

STRUGGLING FOR REALITY: A SOCIOLOGICAL ANALYSIS OF TURKEY'S
INTERNET REGULATIONS

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ABSTRACT

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Internet has become an important part of most people's lives especially for the last 20 years in Turkey, which has opened a new and unknown world to ordinary citizens. With the emergence of social media platforms, 'ordinary' people have found a voice enabling them to reach out thousands of individuals. Authorities didn't realize the Internet's importance at first but later on, it became a critical matter on their agenda, which resulted in a need for exercising control over it. The thesis aims to examine how sociopolitical reality has been established as a field of struggle in the state's practices of regulating Internet and social media in Turkey. In this context, the relationship between media and power dynamics has been investigated. Firstly, various Internet and social media regulations around the world were discussed to clarify the Turkey's stance. Secondly, it was focused on Durkheim's social facts and collective consciousness and Gramsci's cultural hegemony theories to create theoretical basis of the further argument. Thirdly, the focus was turned to Turkey. While the political and historical background of Turkey regarding media was examined to understand its transformation over the years, the legal aspect of the issue was also discussed to comprehend the legal changes parallel to the historical process. Afterwards, the practices of these legal regulations were presented to underline the impact of it. Finally, a content analysis of the news articles regarding Disinformation Law was made to investigate the construction of sociopolitical reality and the struggle over it in Turkey.

Keywords: Internet and Social Media, Legal Regulations, Sociopolitical Reality, Social Facts, Cultural Hegemony

ÖZ

GERÇEKLIK İÇİN MÜCADELE: TÜRKİYE’NİN İNTERNET DÜZENLEMELERİNİN SOSYOLOJİK ANALİZİ

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İnternet, özellikle son 20 yılda Türkiye’deki çoğu insanın hayatının önemli bir parçası haline gelmiş, ‘sıradan’ insanları ve bilinmeyen bir dünyanın kapısını aralamıştır. Sosyal medya platformlarının ortaya çıkması ile de onlara binlerce kişiye ulaşma fırsatı sunmuştur. İlk başta otoriterler tarafından fazla önemsenmeyen bu konu, zamanla devletlerin gündeminde kritik bir mesele haline gelmiş ve internet üzerinde kontrol sağlama ihtiyacı hissedilmiştir. Bu tez, Türkiye’de devletin internet ve sosyal medyayı düzenleme pratiklerinde, sosyopolitik gerçekliğin bir mücadele alanı olarak nasıl kurulduğunu incelemeyi amaçlamaktadır. Bu bağlamda, medya ile otorite arasındaki ilişkiye odaklanılmıştır. İlk olarak, Türkiye’nin dünyadaki yerini görmek için dünya genelindeki çeşitli internet ve sosyal medya düzenlemeleri incelenmiştir. İkinci olarak, Durkheim’in toplumsal gerçeklik ve kolektif bilinç ile Gramsci’nin kültürel hegemonya teorilerine bakılarak, argümanın teorik temeli oluşturulmuştur. Üçüncü olarak, odak Türkiye’ye çevrilmiştir. Türkiye’nin yıllar içindeki değişimini anlamak amacıyla ülkenin siyasi ve tarihsel geçmişi incelenmiş; konunun yasal yönü de tarihsel süreçle paralel olarak devamında ele alınmıştır. Sonrasında, hukuki düzenlemelerin uygulamalarını incelemek, bu düzenlemelerin doğurduğu sonuçları anlamak açısından teze katkı sağlamıştır. Son olarak, son çıkan Dezenformasyon Yasası ile ilgili haberler içerik analizi yöntemi ile analiz edilmiş; Türkiye’de sosyopolitik gerçekliğin nasıl inşa edildiğinin ve bu konudaki mücadelenin sorgusu yapılmıştır.

Anahtar Kelimeler: İnternet ve Sosyal Medya, Yasal Düzenlemeler, Sosyopolitik Gerçeklik, Kültürel Hegemonya, Sosyal Gerçeklikler

To those who have been unjustly dismissed or imprisoned

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CHAPTER 1

INTRODUCTION

The advent of the Internet and social media has transformed the global communication landscape, providing individuals with unprecedented opportunities to express themselves, connect with others, and engage in social, political, and cultural conversations. It has become essential components of modern communication and information exchange. However, in the process of time, governments around the world have grappled with the challenges posed by these platforms, leading to the implementation of various regulations. Internet regulations have evolved significantly over the years and it is relatively new and noteworthy phenomenon influenced by the countries' social, political and cultural norms and the nature of content involved, such as child pornography, terrorism, and gambling. Governments and international bodies have sought to address various concerns not only related to content of online activities but also related to activities including privacy, cybersecurity, intellectual property, and freedom of expression. "Social media were supposed to allow 'the small citizen to have a loud voice', and bring their opinions to a large audience or group of followers." (Reisach, 2021, p. 907). However, this became problematic for many governments around the world. They looked at the situation from a different angle and focused on negative side of Internet and social media, which led them to a need for establishing a control over it. So, many countries have been implementing content filters with the aim of safeguarding societal morality, protecting children, and ensuring security, particularly targeting issues like child abuse, violence, racism, drug use, gambling, terrorism, and explicit content. The term 'filtering' concerning the Internet is often used interchangeably with censorship when applied by an authority and is considered the technical expression of censorship. With these control mechanisms, the Internet has become the space where the constructed sociopolitical reality could be felt the most. This is also due to

its supportive nature of ordinary citizens' active participation within this controlled environment.

In the context of Turkey, the period when the construction of the sociopolitical reality could be noticeable the most coincided with the AKP governance. One of the reasons is that AKP has been in power for the last 21 years. Moreover, the Internet technologies have developed and become widespread in Turkey during this very period. Thus, this thesis will mostly investigate incidents in the AKP government period.

Another aspect of this research is to question whether the construction of sociopolitical reality has become a battlefield in Turkey. In other words, it is examined whether the sociopolitical reality has started to be differentiated for different social groups in Turkey, which eventually blurred what is valid and real and leads to a conflict.

One of the most interesting points is that despite the unrest due to government's oppression, weak economy and inequalities, AKP government electorally succeeds in Turkey over and over again. More than fifty percent of Turkish citizens support President Erdogan and the AKP enthusiastically still in 2023. The question should be asked at this point, what are the reasons behind this political success? Although a direct answer to this key question is beyond the scope of this dissertation, more general questions should be asked as well since the relationship among authority, society and media has a long past. So, how important is the role of media within an established order? Do all governments give importance to the control of media? If so, why do they prioritize controlling the media narrative? With what tools and narratives of justification? It is essential to analyze the sociopolitical dynamics within societies for finding answers of these questions. The sociopolitical dynamics shape the state's policies and reciprocally the state's strategies help the construction of sociopolitical reality. So, my research question is how has been sociopolitical reality established as a field of struggle in the state's practices of regulating the Internet and social media in Turkey? Content analysis method is used to analyze news articles regarding the Disinformation Law. Three newspapers that are pro-

government and other three newspapers that are dissident were chosen. The focus is chosen as the Disinformation Law because it is the latest and one of the much-debated media laws in Turkey, which has passed in the late 2022. Yeni Şafak, Yeni Akit and Milliyet were selected as pro-government sources and Diken, Gazete Duvar and Sözcü were picked as dissident newspapers for content analysis. Following the enactment of the law, concerns have arisen regarding its potential impact on increasing investigations and inquiries. Critics have suggested that this regulatory measures might contribute to the creation of an atmosphere of fear. Therefore, analyzing news regarding the issue will be beneficial to understand Turkish media landscape and whether there is a struggle over the reality, which will be discussed in detail in the analysis chapter.

While Turkey's situation was being questioned, to understand what sociopolitical reality means and what constructs it has essential part in this dissertation. Social reality is the collectively accepted version of reality in a society, formed through shared meanings, beliefs and interactions. Additionally, sociopolitical reality explores the interplay between social and political elements shaping a society. In this research, further in-depth analysis of the argument was facilitated by examining Emile Durkheim's and Antonio Gramsci. Durkheim's perspective illustrates society as an evolving mechanism with ideological integrity, emphasizing social facts as significant components of a society and collective consciousness as the foundation of social reality. The notion of sociopolitical reality, which could be understood as social fact in Durkheim's sociology, is decidedly objectivist and does not leave much space for the political struggle of social groups to construct that reality from the standpoint of their own political agendas. To make up for this lack in Durkheim's understanding, examining Gramsci becomes crucial. He provides insights into the power dynamics within society, offering a more comprehensive view of the forces contributing to the construction of sociopolitical reality. So, Durkheim and Gramsci together help me to build my argument to comprehend the complex relationship between society and, politics and the construction of the reality, which will be discussed more in the next chapter. Before shifting the focus to these theories and Turkey, it is important to be aware of other countries' approaches related to their control over online spaces since knowing other countries' policies will be beneficial

in terms of understanding the issue itself and Turkey's position regarding it in the world. Also, investigating Internet and social media regulations will be one of the critical steps of this study due to its initiating role in the establishment of sociopolitical reality.

Every country has its own sociopolitical and historical background regarding the Internet regulations. Different countries have adopted different approaches to establish control over online spaces. For instance, in democratic societies, the responsibility for filtering content is generally entrusted to users, allowing them to make their own choices and preferences (Henkoğlu and Yılmaz, 2013). In relatively more authoritarian societies, mainly governments took control over Internet and social media usage and left minimum space for their citizens to decide what to access. Regardless of any governments' approaches and the levels of supervision, their efforts to control online spaces have had an impact on freedom of expression, and the broader sociopolitical context within which these regulations have emerged.

John (2019) highlights that the concept of freedom of expression has a complex history. Over the last few centuries, the boundaries of free expression have been shaped not only by time and space but also by political and social regulations. It is evident that control over freedom of expression is more prevalent today than in any other period in history due to the impact of digitalization brought about by advancing technology. Additionally, freedom of expression as a fundamental pillar of democracy and a constitutional right, intertwines with debates about democracy within the evolving technology and transforming public sphere context. The Internet that transforms spectator democracy into participatory democracy reduces the information gap between authorities and citizens, leading to increased participation. This momentum of participation has turned the Internet into a public sphere that enables growing freedom of expression and sharing. But also it has sparked debates about its role as a tool for control and restriction in the modern era (Tekeli, 2021).

The first law aiming to regulate online content in the world passed in the United States in 1996, which is called the Communications Decency Act (CDA). It was

particularly concerning obscenity and indecency. However, significant portions of the law were later struck down as unconstitutional. So, this wasn't a successful attempt to regulate the Internet. Later on, in the 2000s, as the Internet became more common, governments worldwide began enacting legislation to address various concerns. As of today, like Topornin says "governments around the world have been using technical, legal, and illegal strategies to regulate online content for over two decades." (Topornin et al., 2021, p.8).

According to 2023 data, China, North Korea, Russia, Iran and Saudi Arabia are some examples that are adopting the most strict and oppressive approaches in terms of Internet and social media regulations in the world. According to Freedom House, which is a non-profit organization group being a vigorous advocate of democracy, political freedom and human rights, these countries are classified as 'Not Free' for two categories: Global Freedom and Internet Freedom. They have received the worst scores under these categories. For instance, "a 2021 report by the Open Observatory of Network Interference (OONI) found that Saudi Arabia has the highest percentage of LGBT+ 'website blocking consistency' globally." (Freedom House, 2021).

On the other hand, examples of countries that have regulated the online spaces the least are Canada, Sweden, Estonia, Iceland and New Zealand. Also, there are many countries that are in between Canada and China. For instance, most of the European countries are less repressive than China, North Korea, Russia, Iran and Saudi Arabia but more controller than Canada, Sweden, Estonia, Iceland and New Zealand. France and Germany are appropriate examples of these kind of countries. At the same time, they are some of the early adopters of online regulations in Europe. So, all these countries around the world are worthy instances to examine in order to understand Turkey's stand in the world regarding the issue.

China is renowned for its extensive Internet censorship and control, characterized by the 'Great Firewall of China'. It is one of the most comprehensive and stringent systems of Internet regulation in the world. The government blocks access to numerous international social media platforms, search engines, and news websites, isolating Chinese citizens from global online conversations. In place of international

social media giants, China has fostered a thriving ecosystem of homegrown platforms such as WeChat, Weibo, and Douyin¹. These platforms are tightly monitored and controlled by the government, ensuring that the content shared aligns with the official state narratives. This content censorship contains a wide range of topics, including political dissent, human rights issues, and any information deemed harmful to the ruling party's image.

Moreover, these strict regulations extend to user behavior as well. A 'real-name' registration policy has been implemented, which requires users to verify their identities before creating accounts on social media platforms. This measure aims to discourage anonymous dissent and facilitates surveillance and tracking of online activities. Furthermore, Chinese authorities actively employ a large number of human moderators and artificial intelligence algorithms to filter and remove content that goes against their guidelines.

North Korea operates one of the most isolated and controlled Internet infrastructures globally. The vast majority of North Korean citizens are using a state-controlled intranet known as Kwangmyong that allows only limited information approved by the government instead of the global Internet. The content available on Kwangmyong is tightly controlled by the government, mainly consisting of propaganda, state-approved news, educational resources, and content promoting the regime's ideology. This closed Internet environment ensures the government maintains an iron grip on information dissemination and suppresses any dissenting views. Citizens' online activities are closely monitored, and engaging with foreign websites or unauthorized content can result in severe punishment including imprisonment, forced labor, or even execution.

In addition, social media platforms such as Facebook, Twitter, Instagram, and YouTube are entirely banned. The government views social media as potential avenues for political dissent and external influence. Thus, their use is prohibited for ordinary citizens. Only a selected group of elites, high-ranking officials, and researchers may have access to the global Internet in specific circumstances.

¹ It is known as TikTok outside of China.

However, even this privileged group faces strict monitoring, and their access is heavily restricted to government-approved websites and content.

Social media regulations in Russia are not as extensive and extreme as China's Great Firewall and North Korea but they are notable for regulations' focus on data localization and content control. The government has taken measures to silence specific social media platforms used by political opposition and protest organizers. For instance, during the 2011-2012 protests, authorities disrupted access to social media platforms like Twitter and Facebook to hinder communication and coordination among protesters. In 2014, Russia passed a law requiring Internet companies to store the personal data of Russian users on servers located within the country. This measure grants the Russian government access to user data, raising concerns about data privacy and potential surveillance. Another important law that is passed in 2016 is known as the 'Yarovaya Law'. This law requires Internet service providers to store user data for an extended period, including personal information and communications, and to provide access to the Russian security agencies upon request. Critics argue that this law infringes on citizens' privacy rights and facilitates government surveillance of online activities.

The Russian government has the authority to issue takedown orders for content that it perceives as a threat to national security or promoting violence. Social media platforms also face scrutiny under Russian regulations. In 2017, another law is passed that requires social media platforms to store user data on servers located within the country. This move was perceived as an attempt to gain greater control over the information circulated on these platforms and to ensure easier access for government surveillance. Additionally, in the late 2019, a new law called 'Sovereign Internet Law' was passed, which gave the power to the government in order to create an alternative domain name system (DNS) for the country. This legislation also allows for disconnecting the Russian Internet segment from the global Internet in specific situations and adopting further measures to enable government supervision of Internet traffic within Russia. This legislation empowers the government to regulate specific online content and user behavior (Topornin et al., 2021). As a result, Russian authorities have blocked access to numerous websites and online

platforms deemed critical of the government or promoting political opposition. Websites belonging to opposition figures, independent media outlets, and human rights organizations have been among the targets of such blocking. The blocking is often carried out without clear explanations, leaving users without access to valuable information and alternative perspectives. It has also introduced laws to combat alleged “extremist content” online, which has been criticized again for its broad and vague definitions (Topornin et al., 2021).

The situation in Iran is not too different than Russia. “Iran runs one of the largest, most sophisticated and well-researched censorship systems worldwide.” (Ververis et al., 2019, p. 459). The government blocks access to a wide range of websites, including popular social media platforms like Facebook, Twitter, and YouTube, to control the flow of information and prevent potential challenges to its authority. To enforce regulations, Iranian authorities actively monitor online activities and it has a dedicated cyber-police force that tracks and penalizes individuals for expressing dissenting views online or promoting content deemed against Islamic values. “It has a central Internet backbone, administrated by the public Telecommunication Infrastructure Company (TIC) as a state-owned entity operating under the ICT Ministry” (Ververis et al., 2019, p.461).

The Iranian government actively monitors citizens’ online activities, and various cybersecurity laws grant authorities extensive powers to surveil the Internet users. This surveillance can lead to legal consequences for individuals who express dissenting views or criticize the government online. Online activists and journalists have been subject to harassment and imprisonment for their digital activities. The government’s efforts to filter information and curb online activism contribute to a climate of fear and self-censorship, limiting citizens’ ability to freely express themselves online. Despite these strict regulations, some Iranians continue to use social media and the internet to express their views and share information. The use of VPNs and circumvention tools allows tech-savvy citizens to access blocked websites and platforms, albeit at the risk of potential consequences. Social media platforms such as Telegram and Instagram remain popular in Iran, serving as channels for political discussion and citizen journalism, even amid government scrutiny. Iran's

filtering level is the second highest among the 180 countries studied, ranking only behind China (Ververis et al., 2019).

According to Shishkina and Issaev (2018), in an examination of Internet control in Arab nations, the study investigated the rationales behind regulating online spaces in the Middle East and North African countries. These motives were found to be linked to safeguarding the stability of the national government, suppressing dissenting movements, and preserving the societal religious and moral standards (Shishkina and Issaev, 2018). Saudi Arabia is one of the extremist countries in the Arab world in terms of regulating the Internet. It employs a comprehensive internet filtering system that blocks access to a wide range of websites, including those related to political activism, human rights, LGBTQ+ rights, and religious freedom. Social media platforms are also closely monitored, and content that the government deems inappropriate or harmful can be swiftly taken down. The filtering system is often in line with the country's conservative interpretation of Islam, and any content that challenges the religious or political establishment is subject to strict scrutiny. Moreover, the Saudi government has taken steps to foster its narrative on social media platforms. It has established centers that hire social media influencers and content creators to promote pro-government messages and counter narratives critical of the regime. This approach aims to control the online discourse and shape public opinion in favor of the government.

The Internet and social media platforms are the same all around the world, which means the problems they may cause are similar everywhere. However, there are some countries that decided not to have much control over online platforms and let their citizens have free space to express themselves. Canada is one of these countries. Its regulations on social media and the Internet reflect a commitment to uphold freedom of expression while addressing concerns related to online safety and privacy. The country adopts a relatively permissive approach to internet access and content moderation, aiming to strike a balance between open communication and responsible online behavior. One of the significant aspects of Canadian Internet Regulations is the recognition of the Internet access as a basic right. The Canadian Radio-television and Telecommunications Commission has emphasized the

importance of universal access to affordable high-speed internet, recognizing its essential role in modern societies.

Canada also has laws in place to address online issues such as cyberbullying and harassment. The Protecting Canadians from Online Crime Act² aims to combat cyberbullying and the non-consensual distribution of intimate images by empowering law enforcement to take action against offenders. While the country has mechanisms to address hate speech and illegal content, it emphasizes self-regulation by social media companies. However, there have been calls for more robust regulations to hold platforms accountable for moderating harmful content effectively. In addition, it has taken steps to protect user privacy in the digital age. The Personal Information Protection and Electronic Documents Act sets out rules for the collection, use, and disclosure of personal information by private sector organizations. The legislation aims to give individuals more control over their personal data and ensure that it is handled responsibly. The government also invests in initiatives to educate individuals, especially young people, about online risks and how to protect themselves from cyber threats.

Sweden is another country regulating online activities at the lowest level. The Swedish Constitution protects freedom of the press and prohibits prior censorship, providing a solid legal framework for open communication and access to information. It also upholds intermediary liability protections for internet service providers and social media platforms. The Electronic Commerce Act ensures that these intermediaries are not held responsible for content posted by users, fostering an environment where online platforms can operate without the fear of excessive legal liabilities. However, these platforms are expected to have mechanisms in place to address illegal content and take action against harmful material. Its data protection laws also prioritize individual privacy rights like Canada. The General Data Protection Regulation, a European Union regulation adopted by Sweden, sets strict rules for the collection, processing, and storage of personal data. Similarly to Canada, Sweden actively promotes digital literacy and online safety awareness. The

²Bill C-13

Swedish Media Council, for instance, provides resources and educational initiatives to help children and young people navigate the online world safely and responsibly.

As an EU member, Estonia stands out as a global exemplar of the Internet freedom, which upholds net neutrality and ensures an open digital landscape. The government refrains from exerting technical or legal control over the internal network. However, under the Cybersecurity Act, which aligns with the EU Directive on Networks and Information Systems, it holds the authority to restrict information systems in response to cyber threats. Its ICT market is characterized by diversity, lacking dominant companies. While Telia, a Swedish provider, holds a leading position in fixed broadband and mobile services with 49% and 52% market share, respectively, competition remains strong. Estonians enjoy access to a wide array of online content, with minimal government blocking or filtering. The country's citizens can freely access political, social, and cultural content without significant restrictions. Only illegal gambling websites are subject to a ban (Topornin et al., 2021).

Furthermore, Iceland and New Zealand exemplify progressive approaches to the Internet and social media regulations. Iceland has gained recognition as a champion of digital rights and privacy. The country places a strong emphasis on the Internet freedom and upholding individuals' rights to access information without undue restrictions. The Icelandic Modern Media Initiative³ is a landmark legislation that aims to create a robust legal framework for media freedom and whistleblower protection. It also supports net neutrality, ensuring equal treatment of internet traffic.

Similarly, New Zealand strikes a balance between freedom of expression and responsible content moderation. For instance, New Zealand passed the Christchurch Call as a response to the Christchurch mosque shootings in 2019, which is an international initiative to combat terrorist and violent extremist content online. It aims to promote responsible and transparent content moderation by online platforms while respecting freedom of expression and privacy. Additionally, New Zealand's Harmful Digital Communications Act seeks to address cyberbullying and online harassment, providing a legal framework to protect individuals from harmful online

³IMMI

behaviors. The act empowers the government to intervene when online content causes harm and distress to individuals, ensuring a safer digital environment for all citizens. So, both countries' progressive approaches serve as models for fostering a free and open digital landscape while protecting individuals from harm and respecting their privacy in the digital age.

In Europe, the regulations concerning online activities, governments' approaches towards the Internet and social media are different than the ones that are mentioned above. European countries are less oppressive and aggressive in many areas including the control of the Internet. Even though the EU countries meet on common ground and have similar attitudes to the control of online spaces, there are still some differences within them in terms of the level of control, prioritizing freedom of speech and protection of citizen rights (Köse and Özen, 2010).

France was the first EU country that took action to control online spaces. In 2000, a law called 'Freedom of Communication' was put in place, which became the first blocking mechanism that is adopted by France. In 2004, France enacted the 'Loi pour la confiance dans l'économie numérique'⁴, which regulates online services, liability of ISPs, and combatting online hate speech. It was one of France's primary laws governing Internet-related activities. "By 2005, France had introduced regulations requiring ISPs to remove content classified as illegal or inappropriate, otherwise facing prosecution." (Ververis et al., 2019, p.455). Despite of harsh criticism by the civil society and activist groups, two more laws were passed that allowed blocking access to harmful content related to child abuse, racial violence and terrorism in 2008 and 2009, which led to the strengthening of Internet filtering regulations. In February 2015, a law was passed that permits extensive administrative measures to block websites featuring content related to terrorism incitement or sympathy, as well as child abuse material. Notably, this can be done without requiring a court order, and the affected websites may be ordered to be taken offline (Ververis et al., 2019). In 2020, another important law called the 'Avia Law' was enacted, compelling social media platforms to swiftly remove illegal hate speech within 24 hours. The law aimed to counter the dissemination of harmful content that

⁴LCEN

could incite violence, discrimination, or prejudice. ‘The right to be forgotten’ is another significant aspect of France’s digital regulations. This concept, established by the European Court of Justice in 2014, allows individuals to request search engines to remove specific links from search results that are outdated, irrelevant, or infringing on their privacy rights.

‘The right to be forgotten’ aims to balance individuals’ privacy rights with the personal rights to access information. As a result of these acts and laws, the French government’s surveillance and cybersecurity practices have raised debates about potential infringements on individual privacy rights within recent years. Striking the right balance between national security and individual freedoms remains an ongoing challenge.

Germany is another significant figure for the discussion of the Internet regulations in the EU, which follows France. Because it has been actively involved in the Internet regulations and has implemented several laws and initiatives to address various aspects of online activities. Network Enforcement Act⁵ enacted in 2017 that aims to combat online hate speech, fake news, and illegal content. It requires social media platforms with more than two million users to promptly remove or block illegal content within specified timeframes and implement mechanisms for user complaints. Failure to comply can result in fines (Kasakowskij et al., 2020).

In light of these examples around the world, which span from highly controlled digital environment to more liberal control mechanisms, let us now turn to the ways in which the Internet content have been handled in Turkey. Turkey’s approach to regulating the Internet and social media usage has never been as extreme as China and North Korea. However, it has never been like Canada and New Zealand as well. So, its journey to regulate online spaces started as Germany and became more like Russia over the years. Because it has evolved from an approach that prioritizes freedom of expression based on democratic foundations to an approach that is authoritarian, oppressive and intolerant of different and dissent views. Its position on

⁵NetzDG

the issue has changed dramatically especially in the last 10 years. If this authoritarian approach continues to be applied, there is a possibility that Turkey can end up like Iran or Saudi Arabia.

The historical trajectory of the Internet and social media regulations in Turkey can be traced back to the introduction of the Law on the Regulation of Publications on the Internet⁶ in 2007. Initially intended to combat cybercrime and protect minors, this law provided a legal framework for content removal and website blocking. However, it also laid the groundwork for increased government control over online platforms. The political context in Turkey plays a crucial role in shaping the Internet and social media regulations. It has experienced a complex political landscape characterized by a struggle between secularism and conservative Islamic values. Over the years, the Turkish government has sought to maintain control over information flow and public discourse, viewing social media platforms as potential threats to its authority.

This perception was reinforced during the 2013 Gezi Park protests, where social media emerged as a powerful tool for mobilization and organizing dissent against the government. This experience highlighted the government's concern regarding the rapid spread of alternative narratives and challenged its control over the flow of information. So, the amendments made in 2014 expanded authorities' powers, allowing the government to block websites and access user information without a court order, thereby deepening its influence over the digital sphere, which will be discussed further in the chapter 3.

Furthermore, the Turkish government has utilized existing legal frameworks, such as counterterrorism legislation, to crack down on online dissent. Under these laws, individuals have been prosecuted for sharing or liking social media posts deemed to be supportive of terrorism or insulting to government officials. Moreover, the Turkish government has frequently resorted to blocking or restricting access to social media platforms during politically sensitive events, such as elections or periods of political unrest, such May Day and the International Women's Day of March 8. As a

⁶Law No. 5651

result, these actions have been criticized as arbitrary and disproportionate, limiting citizens' access to information and impeding their ability to participate in public debates. They also have raised concerns about the curtailment of freedom of expression. Critics argue that the government's efforts to control online content and monitor user activities have resulted in self-censorship and the suppression of dissenting voices. The broad interpretation of already vague terms such as 'hate speech', 'insulting government officials' and 'terrorism propaganda' has led to the unreasonable removal of content and the prosecution of individuals for expressing their opinions online. This environment of fear and censorship has had a chilling effect on public discourse and undermined the principles of free speech and democratic participation. Freedom house categorizes Turkey as 'Not Free' since 2014.

The government's push for control over online spaces can be seen as part of a broader trend of increasing authoritarianism. The ruling party has consolidated power and pursued a more centralized governance model, seeking to maintain a tight grip on information dissemination and public opinion. The regulations not only serve as a means of silencing dissent but also reinforce the government's narrative and maintain its dominance over public discourse, which will be detailed and instantiated in the continuation of chapter 3, following the section political and historical background of Turkey. Durkheim's theories of social facts and collective consciousness, along with Gramsci's theory of cultural hegemony will be discussed in detail in the next chapter.

