

The Snowden Revelations and the Networked Fourth Estate

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News coverage and analysis of the Edward Snowden revelations provide rich material with which to investigate the dynamics of the networked fourth estate. To understand the links between legacy news and new information actors, this article employs the notion of news flashpoints as a heuristic for making sense of instances when peaks in coverage and interest sync up across various types of news media and platforms and across professional–amateur–special interest borders. By identifying flashpoints, as well as the news events, actors, and themes that anchored the development of the story, the article demonstrates how stories related to the leaks were sustained and broadened in this hybrid environment and considers the implications for the public.

Keywords: Snowden, fourth estate, NSA, flashpoints, hybrid media, privacy, networked journalism

The story of the National Security Agency global dragnet snooping that was uncovered by Edward Snowden’s revelations in 2013 suggests new dynamics in the changing global information ecology. Accountability reporting about government surveillance and invasion of privacy was generated not exclusively from traditional news outlets but also by activists and journalism innovators. The revelations were disseminated and sustained in a hybrid environment where independent and traditional journalism, media start-ups, public opinion, and networked activism cooperate and compete to disseminate and shape stories and spur public and political reactions.

Journalists around the world covered the story with an emphasis on national interests and contexts while sparking transnational discourses and vocabularies (Kunelius, Heikkilä, Russell, & Yagodin, forthcoming). The leaks set Twitter and other connective media platforms abuzz with commentary on Snowden’s actions, debates about whether he was hero or traitor, and, later, discussion of the nuances of the leaks (Qin, 2015). Since the initial leaks, the public and journalists alike have shown signs of altering their media use habits, fueling a steady rise in the development and use of encryption tools (Finley,

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2014). The leaks also seem to have prompted the public to reflect on the possible threat to their own freedoms (Preibusch, 2015). Sales of George Orwell's classic dystopian novel *1984* skyrocketed soon after the revelations came out (Riley, 2013). Search terms deemed sensitive to government or privacy concerns dropped significantly in the months just after the initial leaks in July 2013 (Marthews & Tucker, 2015).

This study documents the patterns and the nature of news coverage of the Snowden revelations in the United States in order to assess the role of the legacy press and its relation to other information actors in the contemporary news ecology—what Yochai Benkler calls the “networked fourth estate.” A central premise of this news environment is that various actors are able to shape and sustain news stories, unlike the classic fourth estate dominated by the traditional press. Benkler (2011) writes:

The freedom that the Internet provides to networked individuals and cooperative associations to speak their minds and organize around their causes has been deployed over the past decade to develop new, networked models of the fourth estate. These models circumvent the social and organizational frameworks of traditional media, which played a large role in framing the balance between freedom and responsibility of the press. (para. 1)

This new ecology is characterized by the emergence of a new model of watchdogging—“one that is neither purely networked nor purely traditional, but is rather a mutualistic interaction between the two” (Freedom of the Press Foundation, 2013). In his 2010 testimony for the defense at the trial of Private First Class Chelsea Manning, Benkler, a Harvard law professor, used WikiLeaks as an example in arguing that the emergence of nontraditional journalism on the Internet is taking up the role historically reserved for the traditional press. He described the networked fourth estate as a “set of practices, organizing models, technologies that together come to fill the role that in the 20th Century we associated with the free press” (Freedom of the Press Foundation, 2013, p. 29).

Other authors have called attention to similar dynamics between legacy news outlets and emerging forms of journalism, suggesting that functions historically assigned to the press are more plausibly taken up across the mediasphere due to the proliferation of digital networks and an expanded set of news actors (Dutton & Dubois, 2015). Others point to WikiLeaks as early evidence to bolster such claims (Beckett & Ball, 2012; Brevini, Hintz, & McCurdy, 2013). This networked fourth estate is driven by an emerging hybrid environment that features the constant interweaving of digital media and traditional media practices, products, and technologies. As Andrew Chadwick (2013) puts it, blurred boundaries between information and affect, news and entertainment are part of a media environment marked by “subtle but important shifts in the balance of power” that shape news production (p. 6). Indeed, this shift sometimes creates a blending of media form, practice, or genre, and other times ignites struggle in the expanded field of journalism as institutions and actors seek to maintain and defend particular internal practices (Russell, 2016).

These developments provide evidence of the way traditional boundaries between journalistic and nonjournalistic actors are blurring. Whereas the boundaries of journalism, the press, and news systems were relatively clear and identifiable in the mass-media era, the rise of the networked fourth estate has

made it difficult to draw neat boundaries. WikiLeaks signals the rise of new hybrid formations that do not fit conventional definitions of either news organizations or of citizen activism. Blended forms of reporting outside the traditional field of journalism patently attest to the difficulties of delineating and maintaining boundaries —what Thomas Gieryn (1983) sees as the symbolic and material lines between insiders and outsiders. Although news organizations may retain the ability to perform boundary work by influencing the values and practices of the journalistic profession (Lewis, 2012), other forms of reporting clearly fall outside conventional organizations and boundaries. In the current news environment, as boundaries shift, new practices are adopted, some of which challenge existing journalistic practice and corresponding notions of what journalism ought to do for the public (Papacharissi, 2015; Russell, 2016). Indeed, some changes extend and bolster the existing functions of legacy journalism, such as watchdogging, truth telling, and giving voice to the powerless (Russell, 2011).

