

# Media Report (Turkey) - We Are Still Journalists: Labor Regime and Unionization in the Media Industry

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## Introduction

The fundamental function of the large part of media, which is devoid of any kind of autonomy against the political field, has become the mouthpiece of Erdoğanism in this era where submission to power constitutes the sole path to survival. What is at stake here is a context within which facts virtually bear no meaning any longer. Each view of facts that refutes the officially presented panorama can well be declared to be against the prevailing order of facts having been claimed to be a product of “perception management.” The media has embarked upon mediating the reproduction of facts in line with the conjectural interests of the regime based on the most grotesque conspiracy theories within this political climate. Now an atmosphere, within which no extremism is spared to submit to the official rhetoric and the criminalization of oppositional voices, has become dominant since the sword of “FETOism”, having replaced Ergenekonism, is now swinging over the employees of AKP’s media as it did before the whole pious sector. From the media boss who declares his love for Erdoğan, to a ‘journalist’ who writes which journalist should be arrested and which ones should be abandoned to civil death, from an academic who does not shy away from demonstrating his/her utter ignorance on TV shows in order to secure his/her place in the eyes of the government, to a former FETO member who declares that all Cumhuriyet members are FETOists.

It is clear that the working conditions for media workers have deteriorated in this atmosphere of exorbitant political polarization and the striking back of state control on the media with all its might. The mechanism of self-censorship is running with all its gears before such real threats as layoff and detention. The impact of going through an era of severe political reactionism is, of course, determinant here. We also see the results of the domination of a labor regime over the new and old Turkish media industry that is based on the gradual accommodation of flexible-precarious employment forms in the field of journalism and on the stripping away of unionization from work places by any means necessary.

## Neoliberal labor regime and labor relations in the media

The facts that a structural transformation in the publishing industry and the formation of Turkey’s media industry occurred no other time but in the 80s cannot be considered a coincidence. These

years fall into a stage when ruptures at the economic, political, and social levels took place and a total reconstruction on the neoliberal axis happened on which the 'stability program' of January 24, 1980 and the 1980 coup d'état left their marks. The media and the field of cultural production in general were subjected to a reconstruction under the dominion of capital within a context brought about by the goal to get articulated to global capitalism, the sanctification of free markets, the breaking down of the sociopolitical power of organized labor, the transition to a capital accumulation model focusing on exports accompanied by a hegemony project known as the 'New Right.'

Conducting newspaper publishing within the scope of a capitalist business model naturally affects the relationships between media bosses and the employees. The deunionization campaign that began at the beginning of the 90s has successfully been completed in relation to the corrosion of class consciousness/sentiment, which is one of the founding factors of neoliberal reconstruction, and the breaking down of workers' organized power. This had extremely damaging effects on journalistic practices and the moral codes of journalism (public interest, editorial independence, etc.). Moreover, it contributed to the wide practice of flexible-precarious forms of employment that has now become exorbitant in the media sector.

### **The fusion of media and capital**

Although 'mass media' which emerged by the 1950s started to attract the attention of sectors that acquired their capital accumulation in professions other than journalism, one needs to wait for the 80s and primarily the 90s for a genuine media-capital fusion (Kaya, 2009). Following the conglomeration of the media beginning in the 60s, this process called as the 'entry of holdings into the media' can be read as the product of a binary dynamic. On one hand, such factors as the need to keep up with technological developments, the end of state subsidies for newsprint within the framework of deregulation policies after January 24, 1980 and astronomical price increases in newsprint rendered publishing newspapers exceedingly costly for 'family businesses.' On the other hand, ownership of a media outlet has various advantages for capital groups although it is not a profitable investment in a period when the economic field has been reconstructed in line with free market conditions. 'External benefits' such as strengthening their hands against political powers, gaining an upper position against rival groups, winning state tenders, getting a share from privatization, making use of loans and incentives, and advertising companies within the group that are active in other fields have been encouraging for the non-media capital to enter the market (Sönmez, 2004).

Thus, groups with investments in fields like energy, banking, finance, tourism, and construction initially entered the media sector that was followed by their entry into the television-broadcasting field after the eradication of state monopoly in this sector at the beginning of the 90s. Therefore, a 'modern' media industry dominated by a rat race has started to take shape as per the *modus operandi* of the neoliberal stage of capitalism.

The primary and the most determinant consequence of this proves to be the rapid intensification of ownership. It is seen that the media industry was controlled by a very limited number of actors beginning in the mid-90s. Newspapers published by two large capital groups (Doğan and Sabah) controlled 70% of the total circulation according to the 1995 figures. This rate went as high as 87% in the periodicals market. When the general media market is taken into consideration, (according to the 1998 figures) 5 large media groups owned 80% of the market (Adaklı, 2001; Ekzen, 1999).

Another factor that needs to be underlined during these years of transformation is the moving of media from Bab-ı Ali, a historical place for newspaper offices located at the city center, to gigantic plazas built on the urban periphery. The pouring in of firstly the Sabah group followed by others to

these modern and chic “media factories” built at a great distance from the places where news take place has become the symbolic statement of the transition from “craftsmanship” to “professionalism.” This also triggered a series of transformations ranging from labor relations to news reporting practices (interviews on the phone!). The illusion regarding their own class statuses formed in the minds of people who work at these sterile “towers” with a view of shanty towns should be listed among such transformations as well (Atlas, 1999; Nebiler, 1995; Adaklı, 2006).

### **Subcontracting, loss of job security, and the elimination of unionization**

The first goal of the conglomerate media has been to cut down the high wages of media workers alongside with their rights to unionize and job security in order to render their social rights invalid.

