (22.5%)	21(20.6%)	22 (21.6%)	14(13.7%)	102
Sensational journalism	21(23.3%)	18(20%)	15(16.7%)	21(23.3%)	15(16.7%)	90
News manipulation	15(18.75%)	18( 22.5%)	17(21.25%)	18(22.5%)	12(15%)	80
Invasion of privacy	17(21.8%)	13(16.7%)	19(24.3%)	15(19.2%)	14(17.9%)	78
Self-censorship	9 (14.8%)	15(24.6%)	14(23%)	13(21.3%)	10(16.4%)	61

As Table 3 shows, the ethical questions confronted in the Turkish press because of the failure to adhere to professional principles are, according to the journalists

surveyed, 'biased journalism', 'sensational journalism', 'news manipulation', 'invasion of privacy' and 'self-censorship'. While it is noteworthy that those who are comparatively new in the profession are unhappy with 'biased journalism', the dissatisfaction of journalists on this issue does not appear to diminish with greater experience. Administrators complain less about 'biased journalism' than the journalists. They also constitute the group 'that complains least' about the other ethical questions.

The second basic question for journalists is 'sensational journalism'. The length of experience does not seem to be a factor in complaints related to this issue. Those with greater experience perceive the third question, 'news manipulation', as more of a problem. The fourth and fifth questions are 'invasion of privacy' and 'self censorship'.

The attitudes of journalists to these questions are as follows:

**Biased Journalism:** Those who believe that the press engages in 'biased journalism' are led by journalists with 10 years experience. These journalists, who summarize their understanding of ethics as 'providing accurate news and ensuring that articles do not serve the interests of an individual or a group', stated that biased journalism has become a major factor in the media in which they are powerless actors.

A journalist with 5 years experience, who was an intern for 3 of those 5 years before being engaged as a full member of staff with insurance by the 'big newspaper' where he works, explained his unhappiness with 'biased journalism' in the following way:

"During our internship it was always us who were given the task of chasing stories. It was very important for us to go directly to the source of the news, to see things on the spot and then to report it. Interns were mostly directed to municipal and local news and we did what we were told. However, we always wondered why we were covering problems in the streets where a politician, an entertainer or a famous journalist when there were so many more streets with problems. Now we realize that the management of the newspaper was acting in the interests of certain individuals or groups rather than in the public interest. It was as if we were providing news to only a small portion of our readers rather than to all of them."

There does not appear to be a perceptible correlation between recognition of ‘biased journalism’ as a basic ethical problem and the length of experience. A journalist with 10 years experience, who works at Radikal, said that the news-comment division had disappeared at the newspaper resulting inevitably in ‘biased journalism’. A journalist with 10 years of experience described Cumhuriyet where he works in the following way: “For us the basic principles and values of the state are more important than any newspaper. The news stories support the views expressed in the opinion columns. In other words, we write stories which conform to our newspaper’s publishing guidelines.”

A journalist with 20 years experience said that Zaman, where he works, is aimed at a particular segment of the population which ‘wants adherence to Islamic values to be emphasized in his newspaper’. A female administrator who said “We are all biased’ defended the need for a multiplicity of views in the press and continued: “For us, an unbiased news story is one in which we give prominence to the views of the institutions where we work while also giving all other views. In any case, the reader is aware of your views which are involved in the drafting of your story.”

**Sensational Journalism:** All the journalists stated that the press was engaged in ‘sensational journalism’ through the trivialization of the news to make it more appealing to readers and thus to increase circulation.

While a journalist with 5 years of experience argued “If you cannot find and bring to the fore a sensational aspect of the story, you have no chance of getting it published”, another with 10 years of experience said “It is the same with all newspapers in the world. The journalists are in competition and the surest way of moving ahead is by acquiring greater readership by attracting their attention. The only way of keeping the interest of the reader in the newspaper alive is finding a sensational angle in the news or to add sensation to the story.” Although the journalists in both the 5 and 10 year experience groups complained about the presentation of news in this fashion, they also acknowledged that sensationalism would continue in the newspapers until the entire media abandoned this form of journalism.

A journalist with 15 years experience said “My newspaper is recognized as a very serious and influential newspaper but whenever we discuss the news with the

management we always focus on why we cannot get hold of stories appearing in newspapers like Hürriyet and Milliyet which concentrate on sensational news. In other words, we are no different to the other newspapers.”

The Ankara Representative of Sabah, Aslı Aydıntaşbaş, said “Unfortunately the Turkish reader likes sensationalism. In order to end sensationalism, it is necessary for there to be a special agreement to that effect between the newspapers and their readers. Maybe one day those who run newspapers will realize that in the long run sensationalism does not increase circulation but reduces it.”

**News Manipulation:** Almost all of the journalists said “we are trying to do our job properly but our readers prefer news that is manipulated’

A journalist with 5 years experience said that when there was manipulation of the news, it was because the interests of the newspaper owners or the journalists were involved. He continued “Everybody is writing news stories as they want. This is so common that nobody is interested in the public right to accurate information.”