CHAPTER 2

THEORETICAL FRAMEWORK

This chapter sets up the theoretical framework of the dissertation in order to comprise a basis for later discussions. First, the definitions of social and sociopolitical reality have been described and different approaches to the issue is presented. Second, Durkheim's social facts, how he portrayed 'society' and collective consciousness theory were explored to understand society as an organic entity that is open to construction and change. Third, Gramsci's cultural hegemony theory was introduced to add power dynamics to this equation and later to be able to make sense of Turkish governance. At last, the role of media particularly in shaping public opinion was questioned to get closer to the main point of the argument.

2.1. The Concept of Sociopolitical Reality

What is reality? It is a solid question that is asked by many scholars over the course of time. The concept of reality is framed within the dichotomy of realists and idealists. Under the concept of realism, they roughly argue that objective knowledge exists independently of humans. There are, of course, various nuances within realism. Idealists, on the other hand, view reality as a connection with our emotional and active experiences. In other words, reality lies in relation to others. Therefore, reality, on one hand, is based on the perception of the external world, while on the other hand, it is associated with thinking about this world (Güloğlu, 2019).

Social reality is relevant to the social constructs and phenomena involving collectively accepted versions of social reality by individuals within a given society as well as the deeply divisive issues that are contested by certain social groups. It is constructed through shared meanings, beliefs, and practices shaping the way people perceive and interpret the world around them. In a process characterized by active interactions, individuals construct their lived social reality through these interactions

they engage in. The social reality of a society, including its cultural values, social inequalities, and collective identities, often shapes the political landscape and decision-making processes. Conversely, political decisions and actions can impact social relations, shape social norms, and bring about changes in the social structure. So, sociopolitical reality refers to the complex interaction between social and political components that shape the way a society functions. It contains different aspects of social life, including cultural norms, economic structures, power dynamics, governance systems, and the interactions between varied groups within a society. It is a significant concept for understanding how societies operate and how various forces come together to shape the lives of individuals and communities.

Peter Berger and Thomas Luckmann have brought a new angle to the discussion on society and social reality. According to them, comprehending social reality requires more than just an individual's perspective and it is also insufficient to grasp reality solely through structure. They suggest that society isn't just an isolated entity, nor is it solely shaped by individual actions. The process of creating society involves individuals actively taking part, while also being influenced by the institutional structure that forms them. On one side, the individual affects society and its construction process in minor ways, and on the other, the individual is formed in this very construction process. In short, while Berger and Luckmann were accepting the existence of an objective world, they firmly highlighted that this objectivity is shaped through the active participation of individuals.

The process of constructing multiple realities takes place within society. While institutions are open to individual influences, they also have inherent characteristics that are distinct from the individual factor (Yücedağ, 2013). So, sociopolitical reality contains the interconnectedness of societal and political structures, institutions, ideologies and power dynamics. It includes the ways in which political systems influence and are influenced by social structures, shaping the collective experience of a society.

To continuously and comprehensively describe the process of institutionalization, it is important to mention the concept of legitimation and Durkheim's social

facts. Legitimation signifies the acceptance of the validity of the social order through consent, tranquility, and agreement. It involves the meaningful integration of structures into a chain of habits when there is consent. Therefore, legitimacy is a term used to comprehend an institution and provide approval to its reality. The completion of social activities, their internalization, or the attribution of status and function to these activities, are attained through the mediation of legitimacy. In other words, sociopolitical reality is reproduced through the procedures of legitimation (Güloğlu, 2019). Legitimacy, in the context of sociopolitical reality, facilitates acceptance, provides reasons, and justifies actions. It can be said that legitimacy builds the foundation of the reality.

Social facts, such as norms, values and institutions are integral to the functioning of sociopolitical systems. Political ideologies, laws, and governance structures are not just abstract concepts but are planted in the social fabric as concrete social facts. Contrarily, political decisions and power dynamics influence the creation and maintenance of social facts, reinforcing the interdependence of social and political realms, which will be discussed in detail.

2.2. The Construction of Reality and Durkheim's Social Facts

The emergence of natural sciences under the influence of positive sciences has paved the way for examining societies through scientific methods and the predicting about the course of social action. Durkheim perceived sociology's importance in the context of cause-and-effect relationships based on natural laws. In his era, sociology existed in a multidisciplinary context, which navigates between psychology's tendency to reduce phenomena to individuals and philosophy that is placed within the limits of theoretical reasoning. The sociological relationship he established with the individual is framed by the individual's existence as a social being.

Durkheim systematized the structural-functional view rooted from Comte and Spencer, making it one of the cornerstones for his sociological research. The main condition for his pursuit of objectivity in sociology lay behind considering social phenomena as 'things' and explaining social behavior within the cause-and-

effect relationship. He separates what is inherent in the individual from the social and accepts society as a unique structure. Society is not the sum of individuals coming together but a new and distinct mechanism created by unity. Society constitutes an ideological integrity built by shared beliefs, rules, and values. This integrity binds individuals together by presenting them with a goal in their existence and activities.

According to Durkheim, conflict is a temporary process. In other words, he believes that society has its own order of operation, and the source of this order is solidarity and regulation. He views both state power and society as entities beyond and above human, accepting the ideology of this power as the dominant reality. Social values like culture and communication, contribute to individuals' attachment to society and the solidarity of the community. The more numerous these binding values and norms among members, the more strong the infrastructure of social order.

It is important to understand how Durkheim conceptualized the society and its components. His comprehension of society is an organic approach, portraying societies as bodies evolving from simplicity to complexity, much like living organisms.

The concept of collective consciousness, which is central in his early works, forms the foundation of social reality. Focusing mainly on this 'collective consciousness', he is recognized as the founder of sociological functionalism, analyzing societies as interdependent working units. According to him, the structure of society, in addition to local, biological, and psychological forces, serves as the essential element of human behavior.

Durkheim analyzes in a materialist manner, and methodologically, his proposal to treat social phenomena as things relies on causal analysis and functional interpretation. Moreover, in Durkheim, society is a source, a creator, ideals, and values. The society, for him, is not just a mass but a spirit, and this spirit is the social ideals. It cannot be reduced to an individual's psychology and actions; even the explanation of seemingly individual actions is a function of non-personal laws and forces defining societal wholes. So, even though Durkheim stood with

objectivists, he argued that society is an organic mechanism existing outside of individuals and this mechanism creates its own realities. It is dynamic like a living creature and it constructs 'things' socially.

He says that individuals have certain duties and obligations as citizens, family members, spouses, or siblings that they must fulfill. When individuals fulfill these duties, they are actually acting according to certain obligations defined in the laws or traditions of the society they belong to but which are outside the person and their actions. People are responsible for internalizing and implementing these responsibilities, and even when these obligations align with their emotions or when they feel their reality within, these obligations will continue to be external objective facts for them. This is because the individual did not create the obligations. What imposes these obligations on the individual is a certain educational process, which is also external for the individual.

Similarly, laws, media, legal system, traditions, norms and such exist before the individual. They are created not by individuals but by society. So, he calls them social facts. They are not just about what one person thinks or how he or she behaves; they are shared patterns of behavior and thought that are common in a society. He asserts that "what constitutes social facts are the beliefs, tendencies and practices of the group taken collectively." (Durkheim, 1982, p. 52). These are compelling, restricting and obligatory regulations people feel like they have to follow these patterns. So, they influence individuals' actions and thoughts in a coercive way. If someone goes against these shared rules, there might be negative consequences.

As examples of social facts he adduces law as embodied in codes; the recurrent events of daily life, as recorded in statistics and historical documents; fashions, as preserved in custom; and taste, as expressed in works of art (Gisbert, 1959, p.354).

For instance, when we look at the facts as they are, it becomes clear that both socialization process and formal education are all about constantly trying to make children see, think, and behave in ways they wouldn't naturally come up with on their own. Furthermore, Durkheim noted that people exhibit different behaviors in

solitude compared to when they are in the presence of others. When alone, actions are guided by instincts and personal desires, a realm that falls within the scope of psychological analysis. However, social conduct is governed by collective conscience. Moreover, moral discipline compels individuals to restrain their innate instincts to conform to societal expectations. “Social rules are, simply put, ‘limits to our natural inclinations’”(Blommaert, 2018, p. 10). So, the origin of moral obligation lie within society. Take crime, for example; it becomes labeled as such due to our collective disapproval, not the other way around. Thus, an individual’s moral alignment isn’t rooted in their intrinsic traits, but in their participation within society. Durkheim highlights this because, in the end, individual traits are shaped by communal existence (Gisbert, 1959). Social facts constitute moral and legal principles and individuals, through the process of ‘internalizing’ these social facts, play their role as part of a sociological construct that establishes a central moral framework within society. They demonstrate their role as a vital element contributing to the overall order and structure of the society (Çelik, 2021).

Social facts play a pivotal role in shaping the construction of reality within a society. They influence how individuals perceive and interpret the world around them. Norms, values, institutions, and collective behaviors create a framework through which individuals understand their environment and make sense of their experiences.

Objectivists argue that contrary to the imagined and conceived constructs, reality refers to phenomena that truly exist and are independent of perception and interpretation. On the other hand, many social constructivists discuss the social reality is subjective and diverse, where individuals act as creators, attributing significance to the world, effectively forming their own distinct realities(Sandu and Nistor, 2020).Although Durkheim was an objectivist, he didn’t describe society as a stable entity which has no room for construction or change. He separated societal characteristics from individuals’ characteristics and referred to society as a living organism. So, he argued that within this organism, objective reality is socially constructed based on social facts. Because of that, discussing Durkheim is important. He defines the factors that make up a society and the reality which is sociallyconstructed within this organism with the help of these factors. This

influence is achieved by directing attention primarily towards knowledge objects that align with the functional definitions provided by these constructs. How we perceive the world is a reflection of our cultural values. Our whole thought processes and ways of grasping things are mainly a result of the transmission of the historical and cultural values of the society we belong to during our process of socialization. Our knowledge about the world doesn't come from the real world; it comes from a process of production, and furthermore, the continuity of this production process elevates the relative and historical position of the relevant information's truth. In different times and places, different truths and different facts can very well replace different misconceptions. Additionally, the authenticity and formation of knowledge are directly related to the actions of those who generate it (Çelik, 2021).

When people interact with each other and exchange ideas, they do so by using various sets of 'grammar', which are established patterns that structure the bunch of symbols constituting language. These patterns assure that mutual understanding is achieved, which stresses their significance as societal elements similar to the way Durkheim defined social facts (Blommaert, 2018). Berger and Luckmann (1991/1966) argues that language serves as a major tool in shaping societies, enabling processes like objectification, institutionalization and legitimization. Through language, personal mental perceptions become integrated into social reality, attaching distinct statuses to objects. These statuses gain functional importance through collective recognition (as cited in Kopytowska, 2015). Thus, language 'shapes our perception of the world' by presenting a reality that isn't purely objective, which will be discussed in detail (Sandu and Nistor, 2020).

Not only Durkheim but also Gramsci and Habermas are discussed. Gramsci mentions the importance of language while he was speaking of the 'manufacturing consent', which we will discuss further in the next chapter. Habermas discusses language as a 'medium of domination and social power'. He asserts that language operates as a tool of control and societal influence, which legitimizes relationships that are based on power dynamics. When these power dynamics aren't shown clearly and language just repeats them, it becomes a tool for spreading certain beliefs. In these cases, the manipulation inherent in the use of language itself could be problematic

(Kopytowska, 2015). To sum up, social facts in a society helps to construct sociopolitical reality. However, Durkheim's definition of it has some missing points. He characterizes social facts as external, constraining and fixed existing in a society automatically. He overlooks the relationship between citizens and the state as well as all other sorts of power dynamics within a society. Therefore, it is important to examine Gramsci in order to have a better insight about the term that contributes to the construction of sociopolitical reality in a society within power dynamics. Gramsci will extend our perspective on the issue for our further discussion by filling in where Durkheim was lacking.

2.3. A Gramscian Perspective

Gramsci who was a leading Marxist intellectual of the 20th century conducted critical analysis of materialism and economic determinism. He strongly advocated for historicism. However, his well-known work is about cultural hegemony. This theory demonstrates how the state and bourgeoisie applies cultural institutions as instruments to maintain their rule in societies. His viewpoint supposes that the bourgeoisie establishes and preserves a dominant cultural ideology rather than resorting to violence, economic pressure or coercion.

Gramsci formulates the concept of hegemony with a dual purpose: firstly, to grasp and conceptualize the modern state; secondly, to establish the foundation for a political project that seeks to establish the ideal conditions in which the proletariat can rule. In the latter context, namely the notion of ideal proletarian hegemony, Gramsci's use of hegemony implies uniting what is popular under the leadership of the proletariat to create a national-popular entity. "Hegemony is different from domination, as it relies on consent and voluntary following of the leaders rather than the use of force and coercion." (Kirdiş, 2023, p.148). In other words, Gramsci suggests a view of the state as a unified structure comprised of two main parts: 'political society' and 'civil society'. The first relies on force to govern, while the second relies on consent. In his perspective, using institutions such as schools, unions, churches, and mass media, the state fosters agreement within civil society. These institutions lead members of the civil society to adjust themselves in line with the notable values set by the ruling class (Şahin and Ün, 2022). This, in turn, would

resolve internal divisions between the governing and the governed, leading to the creation of a morally unified social structure. This perspective implies that the purpose of the state is its own culmination, its own disappearance. Therefore, Gramsci employs the concept of hegemony to not only create a ‘national-popular will’ that unites the Communist Party, peasants, and other classes under the leadership of the proletariat but also to illustrate that for the proletariat, the modern state includes mechanisms that ensure the continuity of power, beyond the mere monopoly of coercive force.

The idea of hegemony has exerted a substantial influence on broader social and political theories, as well as on the more specific field of cultural theory. This perspective portrays society as a dynamic arena in which sophisticated power dynamics are at play, and culture serves as the domain where these ongoing interactions evolve. In this context, power isn’t simply an outcome of externally imposed control over passive masses; instead it’s perceived as a nuanced and historically developing process. This perspective acknowledges power as originating from the efforts of dominant classes, both economically and politically, striving to establish cultural supremacy over other segments of society (Apaydin, 2001).

The most powerful method for governing populations is through cultural influence rather than military superiority. This approach base upon shaping the prevailing cultural narrative, as individuals are deeply embedded within their cultures. By gaining control over cultural norms, it becomes applicable to convince citizens that the existing cultural standards are simply the natural state of the world (Kirdiş, 2023). As Gramsci argues, the process of establishing hegemony involves not only societal control but also the art of shaping it to align individual beliefs with those held by the powerful (Gramsci, 1972).

This theoretical stance leads to some other consequences. One of these is its portrayal of identity and social practices as inherently ‘relational’. Identity and social practices can’t be properly understood without considering the influence of the controlling power under hegemony. Nation-state founders engage organic intellectuals who, as per Gramsci’s theory, present citizens with a worldview that

shifts their self-perception and perspective on their global role. His point of view indicates the dominant classes can't only rely on formal institutions to establish their control. They must also cultivate cultural hegemony by reshaping societal values, ideas, and concepts (Gramsci, 1972). To do this, it is vital to establish its intellectual stratum.

According to Gramsci, if a political power is not able to create its own category of intellectuals, it cannot exercise hegemony but instead resorts to a dictatorship. In his political theory, intellectuals have a crucial role to play in building hegemony (Doğan and Selenica, 2022, p.166).

He calls it as organic intellectuals. The term 'intelligentsia' commonly refers to conventional intellectuals who perceived themselves as a distinct social group unrelated to the ruling class. On the contrary, organic intellectuals serve as the ruling class' 'representatives', undertaking the subordinate responsibilities of shaping societal norms and exercising political authority (Çakır, 2018).

Another fundamental strategy to build a political and cultural hegemony is the governance of the media. Controlling the media to create a new culture and preserving the existing state of affairs holds critical importance. However, this impact operates on a more complex level than mere propaganda, where the leader is continuously praised through public media outlets. It necessitates the engagement of public intellectuals to associate positive developments with the leader while attributing unfavorable events to both domestic and foreign enemies. It also means getting media companies and their owners on board by state investments (Kirdiş, 2023).

Culture plays a crucial role in the creation of a new type of citizen associated with the demands of social and political power. "Hegemonic projects tend to need of approval and consent of the subaltern classes while creating a power block that brings the different fractions of the capital together." (Aydın and Guler, 2016, p. 112). It is, in short, 'a top-down social engineering process'. As a result, the state isn't entirely a coercive or suppressive entity; it equally serves as a moral institution that both educates the populace and endeavors to shape the active consent of those it governs.

In this context, the state's aim to cultivate a specific kind of civilization and citizen involves a simultaneous struggle to introduce new behaviors, traditions, and as such, while also discarding the old through the means of legislation.

Nonetheless, culture isn't solely a space where oppression is enforced and maintained; it's equally a field where both oppression is advanced and a battle against it is fought. In other words, culture functions not only as the backdrop for establishing hegemony but also as the arena where the struggle for new hegemonic dominance takes place. Therefore, delving into the study of culture essentially seeks to understand how it is constructed within diverse power relations. This effort holds an essential place in comprehending the dynamics of existing power structures (Apaydın, 2001).

Moreover, Gramsci points that common sense embodies a way of perceiving the world that lacks critical thought and operates on an unconscious level. Recognizing an intrinsic link between hegemony and common sense, the dominance of a ruling group over subordinate groups demonstrates the former's capability to convince the latter to adopt its worldview as valid and commonsensical. Despite the fact that common sense has been used by elites as an influential instrument to build a system that primarily favors their interests, it is also possible for subaltern groups to employ it in crafting their own alternative ideal. Hence, he offers "People can delegitimize and challenge hegemony by reconstructing alternative realities." (Şahin and Ün, 2022, p. 35).

It is also important to comprehend for the further discussion that a society's worldview is not only a close reflection of an undisturbed hegemonic system. To put it more explicitly, culture and society become arenas of struggle since there is always a possibility to challenge hegemony and reconstruct sociopolitical reality. These struggles over forms of expression, language, and culture play a vital role in shaping social relations both within and around them (Apaydın, 2001). "Conceiving politics as a complex plurality of contradictions and antagonisms, Gramsci (1971) argues that the hegemony of one group leads to counter-hegemonic efforts of others." (Şahin and Ün, 2022, p. 35). Probably, one of the conceivable and effective struggle fields is the

media. Every kind of media source could potentially serve to shape the ideas of the majority since one of the primary purposes of media sources is to disseminate information publicly. Therefore, to understand the role of media in shaping the reality, it is vital to investigate the history of the media and its place in the contemporary world.

2.4. The Role of Media in Shaping Sociopolitical Reality

In its simplest definition, the extent of the first media, which are considered as communication and information activities, began to develop and broaden with the beginning of oral communication among humans. When looking at the current position of the media today, it is seen that it holds a central position in both individual and societal life. With advancing technologies, media structures that have become more widespread have gained the power to inform and guide in all aspects of daily life. The concept of media, representing a general structure, includes components such as print media, visual media, and audio media (Zafer and Varderlier, 2019).

Media structures, which fulfill the need for information, rooted in the initiation of societal life and individuals' adaptation to it. It was originally accepted by societies and have progressively heightened their impact on societal life. This impact is often observed in navigating societal direction through the circulation of news. Furthermore, the media is identified for shaping society culturally, socially, administratively, and beyond. Society and the social system haven't been natural; society has been an artificial organization created by humans; it has a communication system built upon the nature of social production and its relations. The existence and development of society are indeed dependent on the existence of humans and the organized unity in this existence. The organized history of humans living together is also the beginning of the organized communication history (Zafer and Varderlier, 2019).

Socialization, defined as the interaction of individuals with others in their environment and the transmission of societal values and norms, emerges as another sphere influenced by the media. Within the socialization structure, individuals

internalize the roles assigned by society, the statuses derived from these roles, the behavioral patterns that they are expected to demonstrate, and the expectations of society and other individuals.

The crucial influence of the media on socialization arises from the service it provides in terms of the unity that forms this structure, cultural transmission, and the continuity of existence. It is certainly a well-known fact that individuals of all ages are exposed to the obvious impact of media on socialization. In this context, it is possible to serve this aspect consciously or unconsciously through media tools. However, it is worth emphasizing that the elimination of individuals' socialization, the occurrence of deficiencies in socialization, and the shaking of cultural existence can also be realized by the media (Zafer and Varderlier, 2019).

On the other hand, it is argued that technology performs as a arena shaped by social relations, influencing the whole process from production to consumption. Although the subject is stated from the perspective of traditional media, the current media structure being digital and providing easy access to all kinds of information on the internet has had a significant impact within the social structure. Social media, as a common platform for individuals to share their thoughts, ideas, and personal information, has increased communication, intensified coverage both geographically and demographically, and introduced a form of communication where far distances suggest no obstacles.

Communication includes the continuous production of meaning, visible in every moment of an activity or relationship. The nature of organized content illustrates meaning, carrying both the purpose of the organizer in packaging and the purpose of users in utilizing that package. Therefore, there are at least two sides and two purposes. "Reality exists outside language, but it is constantly mediated by and through language: and what we can know and say has to be produced in and through discourse." (Hall, 1980, p.55). There are interpretations of this produced discourse that the receiver gets, which is selecting suitable content out of the discourse for certain purposes. These interpretations can completely overlap, mostly overlap, partially overlap, or not overlap at all with the initial discourse. A television program

is a packaged set of communicative actions, the content of which is established in the direction of viewers extracting specific meanings.

Today, with developments in both social and technological fields, the aspect of communication has taken on a design that is deeply realized through traditional media as well as social media. This large-scaled integration has led people to learn about and evaluate events they cannot experience by themselves via media representations. This media-dependent assessment has led to the formation of a shared perspective commonly referred to as public opinion. People construct and establish personal and social realities through communication and preserve their relationships through these constructs. The determinants affecting human life realities are not mere conceptual constructions such as thought, language, or ideology. Conceptual constructions may justify, legitimize, or criticize policies, but they do not reshape policies as language and interpretation do not dictate production and relationships.

In this regard, what can be mentioned as an advantage or disadvantage is the difference between traditional and contemporary media structures. The contemporary media structure, with its broader audience reach, may lead to disadvantages depending on the perspective that emerges. From the perspective of public opinion, individuals exposed to the misleading directions of influential media structures may adopt false beliefs and exhibit misguided approaches, which is one of the most significant disadvantages of the media regarding public opinion. Therefore, the media becomes the subject of discussions involving media, democracy, and reality, based on what they portray, how they portray it and what they disregard (Çaycı, 2016). “Communication is considered a principle means for the construction of social reality.”(Hepp, 2022, p.470).

The connection between media and sociopolitical reality stands as one of the most productive and yet complex topics in order to understand today’s world. In addition, the definition and nature of reality are inherently linked to power. So, the ability to shape reality through information is inseparable from considerations of power and authority. Information is approached within the context of representation and

meaning, which carries the extensions of power within it. Consequently, in our modern era, the media operates as a reflection of power and authority dynamics within the realms of meaning and representation (Özdemir and Yıldırım, 2020). For the extreme cases, Herman and Chomsky even says that

In countries where the levers of power are in the hands of a state bureaucracy, the monopolistic control over the media, often supplemented by official censorship, makes it clear that the media serve the ends of a dominant elite (Herman and Chomsky, 2008, p. 61).

Hence, firstly the relationship between media and authority and secondly the link between media and the construction of sociopolitical reality within a society should be examined to grasp where media stands in this discussion.

The concept of power is often linked closely with the idea of authority, and at times, these terms are even used interchangeably. However, in examining the relationship between power and authority, it's crucial to understand that while power might be a fundamental aspect of authority, authority cannot be simply reduced to raw power. Moreover, the struggle for power is not a singular endeavor aimed at achieving it only once. Instead, it's an ongoing, cyclical process that persists even after attaining it, which strives to preserve that power until it's lost. Once power is lost, the cycle involves countless attempts to regain it again. The aspiration to influence the masses, arising as a result of the desire to combine power and rule, is as ancient as the history of power itself. Throughout history, masses have consistently been perceived as a potential threat by those in power due to their collective strength. Keeping the masses under control and persuading them has always been among the primary objectives of political authorities. As such, all political frameworks, democratic ones included, have been constructed to secure individual obedience and to maneuver mass opinions accordingly. Gramsci, through the concept of hegemony, similarly emphasized the process through which power establishes or sustains its authority by ideologically generating societal consent.

The emergence and sustainability of authority depend on its legitimacy, which in turn relies on a collective consensus within society about its legitimacy. In other words, authorities can continue to hold power as long as they can construct and

safeguard their legitimacy. It isn't a one-time established and completed process; rather it's a phenomenon that needs constant reconstruction. Additionally, concepts like ideology, hegemony, and consent emerge as integral elements of the efforts undertaken by authorities to establish and maintain this legitimacy.

Mass communication plays a crucial role in shaping societal consent by controlling information and aiding in establishing social power. Mass media shapes the perception of persons, creating an artificial world that appears as reality. Thus, by distancing citizens from nuanced understanding, it renders them vulnerable to all kinds of impact, especially the ideology conveyed through propaganda. In modern and relatively democratic systems, one of the most effective methods of manipulation is propaganda. It includes all deliberate and systematic efforts involving suitable tools and techniques to guide and alter individual, group, or large-scale thoughts and behaviors in desired ways.

The success of effective propaganda lies in targeting not just individual persons but masses. This involves employing a communication approach that is simple, clear and resonating with the spiritual values and emotions of society. Propaganda activities have evolved into a more concealed yet considerably more impactful form due to the widespread use of mass communication channels.

In contemporary times, all forms of authority applies varied communication tools, including traditional and new media, public relations and advertising in order to manipulate and convince masses, ultimately aiming to generate consent. Following Gramsci's notion of hegemony, it becomes evident mass media serves as one of the battlefields for ideologies seeking dominance. This struggle is carried out through the creation of meaning, its interpretation, and its acceptance by the public. Therefore, content produced within both traditional and modern media environments, primarily news and advertisements, serves to legitimize the values and interests of the dominant classes that hold societal, cultural, and political power. Through the construction of societal awareness and the manufacturing of consent, the existence of power becomes enduring for the authorities (Öztekin, 2020). What is presented in the media serves a societal purpose as well. Thus, it's necessary to discuss what is

presented as much as what is not presented. This shows a notable challenge that necessitates thorough exploration within the context of media and its relationship to reality (Çaycı, 2016). According to Vattimo, “reality for us is now more of an outcome resulting from the intersection of a multitude of images, interpretations, and reconstructions circulated by competing mass media without a central theme, as opposed to an absolute reality.” (Vattimo, 2012, p. 15)

Mass media doesn't merely reflect societal events and phenomena as they are; rather, it distorts the flow of social communication for dominant capital and authorities, and guiding perceptions. It uses framing technics while telling a story of news. “The concept of frame maintains a useful tension or balance between structure and agency.” (Gamson et al., 1992, p.384). Indeed, there exists a dual nature in the perception of events and experiences: they can be shaped by the frames we come across, yet we also have the ability to shape our understanding of these events and experiences. Our cognitive processes are not entirely self-generated but are shaped by the organizational structures we encounter. As we actively process information, our understanding of reality can differ due to the adaptable nature of the framing process. This innate susceptibility in how we frame things opens the door for potential conflicts, instead of presenting an inflexible and invariable reality that we must unquestioningly embrace. The media serve as a platform where different social groups, institutions, and ideologies engage in a constant battle to build and define our understanding of social reality. In this perspective, the media offer multiple stages where various entities combating for control over the interpretation of events engage in symbolic competitions (Gamson et al., 1992). In this regard, the realm of media has transformed into a tool of governance for power mechanisms seeking to exert control over the social reality, both locally and internationally, where power struggles take place. This is because society engages with reality through the lenses of the reality presented by the media, which consists of framed events and experiences (Özdemir and Yıldırım, 2020).

