

## **Media Ethics and Turkey**

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### **Abstract**

The discussions on ethics in general meaning related with media ethics. Although, ethics vary from country to country, political regime to political regime or culture to culture, three major areas of worldwide concern within the field of communication are: truth, responsibility and free expression. In Turkey, partisan or nonpartisan people are complainant from media in many different ways, even journalists themselves. The complaints arise from, such as; relations of power and the institutions' priorities, growing monopoly ownership, depolitization, being too close to the political establishment, reliance on elite resources, privacy, growing influence of the PR and advertisement industry. The study provides an overview of the ethical codes and practices of the journalism, by theoretical researches. Afterwards, examines the Turkish media mostly, through newspapers, television stations, internet, journalist organisations and regulatory bodies, also referring to researches in this field. The study shows, in reality ethical codes are not applied by either media owners or journalists. Being aware of the danger of ethical codes could be easily violated, to apply ethical codes is a basic for overcoming of the problems of media ethics. The conclusion argues that, Turkish media institutions and journalists are whether or not under severe conditions to carry out ethical codes of journalism.

**Keywords:** Turkish media, media ethics, codes of journalism

## **Introduction**

Whether traditional or new media, their influence on the public is not neglectable. The discussions about the role and responsibilities of the media are in general related with media ethics. Journalists are individuals who are driven by the need to make a living, working in a profit-seeking market economy. Like in Turkey, in most of the countries, the media are controlled by a small number of companies, which have different interests other than the sector as a result of concentration in media ownership. But journalists are also professionals, bounded by ethical principles and responsibilities. On the other hand they have to protect press freedom in the name of themselves and their audience. Many of them, believe in that their duty is to serve and stand up for corruption in any kind although they do not have that ability too much because of the market realities.

During last decades, the role of the media have been changed by depolization because of hyper competition, contrary to the public right to information. Depolitization transformed the audience into different consumers. Interests of dominant groups are wellcomed and the free press, democracy, the public interest, objectivity, neutrality are exposed as myths. This study primarily will concentrate on the theoretical discussions of ethical codes and practices of the journalism as a whole. In this framework, I will examine how these ethical codes and practices influence Turkish media and professionals, using printed to internet materials and researches. Discussion will also try to underline the reactions of professionals against the pressure on them. As a conclusion, this study will argue if Turkish media institutions and journalist are under severe conditions to carry out ethical codes and try to propose a solution for the problems in this field.

Ethics vary from country to country, political regime to political regime and culture to culture. "But, there are three major areas of worldwide concern within the field of communication ethics" says Alia and names them as "truth, responsibility and free expression." Alia also states that while some of them shared widely across international boundaries, some of them prevalent in particular places, nations or regions (Alia, 2004: ix).

## **Ethical problems of the media**

Although, they are not in equilibrium but exists, the ways journalists report and edit are shaped by the relations of power and by the institutions' priorities within the organizations that employ them. So, the institutional values of journalism emerge from an evolving set of practices rather than in a static set of rules. (Iggers, 1999: 16) It is impossible to apply general principles to all of them because of the globalisation of the media industry and expansion of it in most of the countries beginning from early 80's. In an advertising/ratings driven environment with hyper competition and falling circulations and the need for profits, outweigh all other considerations. The role of the mainstream media is propagating dominant, capitalist values. According to Keeble, critics of the dominant media myths often focus on the economic roots of journalistic practices and bureaucratic structures. "As the media consensus has narrowed, so the monopoly ownership structures have intensified. Critics who highlight the monopoly structures in media industries often refocus the ethical debate away from the individual journalist to the employer." (2009: 1-23)

The narrowing of the political debate in newspapers has been accompanied by a growing monopoly ownership of Babiâli (a given name to Istanbul press) like in other countries such as the top four companies owning 90 per cent of the total in circulation terms in England. In Turkey the newspapers, magazines and books of Dogan Publication Company with more than 12.000 different publications, have a market share of nearly 40 per cent in terms of average circulation. Corporation have two of the nation's most popular four television channels having together 28 per cent in prime-time ratings and 23 per cent daily

ratings, besides having five other TV channels, some of them with foreign partnerships and four radio channels (DPC: 2013 Annual Report).