Complaining about the frequent manipulation of newspapers by sources, Sedat Ergin, the Ankara Representative of Hürriyet, also drew attention to the lack of access by journalists to bureaucrats and politicians. He continued, “This is because the warped nature of the media has gradually reduced confidence in journalists. Sources believe that the news will be manipulated by the newspaper and decide to allow or not to allow access to journalists accordingly.”

A journalist with 10 years experience said that journalists are pressured by their newspapers to produce news stories virtually on a daily basis and that stories were seen not as the product of ideas but as ‘consumer items’. Consequently, journalists had no time to check into the veracity of their stories.

A journalist with 20 years experience said “There is universal suspicion of every news item in a newspaper. This should provoke concern on the part of journalists about the need to write accurate stories. However, even if he has such concerns, he is convinced that there is no general consensus on this. Consequently, his own concerns tend to be short-lived.”



**Invasion of Privacy:**

Journalists at every level of experience stressed ‘invasion of privacy’ as one of the main ethical questions of the media.

Stating that the code relating to ‘respect for the private lives of individuals mentioned in news stories’ was constantly transgressed, they underlined the need for firm rules on balancing the public right to have information with the intrusion of journalists into private lives.

An Ankara news bureau chief who noted that Article 5 of the Press Ethics Code, which states that “private lives of individuals shall not be reported except when made necessary by the public interest” covered this issue, explained the dilemma in the following way:

“The Press Council does not differentiate between famous people and ordinary individuals and looks only at whether there is a public interest in news items. The problem we face is in the definition of the public interest as journalists refer to the public interest in virtually every incident involving an invasion of privacy.”

A journalist with 10 years experience said “Giving prominence to stories about personal lives is a common tactic for all newspapers in their efforts to increase circulation. Even in serious articles, the public fascination with people’s lives is taken into account and the most intimate private details are revealed. Journalists are pressured into obtaining such information.”

**Self Censorship:** All the journalists stated that they applied ‘self censorship’ and that this constituted an ethical question as it restricted ‘the public right to information.’

A journalist with 5 years experience said “Even if I did not engage in self censorship, my newspaper would not publish news stories about the Human Rights Society as it regards it as being linked to the terrorist organization, PKK. As all of us at the newspaper are aware of the attitude of the newspaper, we do not show any interest in this society. Occasionally there are stories about it in our newspaper but these are very rare.”

A journalist with 10 years experience complained about the tendency of newspapers to act not in accordance with ‘the public right to information’ but the interests of its financiers or of the state. Noting that he had been warned by his editors that ‘not every story can be written’, the journalist said that ‘as a result, journalists are forced to resort to self censorship. They are unwilling or unable to write some things. This is clear evidence of the existence of continuing censorship at newspapers.’”

Doğan Tılıç, a member of the editorial board of Birgun, said that many issues were ‘taboo’ in Turkey and pointed to ‘civilian-military relations’ and ‘the Kurds who live in Turkey’ as examples. While acknowledging the need for journalists to stay away from these taboo subjects, Tılıç said that the journalists would continue to engage in self censorship until those controlling the newspapers broke the taboos. However, Tılıç saw signs of change in the application of self censorship in newspapers parallel to the process of adjustment to the EU. He said “Newspapers now recognize the importance of a diversity of views. The taboos are beginning to break. There is more widespread coverage of news about the Kurds. Nevertheless, there is a need for even greater transparency on these subjects.”

### **3.3.3. Evaluation**

The survey reveals that, despite existing codes relating to their profession, journalists are far from the implementation of ethical principles. The observations of the journalists in the survey confirm that ethical questions such as ‘the absence of a division between news and comment’, ‘the disappearance of the necessary distance between news sources and journalists’ and ‘the influence of private interests over the contents of news and comment’ continue to affect the press.

The journalists point to market forces as the reason for the failure to eradicate these questions. According to them, these forces lead to three deviations from ethical behavior.

To begin with, a media market stripped of regulations easily assumes a ‘monopoly’ character. The most negative aspect of monopolization in the media is the growing similarity in the contents of news and comment in newspapers, in other words, diversity was disappearing. Another negative aspect is the use of the media organs

for their political and economic interests by the owners who have gained control of the market.

Secondly, the prevailing market conditions bring with them a major competition for the attention of readers. This competition, which can be characterized as a race against time, is the reason for sensational journalism which results in a reduction in the quality of the contents of news and comment.

Finally, a media market dominated by a ‘monopoly’ structure deprives journalists of social security. In order to retain their jobs, to receive higher salaries and to be ‘close’ to their bosses in a sector which is increasingly de-unionized, journalists are freely ignoring ethical codes and perceiving such behavior as ‘natural’.

In addition to ‘market conditions-monopolization’, journalists point to ‘the lack of editorial freedom’ as a major reason for the failure to implement ethical codes. According to them, the absence of editorial freedom is directly tied to the ‘monopoly’ character of the media. The entry into the media sector of bosses with interests in other commercial sectors and their intervention in publication policies have effectively eradicated the independent responsibility of editors over the presentation of news articles and comment.

The journalists identify the other reasons for the failure to adhere to ethical codes as ‘job insecurity’ and ‘the lack of acceptance of ethical codes’. For them, the absence of job security is the direct result of the ‘monopoly’ structure of the media.