Social media or in other words instant communication tools highly differ from traditional media. Individuals are no longer passive consumers but instead they are active content creators and in the leading role for social media platforms. Therefore,

the media discussion gains a new momentum. "... media are no longer simply "what people consume when not working or sleeping: they are interwoven into social life, making 'mediation' integral to everyday life"(Waisbord, 2014, p.6)" (as cited in Hepp, 2022, p. 474). Individuals take advantage of communication tools and the broader system's potentials, while they are openly expressing their hidden needs, desires, identities and individualities via social media. This constitutes an absolute state of transparency. However, unfortunately, within the realm of instant communication, they tend to act not so much by freely utilizing their internal dynamics, but instead they often act under the influence of external streams of messages. Users have transformed into messages that have lost their depth of self, constantly focused on the flow, and driven by the aspiration to become a part of it. As Virilio puts it, "nothing is realized, everything is passing." (Virilio, 2003, p.20). With the information we obtain instantly, a rapid sharing process has been developing, which makes understanding the nature of information challenging. The pursuit of quality itself is already fading away, accompanied by a sense of indifference. Lovink argued that "in the context of information overload that characterizes our society, any unusual fragment of information that emerges when consensus regarding right and wrong dissipates can take on significant importance as 'information'." (as cited in Gültekin, 2019, p. 354). In a world flooded with too much information, when people can't agree on what's right or wrong, any strange piece of information that comes up can become an important reality. Even though they are not strictly news or information, these pieces can appear as news due to their dissemination between news websites and social media, both in terms of form and technically.

The framework of instant communication may be seen as a system of relationships where an unrestricted communication space, individual involvement in the process, and the principle of reciprocity exist. A Turkish scholar Barış Engin wrote a book called 'Yeni Medya ve Sosyal Hareketler'⁷ in 2011, which is a good example to show how many scholars were optimistic regarding social media when it was relatively new. He defined social media in his book as the field of publishing your

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own news has no other editor than yourself and where self-censorship is not imposed on your content. It is a platform where your writings are not sent back and you do not lose your job because of what you write. Further, he stated that the emergence of the new media network is undeniably rooted in grassroots initiatives. It represents a revolutionary force that rebels against the dominant media establishment and traditional structure. Even the modest efforts made by individuals at the grassroots level have the power to disturb the influential figures at the top (as cited in Gümüş, 2023). However, this idealized, control-free utopia hadn't lasted long. Power strategically positioned itself right at the beginning of this process of liberation. Especially in this context, it becomes apparent that the mechanisms of power have the capability to regulate social media, enabling them to intervene. Despite the continuous advancements in social media technology, a corresponding evolution in control technology is also evident. Individuals might unknowingly open themselves to the utilization of power, while expressing themselves.

Control mechanisms contains several components including surveillance, content blocking and filtering capabilities, the capacity to alter content, and notably, the ability to record content. The initial vision for social media platforms, rooted in notions of participation, democracy, equality, and freedom, is rapidly diverging from its original public-centric ideals due to the impact of authority and its control mechanisms.

Therefore, it has become apparent that censorship, self-censorship, and access restrictions, implemented through diverse technological methods by those in positions of authority, challenge the previous belief that social media couldn't be monitored or controlled due to its technological design and technical infrastructure. As a matter of fact, the constant ability to record shared content and data on social media has led individuals to develop an internal monitoring mechanism, considering the potential consequences of their behavior in cyber realm, just as do in the social realm. The power that used to be exerted in a visible manner in the past is now executed through the individual's participation, within a process of self-surveillance. Consequently, we might not perceive power. This is the nature of power within the scope of instant communication: transparent society and concealed authority.

These systems are essentially tools, and thus, we find ourselves interacting with them as intermediaries. As a consequence, they create a structural dependency on themselves and their proprietors by sidelining other natural and technical processes. Besides, due to the capacity of technical communication mechanisms to facilitate extensive production and flow of messages, they can lead to information overload and confusion among the masses. Therefore, they contribute to the production of individuals who are more introverted and open to manipulation. This scenario gives rise to a form of power that feeds off the partially liberated yet flawed consciousness of individuals (Gültekin, 2019).

Social facts they are surrounded are the results of their production of sociopolitical realities via media, which also serves to maintain hegemony of the powerful authority. Citizens aren't able to access information regarding major social and political events at first hand rather they are only capable of receiving and following news via both traditional media and instant communication tools. The creation of mediated experiences and by extension, the shaping of mediated social realities, depends on the manipulation of various dimensions of distance by the media. What's crucial here is the mental and physical separation between the audience and aspects of the objective reality being presented, which they cannot directly access. Whether it's in the context of news reporting or other forms of mediated communication, certain elements from this reality are carefully chosen and brought closer to the media consumers. "Media space (including cyberspace) in its various forms and genres, thanks to its semiotic potential, provides its users with a possibility to satisfy this compulsion, thereby offering a chance for 'mediated experience' defined by Giddens as ... "the intrusion of distant events into everyday consciousness."" (as cited in Kopytowska, 2015, p. 138). This calculated action affects their cognitive and emotional engagement and as a result, impacts their perceptions, judgments, and behaviors. This same process is applicable whether the subject of mediation is science or religious experiences.

Both traditional and digital media outlets have been shaping people's opinions since they came into people's lives. This is mainly because ordinary citizens don't have any direct access to many places where news occurs. The only way to be informed

about the world is through these media outlets. “Viewers are able to sit in their own living rooms and ‘access’ the world via satellite.” (Gamson et al., 1991, p. 386). Thus, their sociopolitical reality has taken form within the scope of knowledge they received via media. Getting objective views from the media outlets are challenging. Most of the time, complex social/power relationships based on mutual interests and political interference with the media breaks the objective news deal between viewers and media broadcasters all over the world. “...our political world is framed, that reported events are pre-organized and do not come to us in raw form.” (Gamson et al., 1992, p.384). Especially, after traditional media has become a part of a profit-oriented business sector, it lost its core journalistic values in many places including Turkey. Digital media, on the other hand, were promising once to provide people a free, transparent and honest space for sharing and receiving news. However, this didn’t last long as well.

Political authorities have been using media to sustain their power and protect their places everywhere throughout history. The most classical way to manipulate citizens via media is spreading propaganda. However, in this contemporary world, this is an old practice. In today’s world, there are many complex and invisible control mechanisms to shape individuals’ minds thanks to technological developments.

Traditional media has been reaching tens of thousands of people daily in today’s world. So, its influence over societies has become unquestionable. On the other hand, the Internet and social media platforms are relatively new media sources all around the world, which requires more investigations to understand their role in the public.

In the next chapter, I will focus on the Internet and social media in Turkey in terms of its political and historical background, legal framework and practices. In this review, a theoretical framework that was covered will guide the discussion to question what social facts Turkish society has, how these facts have become vital elements of sociopolitical reality, how important the media is in shaping and directing this reality, and what is the role of the Internet and social media in this process. Also, in light of the theoretical framework, seeking to find answers to two important questions will finalize this research, which is whether the Turkish

government has been using digital media tools to establish and maintain its hegemony and whether obtaining the reality has become a struggle for citizens.

CHAPTER 3

LITERATURE REVIEW

My aim in this chapter will be to examine the political and historical background of Turkish media, especially the Internet and social media regulations. Portraying political and historical background is going to be helpful to understand Turkey's media landscape today. Moreover, the legal aspect of the situation is a complementary factor. Legal framework of Turkish media has changed dramatically and many times, introducing new laws, making adjustments to already existing laws, including new clauses and such. So, legal framework of Turkey in terms of media regulations will be analyzed. These legal changes and new laws have some consequences due to their practices. These practices and consequences will be investigated after the legal framework part of the chapter in order to comprehend media regulations' impact on Turkish society. Lastly, troll-politics, which is an illegal practice for controlling social media narratives, will be presented and explained.

3.1. Political and Historical Background of Internet and Social Media regulations in Turkey

Understanding internet and social media regulations in Turkey requires analyzing the sociopolitical dynamics that shape these policies. These regulations are not only a legal and technical issue but also a social and political one and they are part of the conflicts between political forces. So, political and historical background of these regulations in Turkey is a topic that is a research area in itself to take time to investigate. I will try to summarize it for the purpose of my thesis. The reason behind the emergence of the first media regulation in Turkey should be questioned in order to understand the Internet regulations since there has been a political reason behind

the legal act towards the control of media. It is better to look at the situation in a timeline to analyze the reasons and acts.

According to Kai Hafez who is a well-known political scientist, the democratization of the press in developing countries can be divided into three stages, which parallel the changing ways the Turkish government has controlled media. The first stage, called the authoritarian phase (1923-1946 in Turkey), relied on self-censorship by the media itself. Then came the transitional phase (1947-1980), when laws against criticizing the government were introduced. Finally, we have the consolidation phase (1981 to present), where economic and structural methods have been used to suppress the media, such as decisions made by the Turkish Radio and Television Supreme Council⁸, which is like the US Federal Communications Commission(Murat, 2018).

During a period of authoritarian stage, political power was concentrated in the hands of an elite group, who governed through pressure and force rather than democratic processes. This was observed both in the Ottoman Empire and during the early years of the Turkish Republic, where the government exercised control over the media through prior restraint. The subsequent transitional phase witnessed attempts to move away from authoritarianism, either through reformist or revolutionary processes. The 1946 and 1950 elections, which resulted in the rise of the Democrat Party to power, brought about economic growth and increased citizen participation in governance. However, this period also retained the repressive tendencies towards press freedom and was vulnerable to interruptions by authoritarian elites, as exemplified by military coups in Turkey in 1960, 1971, and 1980 (Murat, 2018).Yavuz(2022) points out that,

these recurring military coups d'état served to undermine media freedom in the country. During the 1980s, many journalists who were critical of the government disappeared or were kidnapped and imprisoned, along with opposition politicians and some artists (Yavuz, 2022, p.94).

The 1980 coup had various motivations, one of which was to enable the implementation of a new economic policy aimed at aligning and adjusting the

⁸RTÜK

Turkish economy with the global capitalist system. As a consequence of this decision, newspapers gradually became financially reliant on revenue generated through advertisements (Coşkun, 2020). In the late 1970s and early 1980s, journalism was considered more than just a business; it was viewed as a profession with a duty to inform the public truthfully. As the 1980s progressed, both the political power and the print and visual media in Turkey adapted to the changing dynamics of a market-driven economy. During this time, a prime minister with liberal conservative views, Ozal, employed two methods of control: utilizing government advertising distribution and implementing financial regulations, which included censorship (Murat, 2018). The traditional owners of media outlets faced a choice: either diversify their investments beyond the media industry or sell their family businesses to new entrepreneurs with expertise in banking or construction. As a result, the landscape of media ownership underwent gradual transformation. By the latter part of the 1990s, a small number of conglomerates, primarily led by Dogan, Bilgin, and Dogus Holdings, emerged as the dominant forces in the media market.

The limited ownership of news outlets by a small group of individuals resulted in a lack of diversity in news coverage and a scarcity of alternative media sources. Moreover, the current consolidation of media ownership has introduced additional methods of press censorship through mechanisms of self-regulation and Internal control. “Concentration thereby created a more vulnerable media sector that was willing to censor itself.” (Murat, 2018,p.88). In summary, upon the Justice and Development Party’s⁹rise to the power in 2002, journalists operated without any constitutional or legal safeguards guaranteeing their freedom. The existence of clientelistic ties and the mutual influence between media patrons and political figures were considered commonplace and accepted as a norm (Coşkun, 2020).

Turkey has been governed by the AKP since 2002. So, it plays an essential role in Turkish social and political history. Chang and Lin says that in time, “rather than restricting access, autocrats have gradually learned to apply complex Internet censorship for political survival.” (Chang and Lin, 2020). So, AKP government has

⁹AKP

increasingly developed some strategies to control and manipulate media outlets including Internet and social media. Its strategies can be classified into three distinctive realms: "...creating its own private media, capture through financial sanctions, and capture by intimidating and criminalizing journalists."(Coşkun, 2020, p. 643). The initial approach involved the confiscation of assets followed by a carefully manipulated tender process. This situation unfolded with specific media outlets, such as the Star newspaper and Kanal 24 news channel, which had previous ownership ties to a particular group before experiencing a significant crisis. In a subsequent year, the TMSF¹⁰ undertook the confiscation of various media entities, including the aforementioned outlets, in an effort to address the situation. Later on, these outlets underwent a change in ownership, ultimately finding new owners aligned with a particular group or organization. The AKP pursued a second strategy to alter the landscape of media ownership, employing tactics such as tax intimidation and coercive measures to dissuade media entities from participating in the market.

Thirdly, they have employed legal suppression and threats of imprisonment to target and intimidate journalists who are critical of their regime (Coşkun, 2020). Moreover, to tighten its grip on digital communication, the AKP government passed laws granting authorities the ability to block websites without a court order. These measures enabled the government to block online content, particularly information critical of the government or related to sensitive political topics. For instance, Twitter and YouTube were temporarily blocked during various political events, which limit access to information and hinder freedom of expression.

The events of the Gezi protests in May 2013 was considered as a warning for the government to tighten its control on online platforms even more. Media freedom faced a critical turning point during the events at Gezi Park. The demonstrations initially started as a response to the government's plans to develop the area, leading to a sit-in protest by around 100 activists. However, the situation escalated when the police used force to disperse the protesters, shifting the focus to protecting the park and sparking a larger protest against the government's authoritarian policies. The

¹⁰Savings Deposit Insurance Fund

movement gained momentum, with similar protests emerging throughout the country. During the clashes between the police and protesters, journalists faced more pressure, as local media remained silent, omitting any coverage due to government censorship. Interestingly, while CNN International provided live coverage of the protests, CNN Turk, the Turkish counterpart, opted to broadcast a documentary on penguins instead. This made the protesters angry, and they started criticizing the censored media on social media, calling it ‘penguin media’. The number of tweets and Twitter users in Turkey both experienced significant growth. “...on 29 May 2013 there were 1.8 million Twitter users; during and after the Gezi Park protests this number dramatically increased to 9.5 million.” (Yavuz, 2022, p.104). After Gezi protests, a significant number of individuals were detained for their involvement on social media platforms. Several social media users faced accusations of insulting President Erdogan, the state, and Islam, leading to charges of defamation against them (Çarkoğlu and Andı, 2021). Also, new laws that enable more effective control over internet usage have passed over the years. For instance, the government passed a controversial law granting the Turkish authorities sweeping powers to block websites without the need for a court order in 2014, which will be discussed further in the next chapter.

Based on information provided by the Journalists’ Association of Turkey, 500 journalists were dismissed, and seventy others faced attacks in 2015. Turkey experienced a coup attempt in 2016, which was a historic event that had a powerful impact on the attitude of the government towards media and internet regulations. In response to the failed coup d’état, the AKP government declared a twenty-four-month state of emergency on 20 July 2016, which led to further violations of human rights and fundamental freedoms. Between 2016 and 2018, journalists practicing their profession diligently and acted as watchdogs were specifically targeted by state institutions and officials. The government has intensified its efforts to target individuals and media outlets it perceives as supporting or sympathizing with the alleged terrorist organizations. This has led to increased scrutiny of online activities, with charges of ‘spreading terrorist propaganda’ and ‘insulting the President’ being brought against critics, journalists, activist and ordinary citizens, resulting in convictions and sometimes imprisonment. Many critical journalists had their

fundamental citizenship rights, such as the right to a passport, freedom of movement, and a fair trial, taken away by the government.

In 2019, there was a significant increase in media control when the leading media group, Dogan, was sold to a pro-government businessperson. This acquisition strengthened the AKP's control over the media in Turkey, resulting in the dismissal of many critical journalists and the reshuffling of news editors. Consequently, news coverage became more biased towards the government, while critical voices faced mounting challenges. Social media platforms such as Twitter, YouTube, and Facebook have faced temporary blocks during times of political unrest, with the government often citing national security concerns. Some Twitter accounts switched off by Twitter due to the request of the government. Even though social media and internet are also tried to be kept under control, internet broadcasting has become a vital weapon for the those with opposing views.

The 2019 election resulted in the ruling government's defeat in the general local election. In response to this loss, the government introduced a new regulation requiring strict state control over internet broadcasting platforms like YouTube and Netflix. This increased control has affected the working conditions and freedom of journalists and media workers. In addition, the spread of disinformation and the potential impact on elections prompted regulatory action. In 2020, the government passed a law requiring social media platforms with more than one million daily users to appoint a local representative and comply with government requests to remove content or face penalties. Failure to comply could result in bandwidth reduction and restricted access. The law aimed to enhance government control over social media platforms and ensure greater accountability for content moderation. For example, Turkey imposed advertising bans on Twitter, Periscope, and Pinterest for allegedly failing to remove content deemed to be against the country's interests at that year.

The Turkish Association of Journalists' 2020 Media Monitoring report highlights how these legal developments have further tightened the grip on media in Turkey. The report reveals that 80 percent of the print press is directly aligned with the government, and 90 percent of mainstream TV channels conduct pro-government

broadcasts. Disturbingly, one out of every two journalists faced threats, and one out of every four journalists experienced physical assaults. Twenty-three journalists were convicted, leading to a total of approximately 103 years in prison, and critical newspapers saw their public advertisements suspended for a cumulative period of 276 days in 2020 (Yavuz, 2022).

In July and August 2021, Turkey witnessed fires described as the biggest and worst forest fires in the history of the Republic of Turkey. The first fire started in the Manavgat district of Antalya on July 28. As of August 12, a total of 299 forest fires had broken out in Turkey, with 15 of them being classified as major incidents. They had been completely extinguished and brought under control after 16 days from the beginning of incidents. During this period of time, the Ministry of Agriculture and Forestry, together with the Turkish Aeronautical Association, were criticized by both the opposition and the public mainly via social media due to their slow and ineffective response to the wildfires. The discussions centered around various issues, such as the Ministry of Forestry lacking a dedicated firefighting fleet, the insufficient number of firefighting aircraft in Turkey, and the existing ones being kept in hangars. Moreover, there were allegations that the burnt forest areas might be opened up for construction, leading to concerns about who bears the responsibility for firefighting in residential areas, municipalities or others. In the aftermath of the disaster, President Erdogan released a statement, mentioning there are lots of disinformation and fake news about the latest forest fires circulating on social media. He continued that there is a need for new social media regulation to prevent the flow of disinformation, leading a provocation of society (Sayın, 2021). Later on, it is announced that the government started the preparations for the regulation. In the late 2022, the bill known as ‘the Disinformation Law’ has passed, which will be discussed in detail in the next chapter.

Furthermore, Turkey was struck by one of the most devastating earthquakes in its history, resulting in widespread destruction and damage in the southern and eastern provinces in February 2023. The true extent of the casualties is uncertain but believed to be much higher than reported. In the aftermath of the earthquake, the government focused on controlling the narrative. The situation leading up to the elections has

become increasingly repressive. The government declared a state of emergency in the affected provinces, claiming it was to combat disinformation. Slowing down Twitter, which was extensively used for rescue operations, after Erdoğan's visit to the disaster area, signaled a prioritization of muting criticism and controlling the narrative over rescue and relief operations. Additionally, the government banned access to one of Turkey's most popular websites, 'Ekşi Sözlük', a collaborative reference project and online community (Aksoy and Çevik, 2023), which will be discussed with further details.

Consequently, the dynamics of the media have begun to change after media has started to be seen as a profit making business. Almost all media outlets have gradually been sold to a small number of conglomerates. Media sector has become even more open to all kinds of censorship due to the concerns for making profit imposed from media patrons. The relationship between media patrons and political figures has been normalized since new media understanding is seen like a profitable knowledge trade. Media has been a fundamental tool for politics in order to reach out citizens because of that it has always been on the agenda of the government throughout the entire historical process.

In Turkey, AKP regime has been playing a significant role in Turkish political and social history. It has had its own strategies to control media, which become fully successful for the traditional media within first ten years of its rule. Later on, Gezi Protests became the turning point for the AKP. They realized the power of Internet and social media in terms of the capacity to spread news quickly and simultaneously to many and to mobilize the masses easily. At the same time, they became aware of the fact that their control mechanisms fell short of cyberspace.

Up to the present, each disaster, each political event and each crisis Turkey faced gave rise to new and more oppressive approach to both traditional and mass media outlets. One of the main reasons is to silence opposing views and to manipulate majority of citizens in favor of the current regime. The number of imprisonment of journalists and dissidents, stricter media policies including online spaces and more conservative practices as such have escalated since 2013. These practices led Turkey

to become a relatively more authoritarian regime. While this transition was taking place, the Turkish government has prepared the legal basis for its actions in parallel to the social and political events. In other words, Turkish Legal System has also undergone many changes regarding different aspects including media in the course of time. So, it is vital to examine the legal framework of media focusing on Internet and social media regulations in Turkey in order to comprehend the issue in a wide range.

3.2. The Legal Framework of Internet and Social Media Regulations in Turkey

The legal framework surrounding internet and social media regulations in Turkey has undergone significant development over the years. The government's aim to regulate online platforms stems from concerns over cybercrime, national security, and the preservation of societal values. However, these regulations have also raised concerns about freedom of expression, privacy, and the potential for government control over online spaces. So, it is important to look at the legal aspects of the regulations as well because examining what is considered legal and illegal by the government through time can give valuable insight about both the system and society that is being shaped.

Regarding media regulations overall, including those pertaining to social media, the legal structure outlines how the government oversees the functioning of media, a crucial tool for engaging with the public in society. This framework also establishes boundaries for certain fundamental human rights such as freedom of expression, the right to information access, and similar rights. If the law isn't prepared delicately, it may also pave the way for censorship. So, the legal framework of media regulations and its practices can tell many things about a country such as its culture, regime, social and moral values and norms. Before examining social media regulations it is better to explain media regulations after Internet through time in Turkey. Media law prepares the way for social media regulations. Thus, when we go back in time, the first Internet connection has been established in Turkey in 1993. For about 8 years, there wasn't any legislative regulations of internet.

Henkoğlu and Yılmaz (2013), who examined Turkey's internet adventure in three stages, defined the years from

1993 to 2000 as the recognition and widespread use of the Internet, the years between 2001 and 2006 as the period of intervention through legal regulations, and lastly 2007 and after as the period of access blocking that is started with the Law No. 5651 (p.219).

The primary legislation regarding media including Internet was made in 2001 with which Law No. 4676, Law Amending the Radio and Television Law, Press Law, Income Tax Law and Corporate Tax Law. Two regulations with reference to Internet were presented in Law on Establishment of Radio and Television and Broadcasting and Press Law. In these regulations, Internet broadcasting, media organs and printed information sources were tried to be included in the same category. However, this approach seemed to be problematic to the president at that time and was rejected. The main idea behind this rejection was that applying specified conditions for printed media to internet may cause new problems such as harm to freedom of thought and expression on internet. Even if these regulations were rejected in 2001 with legit reasons, the same law was presented to Turkish Grand National Assembly once again in 2002 and this time it passed. This was a turning point for both traditional and digital media in Turkey. “In 2004, a penal code was passed with provisions on the Internet.” (Burak, 2022, p.207) Between the years 2001 and 2006 it was decided to close many websites, which was grounded on the regulations in the Law on Intellectual and Artistic Works and Civil Law in the Turkish Penal Code. The reasons were mainly shown as copyright infringement.

Accumulation of knowledge and flow of information on the Internet was accelerated and a significant increase in the Internet usage was observed from 2001 to 2007. This meant the rapid spread of harmful content as well as useful ones. So, the parliament took action to prepare a draft of law related to the regulation of Internet in 2007. The Law No. 5651 on the Regulation of Publications on the Internet and Suppression of Crimes Comitted by means of Such Publication¹¹ was made and passed in that year. Later on, it is also called as Internet law and this was another turning point in Turkey especially for freedom of speech and thought on online platforms since the law was the first law on Internet control that has become fully in force in Turkey. The main

¹¹Internet Ortamında Yapılan Yayınların Düzenlenmesi ve Bu Yayınlar Yoluyla İşlenen Suçlarla Mücadele Edilmesi Hakkında Kanun

purpose of the law was to protect children, young adults and families from some harmful content on Internet that is promoting bad habits and damaging physical, mental and moral development. It is stated in the law that there will be procedures and principles regarding the prevention of certain crimes committed in the electronic environment through content, hosting service and access providers. For this reason, the definition and obligations of the content provider, hosting service provider and access provider are determined in the law (Henkođlu and Yılmaz, 2013). Key provisions of this law include content removal, website blocking, and data retention. “It established a unit responsible for imposing bans on websites.” (Burak, 2022, p.208). It is called Internet Department working under the Department of Telecommunications that is affiliated to the Information Technology and Communication Institution¹². Law No. 5651 empowers the Telecommunications Directorate¹³ to order the removal or blocking of online content that violates specific criteria outlined in the law. This includes content deemed to be obscene, encouraging suicide, promoting child abuse, inciting violence, or insulting Atatürk, the founder of modern Turkey. “From November, 2007 when TİB started to work in Turkey to January, 2009 42 thousand 207 number of notifications were received with official figures and 1 thousand 209 websites were closed to access” (Köse and Özen,2010, p.117). According to Engelliweb statistics, this number of blocked websites has increased to 29.006 with official figures as of 2013. It was estimated that the real number was even more than 30 thousand. Furthermore, 86.8 percent of these websites were blocked by the decision of TIB itself, which has taken attention and noted as an adverse event in international reports. There is no official site that announces these access blocks and its reasons or any explanations regarding the issue. In the first paragraph of the 8th article of the Law no. 5651, the crimes that may be subject to the blocking of access are included and all orders are under these categories. These crimes are referral to suicide, child sexual abuse, facilitating the use of drugs and stimulants, supplying substances that are dangerous to health, obscenity, prostitution, and providing a place and/or opportunity for gambling. In addition, Law on Crimes Committed Against Atatürk dated 25/7/1951 and numbered

¹²Telekomünikasyon İletişim Başkanlığı bünyesinde İnternet Dairesi Başkanlığı

¹³TİB

5816 is a reason to block access (Henkoğlu and Yılmaz, 2013). So far, the most common crime that is shown as the reason of the blocking is obscenity. This is a controversial topic since the definition of obscenity is unclear in the law and there is no explanation about what is considered as obscene.

Furthermore, some certain changes, additions and regulations were made in the Law no. 5651 in 2011, 2013, 2014, 2015, 2016, 2019, 2020 and 2023 respectively. Three of them among these years play a significant role in shaping the course of events, which are 2014, 2020 and 2022. First of all, it is worth to mention the omnibus bill numbered 6518 that has offered and passed in 2014. Some of the important and controversial changes and additions can be listed below:

1. The content and scope of access blocking decisions has expanded. In this new regulation, violations of personal life and privacy violations are included in the scope of access blocking. Moreover, ‘banning the content and right to response’ has been changed to ‘banning the content and access blocking’.
2. In cases of violation of privacy, the claimants are allowed to apply directly to the TIB and have a decision to block access within four hours.
3. The duration of the decisions to be taken regarding the access restrictions to the content has been shortened to four hours from twenty four hours.
4. With the new legal regulations, a new institution, the Access Providers Association was established and it was aimed to carry out the audit from a single source.

