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FROM SNOWDEN TO CAMBRIDGE ANALYTICA

An overview of whistleblowing cases as scandals

Philip Di Salvo

Introduction

Scandals and whistleblowing are strongly connected. Whistleblowers can be the origin of a scandal, can bring evidence for a scandal to begin, or can be the raison d’être of a scandal themselves. Regardless of their role in sparking public outrage, several instances of scandals have been initiated by whistleblowers over the years. The “Watergate” and the “Pentagon Papers”, probably the most emblematic examples of whistleblowing from the history of journalism, together with the WikiLeaks publications from 2010 about US warfare in Iraq and Afghanistan, the Snowden case, the “Panama” and “Paradise Papers,” and the Cambridge Analytica cases are only some of the most powerful mainstream scandals generated from the cooperation of whistleblowers and journalists. Many other instances, on national and regional if not metropolitan levels, have certainly made the news in their areas of influence, although without reaching the interest of international audiences: tracking whistleblowing cases and their impact can be complex, especially when whistleblowers decide to stay anonymous and not to appear publicly as the sources of their revelations. The presence of a declared whistleblower, like Edward Snowden or Christopher Wylie for the Cambridge Analytica case, is by itself a sign that scandalization will potentially follow the explosion of a whistleblowing case, but the overall impact may vary according to the severity of the misbehavior exposed, their direct impact on society at large, their capability of setting the agenda of the public debate, and their strength in shaping policy changes and influencing change as a response.

Whistleblowers can bring the needed evidence to highlight a non-visible scandal that would otherwise be silenced or potentially lack the sufficient evidence needed by journalists to report on them extensively. This was the case, again, for the Cambridge Analytica exposure, where the whistleblower provided evidence to support previously raised concerns over the potential (mis)uses of Facebook profiling data (Cadwalladr & Graham-Harrison 2018) and also the case of the “Drone Papers,” published by The Intercept in 2015 and based on the substantial evidence provided by a still unnamed whistleblower from the US military armed drone program (Scahill 2016). Thus, a whistleblower may be the indispensable vehicle of “voice” to bring a scandal to the public and make the news. The aim of this chapter is to consider whistleblowing cases as scandals and to fit them within the existing theoretical framework of
scandals (Entman 2012; Thompson 2000 in particular) and accordingly to propose a taxonomy of recent whistleblowing cases.

A taxonomy of whistleblowing cases as scandals

In the years 2010–2018 leaks multiplied and were published, gaining international visibility, thanks to different kinds of whistleblowers. News outlets have certainly still played a major part, but less traditional players such as online whistleblowing platforms have also gained prominence. Moreover, the practice of “Megaleaks,” the release by a whistleblower of an enormous amount of digital data, has also become a common phenomenon that has reshaped whistleblowing and reporting practices, especially in the context of data journalism (Di Salvo 2017b; Reich & Barnoy 2016). Among others, the following can be considered as the most important whistleblowing cases exploded in the above timeframe.

2010. WikiLeaks, in cooperation with its media partners, published the “Afghan War Diary,” the “Iraq War Logs,” and the “Cablegate” in different releases. All the documents came from former Pvt. soldier turned whistleblower Chelsea Manning who downloaded the files from classified networks of the US intelligence and military. In total, Manning gave WikiLeaks about 700,000 documents. The leak also included the original footage of the “Collateral Murder” video that showed a US strike conducted in the suburbs of Baghdad as shot by the onboard camera of a US Apache helicopter (Madar 2013, 55–81).

2013. The Guardian and The Washington Post started publishing articles based on leaked material coming from inside the US National Security Agency (NSA). The revelations concerned the NSA’s global spying programs over the Internet and other forms of communication. All the quoted source material came from Edward Snowden, a former US intelligence contractor turned whistleblower who contacted journalists to hand over the information. The revelations provided evidence about mass and targeted surveillance and their impact on society and the Internet (Bell & Owen 2017).