With respect to the lack of acceptance of ethical codes, the journalists stress that the management of the newspapers pay only ‘pro forma’ attention to the Code of Professional Ethics of The Press Council the Rights and Responsibilities of Turkish Journalists of the Turkish Journalists Association while ignoring the ethical concerns of the journalists. For their part, the administrators defend themselves against such criticism by underlining their view that the question of press ethics was essentially one of ‘conscience’ which could not be solved through sanctions or rules.

## **CHAPTER 4**

### **CONCLUSION**

The foundations of the professional principles of the press are the ethical codes defining the way in which the media will perform its task of communicating news and information. These codes constitute a prerequisite for the recognition of journalism as ‘the profession of telling the truth’. However, the structural transformation of the media has intensified the questions relating to the implementation of these codes.

This study was undertaken with the aim of providing an accurate picture of the practical role in Turkey of the ethical codes of journalists. It was based on the ongoing discussion at the theoretical level in the area of communication, as well as on extensive interviews with Turkish journalists.

The intensification of the debate on media ethics in Turkey as well as in the West in recent years is noteworthy. The importance of ethical behavior has now become a matter of frequent general discussion, most notably within professional organizations, academic circles and the political world.

The relevance of the current debate on ethics is underlined by the complaints of journalists, who are unanimous in the view that the public has less confidence in their profession as a result of the acceleration of the trend towards monopolization in the contemporary media which constitutes a grave threat to press principles.

In addition to its great capacity for social and political influence, the contemporary media is a very profitable area of investment. Consequently, whether the media institutions should be guided solely by market conditions is the major subject in the discussion of democracy and the media.

Critical studies on the media clearly reveal that, contrary to liberal expectations, the media is communicating news in a manner that consolidates the economic, social and ideological domination of the powerful rather instead of informing public opinion in a diverse, neutral, balanced, rapid and satisfactory manner. (İnal, 1996) There is a consensus that the media is being fashioned and directed by the market and that its traditional function of conveying news and information is being de-emphasized. With the policies of privatization and deregulation becoming widespread after the 1980's, principles relating to the public duty of publishing were abandoned and the media has virtually been abandoned to the methods of market logic.

The nature of news and information communication has inevitably been altered because of the market conditions. The acceptance of the view that news is an ordinary product has begun to eliminate the unique public service characteristic of journalism. The function of the press to 'enlighten' the public through 'the provision of news and information' and to freely contribute to its evolution has effectively been replaced by 'infotainment which is a combination of 'news' and 'entertainment'. (Tılıç, 1998) As the sole criterion of valuable service to the public is now 'the number of readers', the presentation of news stresses exaggeration and sensationalism.

The complete abandonment to market logic of the media, which has become the main instrument of ideological control and manipulation in the contemporary era, is an extremely unhealthy development for a democratic society as it takes it further away from a communication system which can freely provide it with the information it needs in daily life. (Kaya, 1999)

The end of the 1940's and the beginning of the 1950's witnessed the emergence in Turkey of mass-circulation newspapers. The new press law and the legal provisions of that era permitting journalists to organize were progressive steps. However, the same period also saw the beginning of an organic relationship between the owners of the press, which was emerging as a commercial sector, and governments.

1980 is a turning point in mass communication as well as in many other aspects of Turkish political life. The dominant forces which found a solution to the intensifying crisis in a coup, contributed to the development of the mass communication system even as they applied censorship. The measures undertaken in the area of

communication in the 1980's have produced a very different media in today's world. There are now 3,500 newspapers and magazines in Turkey, of which 1/6 are national. However, it is difficult to say that the new media environment, which is characterized by advanced technology, is contributing to the democratization of society, greater participation or social variety and diversity.

Existence and profitability in the new media sector requires the possession of great financial means. For this reason, the new media owners come either from banking or construction. What is striking is that the contemporary media is controlled by those who are active in both sectors.

As the media environment was restructured in accordance with market conditions, the trend towards monopolization also accelerated. Consequently, the increase in the numbers of media institutions and publications has not contributed to the dissemination of different views and ideas. In 2005, 1,202,254 of the 5,003,000 newspapers sold each day according to monthly statistics, in other words 24 per cent, were sold by the Dogan Publishing Company which dominates the market. However, the owner of the company, who is recognized as 'the biggest boss' in the Turkish media, has responded to those complaining of 'monopolization' by saying "They accuse me of being a monopolist, but my share of the television market is smaller than my competitors. We are in publishing for publishing's sake".<sup>22</sup>

In a sector dominated by monopolization, media institutions which should be in competition are instead cooperating in many areas, particularly in distribution and advertising. They also collude in refusing to hire journalists who resign from the other media institutions. However, if a free media is one of the basic conditions for the healthy functioning of democracy in a country, the essential requirement for journalism to be in accordance with ethical codes is the prevention of the monopolization of the media, the provision of social security for the journalists and

---

<sup>22</sup> Interview with Evren Mert Öztekin in Gorunum Newspaper, Ankara University , 2004. (Aydin Doğan, who responded to Gorunum's questions at the Aydin Dogan Foundation's caricature competition awards ceremony, defended himself against 'monopoly' accusations in the following way: There was greater monopolization in 1979 when I entered the sector. 70 per cent of the print medium belonged to the Simavi family. Now we are the biggest in the print medium and our share is around 15 per cent. There are 20 national television channels and 230 local channels. It is not possible to establish a monopoly. )

the establishment of a mechanism for editorial freedom which would protect media organs from becoming ‘the voice of the bosses’. (Irvan, 2003)