After these new additions and changes, the law grants the TIB the authority to block access to entire websites that contain content violating the criteria specified in the law. The blockings can be ordered without requiring a court decision, enabling swift action by the authorities. So, it meant that it is possible for websites to be closed ex officio by the Internet Department. This has become an important matter of debate, not only within its own borders but also drawing criticism from European countries. Certain provisions of the law have been criticized for imposing restrictions on freedom of expression and communication, thus allegedly violating the European Convention on Human Rights. Particularly, the regulations allowing administrative

institutions, in addition to judicial bodies, to impose access restrictions have been the main cause of these criticisms. As a result, the TIB and BTK (Information Technologies and Communication Authority) have been authorized to issue access restriction decisions under Articles 8, 8/A, and 9/A of the 5651 Law, while the access restriction decisions under Articles 8/A and 9/A are subject to judicial approval (Tekeli,2021). When examining the statistics on access restrictions, it becomes evident that there has been a dramatic increase in website access blocking decisions since the implementation of the law in 2007 until the present time. According to the Analysis Report of Access Blocked News and Social Media Content from Turkey, by the end of 2018 a total of 245 thousand 825 websites were blocked. Comparing this number to the 190 thousand 922 websites blocked before 2018, it can be said that the blocking has considerably risen (Akdeniz and Güven,2020). Moreover, in 2018 alone, 54 thousand 903 domain names and websites faced access blocking. 95% of these access restrictions were imposed through administrative orders, while the remaining %5 were issued as judicial decisions (Tekeli,2021)

Secondly, in 2020, a new bill was published in the Official Gazette, known as Law No. 7253, which introduced amendments to the Law on the Regulation of Publications on the Internet and Combating Crimes Committed through These Publications. This law introduced changes and additional regulations to the existing Law No. 5651, specifically addressing issues related to online content and combating crimes committed via online publications. The most critical addition was related to 'social network providers'. With the regulation numbered 7253, a new actor was created under the name of social network provider. This actor is described as individuals or legal entities that facilitate the creation, display, and sharing of content such as text, images, audio, and location for social interaction on the internet. On the other hand, this regulation imposed certain obligations on some social network providers. One particularly controversial obligation is the requirement for social media platforms such as Facebook, Twitter, and Instagram, with daily access exceeding 1 million users, to appoint a representative in Turkey. Failure to fulfill this requirement may result in administrative fines. Repeated non-compliance may lead to additional fines, advertisement bans for non-compliant providers, and ultimately,

reduction of internet traffic bandwidth by 50% and subsequently 90% for the provider who still fails to meet the obligations. The bill also contains more stringent provisions that specifically target messaging and video applications on mobile networks, like WhatsApp. These provisions require these apps to disclose user data, details about voice/video calls, and the number of messages exchanged. Additionally, there are clauses that mandate social media companies to actively assist the Information and Communications Technologies Authority¹⁴ in preventing disinformation as a new crime. They must also share information with law enforcement about the creators of certain content. While law enforcement can already track non-anonymous users on social media, this new requirement aims to help identify the creators of anonymously posted content. Companies that fail to comply with these regulations will face significant financial penalties and sanctions. There is a possibility that social media companies might choose to cease their operations in Turkey if this bill is passed into law (Ruacan, 2022). Moreover, the 2020 amendments to the law included the introduction of the right to be forgotten for the first time. Accordingly, if someone's personal rights are violated, they have the right to request that their name not be linked to the internet addresses mentioned in the decision, and the authorities can grant this request.

According to Freeweb 2021 Turkey Annual Report, the number of blocked websites in Turkey is not publicly shared, and the latest data available is from 2008. Access Providers Association (ESB) handles requests for information on blocked sites, but they don't publish the list, which makes verification difficult. Lawmakers' inquiries about blocked sites have been left unanswered, citing concerns about hindering the 'fight against crime'. As of December 2021, the ESB provided rates for different types of blocked sites. About 99.76% of the blocked sites were related to sexual abuse of minors, prostitution, obscenity, illegal betting, and gambling crimes. The ESB doesn't publish the list of blocked sites or reasons, making it challenging to verify the data. Additionally, there is no category for decisions based on 'violation of personal rights'. There was an increase in access blocking decisions for illegal betting and gambling, but a decrease for obscenity and prostitution compared to the previous year.

¹⁴Bilgi Teknolojileri ve İletişim Kurumu

Lastly, the law on amending the press law which is known as disinformation law or social media law among citizens has passed in the late 2022. This law includes 40 articles and some of them have been highly debated after its publication in the Official Gazette. Some citizens consider the regulation as an act of censorship, while the supportive group sees it as a compulsory and appropriate measure within the scope of the state's responsibility to ensure public order and safeguard the fundamental rights and freedoms of its citizens, exercising its sovereignty rights. One of the most argued article is the Article No. 29. It is stated in the article that,

Article 217/A - Spreading Misleading Information to the Public

(1) Any person who openly disseminates false information related to the internal and external security of the country, public order, and general health, with the sole intention of causing fear, panic, or anxiety among the public, and in a manner likely to disturb public peace, shall be punished with imprisonment for a term ranging from one to three years.

(2) If the perpetrator commits the offense while concealing their true identity or within the framework of an organization's activities, the punishment stipulated in the first paragraph shall be increased by half.

(<https://www.resmigazete.gov.tr/eskiler/2022/10/20221018-1.htm>)

Opposition parties, legal experts, and social media users who oppose the regulation have raised several significant criticisms. They argue that the regulation will limit freedom of expression and effectively act as a form of censorship. Furthermore, concerns have been expressed that the implementation of the regulation could lead to an increase in investigations and inquiries, creating a climate of fear and discouraging individuals from freely expressing their opinions on various subjects. Some experts also believe that the regulation is in direct violation of Article 13 of the Constitution, adding to the concerns regarding its legality. The Article 13 of our Constitution states that fundamental rights and freedoms may only be restricted by law and only on the grounds of reasons specified in the relevant articles of the Constitution, without infringing upon their essence and in a manner proportionate to

the nature of the rights and freedoms, and considering the requirements of a democratic society and a secular state governed by the rule of law.

Additionally, there are worries that the regulation may lead to unfair competition during elections. Moreover, the ambiguity of the interpretation of Article 29 in the regulation makes it susceptible to potential misuse, raising the risk of judges making decisions based on assumptions about individuals' intentions. Opposing parties assert that the ruling party introduced this regulation with the intention of implementing censorship and avoiding unfavorable consequences during elections. On the other hand, legal experts' main worries center around how the identification of 'false information' will be conducted and the possibility of judges making decisions based on assumptions. Among the critiques, there are concerns that the misapplication or bias in enforcing the law could lead to significant injustices, such as individuals who make predictions about currency exchange or earthquake forecasts facing the risk of punishment. Further, 1 to 3 years imprisonment is a heavy punishment considering that the definition of the crime has uncertainties and it is open to comment (Oymak, 2022).

There are some other important articles in the Disinformation Law, which changes the previous Press Law's scope of authority and makes additions to some definitions. For instance, modifications were made to the current Articles 1 and 2 of the law to address Internet news websites that were not previously included in the Press Law, resulting in the absence of the 'press card' privilege for them. As a result, the amendments now define Internet news websites as 'periodic publications' and bring them within the scope of the Press Law. In addition, Article 3 of the law introduced a mandatory provision for Internet news organizations to disclose their physical and electronic addresses publicly. This requirement serves the purpose of enabling the issuance of access restriction orders or potential penalty notifications by the Press Advertising Agency¹⁵. Under Article 8 of the law, similar to newspapers, internet news websites are obligated to hand over their content to the prosecutor's office upon request. Failure to comply may result in significant fines ranging from 300 million liras to 1 billion liras.

¹⁵BİK

Article 9 of the law stipulates that the statute of limitations for news published on Internet websites will begin not from the date of publication but from the date of the reported crime. As a consequence, regardless of how old a news article is, a crime report can be filed with the Public Prosecutor's Office, and the four-month time limit for filing a lawsuit will commence from the date of the report. This provision allows the possibility of reporting crimes for news articles on Internet websites that date back several years. Also, a critical addition to the Press Law regarding social media platforms is covered in the Article 34. The previous requirement for internationally recognized social media platforms like Facebook, Twitter, and Youtube to appoint a representative who was a Turkish citizen has already been in effect. However, now, with Article 34 of the new law, these representatives must also reside in Turkey. This measure is seen as a way for the government to increase pressure on social media platforms in terms of their requests and potential sanctions. The appointed representative for the social media platform must have full authority in technical, administrative, legal, and financial matters and is obligated to establish a branch in Turkey. They will be required to regularly submit reports to the Information Technologies and Communication Authority¹⁶ regarding content, platform tags, and algorithms. Additionally, if requested, the representative will have to provide courts with users' personal information related to internet content. Failure to comply will result in the platform's access speed being reduced by limiting the bandwidth. Furthermore, the President of the BTK will have the authority to impose an advertising ban on the social media platform for up to six months without requiring any court order.

Lastly, under Articles 36 and 37, the control over applications enabling instant messaging or calling between telephone operators and services like WhatsApp has been increased. The law now mandates 'over-the-top service providers', including WhatsApp, to furnish detailed personal information to the BTK. This information includes the number of active individual and corporate users in Turkey, the volume and duration of voice calls, video calls, and instant messages. Failure to comply with these requirements or offering services without proper authorization could lead to administrative fines ranging from 1 million liras to 30 million liras (Yazıcıoğlu,

¹⁶BTK

2022). Therefore, it can be said that the government's measures to control online spaces increased its coverage, which may be interpreted as signals of a transition to a more authoritarian structure.

The AKP government's approach to Internet and social media regulations has been a subject of criticism from human rights organizations and international observers, who argue that the restrictions on online freedom of expression and information impede democratic principles and human rights. According to Reporters Without Borders¹⁷, which is an international non-profit and non-governmental organization with the aim of protection of the right to freedom of information, Turkey was ranking 100 out of 180 countries in the freedom of speech and media in 2002; this ranking became 148 out of 180 within 10 years and this year it is 165¹⁸. In the 2012 report, Turkey is shown among the countries under surveillance and this scene got heavier in time. Based on the data released by RSF in 2020, Turkey stands out as the sole democracy where press freedom has seen a sharp decline. Surprisingly, even some less democratic countries like Tunisia, Morocco, Russia, and Bangladesh have achieved higher rankings in press freedom compared to Turkey. It is quite noteworthy that Turkey's position on the list is right before autocratic nations such as Afghanistan, Pakistan, and Saudi Arabia, considering Turkey's historical pursuit of democracy (Yavuz, 2022).

The title of one of its latest reports in 2022 about Turkey is 'The Systematic Decline of the Freedom of Expression in Turkey' (Ruacan, 2022). In this report, it says that "in legal terms, Turkey has been the most frequent violator of the European Convention on Human Rights, as there has been a 30 percent increase in cases brought against it in 2021 compared to the previous year..." (Ruacan, 2022, p.2).

In addition, it is stated that there is two main events that cause 'serious backsliding' in the freedom of civilians and the independence of the judiciary parallel to the changes in the law, which are Gezi Park Protests in 2013 and the July 2016 coup

¹⁷Reporters sans frontieres (RSF)

¹⁸<https://rsf.org/en/index>

attempt. Authors of the report say that “...some 467,000 sites were blocked as of December 2020 under the provisions of Law No. 5651.” (Ruacan, 2022, p.3).

Freedom of expression and freedom of speech are two fundamental human rights that are protected under the United Nations Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. So, individuals’ right to express their opinions on political subject without the danger of any penalty should be under the guarantee of law in a democratic country (Burak, 2022). However, news, the discourse of the government and some events are showing the opposite in the recent years in Turkey. For instance, there is news from 2019 about an announcement of Minister of Interior Affairs Süleyman Soylu saying that 20 thousand 474 people had been taken legal action only because of their social media posts between the years 2013 and 2018 (Cumhuriyet, 2019). The number is so high that all of them cannot be explained by an illegal action or harmful content. Recent Freedom House reports also share the same view with RSF reports. Its reports from 2016 to 2020 express that Turkey has witnessed a rise in human rights violations alongside a decline in media freedom.

The Expression Interrupted Platform’s report on freedom of expression and the press in Turkey, which is made news by Gazete Duvar, states that for the last quarter of 2022 reveals alarming trends. Judicial pressure on journalists continued, with 173 facing trials in 99 cases, resulting in imprisonments and fines raising concerns about the use of legal mechanisms to suppress opposition. Charges against journalists included ‘publicly disseminating misleading information’, ‘insulting public officials’, ‘propaganda for an organization’, and ‘insulting the President’, suggesting a broad application of legal vehicles to diminish critical reporting. During this period, 32 journalists and media workers were arrested, which shows a trend of using legal measures for detentions and potentially limiting journalists’ ability to work freely. The report highlighted at least 19 cases of blockage, violence, and threats against journalists, which is worrying for their physical safety.

The arrest of 25 journalists working for Kurdish media outlets within five months marked challenges faced by those covering sensitive issues related to Kurdish affairs.

Moreover, financial pressures on opposition media continued, with penalties imposed by the RTÜK for critical content. Specific television channels faced suspensions and fines, while pro-government channels obtained no penalties. On top of these, the enactment of the disinformation law introduced penalties for spreading misleading information, which has again raised concerns about possible restrictions on freedom of expression and dissenting views (Gazete Duvar, 2023)¹⁹. In short, the report portrays a troubled picture of media freedom and freedom of expression in Turkey, underlining continuous challenges, legal pressures, and a broader environment that may discourage open discourse and critical reporting.

Engelliweb is one of the main crucial sources to get information about the detailed statistics of websites, news (URLs) and social media contents that are blocked because there is no official source publishing the data. It is a non-governmental and non-profit initiative sharing the statistics of blocked websites and the information of court orders and administrative decisions regarding these blockings with public since 2008. After the foundation of Freedom of Expression Association²⁰, Engelliweb started to work under the association and published yearly reports from 2018 to 2021. According to the latest report of Engelliweb, 150 thousand URLs, 8 thousand 350 Twitter accounts, 55 thousand 500 tweets, 13 thousand 500 Youtube videos, 9 thousand 500 Facebook content and 9 thousand Instagram content were blocked by the end of 2021. Within 2020, blockings on Wikipedia, Sendika.org and Imgur were removed and OdaTV, Independent Türkçe and JinNews news platforms were blocked under the provision of Article 8/A of Law No. 5651. In general, as of the end of 2021, access to a total of 574 thousand 798 domains has been blocked. 516 thousand 577 of them have been blocked with administrative decisions within the scope of Article 8 of Law No. 5651. Other 40 thousand 917 domain names and websites were blocked by the judiciary (Engelliweb, 2021). Free Web Turkey is another extensive source which is relatively new. It is a project operating in the field of the Internet freedom since 2020 carrying out under the Media and Law Studies

¹⁹https://www.gazeteduvar.com.tr/expression-interrupted-raporu-3-ayda-10-gazeteci-tutuklandi-haber-1601084#google_vignette

²⁰Ifade Özgürlüğü Derneği/ İFÖD

Association. Its 2021 Annual Report states that %53 of blocked news articles pertain to information directly related to Turkish President and AKP leader Recep Tayyip Erdoğan, his family and to mayors or officials of the AKP (Free Web Turkey, 2021). This data is raising suspicion about the legality and validity of these legal decisions since it favors certain group of elites over ordinary citizens and dissidents.

The AKP regime devised a media capture strategy within a political system that they gradually gained control over through successive electoral victories. Furthermore, constitutional amendments and significant alterations in the judicial system have undermined the independence of the judiciary. This erosion of judicial independence has paved the way for the criminalization of journalists and exacerbated the impact of such actions.

In response to the authoritarian tactics employed by the AKP government, Turkey's media landscape has been witnessing the emergence of free, independent, and online alternatives. This includes the rise of citizen journalism and journalist portals like T24 and 140journos, providing a counterbalance to the prevailing narrative (Murat, 2018).

Other than alternative media sources, also alternative solutions have emerged among citizens. For instance, VPN²¹ usage has started to enter our lives more and more. It is an Internet technology allowing people to connect to different networks via remote access. Its installation to electronic devices is simple and free. So, many people were able to continue to use Twitter, Facebook, YouTube, WhatsApp, Wikipedia, Ekşi Sözlük and more during their banned period of time by means of VPN. There are various periods when social media and some websites were banned in Turkey, which can be called as practices of all these legal regulations. Thus, it is crucial to analyze these real-life practices of the legal acts in order to understand its impacts on society.

3.3. Practices of Internet and Social Media Regulations in Turkey

Other than legal regulations, the Turkish government has launched several websites and phone lines they called secure Internet centers. One of them is

²¹Virtual Private Network

Guvenliweb.org.tr, which is a website serving under Information and Communication Technologies Authority. Güvenliweb is established in order to spread the culture of conscious, safe, effective and correct use of the Internet throughout the society, to protect users from possible risks in the Internet environment and to collect statistical information.

According to its Turkey Digital 2023 report, the world population has reached 8.1 billion and the population of Turkey has reached 85.59 million in 2023. Internet users come to 83.4% of the population with 71.38 million users in Turkey. The number of active social media users is 62.55 million. The ratio of active social media users to population is 73.1%, which shows that most of the Internet users use social media as well.

Internet users in Turkey spend an average of 7 hours and 24 minutes per day on the Internet from all devices. Users spend 4 hours and 26 minutes of this time connecting to internet via their mobile phones. So, 84.92% of web traffic is from mobile phones. 80.7% of users use the internet primarily for gathering information. Other five main purposes are to be informed about news and events, to learn how to do something, to search a product and/or brand, to communicate with friends and family, and to find new ideas, to watch videos, tv, series or movies.

The most visited website in Turkey is YouTube.com. Internet users in Turkey spend an average of 2 hours and 58 minutes on social media. The most common used social media is Instagram with 90.6%, then WhatsApp, Facebook and Twitter is following Instagram respectively. The social media application that has the highest number of users in Turkey is YouTube with 57.9 million users.

YouTube, Instagram, Facebook and Twitter are the most used social media platforms and websites both internationally and locally. Facebook is established in 2004; Youtube is established in 2005; Twitter is established in 2006; and Instagram is established in 2010. So, Facebook is the pioneer of other social media applications. Its main feature is connecting people and allowing them to share both photos and written ideas and thoughts with 'friends'. Soon afterwards, YouTube came into our

lives, which is a video sharing site. It differs a bit from other social media platforms since other than actively sharing and involving with activities, it can be also used like watching television broadcasting. Twitter, on the other hand, is launched to become the platform of ideas. It is allowing their users to share only written context, which can be used like a diary or bulletin board of thoughts. Later on, Instagram is launched, which became very popular in a short time. Its essential use is for users to share photos and videos of their daily lives with or without some written statements. The way people are using these platforms are different from each other due to these platform's intrinsic features. Among these, the most used social media for political purposes is Twitter and the most used social media for non-political purposes is Instagram. So, because of that, while Twitter was always in the spotlight of the government, Instagram was left to be its own. YouTube, Facebook and Twitter faced several bans and content filtering over the course of time.

YouTube is the first social media that has been banned several times from 2007 to 2016. These bans had different causes and durations. YouTube got an access restriction for the first time in 2007, which lasted 2.5 years. It was because of a video disrespecting Atatürk. In 2010, Turkey blocked YouTube again, this time due to an old video featuring a public figure in a compromising situation. In that year, access to certain Google services has also been restricted in addition to the YouTube ban. In order to make accessing YouTube even more difficult, the ban was updated to encompass specific IP addresses within Google's pool facilitating YouTube access. As a result, although a complete prohibition of Google hasn't been implemented, difficulties have arisen in reaching its services. Some Google applications either failed to launch altogether or experienced delayed openings. This is because Google provides services like 'Google Maps', 'Google Translate', 'Google Analytics', 'Google Earth', and 'Google Docs' from the shared IP addresses (Şamlı and Konak, 2011). On 17 July, 2010, a demonstration was held in Taksim Square by Internet users to express their opposition against the censorship imposed on specific websites. Statements made by supporting organizations during the march emphasized that today, both individual and institutional Internet users in Turkey are facing significant obstacles. This situation involves the erosion of the right to access information in the age of information, fundamentally compromising freedom of expression in a

democratic state governed by the rule of law, and undermining the freedom to access information and communicate. Additionally, they have established a collaborative platform to stand against Internet censorship. On 23 July, 2010, this collaborative platform had a visit to Grand National Assembly of Turkey (Şamlı and Konak, 2011). The organization known as Reporters Without Borders²² has criticized the renewed prohibition of the YouTube in Turkey on 3 November 2010, demanding an end to the censorship that affects over five thousand websites today. RSF recalled that a court in Ankara lifted the access ban on YouTube on October 30th, which was received as ‘good news’ both by the Turkish population and the international community. However, RSF noted that a new ban decision was taken on November 2nd, stating that ‘rendering YouTube inaccessible again demonstrates that the Turkish judiciary has not lost any of its primitive censorship reflexes’ (Şamlı and Konak, 2011). As a result of all these efforts, YouTube gained its freedom on 5 November 2010 after 2.5 years inaccessibility.

However, over 30 court rulings resulted in YouTube bans until 2014 and on March 2014, it was banned again. The reason behind this ban was a video discussing potential military involvement in Syria by top Turkish officials. A series of court rulings, beginning on 9 April 2014, mandated the removal of the ban. Despite these court orders, Turkey refused to unblock access to YouTube. On May 29, the Constitutional Court of Turkey declared that this blockade infringed upon the constitutional right to freedom of expression and instructed the restoration of YouTube access. Nonetheless, as of the morning of June 1, YouTube remained blocked.

Lastly, according to Internet censorship monitoring service TurkeyBlocks, Turkey once more blocked YouTube for a brief period of time after a video allegedly showing terrorists setting Turkish soldiers on fire was uploaded in the late 2016 (Burak, 2022). In addition, people were experiencing the Internet connection slowdowns to access other social media services like Facebook, Twitter and Instagram as well as messaging services like Skype and WhatsApp. The then Prime Minister Binali Yıldırım later confirmed that on 4 November that the Internet

²²RSF

connection slowdowns experienced throughout Turkey were part of ‘security measures’ taken by the government (TurkeyBlocks, 2016).

Moreover, Facebook has banned two times in Turkey, which were in 2015 and 2020 even though there was an attempt to ban it in 2009. Because the decision wasn’t put into action. This was prompted by a Facebook group’s assertion that Kemal Kılıçdaroğlu, the leader of the main opposition party, was endorsing a certain group. Kılıçdaroğlu’s attorney took the matter to court, asking for the access to this particular Facebook group to be blocked. The court agreed and sent the decision to the Telecommunication and Communication Presidency. However, the Presidency didn’t actually enforce the decision. Kılıçdaroğlu publicly stated that he didn’t want Facebook to be banned; instead, he requested the removal of the inappropriate content.

In addition, back in 2015, there was a temporary block placed on both Facebook and Twitter. This came about due to the sharing of images depicting threats against public prosecutor Mehmet Selim Kiraz by terrorists. Another instance of Facebook being banned occurred in February 2020, which aligned with the escalation of military tensions in Idlib. This particular Facebook ban can be interpreted as a direct outcome of measures taken to ensure national security within the realm of online communication.

Twitter has been gaining prominence in global politics. Nations are both employing and grappling with Twitter as a means to mitigate or intentionally intensify political crises. Beyond its original purpose as a tool for interpersonal communication, it has become evident that Twitter has evolved into a substantial platform. Through tweetstorms, meme battles, and diplomatic provocations, states employ Twitter to express and formulate policy responses. “...Twitter both represents emotions and also provokes them, which can play important roles in the escalation and de-escalation of conflict.” (Duncombe, 2019, p. 424). So, it is one of the social media platforms that is in the spotlight of states and the most popular one being brought into question by them. This case is true for Turkish government as well. Twitter’s access has been interrupted several times in Turkey. The major access restrictions

occurred in the years 2014, 2016 and 2023. During the Gezi Park protests in 2013, the then prime minister Recep Tayyip Erdoğan referred to Twitter as a ‘threat to society’. Following the aftermath of the 2013 Gezi protests, there was a noticeable increase in the practice of social media censorship. Platforms like Twitter were particularly effective in coordinating protests and sharing news. A similar scenario unfolded after the ‘December 17 and 25 corruption scandal’ erupted in the late 2013. During this period, the government held substantial control over traditional mainstream media, highlighting the crucial role of the internet in accessing alternative information sources. Turkey holds a prominent position in banning social media, according to Twitter’s transparency report. On 20 March 2014, Erdogan declared his intent to eliminate Twitter. Consequently, Twitter was blocked on that day without requiring any court order. This ban lasted for one month.

In 2016, as it is mentioned in the previous chapters, Turkey experienced a failed coup attempt. As a result of this incident, Turkish government requested Twitter to silence accounts, including those of journalists associated with the newspaper Zaman. The newspaper had ties to the Gulenist network, which the Turkish government labeled as ‘FETO’ and accused of orchestrating the failed coup. Subsequently, Twitter deactivated several of these accounts. It is also worth mentioning there have been instances where social media posts on Twitter that criticized the AK Party were subjected to blockage (Burak, 2022). In their research for the Engelli Web, Professor Yaman Akdeniz and expert Ozan Güven (2020) highlighted that by the end of 2019, approximately seven thousand Twitter accounts and forty thousand tweets had been subjected to blocking (Akdeniz and Güven, 2020).

Turkey experienced two significant and major events in 2023 so far. One of them is 2023 Gaziantep-Kahramanmaraş earthquakes or internationally known name as 2023 Turkey-Syria earthquakes on 6 February 2023. A magnitude 7.8 earthquake hit the southern and central regions of Turkey and as well as northern and western Syria. It was a devastating disaster, which caused extreme loss of life and property beyond description. Some citizens under rubbles were screaming to get help; some others who can have access their phones were trying to reach out people from outside via

using social media accounts and sharing tweets that show their locations in order to be rescued. Unfortunately, the state's response to these calls for help was belated and the rescue teams, machines and all other source of aids that was sent were insufficient. In one of his statements, President Erdoğan mentioned the province of Adıyaman that was one of the cities affected by the earthquake, and stated the following:

Unfortunately, due to the destructive impact of the tremors, adverse weather conditions, and challenges arising from damaged infrastructure, we were unable to conduct the desired level of operations in Adıyaman during the first few days. I seek your understanding and forgiveness for this. We are fully aware of everything (T24, 2023).

In short, the Turkish government couldn't handle well with this large scaled disaster.

Due to the extensive circulation of earthquake videos and distress calls on social media, Internet usage was intentionally slowed down using 'bandwidth throttling' on 8 February 2023, which was the second day of the earthquake. Politicians and ordinary citizens heavily criticized the bandwidth throttling application, which caused to prevent further dissemination of information about the locations and details of individuals trapped under rubble. The government could only enforce a 9.5-hour access restriction on Twitter. However, government officials and members of the AKP continued utilizing Twitter for sharing content.

The access limitations started at 4:30 PM and concluded at 1:00 AM the following night (Ayhan, 2023). The other crucial development was the general elections that were held in May. Interestingly, this time Twitter announced a day before the elections that in anticipation of the upcoming elections tomorrow, limitations have been placed on specific contents. As reported by Bloomberg, a statement issued from Twitter's Global Government Relations account, which explained that this move is a response to court rulings and is intended to maintain the platform's accessibility in Turkey. The statement assured that the content will remain accessible in the rest of the world. Twitter didn't provide any information about the content that has been restricted. (Sözcü, 2023).

In addition, there has been a recent news regarding bans on Twitter. BTK has revealed on July 2023 that advertising on Twitter has been prohibited due to Twitter's failure to fulfill its obligations for designating and notifying a representative. As outlined in the decision published in the official gazette, individuals or businesses that place advertisements on Twitter could now potentially face financial penalties. According to the new law known as Disinformation Law, if Twitter fails to appoint a representative in Turkey, the company's bandwidth may be reduced by half (Euronews, 2023, July 21). This could be shown as one of the fresh examples of Disinformation Law that can be interpreted as censor. The law was discussed and criticized by opposing parties when it was first brought up because of its potential to pave the way for censorship practices. This new advertising ban on Twitter shows that opposing parties' concerns may be right.

Other than these social media platforms, there are two significant and popular websites that were blocked in the recent years. One of them is Wikipedia. It stands as a volunteer-driven, multilingual online encyclopedia that is freely accessible, which is established in 2001. It draws contributions from individuals worldwide. It is the world's biggest Internet encyclopedia. It has been under a ban from 2017 to 2020 in Turkey.