The news coverage of the Snowden revelations is a rich site for discussing the configuration and dynamics of the networked fourth estate. In this article, we are interested in two questions: What is the role of legacy news organizations in the networked fourth estate? And do legacy news organizations become less relevant in a news landscape populated by new information actors?

To address these questions, we employ the concept of *news flashpoints* as a heuristic for examining the evolution and the intensity of coverage across various news media as well as professional-amateur platforms for news and commentary. Flashpoints direct attention to bursts of coverage that occur across various media outlets in contemporary news ecologies and to the events, actors, and themes that anchored the development of the story. As analytical tools, flashpoints allow us to map the life span of news stories in the multilayered news ecology and to determine the role of various news outlets, specifically how the original Snowden leaks were sustained and broadened in this new information space. They also help us consider the implications for the public in terms of the spectrum of information, interpretations, and points of view in the hybrid environment. News flashpoints refer to instances when a significant amount of information and public attention is directed to central social, political, and cultural issues. They refer to swells of news coverage concentrated on specific events and matters. News flashpoints refer to unpredictable, changing, and unscripted events largely because they feature the participation of multiple publics, making them open-ended affairs without pre-established scripts. Thus, flashpoints are characterized by a cacophony of scattered and noisy voices. Consequently, they are not single stories about a subject—the nation, community, freedom, or other ideological constructions that are typically celebrated by media events. They are formed by several layers of narratives produced by multiple actors that, although focused on the same events, highlight different aspects and meanings of the story. Indeed, flashpoints are unique to the networked environment, and different from the typical dynamics observed in the traditional press because they include a diverse set of actors, not merely an exclusive group of major news outlets, who have traditionally framed coverage.

Research Design

To identify flashpoints and understand how the story triggered by the Snowden revelations played out in U.S. news, we analyzed the frequency of coverage and the range of themes presented in stories, in multiple news outlets and in various genres and across the ideological spectrum between June

2013 and June 2014. Our sample includes two first-tier or major professional mainstream newspapers, *The New York Times* and *The Wall Street Journal*, and several second-tier news outlets—magazines, blogs, and weeklies with a distinct and influential voice—*Mother Jones* (a left-of-center news magazine), the *National Review* (a right-of-center news magazine), the Electronic Frontier Foundation (EFF, a nonprofit online civil liberties advocacy group), and *The Verge* (a tech-focused news outlet). The notion of first- and second-tier news was developed by Orville Schell (2004) in reference to the U.S. media environment during the onset of the 2003 Iraq War. Schell writes:

The lower tier populated by niche publications, alternative media outlets, Public Broadcasting Service, National Public Radio, and internet sites, host the broadest spectrum of viewpoints. The upper tier populated by the major broadcast outlets, newspapers, and magazines, allow a much more limited bandwidth of opinion. (p. v)

Tier one includes corporate-owned media that by and large adhere to traditional practices of reporting. They tend to privilege authoritative sources and traditional notions of objectivity that limit the “bandwidth of opinion,” or points of view that fall outside the status quo, as Schell puts it. We included these particular outlets in our sample because they represent various news genres as well as ideological and topical areas of emphasis. Left-wing and right-wing publications of smaller distribution (*Mother Jones* and the *National Review*) as well as outlets focused primarily on the legal and technological aspects of the story (EFF and *The Verge*) were considered within our sample to account for both the possibility of a wider range of arguments and the expanded genres and styles of news.

We used the search term “NSA and/or Snowden” to collect stories from the legacy newspapers, *Mother Jones*, and *National Review*. For *The Verge*, we collected all articles categorized with the tags “NSA,” “privacy,” or “surveillance,” which were verified to be the tags used on all NSA leaks-related coverage. For the EFF, we collected all articles categorized by the tags “privacy,” “transparency,” “surveillance and human rights,” “NSA spying,” or “mass surveillance technologies.” The tags included were broader than those used with *The Verge* to ensure the inclusion of all related articles.

The analysis of news coverage includes an interview with Alan Rusbridger conducted by one of the authors. As former editor-in-chief of *The Guardian*, Rusbridger oversaw much of the publication of the initial leaks, playing a central role in how and when they were reported. He became both celebrated and vilified for his staunch defense of Snowden and the public’s right to know about the information contained in the leaks, as well as for his understanding of the role of journalism in shaping the discourse that emerged from the leaks.