Parallel to the change in the principles and values which give direction to the profession, there is also a change in professional practices and the ultimate product. The most striking is the eradication of the division between news and comment. Even the front page has been given over to lighter news for the sake of higher circulation. The influence of the columnists brought in by the newspapers in the disappearance of serious news is great. The columnists write almost every day and comment on every issue. Some blend what should be presented to public opinion as ‘news’ with their comments in their columns. Journalists are now divided into two groups consisting of the columnists and editors with astronomical salaries, who are supposed to ‘increase readership’, and the correspondents without job security. While the columnists and editors sacrifice ‘editorial independence’ as they focus on the interests of the owners, the correspondents are unable to do anything other than what they are told for fear of losing their jobs.

The extensive interviews with journalists confirm that being forced to work in these conditions forces journalists into writing stories which are contrary to ethical codes and inaccurate, and that it is wrong to expect them to behave ‘ethically’ in a media sector dominated by the interests of the owners. Most of the mistakes of the journalists are due to the pressure of deadlines, inadequate information or the failure to give sufficient importance to an event. The publication of news stories by young and inexperienced journalists without appropriate review also increases the number of inaccurate articles.

The protection of the right of public opinion, which knows that a media controlled by major companies will not restrict itself to searching for the truth, as well as the right of journalists to convey the facts, are of vital importance for a democracy.

Consequently, ensuring the implementation of the professional ethical codes of the press in the media has become the fundamental indicator of transparency in Western societies. In addition to such general principles as objectivity, neutrality and accuracy, more specific guiding principles, such as not pursuing private interests, respect for social values and traditions, the avoidance of offensive attitudes and actions relating to the religious, political and national values and preferences of

individuals, as well as demeaning or offensive criticism beyond acceptable limits, have been established for journalists.

These have been supplemented by anti-cartel and anti-trust regulations and rules designed to prevent the emergence in the media of conditions of unfair profit or competition through monopolization and activities beyond the media sector. The ability of a media organ to function in other areas has been banned through legislation.

At the same time, a force emanating from social awareness prevents the media owners from behaving like ‘traders’, while displaying to public scrutiny the various forms of cooperation contrary to ethical codes. The rigorous enforcement of professional rules and legal limitations ultimately depends on social awareness. .

Although there is no relevant general regulation covering all members of the European Union, serious limitations designed to prevent the emergence of a cartel have been adopted in virtually all European countries.

In Turkey – as the journalists interviewed in the study also underline – it has not been possible to achieve a consensus in the media on the implementation of the ethical codes as the trend towards monopolization has been accelerating. The professional ethical codes and the system of having ‘ombudsmen’ to regulate themselves have not gone beyond the ‘symbolic’ level. Even if the journalists want to work in an environment dominated by professional principles, they are obliged to give priority to a discussion of issues created by monopolization rather than of ethical issues. In reality, the problems created by monopolization are so great that they overshadow their ‘ethical concerns’.

The most negative effects of monopolization are the limitations it imposes on the freedom of thought and the public right to information. Another negative effect relates to the conditions of those who work in the media. Monopolization has further restricted employment security and editorial independence and effectively prevented unionization. With the elimination of the unions in the press sector, the rights of those who work in it have been increasingly proscribed even as their problems have been aggravated.<sup>23</sup>

---

<sup>23</sup> Dept Interview with Doğan Tılıç.



The Executive Editor of Milliyet, Sedat Ergin, states that journalists should not be expected to focus on ‘ethical concerns’ as long as the monopolization of the media continues unchecked and continues:

*When the acquisition of newspapers and television channels depends on the decisions of governments, it is impossible to talk about either press freedom or ethical discussion. In fact, ethical discussions are always of secondary importance.*

In one of his articles, Nezih Demirkent wrote “If I ever come to this world again, I would not be a journalist” and explained that this was due to the fact that “journalism had lost its meaning and had begun to decline since the introduction of television”. The observations of Demirkent relating to the importance of the implementation of press ethic codes are noteworthy:

*We have witnessed the transformation of commentators into the voices of their owners. Journalists we respect have resorted to the harshest kind of criticism in order to protect their bosses. You could ask if this had not happened before. To be sure, there were those who were the voices of their bosses but they refrained from such open criticism and tried to be accurate. In other words, they were not more royalist than the king. Now we have the opposite; when ordered to wound there are those who try to kill. Everything did not have a price in our profession. The honor of journalism was protected and facts were conveyed to the public for very little pay. These days those with money stuffed into their pockets become experts on every issue and do not shy away from missions for their benefactors. It has become difficult to criticize either those who pay or those who have money. The profession has made some people unrecognizable.<sup>24</sup>*

When we analyze the Turkish media from the perspective of its financial structure or its relationship with politics, unfortunately we notice that the media institutions are not compatible with any of the modern Western standards. It is interesting that journalists at the level both of correspondent and editor are unhappy with this

---

<sup>24</sup> Nezih Demirkent, “If I ever come to this world again, I would not be a journalist”, Yeni Türkiye (Special Media Edition), 1996-12, p.944

situation. The consensus among the journalists surveyed that “It is impossible to implement ethical codes in Turkey” is an indication that the Turkish media will not be able to free itself from its ‘crisis of confidence’ for many years. In fact, its close relationship with politics and commerce, which cannot be considered compatible with ethical standards, and the constant manipulation of public opinion, in a manner which is far from accuracy and objectivity, are deepening the current crisis of confidence of the Turkish press.

