

CHAPTER 15

What Is a Leak, Who Is a Whistleblower? An Evaluation Within the Scope of the *Cumhuriyet* Newspaper, Can Dündar and MIT Trucks Case

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Abstract: Information leaks and the revelation of government secrets by hackers have become issues of note in Turkey's political sphere during the course of the last ten years. Turkey has also witnessed a steady flow of leaks in recent years. Of these, the MIT (The National Intelligence Organization) trucks case, concerning the role of the Turkish secret service in supplying weapons to jihadist militants in Syria, has perhaps been the most distinctive. This chapter discusses whether the MIT Trucks scandal can be regarded as a whistleblowing leak serving the public interest in terms of its revelations, the identities of its sources, its wider political entanglements, and the timing of its emergence into the public domain.

Keywords: leaks, whistleblowing, leaks journalism, *Cumhuriyet*, Can Dündar

Introduction

The increasing use of information technology, the significant decrease in information storage costs, data's instant reproducibility and ready dissemination, have all made leaks such as the Panama or Paradise Papers cases ever more difficult to police and prevent. Today, information leaks

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provide a sustained and extensive view of how power works, as well as what it thinks and does, as Beckett and Ball (2012) maintain.

Those who have gained access to confidential information, whether by virtue of their privileged status or through other means, have undoubtedly changed the concept and practice of investigative journalism dramatically, with leak journalism increasingly becoming an essential part of the investigative journalism canon.

Information leaks and the revelation of government secrets by hackers have also become issues of note in Turkey's political sphere during the course of the last ten years. In fact, Turkey has witnessed a steady flow of leaks in recent years, many of them concerning alleged corruption by members of government and their inner circles. Other leaks, such as those relating to the AKP government's alleged illegal ties with Islamist jihadists, and those dealing with Turkish state military secrets have been revealed by anonymous sources. Of these, the MİT (The National Intelligence Organization) trucks case, concerning the role of the Turkish secret service in supplying weapons to jihadist militants in Syria, has perhaps been the most distinctive.

In order to place this in context, the "Whistleblower Prize 2017", awarded to the former editor-in-chief of the independent Turkish newspaper *Cumhuriyet*, Can Dündar, may be a good starting point. Dündar received the prize "for his revelations, under the most difficult, repressive conditions in Turkey, of a so-called state secret of the Erdoğan regime" (Die Welt, 2017). The revelation involved the attempted delivery of weapons and military armaments to jihadists in Syria, conducted by the Turkish secret service, the MİT, and contrary to applicable international law – a case known as the "MİT Trucks case".

This chapter discusses whether the MİT Trucks scandal can be regarded as a whistleblowing leak that serves the public interest in terms of its revelations, the identities of its sources, its wider political entanglements, and the timing of its emergence into the public domain. Within these criteria, this article will examine some of the motivational elements underpinning the journalism of the *Cumhuriyet* newspaper, and attempt to identify the variables contributing to the decision to award the prize to Can Dündar. The article draws on "whistleblower" and "leak" definitions

set out by Peter B. Jubb (1999) and David E. Pozen (2013) respectively, as well as Stephen Hess's (1984) typology on why leakers leak.

The "MIT Trucks" case

On 19 January 2014, the prosecutor of the Anti-Terror Court of Adana province in Turkey instructed the Adana Provincial Gendarmerie Command to stop and search three trucks. A security force of 200 personnel stopped the trucks and a car accompanying them at the Adana Sirkeli motorway entry point. Eight drivers and other personnel in the convoy were detained by the police (Taştekin, 2014). First reports from the scene suggested that there were MIT officers in the truck, and they had clashed with the gendarmerie, who tried to confiscate the truck's contents and arrest the officers. Hatay's governor intervened and demanded the release of the officers, since they were subject to Law Number 2937 (MIT law), according to which the personnel have a special status directly subordinated to the prime minister's office, and their undue detention would result in criminal consequences. Nonetheless the trucks were searched and videoed, despite the efforts of MIT officers to obstruct this (Başaran, 2017). President Recep Tayyip Erdoğan later announced that the trucks were carrying humanitarian aid to Syrian Turkmens and it was *parallel*¹ judicial and security personnel who had tried to stop the MIT trucks in Adana (Pamuk & Tattersall, 2015). A broadcast ban was immediately imposed on the case. All relevant online content was deleted by court order, and even commenting on the subject was prohibited. The prosecutors and gendarmerie officers who conducted the investigation were arrested on suspicion of espionage. However, despite all the attempts at a cover-up, the trucks' search documents and testimonies of the gendarmerie included in the charges were leaked (Başaran, 2017).