The process of the elimination of unions from the media has especially begun with the vigorous efforts of Aydın Doğan and at the end the Journalists Union of Turkey (JUT) came to have no organizational power whatsoever except for Cumhuriyet and the Anatolian Agency by the end of the 90s. While one of the ways to separate workers of the press from the JUT was direct pressure, the other way was to found tens of small companies within the newspaper and to distribute employees among these companies in groups which is known as ‘subcontracting.’ Today employees working under a single title like Hürriyet or Milliyet are in fact employed by tens of different small companies. This situation renders it impossible to achieve the fifty percent rate necessary to obtain union authorization in the media sector where unionization has already been made rather challenging because of such pressure (Özsever, 2004).

The effort to bypass the “heavy burden of high wages and comprehensive social rights imposed upon the media boss engaged in an intense competition is the main reason why unionization has been eradicated from the media. Furthermore, maintaining bosses’ relations with advertisers and political powers in the way they desire leads to the surveillance of journalists’ ideas and news which were made possible with the fact that bosses hold the threat to fire journalists is another significant cause of the eradication of unionization in the media.

This period has also witnessed resistance to the eradication of unionization that generally could happen only by the individual struggles, thereby rendering it weak. These ripple of voices, however, have been easily silenced and gave way to cooperation among newspaper bosses, which can be referred to as “gentlemen’s agreement,” that is not based on any kind of written document. According to such an agreement, a journalist who was laid off on the ground that he/she was engaged in union activities was “blacklisted” by other newspaper bosses and the mainstream media did not employ these journalists any more. Such cooperation against the workers of the press united all media bosses both from the right and the left.

The prevention of journalists and technical workers (specifically print works workers) to unionize within the same union has also been a facilitating factor in the termination of JUT’s organization in the media. Technical workers, who had shown more initiative and undertaken a more militant struggle in strikes and protests organized by the JUT in the past, have been cut off from the JUT firstly by the separation of the category of their line of work from that of journalists followed by the subcontracting practices witnessed in these departments. Thus, the bosses who have eliminated the union from the media met with much weaker resistance.

The second method that the media bosses put into effect in order to eliminate the job security of press workers is to employ media workers outside the scope of the Press Labor Act numbered 212. The first article of the act defines its scope as such:

The provisions of this Act are implemented with regards to individuals who carry out all kinds of

intellectual and artistic work at newspapers, periodicals, news and photography agencies and those who are not covered by the scope of the definition of “worker” as designated within the Labor Act and their employers. Those who work for a wage conducting intellectual and artistic works that are covered by the scope of this Act are referred to as journalists.[1]

Thousands of press workers who meet the clearly mentioned criteria above and covered by the definition of journalist have accepted to be excluded from Act 212 as a result of pressure from the bosses during the period. The reasons behind this were the comprehensive social rights provided by this labor act to journalists and the fact that the rate of insurance premiums within the scope of this line of work was higher than that of other lines of work. Thousands of press workers who got to be excluded from the scope of Act 212 or those who started working outside this scope were robbed of many rights vested on them by this act. Moreover, press workers could not obtain the “yellow press card” that provided journalists various opportunities since one needed to work within the scope of Act 212 for a certain period of time and they had to face many challenges during news gathering (Journalists who had been exposed to police violence during the Gezi Resistance stated that they became easier targets for the police as they did not possess press cards).

The most significant outcome of reshaping labor into a form desired by bosses in the media has been the destruction of editorial independence. “Liberal public ethics” defines journalism as the servant of no interest group but of the general public interest by educating the public through distributing facts and informative texts (Taş, 2012). Editorial independence, which is acknowledged by such ethics as a must, was defined as “a legend of the profession of journalism that needs to come to a halt” by Hürriyet’s then editor-in-chief Ertuğrul Özkök who was one of the prominent figures of the mentioned period (Kaya, 2009). The end of this legend blurred the traditional distinction between the editorial staff and the business management in the media and made the editorial office dependent on business management, or in other words, on advertisements and the concerns of advertisers. The most important goal/value/concern for a media company has now become the maximization of profit.

### **Workers of the press, media aristocracy, and crisis**

Conglomerated media has gradually transitioned into a profound hierarchical organization. The in-house division of labor and the number of executives that increased in the 1990s brought about a media aristocracy as Mustafa Sönmez has stated:

This process, admittedly, is not only an evolution that the patronage went through but also one in which the media employees were differentiated and out of whom an aristocracy close to the patronage was born. Along these lines, one should not ignore the role of media aristocracy in the formation of an authoritarian regime in the media. The relations of media shareholders with the aristocracy comprising of editors and columnists occur on a different plane than that of other employees; while the shareholders move forward leaning on these aristocrats, they also maintain their relationships with them utilizing the carrot and stick binary (Sönmez, 2010).

The media aristocracy has created a structure in which the boss -contrary to popular belief- does not directly intervene into the editorial policy but this structure requires that the executives act maybe even more meticulously than the bosses in resorting to the weapons of censorship and self-censorship. The facts that in-house wage differences have reached a level that can be defined as a yawning gap and that separate contracts are drawn for almost each employee to set wages also consolidate this structure.

The workers of press are in the position of an employee, who has to develop in-house relations and skills in line with new technologies, with a weak bargaining power before the boss and no job

security within the new media order. He/she has to consider the political and economic interests of his/her boss before anything else and does not have the right to intellectual independence and professional reaction. The workers of press can be laid off en masse not only because of political differences or attitudes opposing their bosses' interests but also because of economic dire straits. For instance, 3900 workers of the press were laid off during the 2001 economic crisis. Along the same lines, 400 workers of the media were laid off only from the Çukurova Group and their damages were not paid in the 2008 economic crisis during which thousands of workers lost their jobs. JUT said in a statement against collective layoffs on October 28, 2008:

We condemn the layoffs of workers of the press as the İstanbul branch of the Journalists Union of Turkey. We once again call on to our colleagues to unionize in an environment where workers of the press are being robbed of their jobs as a 'savings' method using the crisis as an excuse and we, as the Journalists Union of Turkey, also state that we will extend all kinds of legal support to all our colleagues who have been laid off.[2]

Many newspapers and periodicals belonging to large capital groups were closed down and their employees were fired during this period. It has become hard to find a journalist who has worked at the same place of employment for a long time in the Conglomerated Media era where flexible working has become the ground rule.