The journalists surveyed have also identified their common grievance relating to “the lack of job security” as one of the important reasons for the lack of implementation of ethical codes. There are serious reasons for their ‘concern over losing jobs’. The 2001 crisis led to the dismissal of approximately five thousand journalists. For the first time, editors and columnists as well as correspondents were laid off. Journalists deprived of social security are unwilling to enter into conflict with the management of the newspapers on ethical issues. Consequently, they complain about their inability to convert the ‘ideal journalist model’ in their minds into reality in their work. As a result, the issue of ethics is reduced, to a great extent, to a perception of ‘good-bad’ and ‘right-wrong’ in the consciences of the journalists themselves.

Public debate of ethical questions, along with their consideration by media institutions and retention on the current agenda by journalists, is of vital importance in ensuring ‘a more reliable media’. However, as the journalists confirm, it is clear that the press professional codes have not been fully adopted in Turkey. Nevertheless, the discussions which began as “self regulation” years ago have made considerable progress. We now have a number of documents on ethical codes and it seems likely that we will have even more. Even though the profession of journalism is living through its weakest phase in the history of the Republic with respect to its organization, it is significant that ethical discussion and documentation have become more important. The expectations are now part of the framework which defines a democratic society. In other words, if it follows ethical dictates rather than the interests of one particular group, the press will not only become the voice of public conscience but will also guarantee the survival of journalism against all pressure groups.

## REFERENCES

- Alemdar, Zeynep, 1990, *Oyunun Kuralı, Basında Özdenetim*, Ankara: Bilgi Yayınevi.
- Alpay, Şahin, 2000. "Medyada Kalite", *Hürriyet Gazetesi*, 31 Ekim.
- Belsey, Andrew, 1998, *Journalism and Ethics: Can they co-exist*, London: Routledge.
- Belsey, Andrew and Ruth Chadwick, 1999, *Ethical Issues in Journalism and Media*, London: Routledge.
- Belsey, Andrew and Ruth Chadwick, 1999, *Ethics as a Vehicle for Media Quality* Baird, New York: Routledge.
- Bertrand, C., 2005, *Medyada Temel Etik Kuralları.*, Ankara: Basın-Yayın Enformasyon Genel Müdürlüğü Yayınları.
- Bilge, N., 1995, *Hukuk Başlangıcı, Hukukun Temel Kavram ve Kurumları, Gözden Geçirilmiş 10. Baskı*, Ankara: Turhan Kitabevi.
- Charon, J.M., 1992, *Medya Dünyası*, İstanbul: İletişim Yayınları.
- Crawford, A., 1924, *The Ethics of Journalism*, London: Routledge.
- Çaplı, Bülent, 2002, *Medya ve Etik*, Ankara: İmge Kitabevi.
- Demirkent, Nezih, 1996, "Bir Daha Dünyaya Gelirsem Asla Gazeteci Olmam", *Yeni Türkiye (Medya Özel Sayısı)*, p.944.
- Engin, A., 1999, "Medya Ahlakı, Gazetecinin Kendi Ahlakından İbarettir", *Birikim Dergisi*, January, vol.(117).
- Finnis, J., 1983, *Fundamentals of Ethics*, Oxford: Clarendon Press.
- Gordon, David, M. Kitross and C. John Merrill, 1999, *Controversies in Media Ethics, 2nd Ed.*, London: Longman.
- Günçkırın, B., 1998, "Medyayı Nasıl Bilirsiniz", *Cumhuriyet Dergisi*, vol.(663).
- Habermas, J., 1989, *The Structural Transformation of the Public Sphere*, Cambridge: Polity Press.
- İnal, A., 1996, *Haberi Okumak*, İstanbul: Temuçin Yayınları.

İrvan, Süleyman, Ragıp Duran ve Fikret İlkiz, 2003, *Medya Etik ve Hukuk.*, İstanbul: IPS, İletişim Vakfı Yayınları.

Jurgensen, K. and P. Meyer, 1994, “Gazetecilik ve Sonrası”, Çev. Abdülrezak Altun. Ankara: A.Ü.İ.F. Dergisi.

Kaya, R. ve K. Alemdar, 1993, *Radyo ve Televizyonda Yeni Düzen*, Ankara: Türkiye Odalar ve Borsalar Birliği.

Kaya, Raşit, 1999, “Türkiye’de 1980 Sonrası Medyanın Gelişimi ve İdeoloji Gereksinimi”, *Ankara: Türk-İş Yıllığı*, vol. (2).

Kaya, Raşit, 1985, *Kitle İletişim Sistemleri*, Ankara: Teori Yayınları.