On 21 January 2014, the *Aydınlık* newspaper, a nationalist daily affiliated with the Patriotic Party of Turkey, a strong supporter of the government,

1 A term used by President Recep Tayyip Erdoğan to describe members of the Gülen movement who have major military and judicial positions, and have been accused of attempting to bring down the government.

particularly in its struggle against the Gülen movement, published the first images of the search and a report claiming that the trucks were carrying munitions from Turkey to Syria. In the report entitled “Here Is the Ammo in the Trucks”, it stated that thanks to the images captured by the newspaper’s personnel, it had been proven that the Turkish trucks were carrying munitions and not the humanitarian aid claimed by government officials.

The interception of the trucks in the MİT Trucks case was linked to the struggle between the AKP government and the Gülen movement. The Gülen movement, also known as “Cemaat”, is a religious group led by Turkish preacher Fethullah Gülen, who has been living in the United States since 1999. The search was seen as a continuation of the struggle between the two organizations, which began in 2013. As a well-established supporter of the government when it first took office, the Gülen movement commenced criminal investigations on 17 December 2013, through the offices of its members in judicial and security units, of businessmen connected in various capacities to the ruling party. These included several family members of cabinet ministers, who were accused of bribery, corruption, fraud, money laundering and gold smuggling. Shortly after these investigations, tape recordings of the then Prime Minister Recep Tayyip Erdoğan’s phone calls were leaked to the media by anonymous and hitherto unknown sources. This scandal, also known as the *corruption scandal*, revealed details of Erdoğan’s relationships with people from the media, business and politics, and along with the investigations, it was seen essentially as an attempted coup against the government by Gülen party members. Although the opposition reacted to the scandal with large demonstrations and called on the prime minister to resign, the investigations were considered by the public to be an attack by the Gülen movement on the government. Set against this background, it has been claimed that leaking the images relating to the delivery of munitions was the work of Gülen-movement-related sources. Immediately after the incident, investigations into the actions of the prosecutors, gendarmes and police officers involved in the interception of the MİT trucks were initiated. Adana Chief Public Prosecutor, Süleyman Bağrıyanık; Deputy Chief Public Prosecutor, Ahmet Karaca; Prosecutors, Aziz Takçı and

Özcan Şişman; as well as Colonel Özkan Çökay were among those who were detained on charges of attempting to subvert the Republic of Turkey (Hamsici, 2017).

Following his appointment as the new editor-in-chief of the *Cumhuriyet* newspaper in 2015, journalist Can Dündar began to publish stories critical of the AKP government. However, the uploading of a video of the MİT trucks search to *Cumhuriyet* newspaper's website on 29 May was the catalyst for a more extensive discussion of the issue of espionage in general. It was evident from the published photos that cardboard boxes, which had been placed inside steel boxes, had medicines in them. However, the munitions had been hidden under the medicines. These revelations caused a political storm in Turkey, and enraged President Recep Tayyip Erdoğan, who vowed that Dündar would pay a "heavy price".

Dündar, and the newspaper's Ankara bureau chief, Erdem Gül, were arrested on 26 November 2015 on the charge of military espionage, and of wilfully aiding an armed terrorist organization (Bilginsoy, 2015). After 92 days in jail, Dündar and Gül were released on 26 February 2016 after Turkey's constitutional court ruled in a majority decision that their freedom of expression and that of the press had been violated in conjunction with their right to liberty and the security of their persons (The Constitutional Court, 2016). Dündar moved to Germany in June 2016, after he was sentenced to five years and 10 months' imprisonment for "leaking secret information of the state".

Leaks, whistleblowing and journalism

The figurative sense of the verb 'leak' meaning "to come to be known in spite of efforts at concealment" dates from at least 1832, while it has been used as a noun in the sense of the "revelation of secret information" since 1950 (etymonline.com). Today, it is used broadly to mean "an array of practices involving the accidental and strategic sharing of information, including whistleblowing, settling grudges, culling favors, drawing attention to policy initiatives, signalling foreign governments, and releasing trial balloons so as to discern early public response" (Thorsen et al., 2013, p. 103). Within the scope of this chapter, a leak is taken to be "a targeted

disclosure by a government insider (employee, former employee, contractor) to a member of the media of confidential information the divulgence of which is generally proscribed by law, policy, or convention outside of any formal process with an expectation of anonymity” (Pozen, 2013).