The decision to block access to Wikipedia was executed based on the judgment of the Ankara 1st Criminal Judgeship of Peace on April 2017 and this prohibition extended through the year 2019. Those who checked Wikipedia's site information on the webpage of BTK discovered that the site has been subjected to an 'administrative precaution'. The reason behind the ban was the content of the English version's article discussing 'state-sponsored terrorism', which depicted Turkey as a patron of ISIS and Al-Qaeda. Turkish courts perceived this as an attempt to manipulate public opinion through mass media, forming the basis for the Wikipedia blockade (Burak, 2022). Wikimedia Foundation that is affiliated with Wikipedia has escalated the issue to the Turkish high courts several times within 2 years. In their appeal, Wikimedia pointed out previous instances of access restrictions imposed on Google and YouTube, highlighting that a complete ban on the entire site is an excessive measure. However, Katherine Maher, the Chair of the Wikimedia Foundation's Board of

Trustees, stated that her appeals to the higher courts in Turkey yielded no results. So, after 2 years, she has taken the matter of the access restriction in Turkey to the European Court of Human Rights²³ (BBC, 2019).

While the process was continuing, both Wikimedia and Wikipedia have frequently called for the removal of the blockade through their social media accounts. Furthermore, Wikipedia initiated a campaign on social media under the slogan ‘We miss Turkey’, launching posts from its official Facebook account asking users, ‘How would you feel if you woke up one morning and realized you couldn’t access Wikipedia?’. Site administrators encouraged sharing posts using the ‘#WeMissTurkey’ hashtag for a duration of one week (BBC, 2019). After all these struggles and more, the ban was lifted in January 2020 subsequent to the Constitutional Court’s verdict, which deemed the ban a violation of freedom of expression.

The other website that is targeted and restricted access by the government is Ekşi Sözlük. It is a participatory dictionary based in Turkey, including comments from registered authors. It is the largest participatory dictionary with over 400,000 members and ranks among the country’s most outstanding online communities. BTK has banned access to Ekşi Sözlük on February 2023 for the first time, which is the most recent incident regarding access bans in Turkey.

Ekşi Sözlük, visited by tens of thousands daily, was first targeted and then eventually closed down as part of a crackdown on platforms criticizing the government’s negligence regarding the earthquake. The administrators of Ekşi Sözlük were able to engage in discussions with BTK after several days, yet no specific content was identified as the reason for the shutdown. Diken Newspaper²⁴ had news regarding the issue with the title of ‘The ‘super’ judge who shut down Ekşi Sözlük: Making a decision every five minutes’. It is stated in news that the decision to close Ekşi Sözlük marked the 96th ruling by the judge on the same day. Additionally, legal expert Kerem Altıparmak indicated that this judge had issued 1532 verdicts within

²³ECHR

²⁴One of the online dissident newspapers in Turkey.

39 working days (Diken, 2023). The news criticizes the reasoning, accuracy and impartiality of the judge's decision by emphasizing the judge's speed of decision-making process. After a month, Başak Pürüt, the CEO of Ekşi Sözlük, has shared a message stating, "The access restriction decision has been lifted by the court as of now. Best wishes!". Ekşi Sözlük's official Twitter account also posted a tweet saying that

Our objection has been accepted by the Ankara 4th Criminal Magistrate's Court, and a decision has been made to lift the access restriction. We are in contact with the authorities for the implementation of the decision. We will continue to believe in the principles of law (Euronews, 2023, March 2).

However, BTK appealed against the decision of Ankara 4th Criminal Magistrate's Court to lift the access restriction on Ekşi Sözlük. Upon reviewing the appeal, the 5th Criminal Magistrate's Court approved the objection, leading to the decision to maintain the access restriction (Gazete Duvar, 2023, March 23). As a result, the board of Ekşi Sözlük decided to change their domain name to 'eksisozluk2023.com' in order to be accessible.

However, in May right before the elections, an access restriction has been imposed on the domain 'Ekşi Sözlük 2023' by the Ankara 6th Criminal Magistrate's Court. In a statement from the Ekşi Sözlük Twitter account, they pointed out that they noticed the new access restriction decision but they highlighted that they don't have any information about the details and added "we haven't yet been officially notified of any decisions" (BBC News Türkçe, 2023). Today, Ekşi Sözlük is using the domain name 'eksisozluk1923.com'.

In conclusion, prominent social media platforms and websites such as YouTube, Facebook, Twitter, Wikipedia and Ekşi Sözlük have been restricted several times over the course of AKP governance. Some of these practices had corresponded to a legal regulations. On the other hand, some arrangements have been made after some practices in order to fit the practice in the legal framework. In either cases, most of the time, citizens were left without any explanation regarding these bans, which paved the way for criticisms. Also because each time, these practices coincide with

important political crisis or events. In addition, these implementations are only one side of the coin, which are legal and visible practices of the government regarding the control over social media. However, there are also some other strategies that cannot be detected easily like these ones. One of the important practice that is less visible to ordinary people and illegal in itself is troll-politics.

3.4. Troll-politics as an Unofficial Practice of Social Media Usage

Information shared on social media lacks editorial oversight and often goes viral unchecked, which leads to discussions about the spread of misinformation. While these platforms offer alternative and empowering possibilities to ordinary citizens, they also facilitate the rapid circulation of polarizing and divisive discourses. As a result, this can create an environment that is prone to the emergence of authoritarian-populist leaders. In Turkey, the dynamics among power, capital and media have undergone significant changes, notably since 2002 in the context of single-party rule. Currently, due to escalating restrictions and limitations on freedom of expression, the media is facing more pressure and restraint (Baloğlu, 2021).

Political authorities don't only adopt the mechanisms of oppression, they also use different tools that cannot be noticed easily to monopolize media. One of the critical tactics that has been implementing by Turkish government is troll-politics. Trolling is typically an individual endeavor. When a troll decides to target someone, it's possible for other trolls to join in for fun and start posting similar content against the same individual. However, this kind of collective engagement tends to emerge spontaneously.

Contrary to trolling, troll-politics is a serious matter, which means using trolling in an organized way for a political purpose for a long period of time. It has power to affect thousands and even to affect the future of a country when it is used efficiently. Troll-politics involves manipulating political discussions by altering the topic, spreading propaganda, creating false information, or promoting hateful language to silence opposing views. This technique is quite powerful. Social media, with its user-generated content, benefits those in power who can use trolls to control people's

minds. This might mean enforcing them into useless arguments or distracting them from engaging in meaningful conversations. Thus, this strategy helps the political authority establish control over the narrative and take citizens attention away from opponents. The attempts by authoritarian-populist political figures to shape their own narrative using trolls even at the cost of manipulating or twisting the truth, create an opportunity for them to maintain their dominant influence.

Authoritarian-populist governments, which use similar troll armies as propaganda vehicles in the world, manipulate the public in the context of their ideology with the information they circulate through platforms such as Twitter (Baloğlu, 2021, p. 42).

Troll-politics began in Turkey after Gezi protests in 2013. Despite the AKP's considerable influence over mainstream media through various means, the Gezi Protests highlighted the capability of social media users to rise their voices and form powerful political narratives. Recognizing the limitations of their media control in the digital realm, the then President Erdogan's advisors launched an attempt to build a noticeable presence on social media.

Thus, following the Gezi Protests, the AKP has focused to manage online discussions through the exercise of social media trolls. These coordinated networks of fabricated accounts are employed to spread AKP propaganda and direct it against opposing viewpoints. Taking inspiration from the party's name, it has become known in Turkish political discourse as the 'Ak-trolls', referencing the ruling party's affiliation. These trolls are particularly active on Twitter, carrying out tasks aligned with the agenda of President Erdogan and the AKP (Akiş, 2022).

Trolls have some certain features that can be recognized. One of them is using negative and manipulative language. Özsoy (2015) emphasizes that "trolls frequently create hashtags that provoke the social fear..." (p.536) and "trolls generally prefer a provocative, abusive, sexist, racist, inflammatory and disruptive writing style." (p. 537). Another noticeable style is polarizing discourse underlining 'us' versus 'them' rhetoric. Thirdly, they might draw their strength from conspiracy theories used by right-wing populism. "Furthermore, it can be said that it is not only to suppress

opponent voices and manipulate them, but also to take the existing agenda out of context and use troll-politics as instruments by changing the direction of the debate.” (Baloğlu, 2021, p.43).

In 2015, the Hafıza Kolektifi²⁵ uncovered the initial map of AKP’s troll network, sharing noteworthy information about how this network operated(soLHaber, 2020).

Hafıza Kolektifi is an anonymous community that emerged from the concerns of individuals in the digital media. Their main concern was about content creation fading away like writing on water. According to them, in the realm of social media, where we spend our time every day, information moves at the speed of light and swiftly disappears from our sight.

So, they aimed at preserving and underlining online content (Estukyan, 2015). Their starting point was to examine Esat Ç., a former ‘Ak Troll’ whose identity was revealed, and his followers.

Then, they created a map including 113 accounts in mutual interactions. It came to light after these research that at the center of this network was Mustafa Varank, an advisor to President Erdogan.

When explaining how they developed this network map, Hafıza Kolektifi stated that

...to comprehend the structure employed by a network directly connected to the state while conveying public information, further investigation is necessary. We can say that Ak trolls were designed as a counter to the free circulation of information and collective information verification mechanisms, a significance we well grasped during the Gezi events (Diken, 2015).

According to a 2016 research report from the cybersecurity firm Norton Symantec, Turkey ranks as the nation with the highest number of bot accounts on Twitter among countries in Europe, the Middle East and Africa(Saka, 2018).

²⁵Memory Collective

Table 1. Observations were verified with a bots analysis report released by a major internet security company, Norton (November, 2016); see report at <https://uk.norton.com/emeabots>

	Top ten cities by total bot population	Top ten countries by total bot population	Top ten countries by bot density*
1	Istanbul, Turkey	Turkey	Hungary
2	Ankara, Turkey	Italy	Monaco
3	Rome, Italy	Hungary	Andorra
4	Budapest, Hungary	Germany	Israel
5	Szeged, Hungary	France	Turkey
6	Moscow, Russia	Spain	Latvia
7	Petah Tiqwa, Israel	United Kingdom	Kuwait
8	Madrid, Spain	Poland	Italy
9	Paris, France	Russia	Cyprus
10	London, UK	Israel	Poland

*The proportion of bot infections compared to the country's overall internet connected population

However, due to the ease with which bot accounts can be identified and subsequently suspended by the platform, more sophisticated troll networks began to replace them (Akiş, 2022).

Twitter has taken an important step in relation to the social media trolls that AKP has been effectively operating for many years. Twitter's investigation revealed that the deactivated fake accounts were centrally associated with the AKP's youth division. The platform announced that it has suspended 7 thousand 340 accounts from Turkey due to their role in facilitating AKP-aligned manipulation.

Twitter's analysis, based on technical indicators and account behavior, declares that these accounts that were fake or compromised were used to pro-AKP propaganda

and provide strong support to President Erdogan. Today, we are revealing these accounts from this network as part of our archived records. Twitter further disclosed that it had detected the network of users engaged in unreliable activities in early 2020, although the history of the Ak-troll network dates back quite a while(soLHaber, 2020).

According to a report published by the Internet Observation Center²⁶, which defines themselves as an Internet and Technology Monitoring Center examining power dynamics between society, authorities and technology, brought attention to key findings regarding the closed accounts.

Firstly, numerous accounts were created on the same day with similar usernames. Secondly, a network of accounts developed with the single purpose of retweeting on behalf of the AKP. These networks tries for circulating the same content to increase its visibility, even attempting to make hashtags that are not originally ‘trending’ more popular. For instance, during a large-scale online movement advocating for President Erdoğan’s resignation, signaled by the hashtag #TAMAM²⁷, the activity of bot accounts surged to promote another hashtag: #DEVAM²⁸. Lastly, many accounts were hacked, including those who had previously criticized the government, and they started to make AKP propaganda (BirGün, 2023).

As reports shedding light on AKP’s troll army were brought to agenda, the government felt the need to reply. The primary response included refusal, saying that Twitter was suppressing the voices of patriotic citizens and asserting that those involved in this operation were sympathetic to terrorist activities. Afterwards, the government, under the authority of a presidential decree, enacted a requirement for social media companies to establish offices within Turkey and comply to the country’s legal regulations, which was discussed under the law named Disinformation Law. At first, companies resisted this move but when they missed the

²⁶<https://gozlemevi.io/>

²⁷enough

²⁸onwards

first deadlines and had to pay substantial fines amounting to millions of dollars, they agreed at the end (Akiş, 2022).

Ak-trolls, in time, gave rise to counter-trolling that are against the current Turkish regime with AKP. Similar to Ak-trolls, they are using manipulative and polarizing language as well. Its language is also angry and accusing against the social, educational, political and economic policies of AKP. As a communication strategy, they use amusing discourse in their tweets, which could be observed during the Gezi Park protests (Baloğlu, 2021). “Political humor and intellectual accumulation are considered as a counter-hegemonic strategy developed against the hegemony that political power is trying to institutionalize” (Değer, 2015, p. 319). After all, it can be interpreted that the purpose of using this humorous language could be to overcome the climate of fear created by the political authorities.

To sum up, the AKP strategically utilizes trolling for its own purposes. By embracing the idea of majoritarian democracy in practical social context, it aims to exert societal, religious and ethical pressures within the realm of social media. This is accomplished by attempting to institutionalize a form of majority-driven control through its organize group of online provocateurs on platforms like Twitter. Through a continuous stream of posts and messages from these trolls, the information flow becomes overwhelming, leading to a blurring of reality. This phenomenon is especially apparent during natural disasters, such as earthquakes, when the Ak-trolls manipulate trends using hashtags such as #DevletMilletininYanında²⁹ and #DevletimizVarOlsun³⁰. In addition, Ak-trolls frequently use manipulative narrative to single out and direct negativity towards LGBTQ+ individuals, along with spreading hate speech. Ideas or perspectives existing outside the dominant discourse, such as the rights of LGBTI+ individuals, are treated as if they go against the concept of freedom of expression. This is where the strategy of using trolls comes into play, disrupting meaningful communication by targeting specific people or groups. While this approach marginalizes those who stand up for core human values such as human rights, fairness, and freedom, it effectively normalizes authoritarianism through

²⁹The Government Is With The Nation

³⁰Long Live The State

popular acceptance, rather than relying on state apparatuses. “It is observed that the manufacturing of consent is achieved in new communication technologies without the need for large media companies, by acting rationally with trolls.” (Baloğlu, 2021, p. 47). So, this invisible tool to have control over online political narrative is way powerful than it is imagined.

The nonobjective and manipulative discourse might not only be seen in troll’s tweets. Different media sources’ news might have different language, framing, and emphasis with regard to the same incident. While pro-government sources tend to target opposing parties, dissident media sources similarly tend to criticize the government’s acts and decisions in Turkey. So, it is crucial to analyze both media sources for the same case to understand the effect of media better since the presentation of the news matters the most to form readers’ own opinions. How citizens form their ideas about an issue helps sociopolitical reality to be shaped. In the next chapter, pro-government and opposing newspapers’ articles on the subject of disinformation law will be analyzed. Focusing on disinformation law was chosen since it is the latest development that has argued excessively and has made a tremendous influence on Internet and social media.

CHAPTER 4

ANALYSIS

Turkey's journey regarding online space regulations started from prioritizing freedom of expression based on democratic values. But over the years, it turned into an approach that is relatively more authoritarian, oppressive and intolerant of different and dissent views. Particularly, Turkey's position on the issue has changed dramatically in the last 10 years. To understand Internet and social media regulations in Turkey, it is vital to analyze the sociopolitical dynamics that shape these policies.

There are several significant events in Turkish history, which change the media landscape in Turkey. For instance, military coups, adapting market-driven economy after 80s, the rise of AKP and Gezi protests. Turkey has been governed by AKP for 21 years now, so it plays an important role in Turkish social and political history. Because of that, focusing on AKP and its governance is essential.

During the events at Gezi park, media freedom faced a critical turning point. Turkish government that was already controlling traditional media has realized the power of social media. More than 90 percent of mainstream media channels have already been conducting pro-government broadcasts. AKP saw their own weaknesses regarding the control over online spaces. Social media platforms such as Twitter, Facebook and Youtube have banned several times and the numbers of imprisonment of journalists and dissidents, stricter media policies including online spaces and more conservative practices as such have increased since 2013.

Turkish Legal System has also undergone many changes in parallel to the social and political events. The latest law regarding media is known as Disinformation Law or Social Media Law, which has passed in the late 2022. Concerns have been expressed after this law that the implementation of the regulation could lead to an increase in investigations and inquiries, creating a climate of fear and discouraging individuals

from freely expressing themselves. Practices of the regulations pave the way for possible interruptions to access information and freedom of expression. To understand the effects of the law, it is important to look at the news regarding the issue.

4.1. Analyzing News Regarding Disinformation Law

Several news articles relating to Disinformation Law were picked to be analyzed. While analyzing the articles, it was asked whether there is any noticeable differences in the portrayal of the same events based on the political orientation of the newspaper. In addition, the content was analyzed by considering the research question, which is how sociopolitical reality has been established as a field of struggle in the state's practices of regulating Internet and social media in Turkey. Some significant points were sought: the article's language, the framing of the news, and how public reactions and government statements are included in the news article. Early news about Disinformation Law and its process of entering into force and three important arrests after the law came into force will be analyzed from different newspapers. The law has passed in the late 2022 as it was stated. It has been the subject of many newspapers including both pro-government and opposing newspapers before and after its entering into force.

Three newspapers with a pro-government stance and three newspapers with a critical outlook were chosen. Yeni Şafak, Yeni Akit and Milliyet are chosen as pro-government sources; Diken, Gazete Duvar and Sözcü are dissident newspapers, which will be used to analyze. These newspapers were chosen according to their popularity, the numbers of news articles regarding the law and the level of representation of their views.

Yeni Şafak and Yeni Akit are two important pro-government sources, viewpoints of which are parallel to the government's mindset and practices. Although Yeni Akit's stance is more extreme and Islamist than Yeni Şafak, both newspapers' levels of representation of pro-government views are quite high. It can be detected mostly by the offensive language they use against government critics, which will be explored

more shortly. Yeni Şafak is a quite popular newspaper among government supporters, which has 1.1 million followers on Twitter. Yeni Akit, on the other hand, has only 227.200 followers on Twitter. The reason to select Yeni Akit is not its popularity like Yeni Şafak or Milliyet but the number of news articles it has published regarding the law is high when it is compared to other pro-government newspapers that are more popular than Yeni Akit. Yeni Akit has published more than 10 news articles, which is a significant number for only one issue.

Milliyet is another pro-government media outlet that will be analyzed. It is one of the oldest newspapers that has been publishing in Turkey. Its first newspaper was printed in 1926, which is still a popular newspaper today. Milliyet is the fifth newspaper that has the highest circulation number in Turkey, according to 2021 data and has 2.5 million followers on Twitter. Over the years, its level of critical writing has changed but it has always been one of the populist news sources and has never been a true dissident.

Diken and Gazete Duvar are two prominent digital dissident newspapers in today's Turkey. Although Diken is more popular than Gazete Duvar, both news sources' levels of representation of opposing views are quite high. It can be understood by the critical language they use against the government's practices and news framing that mostly shows government's acts as manipulative and abusive. While Diken has 1.4 million followers on Twitter, Gazete Duvar has 829.700 followers. Other digital opposing news sites have similar popularity levels. Even though there are some other printed dissident newspapers like Cumhuriyet and BirGün that are more popular than digital news sites, one of the important reasons Diken and Gazete Duvar will be analyzed is their number of news articles regarding the law. Both newspapers gave importance to the Disinformation Law and have published more than 50 news articles each.

Sözcü is another dissident newspaper that will be discussed in this chapter. It is one of the most popular newspapers in Turkey both in print and digital. Sözcü has the highest circulation number in Turkey, according to 2021 data, which has 3.8 million followers on Twitter. Its publications could be categorized as secularist, Kemalist

and nationalist. So, its language is not always as critical as Diken and Gazete Duvar but it maintains a stance against the government. Firstly, pro-government sources will be examined and secondly dissident newspapers will be discussed.

Yeni Şafak is one of the popular and prominent pro-government sources in Turkey. The headline of the news article from Yeni Şafak before Disinformation Law has passed is ‘Combatting Disinformation Law is coming: What is in its content?’³¹This news article discusses the law in detail and introduces it comprehensively to its readers. The tone of the article is positive regarding the law and it mainly focuses on the benefits of the law.

In the introduction it says that many innovations will be introduced in our lives as a part of the Disinformation Law: members of Internet media will be issued press cards, personal rights will be protected and there will be no unaccredited news sites (Yeni Şafak, 2022)³². In addition to this positive tone, the article draws attention to worldwide online space regulations. The emphasis is Turkey is not the only country which regulates online spaces. There are many developed and developing countries controlling social media platforms and Internet by legal means.

So, there is an effort in the news to place the Disinformation Law on an ordinary basis, which makes the emphasis of it as a common practice in the world. It states in the news that the era in which Internet-based platforms were considered uncontrollable and unquestionable has come to an end, both for the entire world and the Turkish Republic (Yeni Şafak, 2022)³³. Moreover, at the end of the article, there is a chapter titled ‘What are the methods of combatting disinformation in other countries?’. It includes regulations in USA, Australia, United Kingdom, Germany, Canada, EU, France and Russia. The news article argues the purpose of this new law and declares several outcomes. These are listed that the Internet media will be

³¹Dezenformasyonla Mücadele Yasası geliyor: İçeriğinde ne var?

³²<https://www.yenisafak.com/teknoloji/dezenformasyonla-mucadele-yasasi-nedir-neleri-kapsiyor-neler-degisecek-iste-tum-detaylar-3862438>

³³<https://www.yenisafak.com/teknoloji/dezenformasyonla-mucadele-yasasi-nedir-neleri-kapsiyor-neler-degisecek-iste-tum-detaylar-3862438>

established on a legal basis; children will be protected; personal rights will be safeguarded; the representation problem for social media companies will be resolved; advertising penalties will be imposed on platforms that don't comply with the law; news content will maintain continuity while intentionally producing false news will be deemed a criminal offense (Yeni Şafak, 2022). It continues with examining each outcome in detail. While it was examining, the language that was used was uncritical. In addition, the news doesn't include opposing views, public reactions to this law and possible negative outcomes.

It is asserted that a mandatory requirement will be introduced to record the original version of the news along with the date information for any changes made to it (Yeni Şafak, 2022). Afterwards, an example is given, which makes the case a personal matter. The instance is a hypothetical scenariotelling a possible unfavorable news that is published may victimize a person without this law.

So, it tries to rouse sympathy for the law among readers. Lastly, the article justifies the 29th clause, which was the most criticized one, saying that as incidents of reputation attacks and social media victimization rise, governments are treating the matter as a last resort, incorporating it into the realm of crime. The regulations introduced in our country align with these solutions (Yeni Şafak, 2022).

Yeni Akit, which is another popular pro-government source, makes news with the headline of 'Disinformation Law will protect children' before the law has passed. In the introduction of the news it expresses that despite being labeled the 'censorship law' by critics, is revolutionary in its provisions, seeking to protect our children from online bullying to sexual exploitation, illegal content and violations of personal rights. These measures come in stark contrast to the demands of opposition figures calling for the decriminalization of even insulting the President³⁴(Yeni Akit, 2022)³⁵

³⁴Cumhurbaşkanına hakaretin dahi suç olmaktan çıkarılmasını isteyen zillet paydaşlarının “sansür yasası” olarak yaftaladığı Dezenformasyonla Mücadele Kanunu ile istikbalimiz olan çocukları internet ortamında çevrimiçi zorbalıktan cinsel istismara, yasa dışı içerikten kişilik haklarının hedef alınmasına kadar her türlü şiddetten koruyan devrim niteliğinde düzenlemeler geliyor.

³⁵<https://www.yeniakit.com.tr/haber/dezenformasyon-yasasi-cocugu-koruyacak-1698439.html>

The tone of the article is aggressive towards opposition parties, which could be captured even better in Turkish. The general emphasis of the article is that the law will protect children from any kind of explicit content and those who share their wicked thoughts will not go unpunished thanks to the law. It is stated in a celebratory tone that the era of impunity for perpetrators who create or disseminate pedophilic content while hiding behind anonymous accounts is coming to an end (Yeni Akit, 2022).

Milliyet Newspaper could be categorized as populist and center-right supporter. Its one of the early news articles about the Disinformation Law describes and explains the law and its details. It calls the law as Social Media Law rather than Disinformation Law. The tone of the article is more objective and informative than other two pro-government newspapers that was analyzed. It gives information about the definition of the law, its clauses and the ongoing process. It specifies that 29th clause of the law has been accepted by AKP and MHP votes, which means that other dissent political parties didn't approve it. There is no further explanation, critic or comment on the subject.

Diken Newspaper is one of the popular dissident online newspapers in Turkey that is often very critical of the Government practices. The news article from Diken in the day the law has been accepted by General Assembly of the Parliament gives a headline saying 'Passed by the Parliament: There is now a Censorship Law' in Turkey' (Diken, 2022)³⁶. It focuses on possible negative outcomes of the law and criticizes some clauses it sees as problematic. It examines the changes that individuals' lives would be affected. It declares that with the law, our lives will radically change in the field of right to information, freedom of expression and communication (Diken, 2022).

Additionally, the news includes journalists' and one of the human rights law experts' viewpoints regarding issue. It asserts that efforts to 'bring into line' social media companies that have been previously attempted unsuccessful might find success this

³⁶<https://www.diken.com.tr/meclisten-gecti-turkiyede-artik-bir-sansur-yasasi-var/>

time, potentially leading to the shutdown of Twitter. According to the proposal, social network providers will be required to adhere to the content removal decision of the BTK president. Failure to comply with these demands could result in a 90 percent reduction in bandwidth. Human rights law expert Kerem Altınparmak predicts that Turkey could enter elections without Twitter (Diken, 2022). The discourses in the news concentrates to a pessimistic future predictions especially in terms of freedom of speech on online spaces in Turkey.

It is given an example telling a hypothetical scenario regarding the issue, which draws attention to vague description of ‘spreading misleading information’ statement in the provision of 29th. It argues that a new offense is added to the Turkish Penal Code, namely ‘publicly spreading misleading information’. If this law had been in force during the rapid spread of the Covid-19 pandemic, statements made by the Turkish Medical Association about the pandemic could potentially have been classified as a criminal act under this provision (Diken, 2022).

Moreover, it highlights that with the law, social media posts could be seriously scrutinized. Hashtags like #HelpTurkey created during the forest fires could also be deemed as an offense under the pretext that they may cause panic among the public (Diken, 2022). In short, the news approaches to the new law from a critical perspective and uses mildly aggressive tone.

The headline of the news article from Gazete Duvar, which is an opposing source, is ‘Censorship Law protest in the Parliament: CHP supports journalists’ (Gazete Duvar, 2022)³⁷. This early news aims attention at a protest as a reaction of the Disinformation Law draft. It presents that the ‘censorship law proposal’ submitted to the Parliament by the AKP and MHP was protested by journalists wearing black masks in the General Assembly. Meanwhile, CHP deputies showed their support by applauding and holding banners with messages such as ‘No to Censorship’; ‘We demand free press and freedom of expression’; ‘Withdraw the unconstitutional law’

³⁷<https://www.gazeteduvar.com.tr/mecliste-sansur-yasasi-protestosu-gazetecilere-chpden-destek-haber-1583562>

and ‘False news, according to whom and by what criteria.’(Gazete Duvar, 2022).The importance of this news is that it includes the opinions of different segments of society. The language that is used is critical towards the new law and it expresses concerns showing the journalists’ point of view. It paves the way for their readers to investigate the law in depth. Another early news article is from Sözcü Newspaper, which is classified as nationalist, Kemalist and secular. It approaches the issue from a different angle. It builds the argument on Prof. Dr. Naci Görür’s point of view who is one of the prominent geoscientists in Turkey. This is an interesting approach to analyze since he is not a politician who takes sides.The news article mainly conveys Naci Görür’s sayings about the Disinformation Law. This law proposes a 1-3 year prison sentence for individuals who create and spread news that, to some extent, cannot be proven true but induces fear, panic and chaos among the public. He states that the political aspect of the matter doesn’t concern me, but such a law could be extremely dangerous, especially for geoscientists.

