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Censorship and Control: Freedom of Expression Under Siege in Turkey

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Freedom of expression is a fundamental human right enshrined in international conventions and democratic principles. However, in Turkey, this right has faced significant challenges in recent years due to increasing government control over the media, online censorship, and legal restrictions targeting dissenting voices. The expansion of disinformation laws, stringent regulations on social media platforms, and crackdowns on independent journalism illustrate a systematic effort to suppress critical perspectives. As Turkey continues to restrict digital freedoms and curtail independent reporting, the country faces growing concerns about democratic backsliding and the erosion of civil liberties. This essay examines the state of freedom of expression in Turkey and proposes recommendations, discussing potential pathways for improvement.

I. The decline of freedom of expression in Turkey

The decline of freedom of expression in Turkey is a result of systematic legal and political measures aimed at controlling public discourse.

I. A) Legal Restrictions and Legislative Reforms

One of the most significant legal measures that curtailed freedom of expression was the adoption of Law No. 5651 on the Regulation of Publications on the Internet and Suppression of Crimes Committed employing Such Publications in 2007.

This law was originally designed to protect minors from harmful content, but has since been used as a tool for broad internet censorship. By December 2020, an estimated 467,000 websites had been blocked under its provisions. The scope of censorship was further expanded with amendments in 2020 and 2022, which increased administrative authorities' power to regulate online content and imposed restrictive obligations on social media platforms.

In October 2022, Turkey enacted the "disinformation" law, which criminalized the deliberate dissemination of false information that causes public panic or endangers national security. The law introduced prison sentences of up to three years for offenders, creating a chilling effect on free speech. The law's vague definition of "disinformation" allowed authorities to arbitrarily target journalists, activists, and social media users critical of the government.

Additionally, social media regulations introduced in 2020 required platforms with more than one million daily users to appoint a legal representative in Turkey. The 2022 amendment mandated that these representatives be domiciled in Turkey, increasing government leverage over these platforms. Social media companies must also store user data within Turkey and actively cooperate with law enforcement in identifying individuals spreading "disinformation." This move threatens online anonymity and facilitates surveillance, further suppressing dissent.

I. B) Crackdown on Journalists and Media Censorship

The press has been a primary target of Turkey's suppression of free expression. In the World Press Freedom Index published by Reporters Without Borders (RSF), Turkey ranked 165th out of 180 countries in 2023, reflecting a sustained decline in press freedom. Since the 2016 coup attempt, the Turkish government has shut down over 180 media outlets and arrested hundreds of journalists. According to the Stockholm Center for Freedom, as of 2023, at least 60 journalists remain behind bars, making Turkey one of the world's top jailers of journalists.

Censorship extends beyond traditional media to online platforms. In 2023 alone, Turkey blocked access to over 200,000 URLs, including news websites, opposition media, and social media pages critical of the government. In August 2024, Instagram was blocked for over a week without any official explanation, demonstrating the government's arbitrary approach to digital censorship.

During times of crisis, the Turkish government has resorted to restricting social media platforms to control the flow of information. Following the devastating earthquakes in February 2023, authorities throttled access to Twitter and TikTok for 12 hours. This move hindered rescue efforts, as survivors trapped under rubble were using Twitter to call for help. The temporary ban sparked outrage both domestically and internationally, as it exposed the government's prioritization of narrative control over humanitarian needs.

I. C) Judicial Complicity and the Erosion of Institutional Safeguards

Despite the Turkish Constitutional Court occasionally ruling in favor of freedom of expression, its decisions are often ignored by lower courts and government authorities. For instance, while the Constitutional Court has annulled several online censorship provisions, enforcement remains inconsistent. Parliament has failed to address structural legal flaws, and judicial bodies continue to act in favor of the executive branch.

The case of opposition politician Ekrem İmamoğlu exemplifies this institutional erosion. Since becoming the mayor of Istanbul in 2019, İmamoğlu has faced multiple politically motivated legal challenges. In 2023, President Recep Tayyip Erdoğan issued several decrees that removed some of İmamoğlu's administrative powers and imposed budgetary constraints on Istanbul's public services. These actions demonstrate how legal mechanisms are manipulated to suppress political opposition and dissent.

II. Recommendations

Addressing the decline of freedom of expression in Turkey requires a combination of legal reforms, grassroots activism, and international advocacy. While a complete overhaul of restrictive laws may be unlikely under the current administration, several steps can be taken to mitigate the damage and support independent voices.

1. Revitalize Local Democracy Opposition-controlled municipalities, which govern 48.4% of Turkey's population, play a crucial role in preserving open discourse. Local governments should promote citizens' assemblies, modeled after successful initiatives in Ireland, where diverse groups engage in democratic deliberation on public issues. These assemblies can foster public engagement, protect free speech, and counteract government narratives.

2. Support Independent Journalism. Independent media outlets face severe financial and legal constraints due to government-imposed regulations. Crowdfunding campaigns should be mobilized to support investigative journalism, helping outlets cover operational costs such as office rentals and legal fees. While new restrictions on foreign donations complicate funding efforts, strategic partnerships with international media organizations can help sustain independent reporting. Digital platforms should also explore decentralized, blockchain-based news distribution models to evade censorship.

3. Strengthen University Media. University radio stations, once vibrant spaces for political discourse, have been reduced to music-only channels due to state pressure. Encouraging partnerships with European and North American university radio stations could help revive educational and political programming. Joint bilingual broadcasts in Turkish and English, hosted on foreign platforms, would provide a secure space for discussions that might be suppressed domestically.

Such collaborations would also enhance the international reputation of Turkish universities and encourage student activism.

4. Challenge Censorship through Legal Means. The broad and ambiguous definition of "disinformation" in the new bill creates room for abuse. Strategic litigation should be pursued to challenge the law's legitimacy in domestic courts and, if necessary, escalate cases to the European Court of Human Rights (ECHR). Third-party legal interventions, expert testimonies, and precedent-setting rulings can establish safeguards against arbitrary prosecutions. Additionally, civil society organizations must track and document cases of online censorship, creating a database to expose government overreach.

5. Advocate for Legislative Reforms. The Turkish government must be urged to implement Constitutional Court rulings that favor free speech. Advocacy groups, both domestic and international, should pressure Parliament to amend laws that contradict Article 26 of the Turkish Constitution, which guarantees freedom of expression. Public awareness campaigns highlighting these legal inconsistencies could mobilize grassroots support for reform.

Conclusion

The state of freedom of expression in Turkey has deteriorated significantly due to restrictive laws, online censorship, and judicial noncompliance. The government's broad definition of "disinformation," coupled with increasing control over social media platforms and independent journalism, has created an environment where free speech is systematically suppressed. However, local democracy, university media, independent journalism, and legal challenges provide avenues for resistance. Implementing Constitutional Court rulings, mobilizing civil society, and fostering international partnerships remain crucial for safeguarding free expression. The future of democracy in Turkey depends on sustaining these efforts and ensuring that free speech remains a fundamental right for all citizens.