Findings and Flashpoints

Our findings reveal a consistent pattern across multiple news outlets. Although news organizations offered coverage from different editorial perspectives, as discussed below, their understandings of newsworthiness were similar. Figure 1 shows that the intensity and the evolution of the coverage follow a similar trajectory in *The New York Times* and in *The Wall Street Journal*.

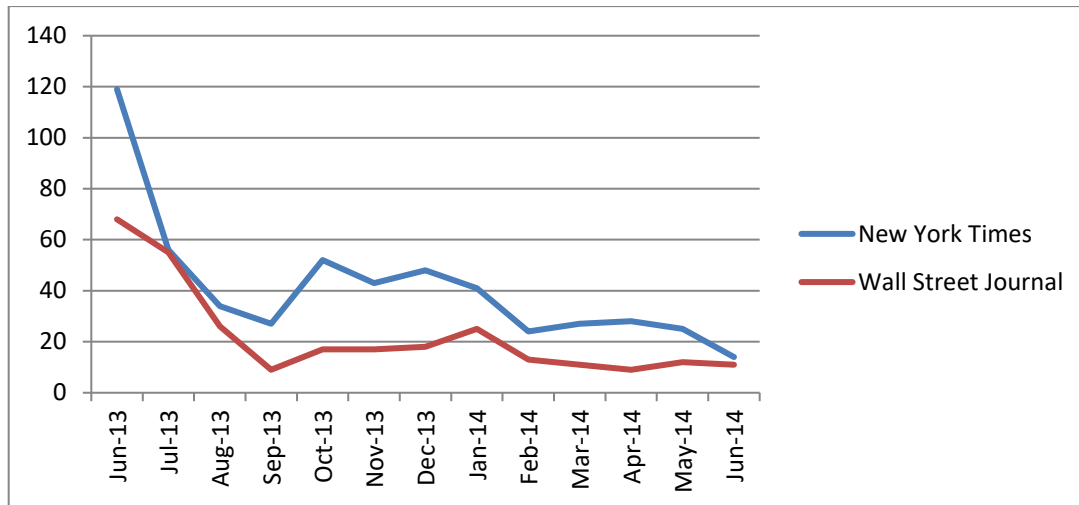


Figure 1. Number of stories about the Snowden revelations per month in The New York Times and in The Wall Street Journal, June 2013 to June 2014.

In *The New York Times*, the story received the most attention immediately after the initial leaks (119 stories in June) and then attention progressively dwindled (to 56 in July, 34 in August, and 27 in September 2013). The coverage picked up again in October (52 stories in October) and remained frequently in the headlines through the end of the year (43 stories in November, 48 in December). In 2014, the amount of coverage significantly diminished. The evolution of the story in *The Wall Street Journal* followed a similar pattern: Intense initial attention when the story broke in June 2013 was followed by a steady decline into August 2013, and then a relatively low number of stories with a few peaks until June 2014. Findings from other outlets conformed to a similar series of peaks (see the appendix).

Google Trends also shows spikes during the same periods, indicating both the high salience of the story (Mellon, 2014) and a synergy between the interest of publics and that of journalists. To track public interest levels, we looked at Google search trends for the search term “NSA” in the United States, as Google Trends reveals how often this search term is entered relative to the total search volume across selected regions of the world.²

Therefore, the evolution of the flashpoints of the Snowden story followed a similar pattern across news outlets and levels of public interest—the initial burst of significant news and public attention during the first weeks after the original leaks was followed by a remarkable drop during subsequent months, with some peaks.

² For more on how the Google Trends tool works, see <http://insidesearch.blogspot.co.il/2012/09/insights-into-what-world-is-searching.html>.

The following analysis of the flashpoints includes an outline of key events and circumstances that drove the story and an overview of the different themes and approaches produced by the news outlets in our sample. We identified six flashpoints as determined by the intensity of coverage of the Snowden revelations and related events (see Table 1).

Table 1. Flashpoints.

Flashpoint date range	Key news topics
June 6–19, 2013	Initial leaks, Snowden’s identity, official responses
July 25–August 24, 2013	Snowden’s quest for asylum, official reactions (U.S. Foreign Intelligence Surveillance Act hearing and justification citing Patriot Act), Government Communications Headquarters connection
October 24–November 13, 2013	U.S. House Intelligence Committee hearing, <i>Washington Post</i> exposé on NSA hacking of Yahoo and Google data centers
December 12, 2013–January 10, 2014	More U.S. court and committee rulings, <i>Der Spiegel</i> report on spying tools used by NSA
January 16–28, 2014	<i>Guardian</i> revelations of collection of text messages, Obama speech on NSA programs, continued flow of leaks

June 6–19, 2013

During the first flashpoint, June 6–19, 2013, three types of events sustained the story: informational events, including Snowden’s strategically placed leaks to the press; actual events, including details of his background and cross-continental movements; and official events, such as President Obama and other government and technology industry leaders commenting or acting in response to the leaks.