Leaks vary depending on the motives of the leaker, the identity of the leaker, and the scope of the leaked material (Kwoka, 2015). With regard to the motives of leakers, Hess (1984, pp. 77–78) examines leaks under six different categories: the ego leak, the goodwill leak, the policy leak, the animus leak, the trial-balloon leak and the whistleblower leak. The ego leak refers to the providing of information primarily to satisfy a sense of self-importance; in effect, “I am important because I can give you information that is important.” The goodwill leak is a ploy for a future favor. The primary purpose is to accumulate credit with a reporter, whom the leaker hopes can be called upon later. The policy leak is a straightforward pitch for or against a justified proposal. The animus leak may be used to settle grudges: information is disclosed to embarrass another person. The trial-balloon leak reveals a proposal that is under consideration in order to assess its assets and liabilities. Finally, unlike the others, the whistleblower leak is usually employed by career personnel. Going to the press may be the last resort of frustrated civil servants, who feel they cannot correct a perceived wrong through regular government channels.

As a synthesis of seven widely quoted definitions, spanning a range of views within the literature (Bowie & Duska, 1990; Elliston et al., 1985; Chiasson et al., 1995; Chambers, 1995; Miceli & Near, 1992; Courtemanche, 1988; De Maria, 1995), Jubb (1999) defines whistleblowing as “a deliberate non-obligatory act of disclosure, which becomes part of the public record and is made by a person who has or had privileged access to the data or information of an organization, about nontrivial illegality or other wrongdoing, whether actual, suspected or anticipated, which implicates and is under the control of that organization, to an external entity having the potential to rectify the wrongdoing”.

This runs the risk, however, of equating whistleblowing with informing. Whistleblowing is a distinct act of dissent, in which a member or former member of an organization goes outside the organization or outside normal organizational channels to reveal organizational wrongdoing,

illegality, or actions that threaten the public, and typically involves inside informants who want to expose “actual nontrivial wrongdoing” by collaborating with the media (Thorsen et al., 2013, p. 102). However, whistleblowing is not merely informing. There are many kinds of informers, from simple conveyors of messages to sneaks, spies or squealers. Whistleblowing is distinguishable from these types of informing because the disclosure is an indictment. It identifies perceived wrongdoing, typically a *bad-news* message about misconduct, incompetence, fraud and the like, alleged to have been ignored and/or covered up; or it might be about good news concealed for private advantage (Jubb, 1999). In contrast to informers, a whistleblower is usually cast in a positive light: that is, as someone who discloses confidential information to the press reluctantly, in the belief that it is necessary to do so because public attention must be directed toward a perceived wrong, crime, or injustice (Thorsen et al., 2013, p. 102).

The European Commission’s proposal for a directive of the European Parliament and of the Council on the protection of whistleblowers defines them as: persons who report (within the organization concerned or to an outside authority) or disclose (to the public) information on wrongdoing obtained in a work-related context; or help prevent damage and detect threat or harm to the public interest that may otherwise remain hidden (European Commission, 2018). However, the definition of the Commission differs from the definitions in the literature noted above in its restriction of the act to work-related activities only. It also excludes the disclosure of classified information, “which European Union law or the laws, regulations or administrative provisions in force in the member state concerned require, for security reasons, to be protected from unauthorised access.” According to the whistleblower definition of the German non-profit association Whistleblower-Netzwerk e.V., whistleblowers are people who no longer silently accept illegal actions, grievances or dangers to people and the environment, but rather reveal them. They do this internally within their companies, agencies or organizations, or externally to competent authorities, third parties, or the press.

According to the jury of the “Whistleblower Prize” (IALANA, 2017), journalists can also be whistleblowers. Whistleblowers are insiders who

act in their “own sphere of influence” or “own working environment” and “sound the alarm” where necessary. They no longer silently accept illegal action, serious grievances or serious dangers to people and the environment, democracy, peace or the common weal, but reveal them. They collect data and facts, analyze them critically, weigh up counterarguments, seek remedies, and refuse to continue to participate in these abuses and aberrations themselves, to trivialize them and to shield them against criticism, or even to make themselves accomplices. By doing that, they make a contribution to open critical discourse and act in the interest of the public welfare. They follow their conscience – even when it can become uncomfortable for them. As such, they often place themselves at great risk, and put their reputation or even their existence on the line. They are frequently pressured by those who want to hide uncomfortable truths. On the other hand, the term “whistleblower” does not normally include people who are simply performing a professional task, such as journalists, who conduct investigations and then publish their findings. However, a journalist may become a whistleblower because of an investigation and a publication, if he/she has to act under extreme, repressive conditions and still decides to do so for important public interest reasons.