### **A strike experience: ATV-Sabah**

ATV, Sabah -formerly of the Ciner Group- and various periodicals of the group were transferred to the Savings Deposit Insurance Fund (SDIF) on April 1, 2007 on the grounds that Ciner's contracts with Dinç Bilgin signed after the 2001 crisis were unlawful. 410 ATV-Sabah workers got organized within the Journalists Union of Turkey during this process making use of the partial executive gap left by SDIF's management take-over. While the JUT achieved the necessary majority for collective bargaining, before the negotiations began ATV-Sabah and the related periodicals were purchased by the Çalık Group with known ties to the AKP government through very convenient loans extended by a state bank alongside with 25% partnership with the Qatar Sheik's investment fund in December 2007. Çalık Group, which changed its title after the take-over to Turkuvaz Media, immediately applied to the courts to invalidate the union's authority. Following the court's dismissal of Turkuvaz Group's request, collective bargaining began. The representatives of the bosses, however, did not idle away their time and dissolved the number of members of the union to a great extent. Company executives who often threatened to fire employees unless they resigned from the union also announced that those who resigned from the union would be employed within the scope of Act 212. According to an employee, who worked for Sabah during that period and wished to remain anonymous, during this process those who were not members of the union were made to sign a document stating that they would not become members of the union in the future either. When collective bargaining failed, ten workers of the press who were union members went on a strike hanging a banner that read, "this workplace is on strike."



*The banner of the strike initiated by ATV-Sabah workers at the headquarters.*

The strike was stopped on July 17, 2009 by İstanbul 2<sup>nd</sup> Labor Court upon Turkuvaz Media's request.

The strike, which had been stopped on its 154<sup>th</sup> day, was picked up where it was left off after the 9<sup>th</sup> Civil Chamber of the Supreme Court of Appeals quashed the local court's decision for cessation the strike. The political power's support for the Çalık Group, known to have close ties with the government, was also revealed in the union's appeal for the authorization to represent workers to the Ministry of Labor before the workers went on strike. A response was extended to the union eight months after the appeal although the union applied at a time when the take-over was not in effect but the decision as to who would take possession of these assets was finalized. In the ministry's response, which was only extended at the end of an eight-month period allotted to the company executives who took great pains to annul union memberships, the number of members of the union was stated to be 290 as opposed to 393 as reported by the union. This strike, which was initiated at a company that contained such popular brands as ATV-Sabah and in an unusual sector, was maintained with an intensive enthusiasm having backed up by substantial social support. The picket marches of the striking workers brought together hundreds of people; other unions and professional organizations staged tens of protests in support of the strikers. The strike, however, lost its effect gradually for understandable reasons when the challenges of this struggle taken on by only ten workers against the holding boss were taken into consideration. The strike that was actively maintained for about a year was constantly debilitated by lawsuits launched by the representatives of the boss. Consequently, the representatives of the boss, who cancelled the labor contracts of all those who went on strike, paid damages to all the strikers only to fire them following the court's reversal of this cancellation and ruling for reinstatement. It is beyond question that the employers' laying off workers after paying damages, who won reinstatement cases and earned the right to go back to their jobs, hurt unionization and strikes in all other sectors as well. Thus, the ATV-Sabah strike was put to a de facto end.

The ATV-Sabah strike, which proved to be the first strike in 29 years within the press, also bears significance in the way that it put practice into action, which was rendered impossible, within the conglomerated media of the bosses and in the way that it opened up such concepts as editorial independence, public interest, and professional ethics to re-discussion. It should also be noted that the "rival" media companies acted in solidarity with the Çalık Group by not reporting about this strike on their own newspapers and televisions.



*A photograph from the ATV-Sabah strike.*

The biggest problem that the ATV-Sabah strikers had to face when they were trying to convince their colleagues to join the union and to go on strike was stated to be the fact that journalists and television employees did not want to regard themselves as workers, thus, did not lean towards unionization.[3] This, it goes without saying, is a product of an ideological practice. One of the main tactics of neoliberalism in business management is to eradicate such concepts as work, worker, production, and labor at the discursive level. This ideological factor, which attempts to sever the ties between intellectual and manual labor altogether, calls workers, who live by selling their labor, as team members, personnel, and in hundreds of different categories and associates them with the responsibility of the company only on the discursive level through planning strategies such as Total Quality Management. According to this perception, those who perform a job in the information sector are not workers but white-collar employees and in this sector they want to operate the information-value theory instead of labor theory of value (Yücesan-Özdemir, 2009). Accordingly,

those who “know” more, who better “market” their knowledge deserve higher wages. In a survey conducted in 1994 with 341 journalists from eleven newspapers, 16.4% of the journalists stated that they found the union to be of no use, and 48.3% of these journalists defended that the union killed away the negotiating power of journalists (Özsever, 2004).

### **Authoritarianism and political coercion: A story of persistence**

Another issue that needs to be included in the labor regime and the working conditions in the media is components of political coercion that may range from censorship to layoffs, from arrests to physical assault (even murder). The 90s, when forms of flexible employment and deunionization were attempted to be established in the media, also stood witness to a period of the severest forms of political coercion especially towards the Kurdish and socialist press. The February 28 process, alongside with its pre and post processes, was a period when the media was shadowed and subjected to a tight control as well. The General Staff gave briefings; some commanders attended the editorial meetings of newspapers; the Islamic-conservative press was not invited to the General Staff meetings by not extending “accreditations”; journalists whose columns did not match that of the Turkish Armed Forces line were blacklisted and the discomfort felt about them was communicated to their bosses (Yüksel, 2004). The Justice and Development Party (Adalet ve Kalkınma Partisi, AKP), which came into power in 2002, triggered a radical change in power relations by re-organizing the media also through opportunities offered by the 2001 crisis that deeply shook the media sector. To the Islamic-conservative media taken over from the 90s were added new ones with the AKP government, thus a media block covering tens of large and small newspapers and television channels was created (Aydın, 2015). The rhetoric of “democratization,” which was an indispensable ideological factor in the initial years of AKP’s construction of its hegemony, opened up some space for the criticism of the red lines of the National Security State for a specific period of time. But security-driven authoritarianism registered by Ergenekon, KCK, and other political cases and especially by the 2010 referendum threw its weight rapidly on the journalists.