On June 5, *The Guardian* published leaks that revealed a secret court order requiring Verizon, one of the largest telecom companies in the United States, to turn over the phone records of millions of Americans to the U.S. government. And on June 6, a second story revealed the previously undisclosed PRISM program, which gives the NSA direct access to data held by Google, Facebook, Apple, and other U.S. Internet giants. The technology companies involved all denied that they set up “backdoor access” to their systems for the U.S. government. These two initial leaks launch the first and most coverage-intensive flashpoint.

During the onset of the story in June 2013, *The New York Times* and *The Wall Street Journal* repeatedly addressed the legality and constitutionality of the program; the effectiveness of the program in curtailing terrorist attacks; and issues related to privacy, oversight, and transparency. Although *The New York Times* ran several op-eds criticizing the NSA (see, e.g., Dowd, 2013; “President Obama’s Dragnet,”

2013), nearly every related opinion piece and column in *The Wall Street Journal* argued that U.S. national security depends on government surveillance and that Snowden put Americans in danger by betraying "national secrets" (see, e.g., Mukasey, 2013; "Thank You for Data-Mining," 2013). Several pointed to legal precedent in which the U.S. Supreme Court interpreted the Constitution to allow for what one could call mass surveillance. One editorial argued that "The Supreme Court has long held (Smith v. Maryland, 1979) that there is no legitimate expectation of privacy for phone records that are held by a third party, which can be seized without a warrant" (*The Wall Street Journal*, June 7, 2013).

National Review and *Mother Jones*, national magazines on two opposite poles of the ideological spectrum, echoed the points of view and themes of *The Wall Street Journal* and *The New York Times*, respectively. Their overtly opinionated style, however, allowed for more open critique of political leaders, media reports, and the NSA programs revealed by Snowden, introducing new themes and a wider range of perspectives to the coverage. *National Review* repeatedly called for the prosecution of Snowden, criticized journalists for their role in facilitating the leaks, and defended the NSA and what it argued was the constitutionality of the secret program. Where it diverged from *The Wall Street Journal*, it veered sharply to the right, introducing a range of arguments absent from more mainstream publications, calling responses to the story an overreaction, for example, or merely a public relations problem (*National Review*, June 6, 2015). In contrast, *Mother Jones* provided a different set of arguments about the broader significance of the revelations, addressing the fact that under the current set of circumstances in the United States, for example, leaks and whistleblowers are the only means of obtaining information about government activities, thus pointing out that increasing government opacity corresponds to increased demands for citizen transparency (*Mother Jones*, June 17, 2013). *Mother Jones* also provided more nuanced analysis of the issues surrounding notions of privacy, surveillance, and government/citizen relations, cutting through the technicalities of the legal arguments and publishing corrections and explainers in response to official statements and media reports (*Mother Jones*, June 7, 2013). These opinion magazines offer a distinct and influential voice and introduce an expanded set of arguments and points of view around the key themes of the story. They therefore expand beyond the newspapers' focus on privacy and surveillance, albeit from ideological points of view that mirror those reflected in opposing realms of the political establishment.

The Electronic Frontier Foundation and *The Verge* offered more nuanced treatment of the technological and legal issues related to the story as well as salient critiques of media coverage and the treatment of the revelations by politicians. In terms of themes and form, their coverage was more expansive than coverage delivered by newspaper and magazine outlets. Beginning on June 5, at its "NSA Primary Sources" page, for example, EFF curated all direct coverage of leaks from *Der Spiegel*, *The Guardian*, and *The Washington Post* as well as coverage of leaks from lesser-known publications such as *The Intercept*.³ In this way, EFF set itself up as a repository of information for journalists, lawyers, researchers, and members of the public who wanted to keep tabs on the story or build on this background to produce reports of their own. The EFF archive also focused heavily on coverage of legal and industry happenings related to the leaks, highlighting what various social media platforms were doing to step up protections for users and recording the various legal cases being brought against the NSA, many of which

³ The NSA Primary Sources page is available at <https://www.eff.org/nsa-spying/nsadocs>.

were brought by the EFF itself. EFF also frequently ran pieces aimed at providing readers with information on how to fight back and protect themselves, which positioned the EFF as not only the go-to source of primary documents and initial reporting but also an advocate focused on helping publics and journalists guard themselves against NSA surveillance (see, e.g., "Call Now to Oppose," 2013; "The NSA Word Games," 2013).

July 25–August 24, 2013

The second flashpoint, July 25 to August 24, 2013, was driven in part by Snowden's movements during his quest for asylum, which provided a series of news pegs that carried the story forward. On July 24, the day before the onset of this flashpoint, a lawyer advising Snowden announced that Snowden would stay at the Moscow airport until his asylum status was resolved. Images and testimonies from Snowden's arrival in Russia galvanized press and public attention.