The depoliticization of the media and giving more columns to sport, lifestyles, sex, health and single events are claimed for transforming citizens into indifferent consumers. Even they go further and call their readers and audience as “consumers”: “To use innovative methods to deliver to all customers or to provide customer-focused services.” (DGC, Annual Report 2009) For some critics, media invasion of the cultural space is opening way to political apathy (Bourdieu, 1998) The profession is described by Ivan Illich (1973) as “a form of imperialism” operating in modern societies as repressive mechanisms undermining democracy and turning active citizens into passive consumers (Keeble, 2009: 20).

Journalists are also accused of being too close to the political establishment. Herman and Chomsky (1988: xi), argue that in Western media systems, the propaganda function is a permanent feature with the powerful elite “able to fix the premises of discourse, to decide what the general populace is allowed to see, hear and think about and to manage public opinion by regular propaganda campaigns”.

The radical response to the ethical dilemmas facing journalists comes largely from the political left, claiming journalism’s function as one of social reproduction in the interests of dominant groups and classes not the whole of society. The free press, democracy, the public interest, objectivity, neutrality are exposed as myths. Some Marxists argue that the media are the “tools of the ruling class.” (Coxall and Robins: 1998: 194)

The growing influence of the PR industry and spin-doctors on media content is making newspapers publicity sheets for government and big business. And the growth of advertorials shows how willing the advertisers to use the content of the outlet. According to Nick Davies, an investigative journalist, by recycling agency and PR material, newspaper reporters are increasingly reduced to being ‘churnalists’. (Davies 2008: 69–70). Journalism’s function in the interests of dominant groups and classes not the whole of society. The influence of PR industry and spin-doctors effects the sector negatively.

When considering ethics, the journalists, generally talk about either cases of misconduct or cases that represent a conflict between two competing journalistic rules or values. They tend to talk about the cases that are in the news-media coverage of the private lives of politicians or stars whether reporters should have the right to cover or not that “incident.” (Iggers, 1999: 17)

In Turkey, Hasan Fehmi Gunes, a social democrat and the Interior Minister, resigned from his post in 1979, because of news and photographs published by a weekly tabloid Hafta Sonu (Weekend), afterwards used by the mainstream media, showing him entering and leaving the apartment of Aynur Aydan, -later called as the lady who overthrown a minister- a movie star. After his resignation, he answered the questions about this extramarital affair as “I accounted to my wife” without giving any details.

In May 2010, a radical Islamic newspaper posted a videotape on its news agency’s website supposedly contains the sex scenes of Turkey’s main opposition leader with one of his MP’s. Both he and the woman are married to other people. The video was posted on the news website for only 30 minutes and then removed, allowing enough time to be transferred by the international websites such as YouTube. The tape named as “Sex Adventures” claimed that the affair helped the carrier of the MP and approved by her husband. The video is very low quality with the scenes constantly skipping. The leader, while resigning from his post, told reporters that the secretly shot tape could not have been made without the knowledge of the ruling party. “One who gives credit to unlawful and unethical plot cannot defend law and ethics” he said in televised address.

The naked photographs of Sibel Can's, a popular singer of Turkey, while walking through in the balcony of a hotel she stayed, Metin Akpınar's, a well-known comedian, while talking with phone in a hotel's balcony and Tarkan's, a famous popstar, while sunbathing with a man in a beach in USA were also on the agenda of tabloids as well as mainstream media, during 1999, 2000 and 2001. Or even a photograph taken during a "friendly dinner" showing a well-known journalist, Hasan Cemal with a scarf on his shoulder was printed on the first page by the general director of *Milliyet* after stealing the film from the camera which belongs to the owner of the invitation in 1995 (Gonensin, 2009). Should all these examples could be appraised as the humiliation of private life? Or could they be evaluated as the right to know or for the sake of public interest?