A whistleblower is a person who is motivated by a strong belief that wrongdoing has occurred and that it needs to be corrected. In this context, motivation is dealt with as the driving force causing employees to come forward and report wrongdoing (Çalışkan, 2018, p. 315). In order to better understand and analyze the motives underpinning whistleblowing, a broader categorization has been proposed, one that embraces both altruism and self-interest. As part of his research project entitled “Whistling While They Work”, Roberts (2014) compiled the motives of Australian public sector whistleblowers, and identified altruistic reasons such as disagreements with organizational policies, legal obligations to report wrongdoing, personal morality and ethical breaches such as fraud, theft, breaches of codes of conduct, misuse of allowances, and falsification of records.

However, according to the model of “prosocial behavior”, another effective theoretical framework for analyzing motives for whistleblowing, it is not necessary for the whistleblowing act to have only altruistic motives.

Many whistleblowing incidents are positive behaviors. Even if avoiding and stopping wrongdoing benefits society, but not the organization per se, it is still a positive behavior. In this context, whistleblowing may be seen as prosocial behavior intended to benefit other persons (Miceli et al., 2008, pp. 33–35). However, according to Staub (1978, p. 10), prosocial behavior has another class similar to altruism, but which does not require total unselfishness on the part of the actor. Prosocial actors can, unlike altruistic ones, also intend to gain rewards for themselves. The degree to which people intend to benefit themselves by benefiting others varies across instances of prosocial behavior. Consequently, it is not necessary for unselfish motives to dominate, but simply that they be present. So, even though whistleblowing may benefit the whistleblower personally, whistleblowing can be viewed as prosocial behavior because it generally also benefits persons other than the whistleblower (Dozier & Miceli, 1985).

Numerous examples can be adduced of individuals whose position in an organization has afforded them access to otherwise secret or classified information, and who have initiated noteworthy news stories. In 1967, Daniel Ellsberg leaked 7,000 top-secret documents about the Vietnam War to reporters of the *New York Times* and the *Washington Post*. The “Pentagon Papers” were from the “Vietnam Study Task Force” that had been established within the Pentagon without the knowledge of the US president, and was charged with examining the history of US involvement in the Vietnam War. The leaks created a sense of distrust in the US decision-making process within the American populace, and played a significant role in ending the Vietnam War. During the Watergate scandal, information leaked by the former FBI Associate Director, William Mark Felt Sr., under the pseudonym “Deep Throat” to reporters of the *Washington Post* revealed unlawful activities on the highest levels of government. In consequence, Americans began to look at their political system anew, and several reforms were introduced in relation to issues such as political ethics and eavesdropping.

In addition to Ellsberg and Deep Throat in the Watergate scandal, several other individuals whose place inside an organization afforded them access to otherwise secret or classified information have

generated noteworthy news stories. Jeffrey Wigand, who worked with CBS's *60 Minutes* in 1996, revealed how the tobacco company Brown & Williamson manipulated nicotine content in cigarettes to addict smokers. Also Sherron Watkins, who helped uncover the Enron crisis in 2001, is among the other significant whistleblowers to emerge over the years (Thorsen et al., 2013, p. 102–103).

In the context of the intricately and densely networked spheres of communication pervasive in all our lives, information leaks have provided a detailed and extensive insight into the workings of power. In this way, they have changed the concept and practice of journalism, and leak journalism has increasingly become a noteworthy component of investigative journalism. With respect to the form of investigative journalism practised through the collaboration of citizens and journalists, leak journalism may be defined as a process in which leaked information obtained from whistleblowers within a network is edited by journalists and published through mainstream and alternative media. Leak journalism is described by Beckett as “leaking with a purpose” (2012). According to Uçkan (2011, 2012), it constitutes a fundamental dimension of journalism, which has always had a democratic function at its core, and an important communication channel helping citizens understand “the real scoop” in relation to what’s actually going on in the world around them. Leak journalism is the process of editing and publishing information leaks submitted by whistleblowers with the help of journalists and experts through mainstream and/or alternative media, and appears as a normative model encompassing descriptions of the organizational and operational factors underpinning it, as well as the motives of the actors involved (Çalışkan, 2016). Although these norms can appear in different ways, as a whole they define leak journalism as a new form of journalism. Organizational factors of the model consist of the network-based and decentralized organizational structure of the leak platform, as well as the security and privacy measures provided to the actors involved in the leaking. Journalistic work related to the process of obtaining, editing and publishing leaks en route from whistleblower to audience establishes the operational factor of the model. Finally, the motives of the actors involved serve to shed light on the human dimension.