The results of a survey conducted in 2011 on censorship with journalists with different political leanings and different positions render it possible to read the transformation in Turkey over the media. While the rate of those who considered the role of the army on news content to be very important or important was 57.2%, the rate of those who considered the intervention of the police to be very important or important was 73.7% (Arsan, 2011). These results portray the hierarchy between “hard powers” within AKP’s security paradigm. Moreover, the police play a key role in creating consent for authoritarian security policies through mainstream conservative media not only as an instrument of force but also by gradually replacing the army in the 90s and following its example. The fact that “intellectually” equipped police officers write newspaper columns (and, for instance, offer “foresight” about future operations) is a limited but dramatic example. The police have simply become a new actor in the media industry in a much more organized and almost institutional manner by sending information on the investigations of people, who have been targeted, to a select group of newspapers and columnists virtually in the form of a “press release” with a headline, a spot, and significant parts underlined (Şık, 2012). The fact that such information contained in these texts is included verbatim in the columns of conservative opinion technicians and newspaper headlines also show that some “professional values” keep their seats even though focal powers and regimes change.

Some other results of the survey demonstrate that journalists often resort to self-censorship in criticizing the government, intervene into the news content on religious sects even more than the police, and getting arrested for critical news pieces is a real fear. The fact that journalist Ahmet Şık, who investigated the organization of Fethullah Gülen sect within the police force, was imprisoned for a year on the grounds that he conducted this investigation “upon Ergenekon’s orders” and the



fact that a newspaper's and a publishing house's offices were raided and their computers seized in order to find the digital copies of this unpublished book most likely had an impact on the results of this survey.

We see that the regime has been trying to get rid of the waves of opposition –notably the Gezi resistance- and crises situations by tightening the security belt a little bit more within the last six intervening years. We witness that politics has been merely boiled down to anti-terrorism in order to completely get rid of various centers of opposition following the July 15 coup attempt, as we will see in the related part.

### **Alignment of unions and struggle**

Although the struggle for unionization in Turkey received a heavy blow after September 12 1980, it showed historic resistance by the mid-80s firstly by Otomobil-İş's NETAŞ strike followed by Türk-İş's bellicose unions reaching 1989's Spring Movements and getting to an unexpected point with Zonguldak miners' strike. The struggle for unionization waged by public workers that was superimposed on this wave left its mark on the 90s. While the two largest confederations, Türk-İş and DİSK, lost power with the neoliberal transformation and privatization waves by the 2000s, the legitimate de facto resistance line of public workers got stranded between institutionalization and criminalization. On the other hand, the new owner of the regime, AKP, was intent on consolidating its hegemony on lower classes through such methods as both giving precarious employment a legal frame and containing class struggle through coercion, and seizing the field of the unions with its own instruments. Doubtless, the decline of the power of unions in the field of media which did not start solely with the Erdoğan regime, as we have underlined, but whose path had already been paved by the neoliberal attack should be read as a product of these measures taken as well (Çelik, 2015; Doğan, 2015).

### **Journalists Union of Turkey**

Following the adoption of legal regulations that rendered unionization possible in 1947, workers founded an ample number of unions. Within the scope of this legal regulation, however, the right to found a union only covered manual workers. Journalists, who got the opportunity to found a union through amendments for intellectual workers in 1952, founded the Journalists Union of İstanbul on July 10, 1952. The union that started to fight for journalists' job security and social rights disturbed the Democratic Party and the newspaper owners close to this party within a short period of time. Before long, Prime Minister Adnan Menderes asked the Governor of İstanbul, Fahrettin Kerim Gökay, to close the union and the union executives were forced to write a letter stating their allegiance to Menderes after the governor's fiery speech full of threats to union representatives at his office. Nevertheless, the union, which was able to survive for some time on account of this letter, could not iron out the government's discomfort and was closed for nine months beginning on July 5, 1957 (Özsever, 2004).

Journalists, who were empowered as per job security and social rights via Act 212, expanded the scope of their unionization as well. The Journalists Union of İstanbul founded in 1952 became a member of Türk-İş in 1957 and was reconstructed as the Journalists Union of Turkey in 1963. JUT conducted its first collective bargaining meetings with the bosses of Cumhuriyet and Milliyet in 1964. The union considered it important to strengthen its international relations and was co-opted as a member of the International Federation of Journalists (FIJ) in 1966.

Journalists Union of Turkey undertook a series of strikes between 1960 and 1980 two of which were at the Anatolian Agency. While these strikes carried out in newspapers, news agencies, periodicals,



and printing houses only lasted for a week, some lasted up to two years. Doubtless, the most influential strike of JUT was the Banknote Printing House strike that began on August 26, 1980. Upon the failure to reach an agreement at the collective bargaining meetings that were carried out on behalf of 540 workers organized within the JUT and working at the printing house in Ankara, Beşevler, workers went on strike that continued for three more days after the September 12 coup d'état and that was dissolved only by the army. A great majority of the workers, who were accused of "smuggling money to organizations from the banknote printing house" by the newspapers of the period, were fired while some of them were arrested.[4] The most important feature of this strike was that it was the very first strike carried out by mint and banknote printing workers in the world. It is obvious that the halt to banknote production via such a strike would have a completely different significance and consequence for other sectors. The second importance of this strike is that it was the last mass and strong strike carried out by JUT. JUT would not be able to organize any such strike for 29 years after that, in other words, until the ATV-Sabah strike.