2013–2017. The International Consortium of Investigative Journalists (ICIJ) coordinated the investigation of four different leaked databases exposing international offshore tax evasion mechanisms in different countries. The series includes “Offshore Leaks” (2013), “Bahamas Leaks” (2016), “The Panama Papers” (2016), and the “Paradise Papers” (2017). The leaks contained massive amounts of digital information, up to 13.4 million documents in the case of the “Paradise Papers,” and exposed more than 785,000 offshore entities. The investigations were all coordinated by the ICIJ and involved hundreds of journalists all around the world, who shared the data and worked jointly on several angles of the materials. In the case of the “Panama Papers” and the “Paradise Papers,” original source material was obtained by the German daily Süddeutsche Zeitung, which later shared the data with ICIJ. For its international collaborative approach, the practice has been defined as “cross-border investigation” (Murtha 2015). Also the “Luxembourg Leaks” (2014) and the “Swiss Leaks” (2015) investigations involved documents coming from whistleblowers and were conducted in the same fashion.

2015. The online investigative outlet The Intercept published “The Drone Papers”, an investigation based on classified documents obtained by a whistleblower coming from within the US secret military drone programs. The investigation provided more evidence and insights about contemporary US drone warfare in the Middle East and Africa and on the role played by signals intelligence and surveillance practices in the organization of the strikes (Scahill 2016).

2018. Whistleblower Christopher Wylie revealed to The Observer and The New York Times how the company Cambridge Analytica exploited data coming from more than 87 million
Facebook users for its work for the Donald Trump presidential campaign in the field of psychographic profiling. Wylie, being an insider of the company and one of the masterminds of its own methodology, provided evidence of how Cambridge Analytica operated and gave more insight on the functioning of the data economy and the scope of its exploitment for political propaganda (Cadwalladr & Graham–Harrison 2018).

All these whistleblowing cases led to extensive debates about the issues they raised and, in most cases, they led to scandalization and actively promoted change. The Snowden revelations, for instance, sparked a global discussion on Internet surveillance, online privacy, and digital rights, and inspired some legislation change in the USA; the offshore economy leaks caused the resignation of the Icelandic prime minister and other politicians and, globally, helped tax authorities recover over $500 million around the world (Obermaier & Obermayer 2018).

In his seminal account of media and scandal, Entman (2012) has outlined a model to classify scandals according to their severity and impact on society. Entman’s model combines social costs and the area of influence of scandals that can include the “private”, “social,” and “government” realms. The scheme, that was originally intended to analyze presidential scandals in the USA, can also be applied to the above whistleblowing–originated scandals (see Table 25.1).

The most important whistleblowing cases of the last eight years fit in Entman’s scheme at the intersection of the social and governmental realms with the higher degrees of social costs since they concerned the secret or classified activities of governments (Snowden), warfare (“The Drone Papers”, WikiLeaks/Manning), or the activities of private companies with a substantial impact on citizens’ lives (ICIJ’s offshore economy investigations, Cambridge Analytica). Interestingly, none of these major whistleblowing scandals were related to the private spheres of those involved. Thus, it is possible to argue that prominent whistleblowers in recent years have blown the whistle on highly impactful instances of misbehavior with widespread societal costs. This can’t be generalized about whistleblowing at large, since it occurs also on lower levels and within smaller and less powerful organizations, but the analyzed cases show a clear pattern. Moreover, the severity of what was exposed is also reflected in the international or global impact these cases generated and that went beyond the national borders of the contexts in which the scandals originally started. In this sense, the Snowden case is a clear example since, despite being mainly a US-centric case, it ended up involving many more countries and rapidly evolved into being a global scandal (Di Salvo & Negro 2016; Wahl-Jorgensen, Bennett, & Taylor 2017). All these instances outline the peculiarities of whistleblowing–originated mediated scandals in this era of “networked journalism” and the growing loss of gatekeeping powers by traditional media. For instance, they all indicate an interconnection among new kinds of whistleblowers, relationships with media outlets, and modalities of scandal initiation and diffusion. All of them outline how whistleblowing plays a crucial role in the shaping of contemporary scandals and in addressing accountability towards those in power. Thus, the connection between whistleblowing and

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scandals is increasingly strong. What follows is an overview of their multiple points of contact in light of the available literature.

**Whistleblowing and scandal: the igniting match and the fire**

In their widely accepted definition, Marcia P. Miceli and Janet P. Near define whistleblowing as:

> the disclosure by organizational members (former or current) of illegal, immoral, or illegitimate practices under the control of their employers, to persons or organizations that may be able to effect action.