Whistleblower Prize

In October 2017, Can Dündar was awarded the “Whistleblower Prize” together with economist, Martin Porwoll, and pharmaceutical technical assistant, Maria-Elisabeth Klein. The Whistleblower Prize has been presented biannually by the German section of the International Association of Lawyers against Nuclear Arms (IALANA) and the Federation of German Scientists (VDW) since 1999, and is given to individuals whose behavior meets certain criteria:

1. Revealing wrongdoing: The whistleblower should reveal grave wrongdoings, serious abuses or undesirable developments in her/his own work environment or sphere of influence.
2. Going outside: If her/his internal alarm is suppressed and/or remains ineffective, the whistleblower goes outside and depends upon outsiders or the public.
3. Serving the public interest: The whistleblower serves the public interest and does not achieve any economic benefit for herself/himself or those close to her/him.
4. Risking retaliation: In committing to the action, the whistleblower accepts that her/his behavior is associated with considerable risks and/or disadvantages for her/his own professional career or personal existence.

To date, perhaps Daniel Ellsberg, Chelsea Manning and Edward Snowden are some of the better-known winners of the Whistleblower Prize. Daniel Ellsberg received the prize for his leak to the press in the early 1970s of the so-called “Pentagon Papers” on US involvement in the Vietnam War, thus making a significant contribution to ending the war. Chelsea Manning posted hundreds of thousands of documents on WikiLeaks in 2010, detailing serious war crimes by US soldiers in Iraq. As a member of the NSA, Edward Snowden publicized the mass surveillance and storage of communications data by US intelligence and other Western intelligence agencies.

According to IALANA and VDW (2017), Can Dündar met the criteria for the Whistleblower Prize in 2017, in revealing that the Turkish

government had violated not just the UN Security Council's binding decision to combat Al-Qaeda and its cells, but also other relevant provisions of the UN Charter as well. They noted that Dündar, through this revelation, had shown that he was not only a critical journalist and editor aware of his responsibilities, but also a brave whistleblower. He was deemed to have served the public interest by covering the weapons delivery to jihadists in Syria, which was contrary to international law, had been denied up to that point, and had not been sanctioned by the Turkish parliament. Finally the committee noted that, despite advice to the contrary from his colleagues and lawyers, Dündar, through his action, had undertaken the gravest risk of arrest and long-term imprisonment.

In lieu of a conclusion

In terms of both the public's right to know and freedom of the press, it could be argued that the MIT Trucks case is of particular significance and that Dündar's receiving the Whistleblower Prize in Germany flows directly from that. However, in order to understand why the prize was awarded to him in particular (and others such as Daniel Ellsberg, Chelsea Manning and Edward Snowden), and not, for example, the German Federal Intelligence Service (the BND had eavesdropped on representatives of the Syrian government and army through the use of a signals-intelligence ship in the Eastern Mediterranean [Lambeck & Özgenç, 2012]), a number of points need to be examined. When evaluated within the scope of the literature on leaks and whistleblowing, and against the political background discussed above, describing Dündar's behavior as whistleblowing and awarding him the Whistleblower Prize seem problematic in three respects.

Firstly, contrary to common belief, it was not *Cumhuriyet* that broke the story on the seizure of the MIT trucks. As stated above, the *Aydınlık* newspaper published the first images of the search and a report claiming that the trucks were carrying munitions from Turkey to Syria on 21 January 2014, only two days after the trucks were stopped. Just like the *Cumhuriyet* newspaper did 15 months later, the report stated that thanks to the images captured by the newspaper's staff, it had been proven that the

Turkish trucks were carrying munitions and not the humanitarian aid claimed by government officials. Orhan Ceyhun Bozkurt, former news editor-in-chief of the newspaper, said that a state officer from Ankara sent the images to him via WhatsApp and the newspaper published the images and the report because they were newsworthy (Aydınlık, 2017). Later, the newspaper's editor-in-chief Mustafa İlker Yücel and Bozkurt were both charged with "revealing confidential state information" (Aydınlık, 2017). The only difference in the report published in the *Cumhuriyet* newspaper was that it contained video material of the search of the trucks in addition to images. The court justified its decision not to charge *Aydınlık* staff with military espionage and wilfully aiding an armed terrorist organization, unlike Dündar, by the argument that *Aydınlık*'s report didn't contain any information, document or video other than the images, and that the report published by Dündar revealed much more newsworthy information, documents and images.