JUT, which has four branches, 3 representative offices, and 1033 members today, summarizes its goals as follows: to resist pressure by bosses and governments, to protect journalists' personal rights, to end intern exploitation, and to act in solidarity with journalists imprisoned for journalistic activities.[5]

First the administrative staff of the İstanbul branch, followed by the Ankara branch and the headquarters of the union were completely changed in 2013. This new administration with a higher number of women and young executives started working with vigor through a campaign called "5Ws1H1Union." About a hundred new members enrolled in the union during this process and collective bargaining agreements were signed at five work places (Evrensel, BirGün, ANKA, Kocaeli Manşet, Yurt).[6] The union started publishing a journal called Journo in 2015 in order both to discuss the current problems of journalists and journalism and to provide unemployed journalists with a medium to publish their news pieces and articles. The journal which was published as a print matter for four issues, then continued to serve online at journo.com.tr.

### **Basın-ış: Press, Broadcast and Printing Press Workers Union of Turkey (Türkiye Basın Yayın Matbaa İşçileri Sendikası)**

The ATV-Sabah strike, in addition to the consequences and the effects it created we mentioned above, also rendered JUT which had been on strike, highly questionable as the biggest labor union in the sector. Within this process, the strikers designated the union as "partner union" and stated that the union needed a restructuring due to its reconciliatory stance and "reluctance" in recruiting workers into the union. As the strike gradually flagged, the strikers finally felt the need to call all press workers to unite under Basın-İş Union, which was a member of DİSK.[7]

Basın-İş, one of the constituent unions of DİSK, was compelled for many years to recruit members only amongst printing press workers owing to the laws that forbid journalists and printing press workers to organize in the same union. In 2012, however, lines of work were redefined upon the amendments in Law No. 6356 on Trade Unions and Collective Bargaining Agreements, thus it became possible for journalists and printing press workers to organize in the same labor union. In the wake of this amendment, Basın-İş declared 2013 as the year of organization, launching a series of extensive organizational activities amongst such professions as journalists, character generator operators and radio workers.

A group of journalists responding affirmatively to Basın-İş's call for organization issued a public statement on February 15, 2013 and declared that they have become members of Basın-İş. The press release on behalf of the journalists stated the following:

The media bosses oppose the introduction of labor unions into the press sector in defiance of the constitution, labor law and international conventions. However, these bosses, encouraged by the defenselessness of journalists, managed to create an outrageous working order in the aftermath of 2000, when labor unions were totally disallowed. The exploitation of trainees and dismissals at every year that became a rule prove that journalists do not have job security. We have no other way than to unionize so as to prevent unjust dismissals, to remove pay differences among people who are doing the same job and to establish a work atmosphere in which we could fight back occupational diseases.[8]

The demands of Basın-İş during its organization campaign included social and economic rights stipulated basically in Press Labor Act 212. Above all, the primary demand was that all media workers be employed according to Act 212 and that no one be subjected to the Act 4657. It was stated that when this demand was met, the press workers' hand would be strengthened against the employer in such issues as severance pay differences, long training periods, annual leave, overtime pay and right to clause conscience. As for the huge pay gaps that appear in media outlets, the union, which demanded "equal pay for equal work", stated that this demand could be put to into effect only by means of collective bargaining.[9]

Basın-İş also took steps to enable highly populated news portal employees to organize within its body. However, the latest regulation concerning lines of work prevented internet site employees to organize in the communication sector. In a press release Basın-İş asserted that news portal employees are journalists who therefore ought to organize within the journalists' labor union, and demanded that communication work line be redefined.

Basın-İş continuously underlined the rights and responsibilities that journalism involves as well as the social and economic rights of journalists:

The press could only be deemed free in an environment where journalists do not get fired for the articles they write, or blacklisted for their ideas, where their TV programs do not get banned simply because of the questions they ask on the screen, where broadcast and news room employees do not tremble under the rule of fear and where they do not get aggrieved. In a "state of imbalance amongst balance points which the bosses attempt to build", the press employees can find their path only by means of labor unions.[10]

Setting out in 2013 to become the collective bargaining agency, Basın-İş, which had a 0.53 unionization rate, fell below the syndicate threshold following an amendment passed in the referendum on September 12, 2010. According to the statistics of Ministry of Labor and Social Security in July 2013, the unionization rate of the Journalists' Union of Turkey and Disk affiliated Basın-İş was below the 1% threshold and failed to obtain authorization in collective bargaining agreements, while Hak-İş affiliated Medya-İş (1.01%) and Turk-İş affiliated Basın-İş (1.82%) managed to obtain authorization. The head of Journalists Union of Turkey objected to these figures, arguing that though they have submitted nearly 3,000 members to the ministry the government reported the number of their members to be only 835.[11] According to the ministry figures, DİSK affiliated Basın-İş had 500 members.

Basın-İş is the founding constituent of the Platform for Freedom to Journalists. The union, which is an active organizer of the activities intended for journalists in prison, publishes almanacs that compile violations of freedom of the press.

### **Medya-İş: Media Workers Union (Medya İşçileri Sendikası)**

Workers at publicly owned Anatolian Agency, one of the few media outlets where Journalists Union

of Turkey retained its authority, enjoyed economic and social gains thanks to collective bargaining and therefore had a prestigious place in the “market”. The power of unionization here appeared as a problem immediately to be solved both because of the fact that neoliberal plans could not tolerate a labor market with a bargaining power so high and the AKP government’s desire to reshape the Anatolian Agency was impeded by safeguards introduced by such labor contracts. Kemal Öztürk, who was appointed as the general director to Anatolian Agency after the general elections on June 12, 2011, took the necessary steps to this end; the mobbing tactics on the workers increased and gradually the number of members of Journalists Union of Turkey began to diminish dramatically.