The warnings and predictions of these scientists, particularly in relation to earthquakes, are often perceived as alarming and panic-inducing by certain groups. Additionally, it is not always feasible for scientists to conclusively prove their alerts. The enactment of this law may empower individuals with malicious intentions and unscientific mindsets may seek to imprison scientists by claiming that they are causing fear and panic among the public (Sözcü, 2022)³⁸. So, the article focuses on the possible misuse of the 29th clause of the law by conveying an idea from a scientist. While the tone of the article is objective, Naci Görür’s ideas are critical on the issue.

After the Disinformation Law has passed, the subjects of the news regarding the law has slightly changed. However, main differences between pro-government sources and dissidents remained the same. Pro-government sources’ emphasis has been the law’s benefits in protecting citizens from wicked and harmful content on social media and the Internet,providing more efficient Internet usage to individuals and

³⁸<https://www.sozcu.com.tr/2022/gundem/naci-gorurden-dezenformasyon-yasasina-tepki-son-derece-tehlikeli-7401163/>

being less grievance due to shared wrongful information and becoming a controllable media tool. One of the news article from Milliyet was about President Erdogan's speech with regard to the law in force. According to the news, he attended the 7th Anatolian Media Awards Ceremony held at the Presidential Complex. In his speech, he highlighted the importance of Anatolian Media and congratulated them for their support of his actions. He said that

we received the support of our local media in every move we made to remove the shadow of tutelage over Turkish democracy. When it comes to words, you bravely defended our democracy at a time when those who talked about free press were applauding the coup plotters. You have once again shown how the local and national press should be in the face of the writers who regulate politics by aligning themselves with the focal points that represent the distortions of the global system (Milliyet, 2023)³⁹.

So, while he was congratulating the 'local media' and showing his gratitude, he castigated opponent media sources, which means his speech was divisive.

He continued by saying the main duty of the media is being a watchdog on behalf of the citizens. This is a problematic idea for democratic regimes since democracies are based on freedom of thoughts and participation, not based on strict control and surveillance. However, he also later on said Turkish press in 2023 is much freer than in the 90s, 80s and 70s (Milliyet, 2023). He mentioned the new law in force and highlighted that the main purpose of the law is not silencing dissidents or limiting the freedom of individuals as opposition parties have suggested but rather to protect Turkish people from false, dangerous and misleading information (Milliyet, 2023). On the other hand, opposition media sources has called the Disinformation Law as Censorship Law. They have been emphasizing the restrictive side of the law for both media and individuals. After the law has passed, language of the news related to the law has become even more critical and distressed. The news have sounded like a warning call that underscores the possible danger the law might bring to democracy in Turkey. The common point of every dissident media tool has been the

³⁹<https://www.milliyet.com.tr/gundem/cumhurbaskani-erdogandan-7-anadolu-medya-odullerinde-nemli-aciklamalar-6882874>

inadmissibility of the 29th clause. It establishes the crime of ‘publicly spreading misleading information to the public’, prescribing a prison sentence of 1 to 3 years for those found guilty of committing this offense. It is the most concerning clause in the law that they have underlined the most. According to Sözcü newspaper’s article, CHP had applied to the Constitutional Court, requesting the annulment and suspension of the enforcement of the added article to the Turkish Penal Code through the Press Law and Some Amendments to Certain Laws, known as the regulation for combatting disinformation. However, the Constitutional Court rejected this request (Sözcü, 2023)⁴⁰.

The news on Gazete Duvar covers the remarks of Gökhan Durmuş who is the President of the Turkey Journalists Union, Demet Aran who is the President of the Association of Contemporary Journalists Ankara Branch, and Kenan Şener who is the General Secretary of Journalists’ Association. Durmuş stated that,

the members of the Constitutional Court ignored the Constitution. We wanted the cancellation of the disinformation law in the Censorship Law. However, the decision didn’t go in the direction we desired. As one of the many obstacles to press freedom, this stands in our way. Therefore, we will continue our struggle at the same pace with the same intensity (Gazete Duvar, 2023)⁴¹.

Aran said that,

the history of the press, for those in power, is viewed as a history of censorship, while for us journalists, it is a history of resisting censorship. Despite potential obstacles, we are committed to continuing our profession and defending the public’s right to information (Gazete Duvar, 2023).

Additionally, Şener declared that,

the widespread knowledge of many of our colleagues being investigated under this law is concerning. We express deep

⁴⁰<https://www.sozcu.com.tr/2023/gundem/anayasa-mahkemesinden-sansur-yasasi-karari-7855930/>

⁴¹<https://www.gazeteduvar.com.tr/erisim-engeli-sonrasi-eksi-sozluk-yeni-kurallarini-duyurdu-haber-1607972>.

fear about the likely increase in such investigations. The extended duration before the decision was announced, despite an early start, and the disagreement between the Constitutional Court rapporteur's suggestion for cancellation and the 8 to 6 majority decision by high judges, raises significant doubts for us (Gazete Duvar, 2023).

Further, his statement continues emphasizing journalistic values announcing that journalistic trust is not based on individual judges but on constitutional principles of press and expression freedom and fundamental human rights. So, he underlined that his colleagues and Şener are committed to continue journalism on these grounds.

Diken newspaper covered the journalist's protest with regard to the same issue. The headline of the article was 'Journalists said 'No' to the Censorship Law in front of the AYM'⁴²(Diken, 2023)⁴³. In the news, it is explained that the law, passed by the AKP and MHP on October 14 with the alleged reason of 'fighting disinformation', became effective on October 18 after being published in the Official Gazette.⁴⁴ On the same day, the CHP filed a petition with the AYM to invalidate Article 29 of the law. Later on, press organizations began a 'press vigil against censorship and arrests' at the AYM to protest the article that introduces imprisonment for the offense of 'publicly disseminating misleading information'.

According to the news, Journalist Tolga Şardan, who got arrested under Article 29, also participated in the vigil. He commented on the approaching verdict from the AYM stating that this decision holds enormous importance not just for journalists but also for the broader expectations of society and the nation. He thinks that there is a societal need for calming down, for accurate information and for reliable news. He continued by saying "Rather than constraining and blocking the path for journalists, I believe the emphasis should be on clearing the way for those genuinely

⁴²Constitutional Court

⁴³<https://www.diken.com.tr/gazeteciler-aym-onunde-sansur-yasasina-hayir/>

⁴⁴AKP ve MHP'nin '**dezenformasyonla mücadele**' kisvesi altında 14 Ekim'de Meclis'ten geçirdiği yasa 18 Ekim'de Resmi Gazete'de yayınlanarak yürürlüğe girmişti.

practicing journalism.” (Diken, 2023). Consequently, opposition newspapers primarily focus on journalist’s reactions to the law, whereas pro-government publications highlights its significance for the public. In addition, opponent media sources exclude the coverage of Erdogan’s speeches and government statements regarding the issue, while government-aligned outlets avoid addressing negative criticisms, journalists’ responses and potential adverse consequences of the law.

Two months after the law came into force, Sinan Aygöl became the first person who got arrested under the law, which was followed by Tolga Şardan and Bircan Yıldırım.

Gazete Duvar explains the situation in its news article in an informative way. According to the news, Sinan Aygöl, who is a journalist, got arrested due to a tweet in which he reported alleged sexual abuse case of a child in Bitlis’ Tatvan district. After learning from the Bitlis Governor that the incident was untrue, Aygöl deleted his tweet and apologized.

However, the local court ruled that Aygöl’s actions could cause fear and panic among the public and disrupt peace in the country, leading to his arrest. Further, the article includes Şardan’s tweets regarding the issue, asserting that,

I was detained on the grounds of public hatred and hostility due to the harassment news I made 3 hours ago. The police are currently searching the house. I will be imprisoned and taken to the police station. I am a journalist #journalismisnotacrime⁴⁵ (Gazete Duvar, 2022)⁴⁶.

Afterwards, he shared another tweet explaining the situation and why he wrote this news saying that he didn’t want to be late to report this sensitive incident so that he published it within a short span of time. He concluded his tweet by apologizing from the public.

⁴⁵3 saat önce yaptığım taciz haberinden dolayı halkı kin ve düşmanlığa tahrik iddiası ile gözaltına alındım. Polisler tarafından şuanda evde arama yapılıyor. Gözaltına alınıp karakola götürüleceğim. Ben bir gazeteciyim #gazeteciliksucdegildir

⁴⁶<https://www.gazeteduvar.com.tr/gazeteci-sinan-aygul-tutuklandi-haber-1593608>

Sözcü newspaper's article includes the declaration of Diyar Orak, who is the lawyer of Sinan Aygül, while explaining the issue. It is stated in the news that Orak said the arrest was unlawful and there are concerns that the interpretation of the new law could lead to similar investigations and arrests in the future. Orak asserted,

While the allegation made by the journalist regarding the news on a subject that concerns the public should be investigated, the search of the house of the journalist who directly reported the news in the middle of the night, his detention and subsequent arrest is a series of lawlessness from top to bottom (Bozkurt, 2023)⁴⁷.

Additionally, Aygül announced that he will not make a legal defense since he finds the law undemocratic and wouldn't legitimize it by trying to make the defense. The news article doesn't comprise any authorities' statements or arguments supporting the arrest. It only covers Aygül's and his lawyers' statements. So, the framing of the news is critical towards the disinformation law and its practice.

The headline of Diken's news article is 'Rejection to the appeal of the first journalist detained under the Disinformation Law'⁴⁸ (Coşkun, 2023).⁴⁹ While the news article is giving information about previous events and describing the law to its readers, it states that "the law prepared by AKP and MHP which is called disinformation law by them and is called censorship law by professional journalism organizations..." (Coşkun, 2023). There is an emphasis that the law's terms are acceptable only for AKP and MHP. It highlights that journalists find the law problematic. The law enacted two months ago in Turkey, imposes up to three years in prison for those spreading false or misleading information. Aygül was discharged after 9 days of imprisonment. The news article tells the chain of events after Aygül's detention decision. There isn't any news article covering Sinan Aygül's detention and the

⁴⁷<https://www.sozcu.com.tr/2023/gundem/sansur-yasasi-kapsaminda-yargilanan-gazeteci-icin-3-yil-hapis-isteniyor-7575116/>

⁴⁸Dezenformasyon yasasından cezalandırılan ilk gazetecinin itirazına ret

⁴⁹<https://www.diken.com.tr/dezenformasyon-yasasindan-cezalandirilan-ilk-gazetecinin-itirazi-reddedildi-dosya-yargitayda/>

subsequent process. However, there is one news after Sinan Aygöl being attacked. While Sinan Aygöl's trials continues, Yeni Şafak made a news with the headline of "The Mayor of Tatvan, Geylani announced that Sinan Aygöl was threatened him by saying: Either resign and leave or you will die!"⁵⁰ (Yeni Şafak, 2023)⁵¹. The news covered an incident that Sinan Aygöl being attacked in the district of Tatven in Bitlis. In the article, it is not explained any detail about the attack and instead it included the statement of Mehmet Emin Geylani, who is the Mayor of Tatvan. He announced with his tweet that when he called Sinan Aygöl to express his condolences, Aygöl responded him by saying "Either resign and leave or you will die." (Yeni Şafak, 2023). Following this tweet, Geylani tweeted another post with a further announcement regarding the issue. He asserted in his tweet that he has explicitly stated before that he had no involvement in the attack of Sinan Aygöl. He emphasized that he is actively monitoring the situation and expressed his determination not to back down in the face of threats made in the language of the PKK (Yeni Şafak, 2023). This news gives the readers an idea that Sinan Aygöl uses the language of the PKK which is a the terrorist organization in Turkey. Even though the language of the news is generally informative, how it framed the news is one-sided. There isn't any statement Aygöl made as a response to these allegation.

There is no news with regard to Sinan Aygöl and his imprisonment in Yeni Akit newspaper.

Milliyet also hasn't covered any news about Sinan Aygöl's imprisonment. However, there is news in Milliyet related to the attack on the same day Yeni Şafak made news regarding the same case. The news article tells the story of the incident explaining how it occurred. According to the news, the incident took place within the Tatvan district while Sinan Aygöl was walking on the sidewalk. He was subjected to a fist attack by Yücel Baysali, who is an employee of Tatvan Municipality. While Aygöl was being beaten for minutes, Engin Kaplan, who is a police officer and claimed to

⁵⁰Tatvan Belediye Başkanı Geylani Sinan Aygöl'ün kendisini tehdit ettiğini açıkladı: Ya istifa edip gidersin ya da ölürsün!

⁵¹<https://www.yenisafak.com/gundem/tatvan-belediye-baskani-geylani-sinan-aygulun-kendisini-tehdit-ettigini-acikladi-ya-istifa-edip-gidersin-ya-da-olursun-4539383>

be the bodyguard of Tatvan Mayor Mehmet Emin Geylani, intervened by displaying a weapon and physically obstructed those who attempted to save Aygöl. These moments were captured by a security camera of a nearby building (Milliyet, 2023)⁵². The language of the news article is informative and the framing is neutral, and uncritical. However, it can make a better inference about Yeni Şafak's news in light of Milliyet's news since they both cover the same incident at the same day. It is clear that Yeni Şafak neglected to share the details of the attack and intentionally depicted Geylani as a noninvolved person who had an innocent call with Sinan Aygöl after the attack.

Tolga Şardan, who is a journalist, became the second person who got arrested under the law due to his published article. The article's title was 'what is in the 'judicial report' submitted by MIT to the presidency?'. Istanbul Chief Public Prosecutor's Office filed an ex officio complaint against Şardan due to the article in question. It is launched an investigation on the grounds of publicly disseminating misleading information to the public since the Countering Disinformation Center affiliated with the Presidency Ministry of Communications claimed that MIT didn't have such a report (Diken, 2023). The news, later on, informs its readers with regard to Şardan's articles' points related to the report.

Gazete Duvar includes the statements of international organizations regarding the case in its news. Eighteen international organizations promoting for media freedom, freedom of expression, human rights, and journalism, including the Committee to Protect Journalists, the Coalition For Women In Journalism, the European Federation of Journalists, Freedom House, and the International Press Institute, made a joint statement related to the arrest of Journalist Tolga Şardan. They issued a call for the immediate release of Şardan.

The statement also included a request for an end to the systematic legal harassment of Şardan and other journalists, highlighting the right to freedom of expression and media freedom. Additionally, in their statement, they reminded that Şardan's report is

⁵²<https://www.milliyet.com.tr/gundem/bitliste-gazetecinin-darbedilmesinde-2-supheli-tutuklandi-6964499>

not the only one rather it is the last article in a series of others addressing corruption allegations within Turkey's justice system and aligning with the legitimate concerns of the public. It was also noted in the statement that access to all related news has been judicially restricted (Gazete Duvar, 2023)⁵³.

The language of the news article is mostly informative and critical. It approaches the arrest of Şardan from a broader perspective. It suggests that this issue is not a simple arrest due to a committed crime; on the contrary, this is an intentional act to interrupt freedom of expression and to spread fear among journalists.

Covering international organizations' statement emphasizes that this arrest has created reactions not only in Turkey but also in the world. The headline of Sözcü Newspaper, on the other hand, is 'Tolga Şardan is not the one who got arrested, it is the press freedom' (Sözcü, 2023)⁵⁴. The news article is about the protest of journalists in Ankara due to Şardan's arrest. The journalists expressed their discontent with slogans like "Free press cannot be silenced" and "Tolga will come out and write again." (Sözcü, 2023). Journalist Fikret Bila asserted,

Tolga will emerge and resume writing. There should be no doubt about that. The ones truly imprisoned are not our beloved colleagues like Tolga Şardan and Barış Pehlivan, but rather press freedom. This arrest decision violates the constitution⁵⁵(Sözcü, 2023).

Further, Gökçer Tahincioğlu, who is the T24 Ankara Representative, had a speech on the arrest decision, saying that there are many aspects they fail to understand, and they demand explanations, one of which is whether the Presidency or the National Intelligence Organization has ever waited 43 hours to refute an article. He continues

⁵³[https://www.gazeteduvar.com.tr/uluslararasi-kuruluslardan-tolga-sardanin-tutuklanmasina-tepki-haber-1645573#:~:text=Uluslararası basın örgütleri gazeteci Tolga,sistematik tacize son verin" dedi.](https://www.gazeteduvar.com.tr/uluslararasi-kuruluslardan-tolga-sardanin-tutuklanmasina-tepki-haber-1645573#:~:text=Uluslararası basın örgütleri gazeteci Tolga,sistematik tacize son verin)

⁵⁴<https://www.sozcu.com.tr/2023/gundem/tutuklanan-tolga-sardan-degil-basin-ozgurlugudur-7849844/>

⁵⁵Tolga çıkacak ve yeniden yazacak. Bundan kimsenin kuşkusu olmasın. Tutuklanan aslında Tolga Şardan, Barış Pehlivan gibi değerli meslektaşlarımız değil, basın özgürlüğüdür. Bu tutuklama kararı anayasaya aykırıdır.

that he personally has never encountered such a scenario. They as journalists wonder why there was such a prolonged delay, and why a statement was issued just 10 minutes after the arrest decision. In addition, he highlights that in the current judicial system in Turkey, individuals involved in robbery are not detained even for a day but journalists are preemptively penalized. He raised his concerns on behalf of other journalists as well and said that “we observe the press is increasingly facing suppression in Turkey.” (Sözcü, 2023).

The article of Yeni Şafak’s headline about the same case was ‘T24 writer Tolga Şardan was arrested: Kılıçdaroğlu targeted the judiciary again’ (Berk, 2023)⁵⁶. The news is quite short and after giving the general information related to the case, it covers Kılıçdaroğlu’s speech. It asserts that “CHP Chairman Kemal Kılıçdaroğlu targeted the judiciary after the decision and said, “Shame on those who consider journalism a crime and those who see journalists as enemies. It is a shameful decision.”” (Berk, 2023). Similarly, Yeni Akit’s article is also short. Its framing is informative and the language is pretty objective and uncritical.

Milliyet newspaper covered the same incident by including the statement of the Turkish Journalists Association⁵⁷. Its Board of Directors reacted to the arrest of Şardan due to the article he wrote saying that ‘he did his job’ (Milliyet, 2023).⁵⁸ According to the news, other profession organizations such as Press Council⁵⁹, The Association of Contemporary Journalists⁶⁰ and Confederation of Progressive Trade Unions of Turkey’s Press Branch⁶¹ also showed their support to Şardan with their joint declaration. The news article is short and informative. The language is quite

⁵⁶<https://www.yenisafak.com/gundem/t24-yazari-tolga-sardan-tutuklandi-kilicdaroglu-yine-yargiyi-hedef-aldi-4571772>

⁵⁷Türkiye Gazeteciler Cemiyeti

⁵⁸<https://www.milliyet.com.tr/gundem/meslek-orgutlerinden-sardan-aciklamasi-7029139>

⁵⁹Basın Konseyi

⁶⁰Çağdaş Gazeteciler Derneği

⁶¹DISK Basın-İş

neutral that it doesn't take any sides but also it is not giving enough detail about these organizations' statements. So, it covers the issue superficially.

Bircan Yıldırım, who is a writer and a social media broadcaster, was arrested due to her post on her social media account. This is one of the recent examples of an arrest under the Disinformation Law. She has been arrested for a social media post claiming that President Erdogan and Israeli Prime Minister Netanyahu had reached a 2 billion dollar agreement, leading to one million Palestinians becoming Turkish citizens. Yıldırım is reportedly charged with “disseminating misleading information publicly”, and the arrest is made based on the content of the social media post. The justification for the arrest includes ongoing examination of Yıldırım's digital materials. She claims that she saw the information on social media from other accounts, shared it, but later deleted the post within an hour after realizing it might not be accurate. She mentions waiting for a clarification from the Disinformation Combat Center for about two hours after removing the post.

While the framing of Gazete Duvar's news article was mostly informative, it was also highlighted that the arrest and subsequent legal actions against Yıldırım might raise questions about freedom of expression, particularly regarding the sharing of information on social media. According to the news, her lawyer announced after her arrest that “while we are celebrating 100th anniversary of Turkish Republic and at a time when press freedom is being highlighted, it is not lawful to arrest and pre-convict people on such an accusation. We will use our rights arising from the law to the fullest.” (Gazete Duvar, 2023). In this instance, the emphasis of the news was that the accuracy of the information shared, the intention behind the post, and the subsequent actions taken by the individual involved should be well examined to reach a conclusion.

The language is critical and it is questioning the practice of the law. The law is presented as problematic since the definition of misleading information is vague and determining the intentions of the person is hard. As Yıldırım stated before that she saw the news on different social media accounts and redelivered the information. The news raises questions that who is the victim and who is guilty? So, this requires a deep investigation since the consequence is a harsh penalty. For instance, Yıldırım's

claim of deleting the post after realizing it might be false should be verified. If this is true, it could be seen as a responsible act. The ongoing examination of digital materials and the justification for the arrest also suggest that there might need a more extended legal process involved.

Diken newspaper hasn't been covered any news regarding Bircan Yıldırım's case. In Sözcü, there is a news article, which was issued in 2019, covering a interview with Bircan Yıldırım about her latest book. However, there isn't any current news regarding her arrest under the Disinformation Law.

The headline of Yeni Şafak's news article is 'Social media provocateur Bircan Yıldırım was arrested' (Berk, 2023)⁶². It is stated that Bircan Yıldırım, who circulated false claims on social media and made propaganda against Turkey and the government at every opportunity, was arrested yesterday due to her post disseminating misleading information. In the news, another information about her is given that she has a connection with the Adnan Oktar criminal organization and she is also known as the 'CHP troll' (Berk, 2023). While there is no proven crime and the case is still ongoing, the framing of the news is way more judgmental than it should otherwise be in an objective journalism. Its language is not objective and it is targeting Yıldırım in person. It tries to direct its reader's thoughts towards a certain judgment and belief.

Yeni Akit uses a similar language as Yeni Şafak regarding the same case. Its news article's headline is 'All they can do is mischief! Taken into custody'⁶³. It is said that although Yıldırım removed the post after a short time, citizens reported the account sharing false news to the police. The owner of the account that shared false news was detained for 'publicly disseminating misleading information'. (Yeni Akit, 2023).

The news has already convicted her by repeatedly saying 'false information' and emphasizing evil intentions behind her acts. The language is not neutral. It is not giving detailed information regarding the case and not sharing her speeches or her

⁶²<https://www.yenisafak.com/gundem/bircan-yildirim-tutuklandi-chp-trolunun-adnan-oktar-suc-orgutuyle-baglantisida-desifre-olmustu-4573350>

⁶³İşleri güçleri fitne fücur! Gözaltına alındı

lawyer's statements after the incident. The framing of the news is more of a like an announcement of her arrest. Milliyet newspaper covered news articles, which were issued in 2019 and 2022, introducing Yıldırım's books and announcing her achievements as a writer. However, there isn't any up to date news about her arrest.

So far, the differences between two opposite news sources have been highlighted several times. It is also important to examine the similarities and similar fallacies that they share. Most of the time, both pro-government and dissident newspapers frame the news according to their beliefs and thoughts with regard to the incidents. There are just a few examples of objective framing. This can be understood from what they include and exclude in the news articles. Pro-government sources include uncritical and supportive arguments regarding government, AKP authorities and its practices in their news. They also use manipulative language to demonstrate dissident views as enemies of the system. Further, they exclude any critical statement regarding the government and AKP authorities even though this critical information may change the landscape of the incident or the outcome. Similarly, dissident newspapers focus only on the critique of what occurred. They exclude any uncritical declaration regarding government and AKP authorities. They use manipulative language like pro-government sources but to convince their readers that the government's practices and legal system in Turkey are corrupted.

In short, there is a struggle over the construction of political reality. Both sources try their best to deliver the news in the way they believe in and direct their readers' opinions to convince them what is true. The construction of sociopolitical reality and the media's struggle over it will be discussed further in the next chapter to comprehend better how media does that.

4.2. How Do Media Establish the Sociopolitical Reality in Turkey, which Becomes a Field of Struggle?

The conflicting narratives presented by various media channels demonstrate not only ideological differences but also the wider societal divisions within Turkey. Media performs as a reflective arena where different social groups and political bodies fight for impact, using news framing as a tool to shape public perception. The arrests of

journalists, as portrayed in the media, carry symbolic importance beyond the individual cases. They become symbols of a larger societal struggle, displaying the tension between the state and those defending for free expression. So, these arrests are just more than legal actions, they are symbolic acts that echo within the social structure.

The media's framing of the arrests shows power dynamics within Turkish society. Pro-government sources associate themselves with state discourse, stressing national integrity and security, while opposing sources underline the oppression of dissent and erosion of civil liberties. This contradictory narration, selective reporting, and framing used by different media sources highlight the ideological and political struggle taking place within the media. However, it would be insufficient to interpret as only an ideological and political matter. The overall media landscape in Turkey, as illustrated in the analysis, reveals a struggle for the construction of sociopolitical reality.

Pro-government and dissident sources are deeply rooted in framing news according to their beliefs and thoughts, resulting in a lack of objectivity. The media's role in shaping public perception becomes a focus of struggle, with both sides excluding critical information that may challenge their discourse. For instance, Yeni Şafak and Gazete Duvar report the same incident regarding Bircan Yıldırım's detention. Still, they use highly different language from each other and the framing of the news significantly affects the readers' perspectives in a certain way. Yeni Şafak represents Yıldırım as a provocateur spreading false allegations and engaging in anti-government propaganda. The language applied in these reports is openly judgmental, aiming to create a negative image of Yıldırım and her activities.

On the other side, Gazete Duvar adopts a contrasting narrative, which raises concerns about freedom of expression and directs criticism towards the Disinformation Law. The emphasis of this news article is on the necessity to examine closely the accuracy of the information, the intentions behind her social media post, and her following actions. So, how different media outlets frame the news can be clearly seen that they do according to their ideological positions. In Tolga Şardan's case, Sözcü newspaper

covers the statement of Gökçer Tahincioğlu. His comments on the discriminatory treatment of individuals involved in robbery versus journalists point out explicit inequalities within the legal system. The arrests and the following media coverage strengthen the erosion of social trust. As various media sources submit divergent narratives, it deepens the existing distrust among distinctive societal groups.

Furthermore, the involvement of international organizations, as highlighted in Gazete Duvar's news of Tolga Şardan, indicate the global extent of this struggle. The joint statement from organizations advocating for media freedom, human rights, and journalism points that these arrests are not only an important matter within Turkey but have repercussions on the international arena. The emphasis on the right to freedom of expression and media freedom lines up with the perception that these arrests are not isolated cases but part of a far-reaching pattern of suppressing opposing views. So, Turkish media landscape is characterized by polarization, selective framing, and an absence of objectivity, manifesting a continuous ideological, social and political struggle that extends beyond national borders.

Further analysis of the Turkish media and its construction of the reality and struggles should be done through the lenses of Durkheim and Gramsci, which will offer us deeper insights into the dynamics at play.

Durkheim gave priority to the notion of social facts including external and constraining forces that shape individual behavior within a society. In the Turkish media context, the arrests of journalists, illustrated in varied ways by pro-government and opposing sources, serve as social facts contributing to the construction of a particular sociopolitical reality. These events become collective representations constructing public opinion, which reflects the wider societal divisions within Turkey. Furthermore, his emphasis on the external coercion of social facts helps us to comprehend the power dynamics within Turkish society. While pro-government media outlets are aligning themselves with the authority, dissident sources underline oppression and the erosion of civil liberties. These

alignments show external forces shaping media narratives, with each outlet subject to political connections and ideologies. Moreover, his concept of constraint on individual behavior within societal structures is reflected in the media's portrayal of the Disinformation Law. They, whether pro-government or dissident, are restrained by external factors, leading them to frame news according to their political affiliations. This proves how external constraints have an impact on individual behavior within media outlets, shaping the narratives presented to the public.