*(1992, 15–21)*

Here, three elements are clearly defying the rationale behind whistleblowing: the notion of “disclosure”; the “illegal, immoral and illegitimate” nature of what gets disclosed; and the idea of causing “action” as a response to what is exposed outside the affected organization. According to where whistleblowers decide to direct their complaints, it is also possible to distinguish between internal and external whistleblowing as two distinct practices (ibid., 21–31). Internal whistleblowing happens within the organization where the whistleblower is based; external whistleblowing implies the presence of recipients who are located outside the affected organization and are not affiliated with it but are interested in receiving information and conveying it to the public. External whistleblowing goes public and explicitly looks for recipients who are outside of the affected organization’s control. External recipients can be of different kinds, including media outlets and journalists. Whistleblowing to the media can be considered as the “last resort” available to organizational members who are willing to expose wrongdoings (Lewis, Brown, & Moberly 2014, 1-37; Near and Miceli 2016, 105-114), because the risks that follow publicity and media exposure are usually tougher and consequences and retaliation that whistleblowers may have to face could inevitably be more dangerous. Many whistleblowers, before going public with the media, try the “internal” way, frequently without finding adequate attention or trust.

In any case, whistleblowing implies a communication exchange between the whistleblower and the recipient. Albert O. Hirschman (1970) has identified three different options available to witnesses of wrongdoings: “exit,” “voice,” and “loyalty.” In his scheme, organizational members can decide to: leave the organization in order not to be further involved (“exit”); show loyalty, by not breaking their connection and trust with their superiors (“loyalty”); or opt to give voice to what is going on and bring notice to it (“voice”). This third scenario is the one of whistleblowing. As Hirschman puts it (1970, 30-33):

> In this age of protest, it has become quite apparent that dissatisfied consumers—or members of an organization—rather than just go over to the competition, can “kick up a fuss” and thereby force improved quality or service upon delinquent management . . . Voice is here defined as any attempt to all to change, rather than to escape from, an objectionable state of affairs, whether through individual or collective petition to the management directly in charge, through appeal to a higher authority with the intention of forcing a change in management, or through various types of actions and protests, including those that are meant to mobilize public opinion.

This element of “publicity” and “voice” recur in the literature about media and scandals. As Jacobsson and Löfmarck put it, for instance, “for a transgression to evolve into any type of
scandal, publicity is necessary” (2008, 209). The idea of publicity emerges also from Thompson’s (2000, 13-14) description of the five elements constituting a scandal. He writes that, in a scandal, disapproval towards certain acts is expressed by “publicly denouncing the actions or events.” This is a first, evident connection between whistleblowing and scandals on the level of the origin of both: whistleblowing begins with an act of “voice” and denunciation, in the same was as a scandal requires a “voice” of disapproval to be unleashed. Again, in Thompson’s words (2000, 20), a scandal is constituted by acts of transgression and, at the same time, by speech acts that articulate public outrage. The aim of whistleblowing is to make some misbehavior public by bringing it outside the realm of the organization where this is occurring. This means, in most cases, to break some sort of secrecy or of shared trust and loyalty. Prominent whistleblowers such as Daniel Ellsberg, Chelsea Manning, or Edward Snowden, among others, all faced or are facing trial for releasing classified or secret documents to the media in order to fulfill a whistleblowing act through the contribution of journalists (Lebovic 2017). Similarly, scandals also explode when misbehaviors exit the boundaries of the environment where they originally took place and get out into the public sphere. Lull and Hinerman, in their definition of scandals (1997), have also mentioned the crucial role of the media in determining the circulation and impact of a scandal, by underlying how they require wide circulation via the media and to be turned into a narrative and to inspire interest and discussion. In other words, a scandal “lends itself with particular ease to the use of communication media” (Thompson 2000, 21).