Kean J., 1992, *Medya ve Demokrasi*, İstanbul: Ayrıntı Yayınları.

Kuçuradi, İoanna, 1996, *Etik*, İkinci Basım, Ankara: Türkiye Felsefe Kurumu.

Moris, N. and S. Waisboard , 2001, *Media and Globalization: Why State Matters*, Maryland: Lanham, Rowmann&Littlefield.

Otan, Ümit, 1995, *Babitelli*, İzmir: İzmir Kitaplığı.

Özgen, M., 1998, *Gazetecinin Etik Kimliği*, Tezler Dizisi, İstanbul: Türkiye Gazeteciler Cemiyeti Yayınları.

Peters, J., 2004, “The Market Place of Ideas: A History of the Concept” in A. Calebrese and C. Sparks, (ed.), “Toward a Political Economy of Culture, Capitalism and Communication in the Twenty-First Century”, Rowmand&Littlefield Publishers, 2004.

Pieper, A., 1999, *Etiğe Giriş*, Birinci Basım, İstanbul: Ayrıntı Yayınları.

Prichard, D., 1992, *Basın Kuruluşları ve Ombudsmanlar Ne İşe Yararlar*, İstanbul:İletişim Yayınları.

Schlesinger, P., 2001, *Tensions in the Constructions of European Media Policies*, Maryland: Lanham, Rowmann&Littlefield.

Solmeclis , 2003, *Medya Çalışma Grubu*, Medya İzleme Raporu.

Soner, Şükran, 2000, “Söküğünü Dikemeyen Terzi”, *Cumhuriyet Gazetesi*, İşçinin Evreninden Köşesi, 13 Ekim.

Soner, Şükran, 2003) “Türkiye’de Gazeteciliğin Örgütsel Sorunları: Büyüyen Medya, Küçülen Örgütler”, *Türkiye’de Gazetecilik*. Ankara: ÇGD Yayınları.

Sönmez, M., 2002, *Filler ve Çimenler: Medya ve Finans Sektöründe Doğan-AntiDoğan Savaşı*, İstanbul: İletişim Yayınları.

Tılıç, L.Doğan, 1998, *Utaniyorum Ama Gazeteciyim*, İstanbul: İletişim Yayınları.

Topuz, Hıfzı, 1996, *100 Soruda Türk Basın Tarihi*, İstanbul: Gerçek Yayınevi.

### **Dept Interviews:**

Aydıntaşbaş, Aslı, Dept Interview with Ankara Representative of Sabah, December, 2005

Bilgin, Nazmi, Dept Interview with President of the Ankara Journalists Association, March, 2005

Bozkurt, Göksel, Dept Interview with Ankara News Bureau Chief of Birgün Newspaper, February, 2005

Bozkurt, Sedat, Dept Interview with Ankara Representative of Birgün Newspaper, January 2005

Ekşi, Oktay, Dept Interview with the President of Turkish Press Council, January, 2005

Ergin, Sedat, Dept Interview with Ankara Representative of Hürriyet Newspaper, January 2005

Erinç, Orhan, Dept Interview with Turkish Journalists Association, March, 2005

Şenyüz, Hanife, Dept Interview with Economic Correspondent of Radikal Newspaper, January 2005

## **APPENDICES**

### **A**

#### **The Turkish Journalists Declaration of Rights and Responsibilities:**

##### **Preface**

Every journalist and media organization should defend the rights of journalists, observe professional principles and ensure that the principles defined below are followed.

Those who are not journalists but participate in journalistic activities in media organizations under different forms and those who target foreign audiences in Turkey or Turkish audience abroad also come under the responsibilities defined here.

The directors of media organizations, chief editors, managing editors, responsible editors and others are responsible for compliance with professional principles by the journalists they employ as well as their media product.

Journalists' rights constitute the basis of the public right to information and its freedom of expression. Professional principles, on the other hand, constitute the basis of accurate and reliable communication of information.

Professional principles assume self-regulation by journalists and media organizations. Their primary criterion for judgment is their own conscience.

##### **A. Human and Citizen Rights:**

Every individual has the right to be informed and to have access to news as well as freedom of thought, expression and free criticism.

Freedom of press and publication, which is the main tool of freedom of thought and expression, is one of the basic human rights.

It is a general rule that these rights should be guaranteed by the constitution in a democratic state.

### **B. Definition of a Journalist:**

Any individual whose job is to gather, process, communicate news or to express opinion, ideas and views regularly at a daily or periodical print, video, audio, electronic or digital medium employed on a fulltime, contractual or copyright basis and whose main employment and means of livelihood consists of this job, and who is defined as such by the legislation that covers the functioning of the organization at which he or she is employed, is a journalist.

All enterprises functioning in the field of press and publication are obliged to recognize the rights granted to journalists by law.

### **C. Responsibilities of Journalists:**

The journalist uses the freedom of the press conscientiously and honestly to further the public's right to be informed and to have access to accurate news. For this purpose, the journalist should fight all forms of censorship and self-censorship and to inform the public on this question.

The responsibility of the journalist to the public supersedes all other responsibilities, including those to his employer and public authorities.