Along with Snowden's location and status, a continuous flow of leaks and official responses to those leaks drove coverage during this peak period. On July 31, a U.S. Senate Judiciary Committee held a hearing on oversight of the Foreign Intelligence Surveillance Act (FISA), the U.S. federal law that prescribes procedures for electronic and physical surveillance, and which has been repeatedly amended since the September 11 attacks in the United States. This hearing was followed on August 9 by the White House release of a legal justification for the programs, claiming the bulk collection of telephone metadata was legal under the Patriot Act (Section 215) and arguing for a new expanded definition of the word *relevance* in relation to information tied to the War on Terror. The other major event during this peak period was the August 1 *Guardian* story that revealed the United States had been secretly funding the United Kingdom's Government Communication Headquarters.⁴ By this point, a pattern was established in how the story was being covered: Major leaks by a leading global news organization were followed by news about official and industry responses as well as proceedings from congressional and judicial hearings. This pattern continued through the end of 2013.

New York Times opinion pieces in this period dealt largely with President Obama's reaction to the NSA revelations, criticizing Obama for failing to follow through with specific, meaningful actions. Two pieces, for example, pointed to the gulf between the president's rhetoric and his policy (*The New York*

⁴ FISA is the law under which the NSA should have operated. It authorizes the government to conduct surveillance in certain situations without meeting all of the requirements of the Fourth Amendment that apply under criminal law, but requires that an independent Foreign Intelligence Surveillance Court oversee that surveillance to make sure that Americans who have no ties to foreign terrorist organizations or other "foreign powers" are not spied upon. FISA was significantly loosened by the Patriot Act (which, for example, allowed it to be used for some criminal investigations), and parts of it now stand in clear violation of the Constitution's Fourth Amendment in the view of the American Civil Liberties Union and many others. Even the post-Patriot Act version of FISA, however, does not authorize the president to conduct warrantless eavesdropping on U.S. citizens or permanent legal residents in the United States without an order from the FISA court. Yet it is that very court order requirement—imposed to protect innocent Americans—that the president has ignored.

Times, July 21, 2013, and August 9, 2013). *Wall Street Journal* commentary was also critical of Obama. One piece argued that it was Obama's "toothlessness" as a leader that spurred Russian President Vladimir Putin to grant Snowden asylum (*The Wall Street Journal*, August 5, 2013). Other *Wall Street Journal* opinion pieces during this period argued in defense of the NSA programs and the inevitable growth of the surveillance state (see, e.g., "Declarations," 2013; "Politics and Ideas," 2013).

Following the initial peak period pattern, the *National Review* defended the NSA, turning its focus after the first month away from Snowden and toward both the legal justification for the secret programs and criticism of President Obama and the NSA's failure to better explain the effectiveness of the program and related civil liberties protections (*National Review*, August 22, 2013). *Mother Jones* provided analysis of the issues surrounding notions of privacy, surveillance, and government/citizen relations. EFF focused on reporting on law and the tech industry and ran several pieces aimed at providing readers with information on how to understand, fight back, and guard their privacy. One piece headlined "A Guide to the Deceptions, Misinformation, and Word Games Officials Use to Misperceive the Public About NSA Surveillance," for example, outlined various ways the U.S. government responded to the revelations, concluding, "At this point, it seems nothing the government says about the NSA can be taken at face value" (EFF, August 14, 2013).

Contrasting significantly with the content of other outlets, *The Verge* focused on technology-related issues. It reported, for example, on other publications' information about XKeyscore, on the NSA's ability to remotely activate laptop mics (*The Verge*, July 31, 2013) and on the creation of an NSA Tumblr blog (*The Verge*, August 21, 2013). Some of these stories were first covered at other outlets and linked to from *The Verge*, but even when the site didn't break the story or first raise the issue, it drew from diverse sources and focused on niche topics, carving out a unique area of coverage.

October 24–November 13, 2013

The October 24 to November 13, 2013, flashpoint was driven by two major stories. The U.S. government held hearings on the program (an October 29 House Intelligence Committee hearing and the November 13 Senate Judiciary Committee hearing on transparency), and *The Washington Post* ran an exposé on how the NSA hacked into Google and Yahoo data centers (*The Washington Post*, October 30, 2013), which prompted a flurry of reporting on industry responses. During this flashpoint, NSA spying on international leaders was revealed, which spurred extensive discussion of the differences between domestic and international surveillance.