While the hunger strike which had been started by Ercan İpekçi, the head of the JUT, to protest these pressures that goaded workers to resign from the Union, was still on in front of the Agency building, Gürsel Eser, the previous head of the JUT’s İstanbul Branch, announced founding of Medya-İş (Media Workers Union) with 362 members on March 12, 2012. Medya-İş is affiliated to Hak-İş, which is known to be a pro-government union; and the first thing it did was to pay a visit to the general director of the Anatolian Agency in his office.



*A demonstration by Medya-İş, one of the pro-capital and pro-government unions supported by AKP in order to deactivate unionization in the media sector.*

Medya-İş has not made any mention of serious problems that journalists experience in its “labor unionism” experience of over five years on its webpage or in its statements. De-unionization, mobbing, exploitation of traineeship, imprisoned journalists and police violence against journalists have never been on the agenda of Medya-İş. In the demonstrations held by Medya-İş in front of the Journalists Union of Turkey building, the demonstrators carried placards with the slogans “Enemy of the Workers Ercan İpekçi” and “Journalists Union of Turkey, Get a Life!”[12] In his statement Gürsel Eser accused Journalists Union of Turkey of disregarding workers’ interests and wallowing in ideological obsessions.[13] These statements of Eser were reiterated by Bülent Arınç, who received governing board of Medya-İş in his office: “God willing, when we sign this bargaining agreement with Medya-İş so as to have further rights, it will make us very happy. A labor union should have no ideological agenda. Unionism based on wages is a thing of the past. Of course, the wages are important; people would like to increase their incomes, but we also need social unionism.”[14] Anatolian Agency, which is notorious for its lack of interest in workers and labor unions, began covering all the news about Medya-İş, their narrow scoped press releases and their organizational activities. As a result, Medya-İş, which was established by a person who said “There was no censorship on the press during the Gezi Park demonstrations”, gives a very strong impression, with such syndicate practices, that it is the instrument of a political and economic operation.

Medya-İş, which had 560 members in 2013, managed to have 2,328 members as of July 2017. Attaining such a high organizational success in such a short period of time, Medya-İş became the biggest union in the sector and grabbed the bargaining authority at Anatolian Agency. In addition, Medya-İş became the union with the highest number of members holding yellow press cards and obtained the right of representation in Press Card Commission of Directorate General of Press and Information.[15] Basın-İş director Levent Dinçer explains the “organization” tactics of Medya-İş as follows: “They threatened the workers saying that Prime Ministry Printing House will move to

another building and those who do not transfer to Medya-İş will not be taken to the new building. The General Manager assigned his official car to give the workers a ride to the Medya-İş meeting. Our members who refused to change their union continue to suffer oppression.”[16]

Medya-İş, which had members in public institutions such as Directorate for Revolving Funds for Prime Ministry Printing House, Directorate of Printing at State Supply Office, Turkish Statistical Institute, Department of Information and Communication, Directorate of Printing and Marmara Cleaning Services Limited Company (subcontractor for Anadolu University) as well as Anadolu Agency, did not exhibit any effort to recruit members in pro-government media outlets, which demonstrates the fact that the sole function of this union was to weaken the power of opponent labor unions bothering the government.



According to the figures given by Mustafa Kuleli, Secretary General of Organization for JUT (based on the latest data from Ministry of Labor and Social Security and Turkish Statistical Institute), the press-information-journalism (including printing press) sector harbors 95,000 workers. This figure contains 24,000 journalists, 9,000 of which are unemployed. Thus, it constitutes the sector where unemployment is the highest with 29%. Only 3,000 journalists out of 15,000 actively working journalists are union members.

The number of media workers benefitting from collective bargaining is about 2,000. Collective bargaining in media sector is effective in 7 workplaces; 6 of these are places where JUT is organized: Cumhuriyet, Evrensel, Birgün, Bianet, Yurt, 9 Eylül. ANKA, where collective bargaining was in effect, went bankrupt and Kocaeli Manşet was shut down with the allegations of FETÖ connection. Collective bargaining at Anadolu Agency is negotiated through Medya-İş.[17]

## **Journalism under State of Emergency**

The critical threshold of stifling and destroying all the voices that refuse to accept the official interpretation of reality and establishing the absolute domination of uniform opinion was passed with the state of emergency that was declared after the July 15 coup attempt. Though not illuminated fully, this bloody attempt carried out by the Gülen Movement (or in its official designation Fethullah Terrorist Organization-FETO), which, in the words of Erdoğan, had received all the assistance possible from the government for attaining key position within the state, provided the Erdoğan regime the opportunity to establish the authoritarian system free from all the democratic and legal drawbacks. Endowed now with the title like that of his predecessors, Erdoğan the “Reis” (Chief), running the country with decree laws, seized the opportunity to eliminate his opponents with allegations that they are “supporting terrorism.” He accelerated his project of shaping the country in a fashion he longed for by cleansing the ideological and cultural atmosphere (including the media) of the critical and opponent views.

With the state of emergency, which was declared after the coup attempt that took place in the evening of July 15, 2016 and extended five times, the working conditions were made exceedingly

difficult. According to the data from JUT, Journalists' Association of Turkey and DİSK, during the state of emergency 216 journalists were arrested and 2,308 journalists were dismissed, 180 media outlets were closed down including 31 TV channels, 5 news agencies, 62 newspapers, 19 magazines, 34 radio stations, 29 publishing houses. It is estimated that the number of journalists dismissed is much higher than this figure since uninsured trainees and freelancers who are paid royalties or media workers who appear to be working in other sectors (because media outlets have more than one company) are not included in this figure.[18]

Most of the media outlets closed down with decree laws are those that are connected to the Gülen Movement. The media outlets owned by İpek Holding (Millet, Bugün) were appointed trustees in October 2015, and those owned by Feza Yayıncılık (Zaman, Aksiyon, Cihan Haber Agency) on March 2016. The oppression and excruciating working conditions that workers suffered at those media outlets under trustee management resulted in the dismissal of more than 2,000 employees with decree laws. Media workers did not face unemployment only. Workers at such outlets as the Taraf newspaper, which did not pay workers' wages for months, were bereft of their dues.