In Tarkan's case, a prime-time television channel broadcasted and than mass circulated newspapers published the photograph that has been obtained from a man claimed to squeeze money from the popstar. The photograph, which is explicit but not pornographic, is accompanied by a news report which spells out the significance of the image: "Gay beach, gay relations, etc." (*Milliyet*, 2001: 2) What is wrong with broacasting or publishing the image and report?

First it might be wrong if the manner in which the photograph had been obtained was clearly impermissible like in Hasan Cemal's incident. There might be a worry about permissibility if the photograph had been obtained without its subjects knowing that it was being taken. In Sibel Can's or Metin Akpınar's case, it could be that the subjects of the photograph not only did not know they were being photographed but might reasonably expect not to have been photographed. No one bathing on a deserted private beach or naked in a balcony can expect that photographers wait with their cameras. But a person's reasonable expectation not to be photographed is not necessarily a rightful expectation that he or she should not be. The press cannot, for obvious reasons, always advertise to those it is investigating when, where and whether they are conducting the investigation.

The taking and publishing of the photograph would arguably be wrong if it breached confidentiality. If the choice of image or the language accompanying it were clearly intended to humiliate, ridicule, belittle, or unfairly stigmatise the subject, or if the story's publication formed part of a pattern of reporting with such an intention, the photograph's publication might give cause for moral concern. A mass circulation newspaper *Star*, gave Akpınar's photograph with a headline making fun of him using a Turkish idiom: "Peeled the orange." So it could be argued that this story goes beyond the reporting of a newsworthy event and fair comment upon it.

Sometimes, the subjects claims that its being no business of the press what this person freely does in private alone or with another individual. But these claims bring together another claim to justify such photographs or stories. Privacy is keeping personal information non-public or undisclosed. It is obvious that, one person strives to keep private while another one may be happy to see or learn. According to Krian, invasion of privacy is the publication of the details of someone's personal circumstances: that someone is gay, is HIV positive, is having an extramarital affair, engages in a certain kind of sexual activity, has an illegitimate child, and so on (Archard, 1998: 83-85).

A person's privacy may be breached if the information disclosed serves a proven public interest. Turkish Journalists Association declares these rules as follows: "The basic principle is the protection of public interest. Situations under which the privacy principle does not apply include:

- a. Research and publication on major corruption or crime cases;
- b. Research and publication on conducts that would have negative effects on the public;

- c. Cases where public security or health is at stake;
- d. Need to prevent the public 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. It should be considered to what extent the private life of the person in question affects his or her public activity.” (TJA, 2014)

Formal codes of ethics are viewed with scepticism. As American media theorist John C. Merrill argues: “Journalists must seek ethical guidance from within themselves not from codes of organisations, commissions or councils.” Bob Norris, former Times correspondent, says on codes “they all have one thing in common: they are not worth the paper they are written on.” He continues: “Every story is different and every reporter is driven by the compulsion to get the story and get it first. To imagine that he or she is going to consult the union’s code of ethics while struggling to meet a deadline is to live in cloud-cuckoo land.” (Keeble, 2009: 7)

All aspects of journalism and production, whether it is print or broadcast, are regulated and given advice by government-appointed and independent advisory bodies in most of the countries. The main aim of this approach is said to ensure a balance between ethical and legal considerations and possible infringement of the right of freedom of speech in the media.