Debate about the roles and responsibilities of journalism, brewing since the initial leaks, intensified during this period with a now-famous October 27, 2013, exchange between *New York Times* Editor in Chief Bill Keller and national security reporter and Snowden confidant Glenn Greenwald, bringing debates about journalism solidly into the center of the story. In a *New York Times* column entitled, "Is Glenn Greenwald the Future of News?" Keller refers to Greenwald not as a journalist but as a "blogger," and goes on to write: "I find much to admire in America's history of crusading journalists, from the pamphleteers to the muckrakers to The New Journalism of the '60s to the best of today's activist bloggers." Because the terms *crusader* and *blogger* can have a pejorative cast when used by high-ranking

journalists such as Keller, the Internet lit up in defense of Greenwald's work. Greenwald, too, articulated the tension between his practice and the practices of Keller and many other members of the journalism establishment. After acknowledging the excellent reporting done by establishment media venues over the last few decades, Greenwald wrote:

I don't think anyone contends that what has become (rather recently) the standard model for a reporter—concealing one's subjective perspectives or what appears to be "opinions"—precludes good journalism. But this model has also produced lots of atrocious journalism and some toxic habits that are weakening the profession. A journalist who is petrified of appearing to express any opinions will often steer clear of declarative sentences about what is true, opting instead for a cowardly and unhelpful "here's-what-both-sides-say-and-I-won't-resolve-the-conflicts" formulation. That rewards dishonesty on the part of political and corporate officials who know they can rely on "objective" reporters to amplify their falsehoods without challenge (i.e., reporting is reduced to "X says Y" rather than "X says Y and that's false"). (*The New York Times*, October 27, 2013)

Even beyond the high-profile and widely circulated debate, journalists became major actors in the story. News organizations frequently cited and linked to one another, reporting, critiquing, and expanding on the coverage. Even *The Wall Street Journal*, which rarely links beyond its own pages, reported on stories by *The Guardian*, *The Washington Post*, and other outlets that originally published the leaks.

Meanwhile, *The Wall Street Journal* kept up its defense of the NSA, dismissing the notion that U.S. spying violates domestic laws or international norms. One editorial cited former French foreign minister Bernard Kouchner as saying: "Everyone is listening to everyone else. But we don't have the same means as the U.S., which makes us jealous" (*The Wall Street Journal*, October 29, 2013). The *National Review* continued to defend the programs and criticize Obama. One article featured a clip from the popular TV comedy *The Daily Show* citing Obama's "total ignorance." The article read: "From the NSA's spying on allies to the failings of Healthcare.gov, President Obama (according to claims from administration officials) doesn't seem to know anything about happenings in his administration" (*National Review*, October 29, 2013). *Mother Jones* continued to challenge the programs. One how-to article aimed at helping members of the public protect themselves, headlined "How to Keep the NSA Out of Your Computer," was highly critical of Obama (*Mother Jones*, September/October 2013).

In addition to coverage of related legal action, EFF ran several pieces critiquing media coverage. One piece was headlined "EFF to *New York Times*: Don't Get Fooled Again by Claims of NSA Spying 'Legality'" (EFF, November 11, 2013). The site also ran a story about its own representation of ProPublica in a case seeking the release of secret court opinions (EFF, November 12, 2013). During this period, *The Verge* tracked ongoing revelations about the relationship between the NSA and the communications industry, typically by highlighting key coverage published by *The Washington Post* and other publications. *The Verge* also ran an investigative article concerning global Internet privacy regulation and the possible future Balkanization of the infrastructure of the Internet given international concerns about U.S. spying (*The Verge*, November 8, 2013).

December 12, 2013–January 10, 2014

The final flashpoint of December 12, 2013, to January 10, 2014, also involved coverage of official responses and more NSA document leaks. On December 16, U.S. federal judge Richard Leon ruled NSA mass phone surveillance likely unconstitutional, and on December 18, a report was released from a review group directed by President Obama. There was also a continued flow of reporting during this period, most notably coverage of a *Der Spiegel* piece on an internal NSA document that revealed spying tools used by the agency.

One unusual and recurring argument in the pages of *The Wall Street Journal* and *The New York Times* during this flashpoint was that it is “human nature” to abuse power, and therefore legislation is needed as a check against inevitable abuses (see, e.g., Crovitz, 2013; “Virtual Reality,” 2013). This argument sometimes adopted technologically determinist tones. One *New York Times* column argued, “These technological toys turn everyone into thieves” (*The New York Times*, December 17, 2013). The implicit suggestion seems to be that the leaks bring up fundamental questions about the protection of citizen rights in governments; these questions have not come up in the past only because they were “invisible” by virtue of circumstance and available technology.

Closely related is an increased concentration of editorial interest in governmental checks and balances. Similarly, and directly driven by interest in Judge Leon’s December ruling on the likely unconstitutionality of NSA activities, is a recurring discussion of the distinction among written law, interpretation of law, and sometimes the “spirit of the law.” *The New York Times* cited violation of the Fourth Amendment⁵ to argue the spying programs were illegal (*The New York Times*, December 18, 2013) and *The Wall Street Journal* frequently cited court case *Smith v. Maryland* (*The Wall Street Journal*, December 18, 2013), suggesting that it should be up to elected officials to determine the law rather than the courts.⁶ The debate essentially was represented across media as a contest between judicial and executive powers, or a question of whether the courts or the politicians should decide what is allowed.