In terms of collective consciousness, the media acts as a reflective arena where different social groups and political bodies engage in a struggle to influence. Collective representations of societal struggles appear through the depiction of incidents like the arrests and protests related to the law. These events become symbolic things reflecting within the social structure, contributing to the collective representations of societal dynamics.

The clash of narratives displays varying differing degrees of moral density. The media's role in shaping public perception becomes a crucial point of struggle. The differing narratives and selective reporting give rise to a lack of shared norms and values, amplifying distrust among societal groups that was already existing. Thus, external coercion, subjective realities, constraints on individual behavior, collective representations, moral density, and anomie are all integral aspects that shape the sociopolitical reality constructed through media practices in Turkey.

Gramsci's theory of cultural hegemony adds another layer of analysis to the Turkish media landscape. He suggests that political authorities preserve dominance not just through oppression but also by forming cultural norms and values that are accepted by the larger society. In the Turkish context, pro-government sources align themselves with state discourse, circulating narratives that emphasize national security and stability. This associates with Gramsci's concept of cultural hegemony, where the ruling class affects the dominant cultural narrative.

Dissident sources, however, challenge this cultural hegemony by framing their narratives around the restraints and pressure on opposing views and the erosion of

civil liberties. The media becomes a battlefield to fight for cultural narratives, where dissidents struggle to weaken the dominant discourse propagated by the ruling class. The selective framing of incidents, like the arrests of journalists, turns into a tool in this struggle for cultural hegemony.

The involvement of international organizations, as pointed out in Gazete Duvar's article of Tolga Şardan, further complicates the dynamics. Gramsci's idea of an international civil society and the role of intellectuals in challenging hegemonic structures can be applied here. International organizations, which defend for media freedom and human rights, challenge the dominant narrative produced by the ruling class. This contributes to a counter-hegemonic discourse extending beyond national borders.

CHAPTER 5

CONCLUSION

The historical overview of Turkish media identifies three phases of media control in Turkey: authoritarian⁶⁴, transitional⁶⁵, and consolidation⁶⁶, which reflect evolving methods of media control, including self-censorship, legal restrictions, and economic pressures. The discussion emphasizes the impact of authoritarian practices, particularly during military coups⁶⁷ on media freedom. The suppression of journalists and opposition figures during these periods points out historical challenges faced by Turkish media. In addition, economic shifts during the 1980s led to the emergence of dominant conglomerates controlling the media landscape. This centralisation of capital in media sector to a large extent contributed to a lack of diversity in news coverage and increased vulnerability to self-censorship.

After 2002, AKP government's rule has also changed some dynamics of Turkish media, which is including the establishment of a private media empire, financial sanctions, and legal suppression. These strategies have reflected the government's efforts to control and manipulate media outlets, including Internet and social media platforms. The Gezi protests in 2013, 2016 coup attempt and Disinformation Law in 2022 are three prominent events during the course of Turkish political history while AKP has been ruling. This has changed the attitude towards media by authorities and the level of media control. Besides concrete cases, the role of media in politics and the normalization of clientelistic ties between media patrons and political figures were emphasized in the chapter 3. So, the aim was to provide a rich historical context

⁶⁴1923- 1946

⁶⁵1947- 1980

⁶⁶1980- present

⁶⁷1960s, 1970s and 1980s

and a detailed account of the evolving strategies employed by the Turkish government to regulate and control media, shedding light on the complex interplay between political forces, economic interests, and technological developments.

Furthermore, identifying key legislative milestones and their consequences have gained importance in order to analyze the issue comprehensively. In Turkey, from the initial stages of Internet recognition in 1993 to the establishment of the Law No. 5651 in 2007, which marked a turning point, the legal framework has evolved to address concerns over cybercrime and content deemed harmful to societal values. The chapter on ‘The Legal Framework of Internet and Social Media Regulations in Turkey’ emphasizes the expansion and modification of regulations over the years, especially through amendments in 2014, 2020, and 2022. The introduction of the ‘social network providers’ category, obligations on these platforms, and the empowerment of the TIB to issue access restrictions without requiring a court decision show the increasing reach of government control over online spaces. One of the most significant aspects that is questioned is the tricky balance between state control and individual rights within the legal framework. There is a potential abuse of unclear parts and definitions within the law. The last and one of the most vital example of this is the potential misuse of the ‘spreading misleading information’ part in the Disinformation Law that is passed in 2022, which was discussed in the chapter 3.2.

It is referred to some reports from international organizations like Reporters Without Borders and Freedom House to examine the laws with regard to human rights and especially freedom of speech. So, adding an international perspective to the chapter contributes to the discussion in terms of moving it to a more objective and universal dimension. For instance, the decline in Turkey’s rankings in press freedom and freedom of speech, especially in comparison to other countries, raises concerns about the impact of media regulations on democratic principles and human rights. The instances of the AKP regime’s media capture strategies and the erosion of judicial independence make the situation even more worrying for democratic values. In short, a thorough examination of the legal framework is provided, questioning how media regulations in Turkey establish the reality by shaping the information scenery,

impacting freedom of expression, and influencing the overall media environment. The deliberate analysis considers historical developments, legal amendments, international viewpoint, and societal responses, contributing to a broad understanding of the complex interaction between law, media, and society in Turkey.

In understanding the historical trajectory, it becomes apparent that media regulations have been tightly associated with political shifts, reflecting the government's efforts to shape public discourse and maintain control. The sophisticated dance between political events and media dynamics forms a backdrop against which the social reality in Turkey is painted. The state's involvement in media regulation is not merely a legal exercise; it's a strategic tool to form perceptions and reinforce its narrative.

Another critical point in order to grasp the effects of these regulations is the prevalence of Internet and social media platforms in people's lives in Turkey. Discussing the most-used social media platforms offers insights into the evolution of social media in Turkey and purposes of their usage. Additionally, determining the bans and restrictions on platforms like YouTube, Facebook, Twitter, and others over the years shows a multifaceted relationship between the government, social media, and political events. Above all, it is investigated how bans on social media platforms coincide with significant events and why government's actions in controlling information flow during crises repeats itself. The more it is investigated, the more it becomes clear that there are strategies beyond the apparent legal actions contributing to the government's influence over social media, which leads the discussion to the troll-politics.

Troll-politics, as it was defined in the chapter 3.4, is an unofficial yet powerful practice that impacts social media dynamics in Turkey. The analysis of it underlines the evolution of trolling from individual misconduct to organized, politically motivated strategies. It is explored how the government, particularly the AKP, strategically employs troll-politics to manipulate political discussions, control narratives, and silence disagreeing voices in the digital sphere. It began in Turkey after Gezi protests. Twitter's investigation revealed that they are associated with the

AKP's youth division. It also announced that more than 7 thousand accounts have been suspended because of AKTrolling. The discovery of the AKP's troll network, exposed by the Hafıza Kolektifi, presents a concrete case of the organized nature of these efforts. The map connecting troll accounts to President Erdogan's advisor Mustafa Varank indicates the political arrangements behind these online activities. AKTrolls create nonorganic agenda on Twitter that can lead to misinformation, which is actually what AKP is against in the disinformation law. So, it is clear that they contradict themselves. And this opens an argument to search for other reasons behind their media regulations and practices. The legal measures, the timing of restrictions concerning political events, visible and less visible tactics by authorities encourage to interrogate the discussion in a broader sense which is how media regulations in Turkey shape the information flow and social reality.

To put into perspective, theoretical approaches play a pivotal role. Theoretical framework is mainly built around combining the groundwork of Durkheim's social facts and adding Gramsci's hegemony. This gives an idea of how Turkish politics plays a role in shaping society's perception of reality via digital media outlets. As a consequence of this constructed social reality, it allows us to raise a further question whether reality becomes a struggle field in Turkey.

Durkheim's social facts theory contributes to the discussion regarding his emphasis on the collective nature of reality construction, stressing the role of social facts in shaping how individuals perceive and interpret the world around them. Even though Durkheim's definition helps to approach basic societal reflexes and answers some questions regarding the social behavior of a society, it is not enough to build around the hypothesis. Durkheim's characterization of social facts as external, constraining, and fixed lacks the power dynamics within a society, particularly the influence of state authorities. Social reality is also constructed through power relationships and governance, appealing to a broader consideration of the complexities involved in the formation of social facts.

To bring up Antonio Gramsci as a figure to be explored in the context of social facts and power dynamics suggests a continuation of the analysis. Gramsci's concept of

cultural hegemony provides a subtle framework for examining the complex interplay between power, culture, and the media in shaping societal norms and perceptions. His theory indicates that the ruling class maintains dominance not only through coercion or economic pressure but by establishing a cultural ideology securing the consent of the governed. The concept of hegemony, as distinct from domination, underlines the significance of voluntary following and the role of civil society, containing institutions like schools, unions, religious groups and organizations, and mass media, in promoting agreement within society. As part of media regulations, this implies the control over cultural narrations is a powerful tool for governance, affecting citizens by shaping cultural norms.

The Gramscian perspective suggests media governance could be a central strategy for building political and cultural hegemony. The media becomes an essential tool through which the authority can shape societal values, ideas, and concepts. This perspective adds depth to the analysis of media regulations in Turkey, proposing that they aren't just tools of propaganda but integral components of a wider cultural and political strategy. The notion that culture serves as both the base for creating hegemony and the arena where struggles for dominance take place is significant for perceiving the dynamics of power structures. In the framework of media regulations, this means that the struggle for dominance is not limited to unconcealed control but extends to the narratives, language, and expressions brought through the media.

Essentially, Gramsci acknowledges that culture and society are arenas of both struggle and resistance against the established order since refusal of dominance is always a possibility. The potential for challenges and counter-hegemonic efforts adds a layer of complexity to the analysis of media regulations in Turkey. Thus, it points out that, in spite of efforts to build a hegemonic system, there is room for alternatives and resistance within this cultural and media landscape.

Combining Durkheimian and Gramscian perspectives underlines the elaborate web of societal influence organized by media regulations. Social facts, according to Durkheim, are compelling regulations individuals feel obligated to follow, shaping their actions and thoughts in a forced manner. Regarding media, this translates to the

collective influence of narratives, norms, and values distributed through regulated channels. Durkheim's distinction between individual behavior in solitude and social conduct governed by the collective conscience aligns with the role of media in constructing societal understandings. Media regulations, by conducting the content issued, serve the construction of a collective conscience influencing how individuals interpret the world around them. The changed narratives, the promotion of certain values, and the suppression of opposing voices become part of the collective conscience, boosting a specific social reality.

Gramsci's concept of cultural hegemony complements Durkheim's focus on shared beliefs and practices by emphasizing the role of the ruling class or in other words authority in shaping cultural narration via institutions such as the media. The distinction between political society⁶⁸ and civil society⁶⁹ in his perspective resonates with the dual role of media regulations. While regulations may dictate certain restrictions through coercive measures, the greater influence lies in creating the consent of the governed through the distribution of cultural ideology. Institutions like media platforms, under the impact of regulations, play an essential role in promoting agreement within civil society, adjusting citizens with the values of the authority. The media, acting as a reflection of shared beliefs and practices, becomes a powerful mean to maintain the cultural hegemony of the authority. So, this synthesis suggests media regulations are not merely instruments for continuing order but also tools to construct and consolidate a particular social reality. The interaction between shared patterns of behavior and the cultivation of consent through cultural narratives marks the multifaceted nature of media's societal power. Furthermore, the potential for resistance and alternative realities, acknowledged by Gramsci, brings a complex understanding of the challenged nature of social reality, where media regulations are both instruments of control and arenas of struggle.

The content analysis of the news articles from different media outlets about the Disinformation Law instantiates the hypothesis that Turkish media is engaged in a

⁶⁸ governed by force

⁶⁹ governed by consent

struggle over the construction of sociopolitical reality. Turkey's online space regulations, initially rooted in democratic values, have shifted toward authoritarianism over the past decade, especially during the 21-year AKP governance. The Gezi protests signified a critical point, revealing the government's recognition of social media platforms' power, as mentioned before. The Turkish Legal System underwent changes alongside sociopolitical events, came to a climax in the late 2022 enactment of the Disinformation Law. Concerns have arisen that the law might lead to increased investigations and a climate of fear, which may hinder freedom of expression and access to information. To evaluate the influence of the law, it is important to analyze news updates on the issue.

The analysis of news articles on Turkey's Disinformation Law shows an apparent contrast between pro-government and opposing sources. Pro-government newspapers, such as *Yeni Şafak* and *Yeni Akit*, underscore the law's positive aspects, emphasizing its benefits for protecting children and combating false information. Dissident newspapers like *Diken*, *Gazete Duvar*, and *Sözcü*, adopt a critical perspective, calling the law a 'Censorship Law' and telling concerns about its potential negative impact on freedom of speech. After the law has passed, pro-government newspapers maintain a positive approach, while opposition sources escalate their critical tone, reporting protests against the law and quoting dissatisfied journalists and union leaders.

The law in Turkey has resulted in some arrests. Sinan Aygül, Tolga Şardan and Bircan Yıldırım were the first persons who were arrested under the law. Sinan Aygül was arrested for a tweet about an alleged child abuse case, which was later proven wrong. Tolga Şardan's arrest, which was related to a news article on a report from the National Intelligence Organization⁷⁰. This arrest caught international attention. Lastly, Bircan Yıldırım's arrest was due to a social media post declaring a monetary agreement between Erdogan and Netanyahu. This case has raised questions about freedom of expression. Opposing media sources criticized the arrests, noting concerns about media freedom, while pro-government outlets reduced the incidents' importance. So, there is a sharp divide between pro-government and dissident media

⁷⁰MIT

in their framing of these cases, expressing the broader struggle over the construction of political reality in Turkey. Both sides selectively present information to shape public opinion in line with their respective ideologies.

In Turkey, the media landscape mirrors an intense sociopolitical struggle, prominently seen in the conflicting narratives including the arrests of journalists. Pro-government sources align with the state discourse, giving priority to national unity and national security, while dissident ones affirm elimination of opposing views and the damages to the freedom of expression and civil liberties. The media's role in shaping public perception becomes a battlefield with both sides selectively framing news to secure their positions. This ideological struggle expands globally, evidenced by international organizations' involvement in cases like Tolga Şardan's. The Turkish media's lack of objectivity and deep ideological framing leads to social mistrust and polarization. The continuous struggle portrayed in the media landscape discloses a society tussle with conflicting narratives and power dynamics.

To conclude, while the combination of Durkheimian and Gramscian views are enabling the sociological analysis of media regulations in Turkey, emphasizing collective conscience and cultural hegemony, the content analysis of the news articles provides a thorough framework to understand how regulations contribute to the construction of sociopolitical reality. Durkheim's social facts stress how arrests of journalists become collective representations shaping societal divisions, with external forces influencing media narration. The conflict between these narrations aggravates moral density and deepens societal mistrust.

On the other hand, Gramsci's cultural hegemony reveals that pro-government media constructs dominant cultural discourse, which is countered by opposition challenging these norms. Thus, the Turkish media indicates a dynamic interaction of external constraints, collective representation, moral density and a struggle for cultural hegemony. Additionally, based on the content analysis, it can be seen the struggle over the constructed reality. As there isn't coherent portrayal of events in all the news sources and the differences are not only about portraying these events. Media outlets do not even share the same language and framing about the main purpose and

possible outcomes of the Disinformation Law, which means the struggle is bigger than just reporting with nuanced differences about incidents. Turkish media doesn't have mainstream and objective media outlets anymore. There are either pro-government or dissident voices, which illustrates a divided society. So, in the state's practices of regulating the Internet and social media in Turkey, sociopolitical reality has been established as a field of struggle, as a result of which neutrality and nonpartisan views have been destroyed and disappeared.

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APPENDICES

A. TURKISH SUMMARY / TÜRKE ÖZET

GERÇEKLIK İÇİN MÜCADELE: TÜRKİYE'NİN İNTERNET DÜZENLEMELERİNİN SOSYOLOJİK ANALİZİ

İnternet ve sosyal medya, küresel iletişimi devrim niteliğinde deęiřtirmiřtir. İnternet geliřip yaygınlařtıka da dünya genelinde hükümetler bu yeni medya organını düzenleme ihtiyacı hissetmiřlerdir. Dünya genelinde, toplumsal, siyasal ve kültürel normlardan etkilenen İnternet düzenlemeleri, sıklıkla içerik filtreleri ve erişim yasakları olarak insanların karşısına çıkmaktadır. Genellikle sansürle eş anlamlı olarak kullanılan bu içerik filtreleri, hükümetlerin toplumsal ahlakın devamlılıęı, çocukların zararlı içerikten korunması ve ulusal güvenlięin tehdede uğramaması adına sıkça kullanılan yöntemlerdendir.

Türkiye bağlamında, toplumsal politik gerçeklięin inřası, özellikle AKP hükümetinin 21 yıllık yönetimi sırasında, İnternet teknolojilerinin geliřimi ve yaygın olarak benimsenmesiyle aynı zamana denk geliyor. Bu tez ise, toplumsal politik gerçeklięin Türkiye'de bir mücadele alanı haline gelip gelmedięinin sorusunu yanıtlamayı amaçlıyor. Türkiye'nin özelinde inceleme yapmadan önce, dięer ülkelerin çevrimiçi alanları kontrol etme yaklařımlarının nasıl olduęunu anlamak, Türkiye'nin bu konuyla ilgili dünyadaki yerini tespit edebilmek açısından önemlidir. Dünya'da, İnternet düzenlemeleri demokratik toplumların genellikle kullanıcı otonomisini destekledięi, daha otoriter rejimlerin ise hükümet kontrolü uyguladıęı çeřitli yaklařımları kapsar. Özellikle Çin, Kuzey Kore, Rusya, İran ve Suudi Arabistan sıkı tedbirler uygulayan ülkeler arasındadır. Buna karşılık, Kanada, İsveç, Estonya, İzlanda ve Yeni Zelanda gibi ülkeler daha hoşgörülü yaklařımları benimser. Fransa ve Almanya gibi Avrupa ülkeleri, gizlilik haklarına dair devam eden tartışmalarla birlikte, kontrol düzeylerinde çeřitlilik gösterir.

Türkiye'nin İnternet düzenlemelerine yaklaşımı, başlangıçta demokratik değerlere vurgu yapmaktan, daha sonra Rusya modelini anımsatacak şekilde otoriter bir duruşa evrilmeye meyilli olmuştur. 2007 İnternet düzenleme yasası, artan devlet kontrolü için zemin oluşturmuş ve 2014'ten sonraki değişiklikler otoritenin sanal ortamlar üzerindeki gücünü arttırmıştır.

Muhalefet, bu yeni düzenlemelerin ifade özgürlüğünü baskılayarak otosansüre yol açtığını vurgularken demokratik katılıma aykırı düzenlemeler olduğunun altını çizmektedir. İnternet düzenlemeleri özelinde hükümet yanlısı yayınların ve muhalefetin arasındaki yaklaşım farklarını daha iyi anlamak açısından tezin analiz bölümünde, Dezenformasyon Yasası ile ilgili çıkan haberler incelenecek, hükümet yanlısı ve muhalif gazetelerden herbir konu üzerinde seçilmiş üçer haber analiz edilecektir.

Hükümetin neden medya kontrolüne önem verdiği ve medyanın hükümet otoritesini sürdürmedeki rolü gibi daha geniş kapsamlı sorular, ilerleyen bölümlerde incelenecektir. Durkheim'in toplumsal gerçeklik ve kolektif bilinç ile Gramsci'nin kültürel hegemonya teorileri toplum, otorite ve medya arasındaki karmaşık ilişkiyi anlamakta yol gösterici olacak, bu teoriler ışığında Türkiye'nin sosyopolitik dinamikleri incelenecektir.

'Gerçeklik' kavramını sorgularken, realistler, gerçekliğin nesnel, insanlardan bağımsız bir varlık olduğunu savunurken, idealistler gerçekliğin duygusal deneyimlerle bağlantılı olduğunu vurgularlar. Toplumsal gerçeklik, paylaşılan anlamlar, inançlar ve uygulamalar aracılığıyla inşa edilir, bireylerin çevrelerini nasıl algıladıklarını ve yorumladıklarını şekillendirir. Berger ve Luckmann ise, idealizmi ve realizmi birleştirerek sosyal gerçekliği anlamının bireysel bakış açıları ile kurumsal yapıları bir arada düşünmeyi gerektirdiğini vurgular. Sosyopolitik gerçeklik, toplumsal ve siyasi bileşenler arasındaki karmaşık etkileşimi içerir, ve toplumun işleyişini etkiler.

Meşruiyet, sosyal düzenin geçerliliğini onaylama, huzur ve anlaşma ile ilgili bir terim olup sosyopolitik gerçekliğin prosedürleri aracılığıyla yeniden üretilir. Sosyal

normlar ve kurumlar gibi birtakım sosyal gerçeklikler, sosyopolitik yapının işleyişinde önemli rol oynar. Siyasi kararlar ve güç dinamikleri, sosyal gerçekliğin oluşmasını ve oluşan bu gerçekliğin sürdürülmesini etkiler. ‘Sosyal’ ve ‘siyasi’ birbirine bağlı iki kavramdır.

Emile Durkheim’in toplumsal gerçekler kavramı ise, bireyin bilincinin dışında var olan davranış ve düşünce kalıplarını vurgulayarak toplumsal normların bireysel eylemler ve düşünceler üzerindeki etkisini araştırır. Bu toplumsal gerçekler, bir grup insanın inançları, eğilimleri ve davranışlarını içerir. Bunlar, bireyleri zorlayan, sınırlayan ve bağlayan etkili birer kolektif vicdanı oluşturur.

Durkheim, insanların yalnızken sosyal ortamlardaki davranışlarından farklı davrandıklarını gözlemleyerek sosyal davranışı yönlendiren kolektif bir vicdanın olması gerektiğini öne sürmüştür. Ona göre, ahlaki disiplin, bireylerin doğuştan gelen içgüdülerini toplumsal beklentilere uyum sağlamak üzere sınırlamakta, bu da ahlaki değerleri bireyin özelliklerinden ziyade toplumun içinde kök salmış bir sosyal gerçek haline getirmektedir.

Sosyal gerçekler, ahlaki ve hukuki prensiplerden oluşur. Sosyalleşme süreci ve eğitim, bireyleri bu paylaşılan kalıplara uymaya yönelik şekillendirmeyi amaçlar. Bu, bireysel özellikler ile toplumsal varoluş arasındaki en önemli etkileşimlerden biridir.

Gerçekçiler ve idealistler arasındaki tartışma, bağımsız, objektif bir gerçeklik savunanlar ile öznel, sosyal olarak oluşturulmuş gerçekliklere vurgu yapanlar arasındaki farklı görüşlere işaret eder. Toplumsal gerçekliğin oluşmasında sosyal gerçeklerin oynadığı rol ise, bireylerin çevrelerini nasıl algıladığı ve yorumladığına dayanır. Bu noktada, dil ve söylem bireylerin dünyayı algılayışını ve yorumlayışını doğrudan etkilediği için önemli bir yere sahiptir. Dil, olayları nesnelleştirme, kurumsallaştırma ve meşrulaştırma için bir araç olarak görev yapar; kişisel algıları toplumsal gerçekliğe entegre eder.

Sonuç olarak, Durkheim’in kavramsallaştırdığı toplumsal gerçekler, birey ve toplum arasındaki etkileşim karmaşık ilişkisini anlamak için önemlidir. Ahlaki

prensiplerden dile kadar olan bu ortak toplumsal normlar, gerçekliğin oluşturulmasına katkıda bulunur ve bireysel eylem ile toplumsal yapı arasındaki dinamik ilişkiyi vurgular.

Durkheim'ın toplumsal gerçekler kavramı yanında Gramsci'nin kültürel hegemonya kavramının sorgusu da analizi devam ettirebilmek açısından önemlidir. Gramsci, egemen sınıfın hakimiyetini sürdürebilmesinin sadece baskı ve zorlama ile olduğunu savunmaz. Ona göre, bu durum oldukça karmaşık ve uzun sürece yayılan birtakım taktikler zincirinin sonucudur. Egemen sınıf, sosyal ve kültürel normlar ile değerleri şekillendirerek, kendi çıkarlarına hizmet eden bir uzlaşımın oluşmasını sağlar. Gramsci'ye göre devlet, 'siyasi toplum'⁷¹ ve 'sivil toplum'⁷² olmak üzere iki ana yapıdan oluşur. Okullar ve medya kanalları gibi kültürel kurumlar da, sivil toplum içinde anlaşmayı teşvik etmede kritik rol oynar. Yani, Gramsci'nin hegemonya kavramı, egemenliği sadece zorlamaya dayanan bir kavram olarak görmez aksine, gönüllü meşruiyet üzerine kurulu olduğunu savunur. Devlet, ahlaki açıdan birleşmiş bir toplumsal yapı kurulduğunda nihai amacına ulaşmış olur. Ulusal-popüler irade oluşturulması da, farklı sınıfların hegemonya aracılığıyla birleştirilmesini gerektirir.

Bu noktada, Gramsci entelektüellerin toplumdaki rolünü vurgular, özellikle organik entelektüellerin hegemonya kurma ve sürdürme sürecindeki önemini belirtir. Ek olarak, kültürel anlatıları şekillendirmede medya kontrolünün önemi vurgulanmıştır. Hegemonya ile ortak akıl arasındaki ilişki keşfedilmiş, alt sınıfların alternatif gerçeklikleri yeniden inşa etme olasılığına vurgu yapılmıştır.

Kültür içindeki güç dinamiklerini anlamak için toplum içindeki çatışmaların önemli olduğu öne sürülür. Hegemonyanın kurulması ve sürdürülmesi sürecinde toplumsal dinamikler sabit değildir; her zaman toplumun kültürel yapısı içinde mücadele, yıkım ve yeniden inşa için yer vardır. Bu doğrultuda, Türkiye'deki dijital medyanın Türkiye hükümeti tarafından hegemonik amaçlarla kullanılıp kullanılmadığının

⁷¹zorlamaya dayalı

⁷²onama dayalı

ve vatandaşların gerçeği elde etme konusunda bir mücadele içinde olup olmadığının sorgusu önemlidir. Medya, sosyopolitik gerçekliği yansıtmaya ve etkileme aracı olarak, güç, otorite ve bilgi arasındaki karmaşık ilişkinin merkezindedir. Bir yandan toplumsal meşruiyetin oluşturulmasına katkıda bulunurken diğer yandan da otoriteyi koruma görevini yerine getirir. Bir başka deyişle, kitle iletişim araçları, geleneksel ve dijital medya dahil olmak üzere, bilgi akışını kontrol etme ve halkın algısını şekillendirme konusunda kilit bir rol oynar.

Modern toplumlarda medya, ideolojik mücadelelerin yaşandığı bir savaş alanı gibi de görülebilir. Olayların yorumlanmasını etkiler ve toplumsal gerçekliği şekillendirir. Sosyal medyanın yaygınlaşması bu alanda yeni dinamiklerin oluşmasını sağlamıştır. Bireyler, aktif içerik üreticileri haline gelmişlerdir. Ancak, sosyal medyanın oluşturduğu şeffaf toplum beraberinde gizli otorite'yi var eder. Bu da bireylerin kendi kendilerini sansürler hala gelmesine katkı sağlar.

Hem geleneksel hem de dijital medya organları, bilgiyi seçici bir şekilde insanlara sunarak insanların görüşlerini ve olayları algılayış şekillerini önemli ölçüde etkiler. Medya, genellikle güç sahiplerinin çıkarlarına hizmet etmek üzere bilgiyi manipüle eder.