### **Media Control Mechanisms**

European mechanisms of media accountability vary from country to country. While virtually all states have some kind of media laws, some states have set up either government-controlled or autonomous institutions which have media regulation responsibilities. There is no consensus on which system serves the citizens the best; many media activists simply focus on making sure that whatever media rules do exist in a country are actually observed by everybody involved. In Turkey, all newspaper, magazine, radio and television journalism and production are regulated by voluntary or parliament-elected bodies. Their aim could be described as to ensure a balance between ethical and legal considerations and to protect the prestige of the press. In Europe, Office of Communication (OFCOM) of England, the Conseil Supérieur de l’Audiovisuel (CSA) of France and Arbeitsgemeinschaft der Landesmedienanstalten (ALM) of Germany and Radio and Television Supreme Council (RTUK) of Turkey are more or less the equivalent traditional state regulation bodies like FCC.

**Radio and Television Supreme Council:** A rally, held in Taksim ended with incidents, which were broadcasted live by some TV channels, was the adequate reason. The Radio and Television Supreme Council (RTSC) law (Law 3984 now 6112) passed from the parliament after 9 hours of debate, adding six more articles to the 38 articles proposal in 13<sup>th</sup> of April, 1994. The board of RTSC is composed of 9 members who are elected by the parliament, having the majority of the ruling party. Even this article was enough to have suspicions of the ruling of the council. The objective of the law, according to the first article, is “to prescribe the principles and procedures relating to the regulation of radio and television broadcasts and to the establishment, duties, competence and responsibilities of the Radio and Television Supreme Council.” the main criticism is the acting of the Board over all the courts. According to article 25, in cases of accurate necessity for reasons of national security or of a strong possibility that public order may be disturbed, the Prime Minister or a designated minister may suspend a broadcast. For example during an incident in Bostanci, in 4<sup>th</sup> of April, 2009, the live coverage was banned by the Board after getting the written order from the Vice Prime Minister. Also, the Board carried a censor decision of a court about the incidents about

Turkish Consulate in Musul, Iraq, last month. The Board has the right to give penalties like warning, fine, suspension and revocation (RTSC, 2011).

**Press Union:** Sometimes, because of the complexity of broadcast regulation, being overloaded with work and state's or government's pressure, actors are urged to solve the problems among themselves. This obligation usually accepted by the press to keep the state out of its affairs. This type of self regulation is done under the threat that the state may intervene. Regulatory bodies like press councils are not new and some of them older than the state regulatory bodies. The Turkish press itself tried to protect prestige with self regulatory mechanisms resulting from the pressure of the governments. The first step was the constitution of Press Union during 1938 by the law which was imposed by the government (Inugur, 1998: 108). One of the main goals of the union was to ensure "honour and dignity of the profession." The Court of Honour, had the authority to solve the problems between the members of the union. Regional Court of Honour could give to one month prohibition from the profession and Supreme Court of Honour has the right to three months.

After the dismissal of the union, the self regulatory issues was again on the agenda following the 1960 coup. By the demand of the ruling National Union Committee, Journalists Association and Istanbul Trade Union of Journalists efforts, 132 newspapers, magazines and professional institutions have signed the Press Ethics Law's contract. Press Honour Council was held responsible to carry out the contract (Kardes, 1980, 30, Alemdar, 1990: 78-111, Ozgen, 1998: 172-174).

**Press Council:** The discussions about implementing the self regulation for the press, continued during the military regime after the 1980 coup. In 1983, Turkish Journalists Association and the dailies *Cumhuriyet*, *Gunaydin*, *Gunes*, *Milliyet*, *Tercuman* and *Yeni Asir* hold a meeting in Istanbul. During two days of discussions, the attendances pointed out the necessity of founding the Press Council. The chairman of Journalists Association declared that a protocol was signed between *Turkiye Gazeteciler Sendikasi* (Journalists' Union of Turkey) and *Turkiye Gazete Sahipleri Sendikasi* (Union of Owners of Newspapers of Turkey) agreeing to found the *Basin Konseyi* (Press Council).