Both *Mother Jones* and *The Verge* cut through the technicalities of the legal arguments and published corrections and explainers. For example, *Mother Jones* ran a story with the headline “10 Myths About NSA Surveillance That Need Debunking” (*Mother Jones*, January 10, 2014), and *The Verge* ran another media criticism piece headlined “Don’t Be Fooled by the 60 Minutes Report on the NSA” (*The Verge*, December 15, 2013). In addition to coverage and analysis of the court decisions and Obama’s proposed reforms, EFF ran a series of articles on the fight against mass surveillance and for online civil

⁵ The Fourth Amendment of the U.S. Constitution provides, “the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause” (https://www.law.cornell.edu/constitution/fourth_amendment).

⁶ *Smith v. Maryland*, a 1979 Supreme Court case about a purse-snatcher caught when police obtained a suspect’s phone records, ruled that a telephone service provider’s records of a customer’s telephone activity—for example, the fact that a call happened, the phone numbers involved, and the duration of the call, but not the actual content of the call—do not implicate the Fourth Amendment.

liberties, including end-of-the-year wrap-ups of the NSA revelations (December 20, 2013), the state of encryption (December 28, 2013), the global fight against mass surveillance (December 30, 2013), and states stepping up privacy protection (January 2, 2014). EFF also announced an upcoming protest against mass surveillance called "The Day We Fight Back," writing:

The NSA is undermining basic encryption standards, the very backbone of the Internet. It has collected the phone records of hundreds of millions of people not suspected of any crime. It has swept up the electronic communications of millions of people indiscriminately, exploiting the digital technologies we use to connect and inform. But we aren't going to let the NSA ruin the Internet. (EFF, January 10, 2014)

In contrast, the *National Review* was highly critical of Snowden and questioned the value of the leaks, in one piece arguing: "He's neither a victim nor a hero, and he hasn't made a convincing case against the collection of metadata" (*National Review*, January 9, 2014). In response to a call from *The New York Times* that Snowden be granted amnesty, another article argued:

Snowden has done huge damage to the work of his country's security services—now and in the future—and is hiding from the due punishment by seeking refuge in a hostile foreign country that benefits from the fallout of his work. This sounds more like a defector than a whistleblower. (*National Review*, January 3, 2014)

Unlike most other media, *The Verge* ran little coverage of federal court cases and instead provided in-depth coverage of the technical aspects of the revelations, including on the tech industry meeting with Obama (*The Verge*, December 17, 2013), Apple's denial that it was aware iPhones were hacked (*The Verge*, December 31, 2013), and the lack of anonymity of metadata (*The Verge*, December 26, 2013), among other more tech- and industry-focused coverage.

January 16–28, 2014

During the January 16–28, 2014, flashpoint, key news events included the *Guardian* revelations that the NSA was collecting text messages, Obama's January 17 speech on the NSA, and a continued flow of leaks. At this point, six months into the story, coverage became more nuanced, emphasizing the need to rethink both rights and laws in response to new technology and a changing society. The notions of constitutional rights and precedents arose in these discussions as starting points to be examined and interrogated rather than as firm guides for reform.

In his January 17 speech, Obama defended the NSA and outlined a series of reforms but stopped short of demanding an end to bulk collection of U.S. citizen phone data. *The Wall Street Journal* spotlighted response to the speech by the technology and phone companies and the joint statement by a group of tech companies, including Google, Microsoft, and Facebook, which said they would continue to work with the government to sort out "unresolved issues." One *National Review* article outlined the "collective 'whew'" of conservatives that "Obama did not give in to the pleas of the antiwar Left and cripple the NSA completely, or end the collection and analysis of telephone metadata." The article also

criticized him for “praising Snowden as some kind of hero, instead of the traitor that he is” (*National Review*, January 17, 2014). Other coverage, including in *The New York Times*, criticized Obama for his failure to acknowledge Snowden’s important role in pushing for reform and for addressing the collection of data in the first place and how it may not be making Americans any safer (*The New York Times*, January 17, 2014). EFF put out a report, “Rating Obama’s NSA Reform Plan: EFF Scorecard Explained,” on how Obama’s announcements stack up against what it called “12 common sense fixes that should be a minimum for reforming NSA surveillance” (EFF, January 17, 2014). *The Verge* ran several articles on Obama’s policy statements and their reception by political and cultural leaders, including one on coverage of a *Daily Show* bit mocking Obama’s response (*The Verge*, January 21, 2014). *Mother Jones* ran a story that put surveillance in historical context, arguing:

For well over a century . . . surveillance and its kissing cousins, scandal and scurrilous information, have been key weapons in Washington’s search for global dominion. Not surprisingly, in a post-9/11 bipartisan exercise of executive power, George W. Bush and Barack Obama have presided over building the NSA step by secret step into a digital panopticon designed to monitor the communications of every American and foreign leaders worldwide. (*Mother Jones*, January 24, 2014)

Discussion

Across coverage flashpoints of the NSA revelations there is thematic complexity, and the distinct foci taken by different outlets—from acting as repositories and consumer advocates (EFF) to reflecting the points of view of domestic political elite (*The New York Times* and *The Wall Street Journal*)—made for diverse reporting and analysis that addressed a wide range of issues and perspectives.