Secondly, if the MİT Trucks case could be considered within the realm of whistleblowing based on the leaks journalism model, it would be more appropriate to define Dündar as the publisher of the leaked information, rather than the whistleblower per se. In the MİT Trucks case, on 27 May 2015, Dündar was given a memory stick containing a video by a hitherto unknown informant. Later in his book (2016, p. 12), Dündar stated that it was a leftist member of parliament who had delivered the video to him. Some 15 months later, following the publication of the book, the main opposition Republican People's Party deputy and former journalist Enis Berberoğlu was sentenced to 25 years in prison for allegedly "leaking state secrets" in the MİT Trucks case, by providing the video to the *Cumhuriyet* newspaper (Hürriyet Daily News, 2017). According to the available information, the memory stick was prepared by the gendarmes who had searched the MİT trucks at Adana on 19 January 2014, and the video on it recorded the entire process from the initial interception of the trucks to the opening of the transported boxes containing the weapons. After checking the authenticity of the video, Dündar realized that he had proof of Turkish government violations of international and domestic law. The *Cumhuriyet* newspaper then published on 29 May 2015 a lengthy front-page article including photos under the heading "Here Are the Weapons

that Erdogan Denies”. *Cumhuriyet* also published the video on its website (2017). The Whistleblower Prize jury announced Dündar as the whistleblower of the MİT Trucks case, saying that journalists can also be whistleblowers, and for a journalist, research and publication can turn into a whistleblowing act in and of itself if the journalist has to act under extreme, repressive conditions and still chooses to do so for the public weal. In his book entitled *We Are Arrested*, the story of the MİT Trucks case and his detention, Dündar also claims that he himself was a whistleblower by comparing his act with earlier whistleblowing incidents:

I knew that crimes could not be kept secret. One after the other, files stamped Top Secret concealing dirty operations sanctioned by politicians had been exposed: Watergate, Irangate, the Pentagon Papers and WikiLeaks being just a handful of examples. And in each case, it was the guilty politicians who were tried, not the journalists. (Dündar, 2016, p. 14)

However, Dündar was one of the publishers of the leaked images of the MİT Trucks in the same way that Neil Sheehan of the *New York Times* was in the “Pentagon Papers” case, or Glenn Greenwald of the *Guardian* was in the “Snowden Files” case. In the cases of Sheehan and Greenwald, the investigative reporters acted under repressive conditions, and chose to publish stories on leaked documents for the public weal after working on the confidential documents revealing wrongdoing, together with the whistleblowers Daniel Ellsberg and Edward Snowden.

Finally, it would be more accurate to say that in terms of the motives of the person who leaked the images to the *Cumhuriyet* newspaper, the objective was to settle grudges and to embarrass another person – Hess describes it as an “animus leak” – rather than a desire to serve the public interest or to reveal wrongdoing. From this perspective, the MİT Trucks case is reminiscent of the case of the German intelligence ship in the Eastern Mediterranean. The activities carried out by the ship showed that Germany was playing a far greater role in the Syrian conflict than had hitherto been known. According to the report published by the German *BILD* newspaper, the information gained on military operations of the Syrian army was passed on to the American and British secret services, and from there was relayed to the so-called “Free Syrian Army”. At first

glance, this information leak would appear to be clearly different from well-known whistleblowing cases such as the Pentagon Papers or Cablegate. Listening to the enemy is a method of communications intelligence during war, and as such made Germany a party to the conflict in Syria (Lambeck & Özgenç, 2012; Cieschinger et al., 2016; Die Bundesregierung, 2016; El-Hamid, 2017). But when evaluated with regard to the motivation behind the leaks, both cases may be regarded to be similar. The searching of the trucks heading for Syria was one of the incidents that resulted in the Gülen movement and the government eventually coming into conflict with each other. In addition to the corruption investigations and the leaked tape recordings of Erdoğan's phone calls, this raid and the leaking of the images were perceived as attacks against the government by the Gülen movement (Gürsoy, 2015, pp. 34–35). Before the power struggle between the AKP government and its former ally in 2013, the Gülen movement was a well-established supporter of the government when it first took office. As part of this struggle, the Gülen movement often leaked audio and video documents obtained by its members in judicial and security units without revealing their identities. As already noted, leaks vary depending on the motives and identity of the leaker, and whistleblowing is done out of altruism to further the public interest without expectation of personal gain. Accordingly, with regard to the source of the leaks in the MIT Trucks case, it could be argued that it is a matter of public discretion as to whether the subsequent publication of that information could be regarded as whistleblowing within the framework described above.