Türkiye özelinde toplumsal, kültürel ve siyasi dinamiklerin karmaşık etkileşimini analiz etmek, hukuki, tarihsel ve teorik çerçeveleri dikkate almayı gerektirir. Yıllar içerisinde medyanın kendisine medya düzenlemeleri değişim ve dönüşüme uğrarken medyanın toplumsal gerçeklikleri şekillendirmedeki rolünün anlaşılması için de bu alanda derinlemesine araştırma şarttır.

Türkiye'deki internet ve sosyal medya düzenlemelerini anlamak için ülkenin sosyopolitik dinamiklerine ve düzenlemelerin tarihsel bağlamına bakmak önemlidir. Düzenlemelerin tarihsel seyri, medya kontrolü aşamalarından geçerek özdenetimle⁷³ başlar, hükümet eleştirilerine karşı yasaların tanıtıldığı bir geçiş

⁷³1923-1946

dönemiyle⁷⁴ devam eder, ekonomik ve yapısal yöntemlerin medyayı bastırmak için kullanıldığı bir konsolidasyon dönemine⁷⁵ geçiş yapar.

2002'den bu yana AKP yönetimi, Türkiye siyasetinde önemli bir rol oynamaktadır. AKP hükümetinin uyguladığı stratejileri incelemek analiz için gerekli olacaktır. Özellikle, 2013'teki Gezi protestolarından sonra hükümetin internet ve sosyal medyanın kitleleri harekete geçirme ve haberleri hızla yayma potansiyelini fark etmesiyle bu stratejiler daha belirgin hale gelmiştir. AKP hükümetinin başlıca medyapolitikaları arasında medya sahiplerini belirli gruplar veya kuruluşlarla uyumlu hale getirmek yer alır. Zamanla, Türkiye'de muhalif gazetecilere karşı yasal baskı uygulamak ve hapis tehditleri kullanılarak onları hedef göstermek de yaygın karşılaşılan bir durum haline gelmiştir. Ayrıca, mahkeme kararı olmaksızın web sitelerini engelleme yetkisine sahip bir devlet organı kurulmuştur. Bununla birlikte, Twitter ve YouTube gibi platformların siyasi ve toplumsal olaylar sırasında geçici olarak engellenmesinin önü açılmıştır.

Türk siyasi tarihinde, Gezi protestoları, hükümetin online platformlar üzerindeki kontrolünü sıkılaştırma ihtiyacını doğuran bir dönüm noktası olarak düşünülmektedir. Sosyal medya kullanıcıları, protestolara katılımları nedeniyle birtakım suçlamalar ve yasal işlemler ile karşı karşıya kalmışlardır. Ayrıca, medyanın tekelleşmesi haberlerin çeşitliliğini azaltmıştır. 2016 yılındaki başarısız darbe girişimi, gazeteciler üzerindeki denetimi arttırmış ve hükümeti eleştirenler, 'terörist propagandası yapma', 'Cumhurbaşkanı'na hakaret' gibi suçlamalarla daha sık karşı karşıya kalmaya başlamışlardır. 2019'da, Doğan medya grubunun hükümet yanlısı bir işadamına satılmasıyla medya sektörü önemli değişikliklere uğramıştır. Birçok muhalif gazeteci işinden edilmiş ve çoğu haberin kapsamı hükümet lehine çevirilmiştir.

2019 yerel seçimlerinde AKP'nin hedeflediği başarıyı elde edememesi, medya ile ilgili politikalarını keskinleştirmesine yol açmıştır. YouTube ve Netflix gibi internet

⁷⁴1947-1980

⁷⁵1981-günümüz

yayın platformları üzerinde katı devlet kontrolünü getiren yeni düzenlemeler yapılmıştır. Bu düzenlemeleri takiben, 2020 yılında, yeni bir yasal düzenleme daha gündeme gelmiştir. Bu düzenlemede, günlük bir milyondan fazla kullanıcısı olan sosyal medya platformlarının yerel bir temsilci ataması zorunlu tutulmuş ve talep edilen herhangi bir içeriği platformun kaldırmaması durumunda bu platformlarabant genişliği daraltma ve erişim kısıtı gibi cezaların uygulanması öngörülmüştür.

Türkiye Gazeteciler Cemiyeti'nin 2020 Medya İzleme Raporuna göre, her iki gazeteciden birinin tehlide maruz kaldığıve her dört gazeteciden birinin fiziksel saldırıya uğradığı bilgisi yer almaktadır. 2020'de 23 gazeteci tutuklanmış ve muhalif gazetelerin kamu reklamları toplamda 276 gün süreyle askıya alınmıştır. Temmuz ve Ağustos 2021'de Türkiye, Cumhuriyet tarihinin en büyük ve en kötü orman yangınlarına şahit olmuştur. Türkiye genelinde toplam 299 orman yangını çıkmış ve bunlardan 15'i büyük çaplı orman yangınları olarak sınıflandırılmıştır. Yangınlar, ancak 16 gün sonra tamamen söndürülüp kontrol altına alınabilmiştir. Bu süre zarfında Tarım ve Orman Bakanlığı, Türk Hava Kurumu gibi birtakım kurumlar, yangınlara yavaş ve etkisiz müdahale ettikleri gerekçesiyle hem muhalefet hem de halk tarafından eleştirilmiştir. Bu eleştiriler özellikle sosyal medya aracılığıyla dile getirilmiştir.

Tartışmalar, Orman ve Su İşleri Bakanlığı'nın yangın söndürme filosunun eksikliği, Türkiye'deki yangın söndürme uçaklarının sayısının yetersizliği ve mevcut uçakların hangarlarda tutulması gibi çeşitli konular etrafında dönmüştür. Bunlara ek olarak, yanmış orman alanlarının yapılaşmaya açılacağı iddiaları gündeme gelmiştir. Felaketin ardından Cumhurbaşkanı Erdoğan, açıklama yaparak sosyal medyada dolaşan yangınlarla ilgili çok sayıda yanlış bilgi ve sahte haber olduğunu belirtmiştir. Devletin, bu süreçte görüldüğü üzere sosyal medyada dolaşan yalan haberlerin önüne geçmek için yeni düzenlemelere ihtiyacı olduğunu sözlerine eklemiştir. Sonrasında, hükümetin bu konuda bir yasal düzenlemeye hazırlık yapmaya başladığı açıklanmış ve 2022'nin sonlarına doğru 'dezenformasyon yasası' olarak bilinen yasa yürürlüğe girmiştir. Özetle, Türkiye'de hükümetin geleneksel ve çevrimiçi medya kuruluşlarını kontrol etme stratejileri zaman içerisinde yoğunlaşmıştır. Hükümet, medya ve toplum ilişkisini kapsamlı bir şekilde anlamak,

ülkedeki internet ve sosyal medya yasal düzenlemelerinin tam anlamıyla kavranabilmesi ile mümkündür. Türkiye'deki internet ve sosyal medya düzenlemelerinin hukuki çerçevesi, yıllar içinde derinlemesine dönüşümlere uğramıştır. Bu düzenlemeler, dijitalde topluma zarar verebilecek çevrimiçi içerik gibi kritik konulara çözüm getirmeyi amaçlamaktadır.

İnternet, Türkiye'de 1993 yılında yaygın olarak kullanılmaya başlanmıştır. Bunu takip eden sekiz yıl boyunca internet için herhangi bir yasal düzenleme gündeme gelmemiştir. Henkoğlu ve Yılmaz (2013), Türkiye'nin internet yolculuğunu üç aşamada inceler: 1993-2000 yılları arası tanıma ve yaygın kullanım, 2001- 2006 yılları arası yasal düzenlemeler aracılığıyla müdahale ve 2007'den günümüze erişim engelleme dönemi. İnternetin dahil edildiği medyaya ilişkin ilk yasa, 2001 yılında 4676 Sayılı Kanun ile yürürlüğe girmiştir. Ancak, internet yayıncılığını, medya organlarını ve basılı bilgi kaynaklarını aynı düzenleyici şemsiye altına koyma çabaları tepki çekmiş ve bu taslak reddedilmiştir.

2007'de, İnternet Yasası olarak da adlandırılan 5651 Sayılı Kanun'un yürürlüğe girmesiyle birlikte Türkiye yeni bir döneme girmiştir. Bu kanunla, çocukları, gençleri ve aileleri fiziksel, zihinsel ve ahlaki gelişimlerini tehlikeye atabilecek potansiyel zararlı çevrimiçi içerikten korumak amaçlanmıştır. Başlıca zararlı çevrimiçi içerikler, müstehcenlik, intiharı teşvik etme, çocuk istismarı, şiddet içeren yayınlar ve Atatürk'ü aşağılayan içerikler olarak sıralanabilir. İlerleyen süreçte, Telekomünikasyon İletişim Başkanlığı bünyesinde İnternet Departmanı'nın kurulması, yasanın uygulanmasında bir dönüm noktası olmuştur. Kasım 2007 ile Ocak 2009 arasında TİB, 42.207 bildirim almış ve bu bildirimler 1.209 web sitesinin kapatılmasına yol açmıştır. 2013 Engelliweb istatistiklerine göre, Türkiye'de 29.006 engellenen web sitesi mevcuttur. Bununla birlikte, erişim engellerinin raporlanmasının şeffaf olmaması, uluslararası çevrelerden dikkat çekmiş ve eleştirilere sebep olmuştur.

2011, 2013, 2014, 2015, 2016, 2019, 2020 ve 2023'te, 5651 Sayılı Kanun'a yapılan değişiklikler, internet ve sosyal medya düzenlemelerinin çerçevesini önemli ölçüde şekillendirmiştir. 2014'teki, 6518 sayılı torba yasa, erişim

engelleme kararlarının içeriğini ve kapsamını genişleten önemli değişiklikler arasında yer almaktadır. 2020 yılında ise, 5651 Sayılı Kanun'a değişiklikler getiren 7253 Sayılı Kanun yürürlüğe girmiştir. Kanun, Facebook, Twitter ve Instagram gibi günlük erişimi 1 milyon kullanıcıyı aşan sosyal medya platformlarının Türkiye'de temsilci atamasını zorunlu hale getirmiştir. Yasada, bu karara uymayanlara, para cezası, reklam yasakları ve bant genişliği daraltma gibi çeşitli cezalar verileceği belirtilmiştir. Ayrıca, öne çıkan bir diğer değişiklik isesosyal medya şirketlerinin gerekli görüldüğünde dezenformasyonu engellemek adına kullanıcılarının bilgilerini paylaşması zorunlu tutulmuştur.

2022 yılında ise dezenformasyonla mücadele yasası yürürlüğe girmiştir. Bu yeni yasa, birçok tartışmalı madde içerir. Özellikle, yasanın 29. maddesi eleştirilerin odağı olmuştur. 29.madde, 'halkı yanıltıcı bilgiyi alenen yayma ve halk arasında korku ve paniğe yol açma'yı suç olarak tanımlamış; bunu yapan kişilerin 1 ila 3 yıla kadarhapsi istenmiştir.Muhalefet partileri ve birçok hukuk uzmanı bu maddeyi demokratik haklara aykırı ve ifade özgürlüğü bakımından endişe verici bulmuştur.

Tüm bu hukuki düzenlemelerin ifade özgürlüğü ve medya özgürlüğüne etkisi çok tartışılmaktadır. Muhalef medya kuruluşları üzerindeki mali baskılar, Radyo ve Televizyon Üst Kurulu'nun uyguladığı yaptırımlar ve cezalar, dezenformasyon yasanınıyürürlüğe girmesi ile birlikte artış göstermiştir.Engelliweb'in raporları, 2021'in sonunda 150.000 URL'nin, 8.350 Twitter hesabının, 55.500 tweet'in, 13.500 YouTube videosunun, 9.500 Facebook içeriğinin ve 9.000 Instagram içeriğinin engellendiğini göstermektedir. Engellenen sitelerle ilgili resmi sayı bulunmadığı ve alınan kararların şeffaflığında sorunlar olduğu için bu verileridoğrulamak zordur.

Özetle, internet düzenlemelerinin ilk günlerinden günümüze kadar geçen süreç, çeşitli yasal gelişmeleri, ve değişiklikleri içermekte olup, her biri çevrimiçi ifade özgürlüğünün boyutunu etkilemiştir. Hükümet, bu düzenlemelerin kamu yararını gözettiğini ve dezenformasyonla mücadele etme açısından önemli olduğunu savunurken, muhalefet, tüm bu değişikliklerin ve yeni medya yasalarının demokratik ilkeler ve insan hakları konusunda gerilemeye sebep olduğunuöne sürmektedir. Hukuki düzenlemelere ek olarak, bilinçli ve güvenli internet kullanım kültürünü

yaymak amacıyla Guvenliweb.org.tr gibi güvenli internet merkezleri de kurulmuştur. Türkiye’de, YouTube, Facebook, Twitter ve Instagram gibi büyük sosyal medya platformları birçok kez yasaklara ve içerik filtrelemelerin maruz kalmıştır. Örneğin, YouTube, 2007 ile 2016 yılları arasında Atatürk’e hakaret içeren içerik ve siyasi açıdan hassas içerik yayınladığı gerekçesiyle birden çok erişim engeli almıştır.

Twitter da hükümetin hedef aldığı bir başka sosyal medya platformu olarak karşımıza çıkar. Twitter’da, 2014, 2016 ve 2023 yıllarında erişim kesintileri yaşanmıştır. Sosyal medya platformları dışında, Vikipedi ve Ekşi Sözlük de erişim kısıtlamalarıyla karşılaşmıştır. Vikipedi, 2017’den 2020’ye kadar süren bir erişim engeline maruz kalmıştır. Ekşi Sözlük ise, 2023’te belli bir süre aralığında yasaklanmıştır.

Tüm bu uygulamalar, ifade özgürlüğü ve bilgiye erişim konusunda endişelere neden olmaktadır. Vatandaşlar genellikle yasaklarla ilgili açıklamasız bırakılmıştır. Bu yasakların kritik dönem ve olaylara denk gelmesikasti yapıldığı yönünde şüphe uyandırmaktadır. Bu görünür pratikler dışında, troll-politikası gibi daha az farkedilebilir stratejiler de hükümetin çevrimiçi anlatı üzerindeki kontrolüne katkı sağlamaktadır.

Sosyal medyada paylaşılan bilgiler genellikle editöryal denetimden yoksun olup, kontrolsüz bir şekilde yayılabildiği için yanlış bilgilerin hızla yayılması ile ilgili tartışmalara yol açmaktadır. Siyasi otoriteler, yalnızca görünür baskı mekanizmalarını benimsemekle kalmayıp, aynı zamanda medyayı tekelleştirmek için kolayca fark edilemeyen farklı yöntemlere de başvurmuşlardır. Türkiye hükümeti tarafından uygulanan kritik taktiklerden biri de troll-politikasıdır. Troll-politikası, siyasi tartışmaları manipüle etmeyi, gündemi istenilen yönde değiştirmeyi, vebelirli bir propaganda yaymayı içerir. Oldukça etkili olan bu yöntem, güç sahibi olanların troll’leri kullanarak sosyal medya kullanıcılarını manipüle etmeye yardımcı olur. Troll-politikası, otoriter-popülist siyasi figürlerin, doğruyu manipüle ederek veya çarpıtarak kendi anlatılarını şekillendirme çabaları sonucundan doğmuştur. Dönemin Başbakanı Erdoğan’ın danışmanları, sosyal medyada fark edilir bir varlık oluşturma çabasıyla Gezi Protestoları’nın ardından sosyal medya troll’lerini

kullanmaya odaklanmışlardır. Bu organize sahte hesap ağları, AKP propagandasını yaymak ve karşıt görüşlere karşı kullanmak için kullanılır hale gelmiştir.

Trollerin belirli özellikleri vardır. Bunlardan biri, negatif ve manipülatif dil kullanmaktır. Özellikle provokatif, saldırgan, cinsiyetçi, ırkçı ve alevlendirici bir yazım stiline yönelme eğilimindedirler. Ayrıca, polarize edici bir retorik altında ‘biz’ ve ‘onlar’ ayrımını vurgularlar. Troll-politikası, sadece rakip sesleri bastırmak ve manipüle etmekle kalmaz, aynı zamanda mevcut gündemi ve tartışmanın yönünü değiştirebilir.2015’te Hafıza Kolektifi, AKP’nin troll ağının ilk haritasını ortaya çıkarmıştır. Bu ağın merkezinde, AKP’nin gençlik kollarıyla ilişkilendirilen Mustafa Varank’ın bulunduğu ortaya çıkmıştır.

Twitter, AKP’nin uzun yıllardır etkili bir şekilde işlettiği sosyal medya troll’leri ile ilgili önemli bir adım atıp,Türkiye’den 7 bin 340 hesabı AKP yanlısı manipülatif paylaşımları sebebiyleaskıya aldığını duyurmuştur.İnternet Gözleme Merkezi tarafından yayımlanan bir rapora göre de, Türkiye, Avrupa, Orta Doğu ve Afrika’daki ülkeler arasında Twitter’da en yüksek bot hesap sayısına sahip olan ülke olarak öne çıkmaktadır.

AKP’nin troll ordusunu açığa çıkaran raporlar gündeme geldikçe, hükümet bir yanıt verme ihtiyacı hissetmiştir. İlk tepki, Twitter’ın vatansever vatandaşların seslerini bastırıldığını iddia ederek ve bu operasyonda yer alanların terörist faaliyetlere sempati duyduğunu ileri sürmek olmuştur. Daha sonra hükümet, bir cumhurbaşkanlığı kararnamesi yetkisiyle sosyal medya şirketlerinin Türkiye’de ofis kurma ve ülkenin yasal düzenlemelerine uyma zorunluluğunu içeren bir yasa olan Dezenformasyon Yasası’nı çıkarmıştır.

Sonuç olarak, AKP, trolleme stratejisini kendi amaçları için stratejik bir şekilde kullanmaktadır. Pratik sosyal bağlamda çoğunlukçu demokrasi fikrini benimseyerek, toplumsal, dini ve etik baskıları sosyal medya alanında uygulamayı amaçlamaktadır. Bu, Twitter gibi platformlardaki çevrimiçi provokatörlerin örgütlü grubunu kullanarak çoğunluk tarafından kontrol sağlama çabasıdır. Bu fenomen özellikle doğal afetler sırasında, Ak-trollerin etiketleri manipüle ederek öne çıkardığı

zamanlarda belirgindir. Çevrimiçi siyasi anlatı üzerinde kontrol sağlamanın düşünüldüğünden daha kolay ve güçlü olduğunugörmekteyiz.

Türkiye'nin online alan düzenlemelerine yönelik yaklaşımı, daha önce de bahsedildiği gibi demokratik değerlere dayalı ifade özgürlüğüne öncelik verme noktasından, son on yılda daha otoriter ve baskıcı bir tutuma dönüşmüştür. Askeri darbeler, 1980'lerde serbest piyasa ekonomisine geçiş, AKP'nin yükselişi gibi bazı önemli olaylar, Türkiye'nin medya ortamını önemli ölçüde şekillendirmiştir.

Medya özgürlüğündeki dönüm noktası, Türkiyehükümetinin zaten geleneksel medyayı kontrol ettiği bir dönemde, sosyal medyanın etkisini fark ettiği Gezi protestolarında yaşanmıştır. Mevcut medyanın yüzde 90'dan fazlası hükümeti desteklerken, AKP, çevrimiçi alanları kontrol etme konusundaki zaaflarının farkına varmıştır. Bu farkındalık, Twitter, Facebook ve YouTube gibi platformlarda artan sansürü, birçok gazetecinin hapis cezasını ve 2013'ten itibaren daha katı medya politikalarının gelişmesini doğurmuştur. Aynı zamanda, Türk hukuk sistemi, toplumsal ve siyasi olaylara paralel olarak birçok değişiklik geçirmiştir. En son yasa, Dezenformasyon Yasası veya diğer adıyla Sosyal Medya Yasası 2022'nin sonlarında kabul edilmiştir. Bu yasa, muhalefet tarafından çok eleştirilen bir düzenleme olmuştur. Bu yasanın, bilgiye erişimi kısıtlayıcı olabileceği gibi ifade özgürlüğüne de müdahale niteliğinde olduğu eleştirilerin odak noktasıdır. Konuyu daha iyi anlamak için ilgili haberlere yakından bakmak gerekir.

Türkiye'nin Dezenformasyon Yasası üzerine yapılan haber analizleri, gazetelerin siyasi eğilimlerine bağlı olarak belirgin perspektif farklılıklarını ortaya koyar vaziyettedir. Üç hükümet yanlısı haber kaynağı, Yeni Şafak, Yeni Akit, ve Milliyet, yasanın avantajlarını vurgularken üç muhalif gazete, Diken, Gazete Duvar, ve Sözcü, yasaya karşı eleştirel bir duruş sergileyerek ifade özgürlüğüne yönelik potansiyel tehditlere dikkat çekiyor.

Hükümet yanlısı gazeteler, yasanın avantajlarına odaklanırken eleştirisiz bir dil kullanıp karşıt görüşten açıklamalara haberlerinde yer vermiyorlar. Muhalif gazeteler ise yasanın doğurabileceği potansiyel olumsuz sonuçlara odaklanıyor.

Dezenformasyon Yasası'nın yürürlüğe girmesinden sonra yapılan haberlerin analizi ise, hükümet yanlısı kaynaklar ile muhalifler arasında süregelen ayrımı ortaya koymaya devam ediyor. Hükümet yanlısı gazeteler, haberlerinde yasanın vatandaşları koruyacağı ve bilgi kirliliğinin önüne geçeceği yönündeki açıklamalara yer verirken, muhalif medya, yasanın yürürlüğe girmesinden sonraki hukuki mücadelelere, protestolara ve gazetecilerin tepkilerine odaklanıyor. Muhalif medya, bu yasayı sürekli olarak 'Sansür Yasası' olarak adlandırarak demokrasi üzerindeki etkileri konusunda artan endişelerini dile getiriyor. Hükümet yanlısı kaynaklar ise bu tarz eleştirileri göz ardı ederek yasanın halk üzerindeki olumlu etkilerini vurgulamaya devam ediyor. Haberlerin analizi, Türkiye'de internet ve sosyal medya düzenlemeleri etrafındaki devam eden sosyopolitik mücadeleyi yansıtıyor.

Yasanın yürürlüğe girmesinden iki ay sonra, yasa kapsamında ilk tutuklama gerçekleşerek Sinan Aygül gözaltına alınmıştır. Bunu takip eden sürede Tolga Şardan ve Bircan Yıldırım yasa kapsamında tutuklanan diğer iki isim olmuştur. Bu tutuklamaların gazete haberlerini de aynı şekilde incelemek analize katkı sağlayacaktır. Aynı gazete kaynakları bu kez de tutuklama haberleri ile incelenmiştir.

Gazete Duvar gibi muhalif gazeteler, bu gözaltıların yasayı kötüye kullanım sonucunda oluştuğunu ve bu yasanın ifade özgürlüğünü olumsuz etkilediğini vurgulamış ve uluslararası kuruluşların da gözaltılara tepki gösterdiklerini yazmışlardır. Aksine, Yeni Şafak gibi hükümet yanlısı kaynaklar, bu gözaltıların sebebinin, kişilerin yasaya aykırı davranması olduğunu vurgulamış ve bu kişilerin yanlış bilgi yayan provokatörler olduklarının altını çizmiştir.

Özellikle Bircan Yıldırım'ın tutuklanması konusundaki haberler karşıt medya kaynakları arasında büyük farklılık göstermektedir. Gazete Duvar, yasanın belirsiz tanımına dikkat çekerken, Yeni Şafak, kanıtlanmamış olmasına rağmen Yıldırım'ı olumsuz bir şekilde tasvir eden yargılayıcı bir yaklaşım benimsemektedir.

Özetle, hem hükümet yanlısı hem de muhalif kaynaklar, kendi ideolojileriyle örtüşen bilgileri seçici bir şekilde içeren önyargılı bir üslup kullanıyorlar. Türkiye'deki medya ortamında, Dezenformasyon Yasası üzerine yapılan haberler incelendiğinde

derin bir bölünmenin olduğu gözler önüne seriliyor ve objektif medya okuryazarlığına olan ihtiyaç vurgulanmış oluyor.

Peki ama medya Türkiye’de sosyopolitik gerçekliği nasıl kuruyor ve bu durum günümüzde bir mücadele alanı haline mi geldi? Medyada bahsedilen ideolojik farklılıklar ve haberleri sunum şekillerindeki keskin ayrımlar yalnızca yanlı basın olgusunu yansıtmakla kalmıyor. Aynı zamanda, yapılan analiz türk toplumunda gerçeklik için başlayan bir mücadele olduğunun da habercisidir. Ayrıca, gazetecilerin tutuklanması, devlet ile ifade özgürlüğü savunucuları arasındaki gerilimi simgeler.

Dezenformasyon Yasası’nın tasvirinin farklılıklar göstermesi, haberlerin objektif bakış açısı ile değil, ideolojik farklar ön plana konularak şekillendiğini gösterirken Durkheim’in bahsettiği olayların dışında varolan kısıtlayıcı sosyal gerçekliklerin etkisine örnek teşkil etmiş oluyor. Durkheim’in toplumsal bilinç kavramı ise, tutuklamalar ve protestolar gibi olayları incelerken karşımıza çıkıyor. Çünkü bu olayların daha geniş toplumsal dinamikleri yansıtan kolektif temsillerin oluşmasına katkı sağlayan olaylar olduğu çıkarımında bulunmak mümkündür.

Gramsci’nin kültürel hegemonya teorisinin katkıda bulunduğu nokta gene hükümet yanlısı kaynaklar ile muhalif kaynakların söylem farkları incelendiğinde ortaya çıkar. Hükümet yanlısı medya, kültürel hegemonyayı pekiştirmeye yardımcı olarak devlet söylemiyle uyumlu haberler yaparlar. Muhalif gazeteler ise, tam tersi şekilde, bu hegemonyanın yıkımı için uğraşır. Olayların, her iki taraf tarafından seçici bir şekilde aktarımı kültürel hegemonya mücadelesinde bir araç haline geldiklerini göstermektedir. Ayrıca, medya özgürlüğünü savunan ve insan haklarını koruyan kuruluşlar, ulusal sınırları aşan bir karşı-hegemonik söyleme katkıda bulunur. Kısacası, aynı konu hakkında birbiriyle çatışan söylemler, Durkheim ve Gramsci öncülüğünde incelendiğinde, kültürel üstünlük ve siyasi gerçeklik inşası için görünenin ötesinde daha kapsamlı bir mücadeleyi göstermiş olur.

Sonuç olarak, bu araştırma, Türkiye’de medya kontrolünü derinlemesine inceleyerek tarihsel aşamalardan günümüz dinamiklerine uzanan geniş bir perspektif sunmayı amaçlamaktadır. Türkiye’de medya düzenlemelerinin içeriği ve değişimi,

hükümetin medya kaynaklarını nasıl stratejik bir şekilde kullandığı ve ‘troll-politikası’nın nasıl ortaya çıktığı gibi konuları, Durkheim’in sosyal gerçeklik ve Gramsci’nin kültürel hegemonya teorileriyle birlikte değerlendirmeye çalışılmıştır. Ayrıca, Dezenformasyon Yasası hakkındaki haber makalelerinin içerik analizi, medya ortamındaki belirgin bir ideolojik mücadeleyi gözler önüne sererek toplumsal güvensizlik ve kutuplaşmanın nasıl arttığına dikkat çekmektedir. Genel olarak, Türkiye’deki medya düzenlemeleri, sadece hükümetin kontrol mekanizmaları olarak değil, aynı zamanda geniş bir sosyopolitik stratejinin vazgeçilmez bir parçası olarak öne çıkmakta ve ülkenin bilgi akışı ile kültürel anlatısını şekillendirmektedir.

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