Information, news and free thought are of a social nature that separates them from all other commercial commodities and services. The journalist carries all responsibility for the news and information he publishes.

The limits and contents of journalists' freedom are primarily determined by their responsibility and professional principles.

### **D. Journalists' Rights:**

1. Journalists have the right to free access to all sources of information and the right to observe and research all phenomena that affect public life or are of interest to the public. Obstacles, such as secrecy or classification, should be based on law in matters concerning public affairs and convincing reasons in private matters.

2. Journalists must take into account the basic policy line of the media organization that should be included among the terms of their employment contract.
3. Journalists have the right to reject all sorts of suggestions, proposals, requests and instructions that are outside, conflict with or are not openly described in that basic policy.
4. Journalists cannot be compelled to defend an opinion that they do not share or to perform any assignment that violates professional principles.
5. Journalists, particularly those who are employed at an editorial and managerial level, should be informed about important decisions that affect and determine the functioning of the media organization; whenever it is necessary they should take part in making these decisions.
6. Relevant to their function and responsibilities, journalists have the right to organize. They also have the right to sign contracts individually to safeguard their moral and material interests. The journalists should be paid a salary that is commensurate with their social role, skill and the amount of work required. Their salaries should also guarantee their economic independence.
7. According to the principle of the protection of sources, the journalists cannot be compelled to reveal their sources or testify about them. This principle may be waived with the consent of the source. The journalist may reveal the identity of his source in cases where he has been clearly misled by the source.

#### **E. The Basic Duties and Principles of a Journalist:**

1. The public has a right to know. The journalist has to respect facts and to report accurately, whatever the consequences from his personal point of view.
2. The journalist defends, at whatever cost, the freedom of gathering information, news evaluation and making comments and criticism.
3. The journalist defends the universal values of humanity, peace, democracy, human rights, and pluralism and respects differences. Without any discrimination based on nation, race, ethnicity, class, gender, language or religious and philosophical belief, the journalist recognizes the rights and values of all nations, peoples and individuals. The journalist refrains from publishing material that incites enmity and hatred among



individuals, nations and societies. The journalist should not target the cultural values or beliefs (or lack of beliefs) of any society or of an individual. The journalist should not publish or broadcast material that justifies or incites violence of any kind.

4. The journalist should refrain from publishing and broadcasting news and information, the source of which is unknown to him. In cases where the source is not known, he is obliged to warn the public.

5. The journalist cannot ignore or destroy relevant information, alter or falsify texts and documents. He must refrain from publishing material that is incorrect, false or misleading.

6. The journalist cannot resort to misleading methods in order to obtain information, news, visual images, audio material or other documents.

7. Even if the person in question is a public figure, unless journalists obtain permission they cannot violate privacy for purposes that are not directly related to the public right to information.

8. Journalists are committed to the rule that any inaccurate information published should be corrected in the shortest possible time. Every journalist respects the right to respond on condition that it is not misused or abused.

9. According to the rule of professional secrecy, journalists can not reveal the sources of information and documents entrusted to them under any circumstances unless allowed by their sources.

10. Journalists should refrain from slander, insult, distortion, manipulation, rumor, gossip and groundless accusation.

11. Journalists cannot seek material gains or moral advantages from publishing or withholding an item of information or news. Professional principles are the main guide for journalists in establishing and conducting relations with people or institutions and sources of information, including even heads of state as members of parliament, businessmen and bureaucrats.

12. Journalists should not combine their professional work with advertising, public relations activities or propaganda. Journalists cannot accept suggestions, advice or material benefits from sources of advertisement.

13. Whatever the subject matter, journalists cannot use information for personal interest before it is fully made public. They cannot use their profession to obtain any form of personal privilege (outside rights given by laws and regulations).

14. Journalists cannot resort to blackmail or any form of threat to obtain information. They should resist all pressure to gather information by such means.

15. Journalists must reject all kinds of pressure and should not accept instructions regarding their job from anyone except the executives of the media organizations employing them.

16. Anyone entitled to be called a journalist is committed to fully abiding by professional principles. While observing due respect to the laws of the country, journalists should rebuff all interference from the government and official institutions. Professionally, journalists should take into account only the judgment of the public, colleagues and verdicts of independent jurisdiction.

17. Journalists should function according to the public's right to know and not prejudices regarding domestic and international policy issues shaped by those in government. Journalists should be guided solely by basic professional principles and concerns for a free democracy.

## **TURKISH JOURNALISTS CODE OF CONDUCT**

### **News and Comment:**

The distinction between news and comment or editorials should be made clear to enable the public to discern easily the difference between them.

### **Photography – Visual Images:**

Any photograph or visual image used should be clearly marked to show whether it is real or an enactment or simulation. The audience should be allowed to easily discern whether the image is accurate or a representation.

**News – Advertisement - Announcements:**

The texts and visual elements of news and editorials should be clearly separated from the texts and visual elements of advertisements and commercial announcements to leave no room for confusion.

**Judicial Reporting:**

During the preparatory investigation of a legal case, news and commentaries that might influence and weaken the legal process should not be disseminated. News during the trial should be provided free of any prejudice or inaccuracy. The journalist should not become a party in any legal process about which he is reporting. Nobody should be represented as guilty before the legal verdict is finalized. Nobody should be implied as guilty in news and comment unless found guilty at the end of the legal process.