Another segment of the media that suffered from the decree laws of state of emergency was the Kurdish media. 23 Kurdish media outlets have been closed down and all their property has been confiscated; particularly Dicle News Agency, which has experienced a systematic policy of oppression and intimidation ever since its foundation, suffered greatly—its newspapers have been closed down, tens of workers have been killed, its buildings have been bombed. IMC TV, which broadcast to a wide democratic audience, has been closed down just like the daily Özgür Gündem in the aftermath of the coup attempt investigations. Such members of advisory board as the author Aslı Erdoğan and the linguist Necmiye Alpay were imprisoned for four months with the allegation of "membership to terrorist organization". In addition, socialist media outlets Hayatın Sesi TV, Evrensel Kültür Dergisi, Evrensel Basım Yayın and Alevite channel TV10 were closed down. To a lesser degree socialist press as well as media outlets supporting the Kurdish movement took its share from the closing down wave.

Pursuant to operations targeting the Gülen movement, the author Ahmet Altan, who was the editor in chief of the daily Taraf and who had an active role in the defense of political cases such as Ergenekon and Balyoz, and the academic Ahmet Altan, who once appeared as guest speaker on pro-AKP/Gülen Movement TV channels were arrested with the allegation that they gave "subliminal message" supporting the coup attempt.

However, without a doubt, the clearest example that shows the government's lawlessness and aggression towards the opponent press in the state of emergency period is the daily Cumhuriyet case. 17 workers of the daily, who became targets for Erdoğan, were judged (11 of them remained in prison for varying periods) for "committing crimes in favor of terrorist organizations FETÖ/PDY, DHKP-C and PKK/KCK though they were not members of these organizations" simply because they made news about the MIT (National Intelligence Service) trucks carrying weapons and ammunition to Salafi groups in Syria. Ahmet Şık is one of the defendants in this case, in addition to the daily's executives, its cartoonist, reader representative and the editor of the book supplement. An expert on the Gülen Movement, who after the coup attempt was invited onto TV programs to discuss the Movement and whose books were quoted in the FETÖ charge, Şık was now accused of contributing to the Gülen Movement. Another detail worth mentioning is that the public prosecutor himself who initiated the daily Cumhuriyet investigation is now being tried for life imprisonment—without arrest—for being a FETO member.

This period of closedowns and arrests was followed by an intensive spell of censorship and access prohibition. Censorship appeared in the form of blocking of accreditation, access prohibition, and restraint of news; according to a report by Journalists' Association of Turkey, the number of such

cases was 93 in 2014, 940 in 2015 and it soared to 3922 in 2016.[19]

As of November 2017 the number of journalists in prison is 172; of these 78 were arrested during the state of emergency.[20] In most cases, the ground for these arrests is conducting propaganda for a terrorist organization. 142 heavy life sentences, 5 life sentences and 4,259 years and 10 months are sought for 301 journalists. 18 journalists are being judged with a penalty claim of 90 years imprisonment for insulting President Erdoğan.[21] Within the state of emergency 715 journalists have been deprived of their yellow press cards and passports of 46 journalists have been cancelled.

These instances of political oppression on the media directly affect the working conditions of the journalists. Journalists, who prior to the state of emergency lived with fear that they may lose their jobs for harming their bosses' economic relations, now activate the mechanism of self-censorship more diligently for fear that they may not only lose their jobs but also go into prison. For example, the photojournalist Çağdaş Erdoğan was arrested for taking pictures around the Fenerbahçe Football Stadium. The accusation was worded as "photographing the MIT (National Intelligence Service) premises" and "membership to terrorist organization."[22]

Oğuz Güven, editor-in-chief of the online edition of the daily, was sentenced to 3 years and 1 month on November 21, 2017 with the allegation of propaganda for a terrorist organization after he shared a news story ("Chief Prosecutor Mowed Down by Truck") on Cumhuriyet's Twitter account about an accident in which a prosecutor was killed. Also two workers of the daily Sözcü, another newspaper that is most antagonistic to the Gülen Movement like the daily Cumhuriyet, were arrested with the accusation of having connections with the Gülen Movement.[23]

## **Conclusion**

The number of wage laborers in 2000 was 10.5 million, which rose to 13.5 million in 2017; the percentage of unionized workers among the wage laborers rose from 10% to 11.9% in respective years. 56% of unionized workers are members of Türk-İş affiliated unions, 34% of Hak-İş and 9% of DİSK.[24] Though there seems to be an increase in the number of unionized workers, this is directly related to staffing activities of Hak-İş and Memur-Sen, which have acted as political organs of the government. The rapid growth of these two labor unions that are organically tied to the AKP government, which is very resourceful in terms of neoliberal policies, is without a doubt means the shrinking, rather than the increase, of the gains of the working classes including media workers.

What is more, 3.5 % unionization rate is something that neoliberal governments cannot even dream of (Çelik, 2012). Even the September 12, 1980 coup, which was realized to prune away workers' rights and relieve bosses, had not achieved a success this big. Introduction of privatization, subcontracting, and unsecured labor and flexibilization policies in the late 1980s that became institutionalized in the AKP period played a great role in this success. In addition, the authorization system in law on trade unions that made unionization more difficult; the system which was introduced by the junta of September 12, was retained verbatim in Law on Trade Unions and Collective Bargaining Agreements issued on October 18, 2012. With the laws enacted by AKP, unionization of workers was hindered and labor courts postponed many strikes in this period. 13 strikes, including Şişecam and metal workers, have been banned for national security reasons during the AKP government, 5 of these bans took place in the state of emergency period.[25]

This period saw not only the policies of disbanding union organizations and rendering organization exceedingly difficult but also the tactic of establishing new labor unions competing with the existing ones. The unions Hak-İş and Memur-Sen, which are the embodiments of AKP's political hegemony in the field of labor, flourished immensely during the AKP government. For example, Memur-Sen,

which had 42,000 members in 2002, increased exponentially to reach 997,000 members, expanding by 1450%. In the same period KESK dwindled by 8%. The example of Medya-İş mentioned above ought to give an idea about the kind of unions the government desires to have.