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References

- Aydınlık. (2017, August 21). *Aydınlık'a MIT TIR'ları davası*. Retrieved 19 06, 2018, from Aydınlık: <https://www.aydinlik.com.tr/aydinlik-a-mit-tir-lari-davasi-turkiye-agustos-2017>

- Başaran, E. (2017). *Frontline Turkey: The conflict at the heart of the Middle East*. London: I.B.Tauris.
- Beckett, C. (2012). *Wikileaks: Partisan approach has plagued debate*. Retrieved 04 25, 2016, from <http://www.journalismfestival.com/news/charlie-beckett-partisan-approach-to-wikileaks-has-plagued-debate/>
- Beckett, C., & Ball, J. (2012). *Wikileaks: News in the networked era*. Cambridge: Polity Press.
- Bilginsoy, Z. (2015, November 28). *2 Turkish journalists charged with espionage, aiding terrorist organization*. Retrieved 02 23, 2018, from CNN: <https://edition.cnn.com/2015/11/27/middleeast/turkish-journalists-arrested/index.html>
- Bowie, N.E., & Duska, R.F. (1990). *Business ethics*. New Jersey: Prentice Hall.
- Brief, A.P., & Motowidlo, S.J. (1986). Prosocial organizational behaviors. *The Academy of Management Review*, 11(4), 710–725.
- Chambers, A. (1995). Whistleblowing and the internal auditor. *Business Ethics: A European Review*, 4(4), 192–198.
- Chiasson, M., Johnson, H.G., & Byington, J.R. (1995). Blowing the whistle: Accountants in industry. *CPA Journal*, (February), 24–27.
- Cieschinger, A., Niesen, C., & Salloum, R. (2016, August 10). *Assad, IS, rebellen die fakten zum krieg in Syrien*. Retrieved 03 12, 2018, from Der Spiegel: <http://www.spiegel.de/politik/ausland/krieg-in-syrien-alle-wichtigen-fakten-erklaert-endlich-verstaendlich-a-1057039.html>
- Courtemanche, G. (1988). The ethics of whistleblowing. *Internal Auditor*, (February), 36–41.
- Çalışkan, B. (2016). Ağ toplumunda bilgi sızıntılarının gazeteciliğe etkisi: RedHack örneği. *Doctoral Thesis*. İstanbul: Marmara Üniversitesi Sosyal Bilimler Enstitüsü.
- Çalışkan, B. (2018). Halk için sızıntı: RedHack eylemlerinin sızıntı gazeteciliği modeliyle analizi. In B. Çoban & B. Ataman (Eds.), *Panoptikon 2.0: Alternatif medya ve Karşı-Gözetim* (pp. 301–332). İstanbul: Kafka.
- Dündar, C. (2016). *Tutuklandık*. İstanbul: Can Yayınları.
- De Maria, W. (1995). Rejoinder. *Australian Journal of Public Administration*, 54(4), 471–474.
- Die Bundesregierung. (2016). *Fragen und antworten zum Bundeswehr-Einsatz in Syrien*. Retrieved 03 12, 2018, from Die Bundesregierung: https://www.bundesregierung.de/Webs/Breg/DE/Themen/BundeswehrEinsatz/_node.html?id=GlossarEntry1671810
- Die Welt. (2017, October 30). *Can Dündar erhält „Whistleblower-Preis 2017“*. Retrieved 02 19, 2018, from Die Welt: <https://www.welt.de/regionales/berlin/article170185351/Can-Duendar-erhaelt-Whistleblower-Preis-2017.html>
- Dozier, J.B., & Miceli, M.P. (1985). Potential predictors of whistleblowing: A prosocial behavior perspective. *The Academy of Management Review*, 10(4), 823–836.