For Waisbord (1994), scandals are even “unthinkable without the intervention of the mass media” and press freedom is a condictio sine qua non for scandals to reach the public. Moreover, scandals and whistleblowing also have in common the characteristic of being a forum for public awareness and major contributions to the mediated public sphere in modern society (Tumber & Waisbord 2004). Moreover, whistleblowing is one of the potential origins of a scandal, one where “an insider, for idealistic or political or personal motives, volunteers information about a carefully hidden dark secret, damaging the perpetrator (Liebes & Blum-Kulka 2004, 1154). In this sense, whistleblowing can even be considered as the “classical” and “purest” form of scandal (ibid.). Following Liebes and Blum-Kulka’s framework, whistleblowing plays the role of an igniting match. Whistleblowers’ motivations are difficult to schematize, as they may vary from being purely idealistic, public good-oriented, political, self-interested, or even manipulative (ibid., 1155); still, on a broader theoretical level, whistleblowing aims at providing accountability towards those in power, organizations, or powerful people. Scandalization can happen because of a request of accountability or a push to “alter the direction of public policy” (Tumber & Waisbord 2004, 1143), and whistleblowing, in this sense, is an instrument to achieve these goals through visibility. The exposure of evidence, which is a pivotal element of both whistleblowing and scandal, is also a contributing element in this scenario as the existence of evidence fixed in a relatively durable medium also plays a central role in mediated scandals (Thompson 2000, 69). Or, to put it in the words of philosopher Slavoj Žižek (2011): “This is the paradox of public space: even if everyone knows an unpleasant fact, saying it in public changes everything.”

In particular, this kind of evidence-based scandal is also tightly connected with the work of news outlets keen on investigative reporting, adversarial reporting, and muckraking:

But scandal was also closely linked to the aims and practices of journalists and media organizations which sought to emphasize factuality. For investigative journalists came to see themselves not only as reporters who had to probe beneath the surface of things in order to get at the truth, but also as social reformers who sought to shape policy agendas by provoking moral outrage in their readers and viewers.

(Thompson 2000, 82)
The publication of scandals has been considered a sign of the presence, rise, or growing of investigative journalism cultures and infrastructures in different national contests, such as Argentina (Waisbord 1994), France (Chalaby 2004), and elsewhere in the world (Schiffrin 2014).

Now that the connection between whistleblowing and scandals has been outlined, it is time to focus on the evolution of whistleblowing and scandals in the digital era, by looking at the changes imposed by the rise of “network journalism,” the weakening of the gatekeeping role of mainstream media, and the growing relevance of hybrid, boundary, and innovative forms of “acts of journalism” (Stearns 2013).

**Networked journalists, networked whistleblowers, networked scandals**

A vast amount of literature about the origins and characteristics of scandals has attended extensively to the changes brought by technological innovation in recent years (e.g. Thompson 2000, 39–41; Tumber & Waisbord 2004; Williams & Delli Carpini 2004). The literature generally points at the loss of gatekeeping power pertaining to mainstream and legacy media over the past 20 years and blames round-the-clock cable networks and Internet news service for this. In the early 2000s this reflected the emergence of new news providers and the consequent multiplication of news sources as one of the reasons behind the “turning of scandal politics into common features of contemporary democracies” (Tumber & Waisbord 2004, 1147). Parallel to that, and following that debate of only a few years, in the wake of what could be summarized as the rise of the “network society” at large, journalism experienced what has been defined as “networked journalism” as a new set-up of the news environment. In a classic definition, “networked journalism” is defined as:

*a diffused capacity to record information, share it, and distribute it. In a world in which information and communication are organized around the Internet, the notion of the isolated journalist working alone, whether toiling at his desk in a newsroom or reporting from a crime scene or a disaster, is obsolete. Every journalist becomes a node in a network that functions to collect, process, and distribute information. (Van der Haak, Parks, & Castells 2012)*

This meant: the entering of new providers and dissemination platforms for news, such as social media, blogs, and other digital outlets; the launching of new hybrid, non-traditional providers of acts of journalism, such as the hacker organization WikiLeaks or other players coming from the hacktivism realm that occasionally have been involved in information-oriented activities, such as the hacker collective Anonymous; the raising of hybrid forms of reporting, such as data journalism and a growing process of hybridization of journalistic cultures. This last phenomenon can be seen in the numerous instances of collaboration between reporters and other professional figures, such as hackers in the field of cybersecurity for journalism (Di Salvo 2017a), data scientists and coders in the field of data journalism and data visualization (Porlezza 2017), or activists at large (Russell 2016). The results of this evolution also took the form of “boundary work” as “journalism is not a solid, stable thing to point to, but a constantly shifting denotation applied differently depending on context (Carlson 2015, 2). A clear example of this happening in the context of journalism and whistleblowing has been WikiLeaks, for the way the organization brought together hackers and journalists to work on the same leaked information.