All things considered, it can be seen that unionization is not a problem specific to the media sector only but a universal problem concerning labor. However, we already said that significance of unionization in media sector goes beyond social and economic rights. As indicated in the same section, media outlets cannot be independent from the political power and big interest groups owing to the intertwined relationships of commerce and politics, and journalists cannot be independent from their bosses because of unsecured working conditions.

The coverage of the Gezi Protests on mainstream TVs and in newspapers has been seen as an objective necessity. For media outlets that have a sense of public responsibility, broadcasting these news stories all across the country is *raison d'être* for these outlets. However, as O'Neill observes, the owners of media outlets have unlimited authority over these outlets which are designed as private ownership. The owners have the power to decide as to who can enter their estate and who cannot, just like the owner of a plot of land (O'Neill, 1998). This basically constitutes the contradiction between journalism today and in the past.

Surely, the way to fully overcome this contradiction is to liberate the process of media production from the mode of capitalist production. As long as this fails to be realized or until this becomes an actuality, unionization at media outlets is a necessity so that journalists can protect their professional independence and job security and journalism can be performed in line with public responsibilities. At the end of this report in which we have chronologically surveyed the position of labor and the importance of unionization in media in Turkey, the barriers for unionization or the factors that hinder unionization can be summarized as follows:

- 1) Media workers do not want to see themselves as workers/laborers either because of certain professional myths from the past or because of certain ideological statements.
- 2) As previous experiences show, unions organized in the media sector are seen as legal consultation firms to be asked for help in a difficult situation rather than as a form of organization.
- 3) The one-to-one signed contracts with each media outlet worker, the policy of paying different wages to each worker and granting different social rights, and the resulting media aristocracy restrain a unified labor struggle in these institutions.
- 4) The practices of subcontracting and unsecured labor, which became widespread during the AKP rule, are the factors that make syndicate organization rather difficult. In a period in which subcontracting became almost a rule, dismissals very easy and hiring workers something common, legal arrangements of the September 12 junta were essentially retained in line with the demands of employers.

As a matter of course, with the regulations introduced after the 2010 referendum, such as the facilitation of membership procedures through e-state rather than in the presence of a notary and the partial elimination of sectoral divisions that hampered workers' unionization by means of reducing the number of lines of work are favorable. However, AKP banned strikes and tried to intimidate workers with law enforcers; in short it hampered unionization; at the same time it strengthened those labor unions that are organically dependent on the government by means of incentives, promotions and favoritism. At Anadolu Agency, for example, AKP opted for authorizing the labor union it itself established rather than destroying the syndicate organization in this important institution; thus it used the union as a mechanism to manipulate workers and shape them



ideologically.

5) Dozens of communication faculties, which were established upon the demands of the media, started to provide the sector with cheap labor force after the satisfaction of this demand. Hundreds of final year students or new graduates were put work in media outlets without a pay under the pretense of traineeship for years. Communication faculties opened at private universities strive to educate technical staff who have no professional awareness, by disregarding theoretical courses and boasting that they are putting more emphasis on technical subjects.

6) Handovers in media that escalated especially in the AKP era led to an increase in mass dismissals. Thus such dismissals at handed over newspapers or TV channels became commonplace.

7) As can be seen in this report, in the AKP era, especially after 2013, journalists shunned unionization not only because of lack of job security but also out of fear that they may be penalized for political reasons. Joining journalism organizations that might annoy the government became impossible for media workers who even avoided making news that might annoy the government. In the same period journalists renounced their effort to perform their jobs duly and occupied themselves with surviving in the market by steering a middle way between the interests/demands of their employers and those of the government.

It is obvious that the journalist/newsperson that has been a member of the unions will pursue his profession more courageously. Doubtless, the number of readers/viewers who demanded objective news by crowding in front of the newspaper and TV channel buildings during the Gezi Protests ought to increase so that the practice of journalism/reporting in favor of the public good can become the rule.

**Emre Tansu Ketten and U. Uraz Aydın**

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26.11.2017 Emre Tansu Keten was born in 1988 in Lüleburgaz. He graduated from Marmara University, Communication Faculty, Department of Journalism in 2011. In the same year he started his MA, and completed it with a dissertation entitled "Transformation of Conservatism and the Conservative Media". In 2013 he started working as a research assistant. He was dismissed with the decree law No 686. Currently Keten is a PhD student at Marmara University, Department of Journalism. U. Uraz Aydın was born in 1976 in İstanbul. He finished primary school in France. He graduated from Marmara University, Communication Faculty. His MA thesis, which he completed in 2003, was published as a book with the title Sihar ve Ütopya. Tolkien'in Yüzüklerin Efendisi'nde Romantik Eleştiri (Versus, 2008). In his joint-PhD with INALCO (France) and Marmara University, he wrote the dissertation focusing on an analysis of the origins of liberal-democrat discourse in Turkish left and its reproduction through the works of columnists ("Gauches, libéralisme et démocratie. Les mutations des intellectuels turcs 1980-2008"). In his post-doc studies, which he completed with a TÜBİTAK grant, he examined the post-André Breton surrealist movement at EHESS in 2013-2014. He was dismissed from Marmara University, Communication Faculty, where he had been working since 2000 for signing the petition "We will not be a party to this crime" with decree law No 686.

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**P.S.**

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