- El-Hamid, S. (2017). Germany's role in the Syrian conflict. *Current Concerns*, (6).
- Elliston, F.A., Keenan, J., Lockhart, P., & Schaick, J.v. (1985). *Whistleblowing research: Methodological and moral issues*. New York: Praeger.
- Etymonline.com. (n.d.). Retrieved 06 12, 2018, from Etymonline: https://www.etymonline.com/word/leak#etymonline_v_43262
- European Commission. (2018, April 23). *Proposal for a directive of the European Parliament and of the Council on the protection of persons reporting on breaches of Union law*. Retrieved 06 18, 2018, from European Commission: https://ec.europa.eu/info/sites/info/files/placeholder_8.pdf
- Gürsoy, Y. (2015). Security sector reform in Turkey: The military, intelligence and police during the AKP era. In K. Dalacoura & H. Seckinelgin (Eds.), *The state of democracy in Turkey: Institutions, society and foreign relations* (pp. 32–39). London: LSE Middle East Centre.
- Hürriyet Daily News. (2017, December 20). *Prosecutor demands up to 15 years in jail for CHP MP, journalists in intel trucks case*. Retrieved 06 20, 2018, from Hürriyet Daily News: <http://www.hurriyetdailynews.com/prosecutor-demands-up-to-15-years-in-jail-for-chp-mp-journalists-in-intel-trucks-case-124421>
- Hamsici, M. (2017, June 15). *MİT TIR'ları davası: Neler yaşandı?* Retrieved 03 08, 2018, from BBC Türkçe: <http://www.bbc.com/turkce/haberler-turkiye-40275619>
- Hess, S. (1984). *The government/press connection: Press officers and their offices*. Washington, DC: Brookings.
- IALANA. (2017, October 30). *Ausführliche Begründung für die Vergabe des Whistleblowerpreises 2017 an Can DüNDAR*. Retrieved 02 22, 2018, from IALANA: <http://www.ialana.de/arbeitsfelder/whistleblowing/whistleblower-preis/whistleblowerpreis-2017/can-duendar/2063-ausfuehrliche-begruendung-fuer-die-vergabe-des-whistleblowerpreises-2017-an-can-duendar>
- Jubb, P.B. (1999). Whistleblowing: A restrictive definition and interpretation. *Journal of Business Ethics*, 21(1), 77–94.
- Kwoka, M.B. (2015). Leaking and legitimacy. *Law Review*, 48(4), 1387–1456.
- Lambeck, M.S., & Özgenç, K. (2012, August 19). *Deutsches Spionageschiff kreuzt vor Syrien*. Retrieved 02 19, 2018, from Bild: <http://www.bild.de/politik/ausland/politik-ausland/deutsches-spionageschiff-kreuzt-vor-syrien-25723240.bild.html>
- Miceli, M.P., & Near, J.P. (1992). *Blowing the whistle*. New York: Lexington Books.
- Miceli, M.P., Near, J.P., & Dworkin, T.M. (2008). *Whistleblowing in organizations*. New York: Routledge.
- Pamuk, H., & Tattersall, N. (2015, May 21). *Turkish intelligence helped ship arms to Syrian Islamist rebel areas*. Retrieved 03 05, 2018, from Reuters: <https://www.reuters.com/article/us-mideast-crisis-turkey-arms/exclusive-turkish-intelligence-helped-ship-arms-to-syrian-islamist-rebel-areas-idUSKBN0O61L220150521>

- Pozen, D.E. (2013). The leaky leviathan: Why the government condemns and condones unlawful disclosures of information. *Harvard Law Review*, 127(2), 512–635.
- Roberts, P. (2014). Motivations for whistleblowing: Personal, private and public interests. In A.J. Brown, D. Lewis, R. Moberly & W. Vandekerckhove (Eds.), *International handbook on whistleblowing research* (pp. 207–229). Cheltenham: Edward Elgar.
- Staub, E. (1978). *Positive social behavior and morality: Social and personal influences* (Vol. 1). New York: Academic Press.
- Taştekin, F. (2014, January 20). *Turkish intelligence service trucks reveal secrets*. Retrieved 02 19, 2018, from Al-Monitor: <https://www.al-monitor.com/pulse/ru/originals/2014/01/turkish-intelligence-trucks-smuggle-syria.html>
- The Constitutional Court. (2016, March 11). *Judgement on the right to liberty and security of person, freedom of expression and the press in Erdem Gül and Can Dündar application*. Retrieved 03 05, 2018, from The Constitutional Court of the Republic of Turkey: <http://www.constitutionalcourt.gov.tr/inlinepages/press/PressReleases/detail/25.html>
- Thorsen, E., Sreedharan, C., & All, S. (2013). WikiLeaks and whistleblowing: The framing of Bradley Manning. In B. Brevin, A. Hintz & P. McCurdy (Eds.), *Beyond WikiLeaks: Implications for the future of communications, journalism and society* (pp. 101–122). Hampshire: Palgrave Macmillan.
- Uçkan, Ö. (2012). “Gri bölge”de renk körlüğü: Hacktivizm, beyaz bereliler, basın özgürlüğü ve bilgi hakkı. Retrieved 01 19, 2016, from <https://yenimedya.wordpress.com/2012/07/17/gri-bolge-de-renk-korlugu-hacktivizm-beyaz-bereliler-basin-ozgurlugu-ve-bilgi-hakki/>
- Uçkan, Ö., & Ertem, C. (2011). *Wikileaks: Yeni dünya düzenine hoşgeldiniz*. İstanbul: Etkileşim.
- Whistleblower-Preisträger*. (2017). Retrieved 02 19, 2018, from VDW: <http://www.vdw-ev.de/whistleblower-preistraeger/>
- Whistleblowing*. (n.d.). Retrieved 02 20, 2018, from VDW: <http://www.vdw-ev.de/whistleblowing/>