Charlie Beckett (2012, 13) considers the WikiLeaks saga as a “prototype for the shift from a closed, linear structure to a more open, networked and collaborative process” and a symptom of how “control over what the public knows is being exercised and resisted in new ways.”
WikiLeaks demonstrated that a whistleblower like Chelsea Manning could reach out with one of the biggest leaks of the decade to an irregular, difficult-to-define, and alternative outlet rather than a well established and renowned newsroom. This had a profound impact on the whistleblower–journalist relationship—as new intermediaries such as whistleblowing platforms arrived on the stage—and on the gatekeeping process at large. WikiLeaks showed once more that “information will make it to the public sphere, regardless of actions taken by the legacy media” (Vos 2015, 6). Following the parallelism between whistleblowing and scandals proposed in this chapter, WikiLeaks—intended here as a paradigm of the new forms of hybrid journalism—showed how scandals can now find origins without the direct involvement of journalists keeping watch over information. Moreover, the new “networked” asset of the media environment had an impact on the empowerment of scandal sources and, consequently, whistleblowers. As Williams and Delli Carpini (2004, 1225) write:

just as the new information environment created multiple axes of power within the media, it also created new axes among the political actors who operate to shape the media’s agenda. Under the social responsibility theory, authoritative sources were traditionally limited to a largely mainstream political, economic, and social elite: elected officials, spokespersons for major interest groups, and so forth . . . But the new media environment with its multiple points of access and more continuous news cycle has increased the opportunities for less mainstream individuals and groups to influence the public discourse.

This reflects also a change in who decides to blow the whistle and become the source for a journalist and, potentially, of a mediated scandal. The transition from an analog age to the network society, as Patrick McCurdy (2013, 123) argues, shaped both who can be a whistleblower and how the practice of whistleblowing is carried out. In particular, whistleblowers coming from lower positions of power—or from no-power position at all—are now able to leak very sensitive information coming from classified or secret archives with ease by using digital channels and their empowerments. A clear example of this pattern is visible from the comparison of Daniel Ellsberg (the 1971 “Pentagon Papers”), an insider (who also contributed to the writing of the Papers he later leaked) within the higher ranks of the US intelligence community, and Chelsea Manning—a private soldier with the same security clearance of hundreds of thousands of people—who leaked more than 700,000 digital files to WikiLeaks (McCurdy 2013). More potential whistleblowers means also more leaks and, consequently, more scandals, to the point where information control has been described as an impossible goal (Fenster 2013).

**Conclusion**

This chapter has analyzed whistleblowing as one of the most peculiar and potentially powerful triggers of scandals in the media by proposing a dedicated taxonomy based on the existing literature on media and scandals. Recent international cases have been used here to highlight the potential spheres of influence and social costs of whistleblowing as an initiator of scandals. These cases, which are definitely only a smaller sample of all whistleblowing cases, combined with the changes that have occurred to whistleblowing in the passage from an analog to a digital context, are explicative of the growing incidence of whistleblowing in setting the media agenda and in triggering journalistic investigations, scoops, and scandals. As the taxonomy shows, most of the recent international cases have touched on the “government” and “social” realms, with either “substantial” or “high” social costs.
This is again interesting if interpreted as a signifier for the crucial role of whistleblowing in an increasingly secretive society where media and journalists are frequently excluded from accessing information relevant to the public interest, especially when it comes to crucial issues such as mass surveillance, as happened with the Snowden case for instance. That said, it would be an exaggeration to consider whistleblowing as the one and only way available to journalists to perform their watchdog role in the digital era. Investigations leading to scandals start frequently from other sourcing strategies—data journalism is a clear example—but once more whistleblowers show their huge potential to provide information in the higher levels of Entman’s (2012) taxonomy, by defining those where the scandalization is usually stronger and the impact on society may be more substantial. A stronger understanding of whistleblowing in this context is thus essential in order to have a deeper overview of how mediated scandals, intended as change agents, may shape policy changes and wider change in society, business, and politics.

Notes
1 All available on the ICIJ’s website: https://offshoreleaks.icij.org/pages/about
3 Available from https://theintercept.com/drone-papers/
4 Available from https://www.wired.com/story/facebook-exposed-87-million-users-to-cambridge-analytica/

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