**Minors:**

The identities and visual images of minors as defendants, witnesses or victims in criminal or sexual assault cases should not be published or made public. In cases where the personality and behavior of minors could be affected, journalists should not interview or use the visual image of a minor unless given prior permission by the family or an adult responsible for the minor in question.

**Sexual Assault:**

The visual images and identities of the victims of sexual assault cases should not be published or made public except in instances where there is a clear public interest in such publication.

**Identity and Special Cases:**

An action or an offence committed by an individual should not be attributed to race, nationality, religion, sex or sexual choice or any disease or physical or mental disorder unless there is relevance or evident public interest. These special character traits should never be the subject of ridicule, insult or prejudice.

**Health:**

Sensationalism in health issues should be avoided, Dissemination of information that would incite desperation or create false hope should be prevented. Rudimentary findings of medical research should not be presented as final and definitive. Before suggesting the use of a particular drug, an expert scientist should be consulted. Any journalist, who is conducting research at hospitals, should openly declare his identity and enter prohibited areas only with the permission of hospital authorities. Journalists should not take visual images or audio recordings at hospitals without the permission of hospital authorities, the patient or relatives responsible.

**Gifts:**

Journalists should reject personal gifts and material benefits that would create public doubt or prejudice over the contents of a particular news item or information and the decision to make it public.

**Company Interests:**

The rights, responsibilities and duties of journalists described in “The Declaration of Rights and Responsibilities” determine how they function in a media organization. Within this professional framework, the journalist should not take part in activities not relevant to the publishing policies of the media organization, either voluntarily or by compulsion, even if such activity may be in the interest of the company.

**Self-criticism:**

Journalists and media organizations should correct their mistakes and engage in self-criticism beyond their legal obligation in order to respect the right of reply and correction.

**Impartiality:**

Journalists and media organizations should clearly announce their positions in cases where they are parties in a dispute or a contractual matter. Any media organization or commentator can disseminate comments in accordance with their political, economic and social affiliation. In such cases, the nature of the affiliation should be clearly stated and a clear distinction drawn between comment and news.

**Privacy:**

The basic principle is the protection of the public interest. Situations in which the privacy principle does not apply include:

- a. Research and publication on major corruption or criminal cases;
- b. Research and publication on activities that would have a negative effect on the public;
- c. Cases where public security or health is at stake;
- d. To prevent the public from being misled or deceived or from committing mistakes because of the actions or statements of the person in question.

Even in these situations, the private information made public should be directly related to the subject. The extent to which the private life of the person in question affects his public activity should also be considered.

**Information – Documents:**

Journalists should not take documents, photographs, audio recording or visual images without the consent of the person concerned except in cases where the public interest is at stake. This principle can only be waived in cases where there is a clear public interest and if the journalist has a firm conviction that the material cannot be obtained otherwise.

**Payment in Exchange for Information:**

The journalist should not offer or give money in exchange for information, documents or visual images to defendants in a criminal case or to witnesses or their associates.

**Cases of Shock and Confusion:**

When there are people in distress, sorrow, danger, disaster, destruction or shock, the journalist's approach should be humane and respectful of privacy. He must refrain from exploiting feelings.

**Relatives and Associates of Defendants:**

Journalists should not expose the identity of the relatives and associates of defendants or convicted persons unless they are directly related to, or are essential in, a correct perception of the events that transpired.

**Suicide Cases:**

In cases of suicide, publishing or broadcasting information in an exaggerated way that goes beyond normal dimensions of reporting with the purpose of influencing readers or spectators should not occur. Photography, pictures, visual images or film depicting such cases should not be made public.

**Economic and Financial Information (Insider Information):**

Even if the current law does not ban it, journalists should not use economic and financial information obtained for personal interests before making it fully public. Journalists should not disseminate information about securities, stocks, shares and other papers of value they or their relatives or associates hold, without accurately informing their superiors at the media organization about such ownership. Journalists should not indulge in real estate or similar transactions if these are the subject matters of their news and comment.

**Embargo, Preview, Off-the-Record:**

Journalists should comply with the publication date specified by the source of a piece of information or a document unless they have obtained such information independently. Journalists have no commitment to let anyone, including the source, preview the drafts of news stories, interviews, commentaries or visual images of

material they are preparing to publish or broadcast, except responsible persons at the media organizations employing them. Journalists should not publish or broadcast off-the-record information or statements.

**Competition:**

Journalists should refrain from deliberately causing professional harm to their colleagues even for purposes of competition. They should refrain from acts that would prevent their colleagues' material from reaching the public.

**Sourcing:**

Journalists should give credit to the sources of information, including material from agencies, other colleagues or other publications.

**Non - journalists:**

The actual titles and professions of those who perform journalistic activities at media organizations should be clearly announced periodically or occasionally in order to inform the public.

**Questions of Identity:**

Whatever the expertise of a journalist, his main job is journalism. Police reporters should not act or disseminate information as policemen or police spokespersons. Similarly, sports reporters are not spokespersons for sports clubs and reporters assigned to cover a political party are not members or spokespersons of that party.