A group of journalists, headed by Ugur Mumcu, assassinated journalist, declared that the self regulatory mechanisms would restrict the freedom of the press. But in 1986 a working group formed by 28 journalists, introduced the contract of the Press Council and Press Ethics Regulations for the approval of the members of the press. The Press Council was founded in 1988 by 141 active journalists. The aim was described as, "realizing a freer and a more respectable press." Though having no legal sanctions, the Council's members have gathered together on voluntary basis. The council's Supreme Board, could give decisions like "there is no ground for the complaint", "reprimand" or "censuring" who accused of violating the Code of Ethics adopted by the Press Council, which described by 16 articles. But the parts have to guarantee not to carry their complaints to legal procedure (Press Council, 1988-89).

During the foundation process, the ruling political power restrained or at least try to influence the foundation, like the formation of Press Union and Press Honour Council. It is known that, Mesut Yilmaz, Minister of State who is responsible for the press, beginning from 1985, discussed this issue with nearly every member of the press. Motherland Party (ANAP), watched every step, insisted, used pressure and desired the foundation. Yavuz Donat, a columnist quoted that, "Previous night, I talked with Mesut Yilmaz, Minister of State. We discussed the auto-control of the press. 'We do not want to make a law. The press institutions should form the self regulatory mechanisms and to run it' he said." (Donat, 1987: 252). Cetin Emec, assassinated columnist and general director, pointed out that, every politician even the head of state was curious about this process and asked him in any chance "What is the progress?" Kenan Evren, the coup leader and former head of state, during a visit to the

Council, said “I believe in that, the press needed a foundation like this. I am very pleased.” (Tanju, 1993: 61). The impression of pressure from the government was backed by the words of Oktay Eksi: “The government will do something like this. Before it we should implement self regulations so they will have no word to say.” Or Hasan Pulur’s, a columnist, words: “Like the tobacco issue, the parliament or the government could make a law in the midnight. We should act before it.” (PJA, 1990: 80)

The Parliament Reporters Association (PRA) and Progressive Journalists Association’s (PJA) opposition to the Council can be summarised as follows: “Every regulations and penalties are described by the Press Law. To found councils under the name of ‘self regulation’ and to incline new prohibitions could not be accepted by the press members when the prohibition from the profession according to the law still exists. The Council is one of the many examples of the steps which is intended to take the press under control. Describing the aim to carry out Press Ethics Law is meaningless while the Press Law is in force (Sagnak, 1996: 271)..

**Ombudsman:** “Ombudsman”, the Swedish word for “representative”, has been widely adopted by other languages as the name for a mediator who investigates citizens’ complaints. Some newspapers use titles such as “readers’ representative,” “readers’ advocate,” or “public editor.” Unlike press councils, most ombudsmen work only for a specific media outlet. They liaise between the news outlet’s staff and its users like readers, viewers or listeners, receive their comments and complaints, and try to resolve disagreements between the two sides. The ombudsmen are organized under an international association, the Organization of News Ombudsmen (ONO), a nonprofit corporation with an international membership of active and associate 60 members, formed in 1980.

Yavuz Baydar known as the first ombudsman in Turkey, started to work as an ombudsman in 1999 with the slogan of “If everybody in the press clean his home, this will be enough” in *Milliyet* with the support of General Director Umur Talu. The institution of ombudsman was criticized by some experts. Although was not welcomed by ombudsmen in Turkey the main topics of criticism could be summarized as follows: “The independence of Ombudsmen in Turkey are controversial. They have no financial independence and are paid by the owners of the outlets. This minimizes the criticism of the outlet. The choosing of the complaints are arguable. They are not well equipped even to give media ethics lessons in the universities. The principles that they have to obey are not clear and not announced.” (Tunc, 2006)

**Self-regulation:** For the ethical concerns, the press organizations, print and broadcast media mostly have developed their code of ethics which are strictly enforced and published them. Although there is no model code to be shared across the world, some guidelines are referred to more than others like created by international news agencies and quality newspapers. For drafting and obeying the codes journalists and mostly editors are responsible. The codes of ethics should be revised regularly and promoted. The revision responsibility belongs to associations or in-house by a group of experienced journalist appointed by chief editor.

International news agencies like the Associated Press and Reuters or a local one Anatolian Agency, the journalist association Turkish Journalists Association (TJA), or newspapers have their code of ethics, journalism bible’s or journalism handbooks. declaration “Turkish Journalists Declaration of Rights and Responsibilities” underlines that: “Every journalist and media organization should defend the rights of journalists, observe professional principles and ensure that the principles defined below are followed. The executive directors of media organizations, chief editors, managing editors, responsible editors and others are responsible for the compliance with professional principles by the journalists they employ and

the media product they produce with professional principles. Journalists' rights constitute the basis of the public's right to be informed and its freedom of expression. Professional principles, on the other hand, are the foundations of an accurate and reliable communication of information.” (TJA, 2014)

An example for in-home self regulation is Dogan Media Group's: “The primary function of journalism is to uncover and convey objective information to the public without distortion, exaggeration or outside influence, in the shortest time period and with complete truthfulness. Journalist must separate their professional endeavors from personal benefit and influential relationships.” (DGC, 2009)

A survey that was carried out to understand Turkish journalists' view ethics or whether they implement ethical codes. The research carried out in Ankara and Istanbul, with 114 journalists including administrators from Turkish mainstream media. The journalists believe that journalists do not adhere to codes of professional practice. Their explanations of the reasons for this fall into four separate categories comprising: monopolization, the absence of editorial freedom, the lack of job security and the failure to accept ethical codes (Koylu, 2006: 62-63).

Also a poll carried by AC Nielsen for *Acik Radyo*, on 2006, 78 per cent of the attendants believes in that the media owners interfere the news, comments and coverage. The percentage of the attendants, thinking the news are distorted or published for the benefits of the outlet by the media reaches to 90. Attendants also underlined that they desire is “independent, honest ve impartial” media. Poll also showed, only one percent of the attendants see the media as the most trusted institution in Turkey (Madra, 2006). The distrust is not a only problem for Turkey but also for other countries.

## **Discussion and Conclusion**

If we summarise the main critics, they are: Journalists are regarded as disreputable, untrustworthy and dishonest, pushing a personal or sectional interest rather than the facts of the case. The ways journalists report and edit are shaped by the relations of power and by the institutions' priorities within the organizations that employ them. Under hyper competition, everything is for advertising/ratings and profits. The role of the mainstream media is propagating dominant, capitalist values. Political debate is narrowed in newspapers because of a growing monopoly ownership. And the depoliticisation of the media reaches to end by giving more columns to sport, lifestyles, sex, health and single events.

The profession is described as “a form of imperialism” operating in modern societies undermining democracy and turning active citizens into passive consumers. Journalism is becoming the science of not informing people. The mainstream media's reliance on elite sources have dangerous results. Journalists are accused of being too close to the political establishment. Journalism's function in the interests of dominant groups and classes not the whole of society. The influence of PR industry and spin-doctors effects the sector negatively.

In democratic societies we believe that freedom of the press is measure for safeguarding democracy. If any information is kept in the dark either by government censorship or by self-control mechanisms of the media, it will lead to a state where the citizens are unable to learn the truth and it will eventually lead to totalitarianism because the state will make all the decisions instead of people.

The critics mentioned above show that, media owners and professionals are responsible to carry out the ethical codes and practices of the journalism. But the opinions of the professionals, especially the absence of editorial freedom, the lack of job security and the failure to accept ethical codes point out the severe conditions of the journalists. Mentioned before, the media owners priorities, under hyper competition, are everthing is for advertising,

ratings and profits. A free media is one of the basic conditions for media ethics and democracy. So to prevent the influence of the monopolization of the media, journalists must have social security that could be carried out without any restraint. This social security, instead of lack of social security, will give the editorial freedom to the editors and reporters in the name of the protection of the right of the public opinion.

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