Even so, the coverage was heavily focused on the U.S. political elite. Contrary to recent research that suggests that news stories linked to geopolitics are becoming not “solely domestic or foreign news” (Berglez, 2008), but instead circulate within and help foster a broader, global public sphere (Volkmer, 2003), the Snowden revelations news flashpoints were overwhelmingly connected to U.S. actors, events, and legal and political contexts. This was despite the fact that global actors and news organizations played a central role in the evolution of the story from the beginning and that the story has multiple global dimensions. *The Wall Street Journal* and *The New York Times* relied on elite U.S. sources—namely, public officials and corporate leaders, who dominated coverage of the revelations, mirroring the political discourse that treated privacy and security as the main topics of public interest, downplaying some of the more nuanced questions addressed in other outlets. This U.S. focus was reflected in the other outlets in our sample. In general, across all publications, for example, columnists were more likely to debate whether the NSA surveillance was constitutional or unconstitutional than the more universal questions of whether it was moral or immoral. Similarly in the United States, the near-constant debates about whether Snowden’s acts were heroic or villainous were always focused on perceived risks or benefits the leaks posed to the United States. There was little concern beyond U.S. interests. The domestic lens is still prominent and fogged with nationalism.

The predominance of both domestic and official angles is underscored by what was not covered extensively. Several significant international stories fell outside flashpoints, such as when British ministers of parliament forced *The Guardian* to destroy its servers, when David Miranda, Glenn Greenwald's partner, was detained at Heathrow, and when the story broke that the NSA was spying on foreign agencies. Each of these was reported by the German news outlet *Der Spiegel* on June 30, 2013, which was outside any of the flashpoints. There were also no flashpoints in coverage around nationwide protests in the United States, such as the "Restore the Fourth" rallies that took place across the country on the Fourth of July to protest NSA spying or "The Day We Fight Back" protests in February 11, 2014. This suggests perhaps that what is considered newsworthy still depends in large part on newsrooms and their elite sources.

The findings point to the enduring influence of elite legacy newspaper outlets, even amid tangible evidence of the emergence of the networked fourth estate. In the contemporary media environment, ubiquitous networked information and accountability neither transcend nor render legacy news organizations irrelevant.

Certainly, the Snowden revelations featured elements that attest to new forms of networked information and accountability. Snowden himself identifies as a hacker and is likely more versed in the nuances of online information than in the norms of traditional journalism. Glenn Greenwald, who played critical roles in the revelations and emerged as a key figure particularly in the early stages, is more lawyer-journalist-advocate than traditional reporter. Snowden's disclosures rapidly went beyond the traditional press as they ricocheted throughout the vast news landscape. Yet these elements of new forms of accountability information and news reporting coexisted with conventional journalism practices.

Although Snowden set in motion a new type of information activism (Cole, 2014), his actions suggest that he saw the traditional press as an essential platform for getting information to the public. He did not circumvent the traditional media but rather engaged with various legacy news outlets. His strategic collaboration with key global news organizations attests to his conviction that members of the traditional fourth estate remain significant in today's digital networked politics and news. As he told *Washington Post* reporter Barton Gellman (2013):

For me, in terms of personal satisfaction, the mission's already accomplished . . . I already won. As soon as the journalists were able to work, everything that I had been trying to do was validated. Because, remember, I didn't want to change society. I wanted to give society a chance to determine if it should change itself. (para. 7)

Snowden was convinced that the only way to bring attention to the leaks was to make them front-page news at leading legacy news organizations. And although his revelations certainly made the front pages of newspapers across the globe, it was actors and outlets in the expanded news environments that helped to bring about the robust debate he hoped to spur.

Looking at coverage through the lens of the concept of flashpoints, we can see that it is not simply that legacy news outlets are adopting digital logics to reassert their role in the new information landscape (Chadwick & Collister, 2014). A multilayered information ecology of connected new and old

platforms for producing and distributing news and opinion are shaping broad debates. While legacy news organizations retain a prominent position in a crowded, noisy, dispersed, borderless, and ever-expanding networked landscape, the networked fourth estate brings more complexity in terms of themes, practices, and forms of news. By doing so, it expands the sphere of legitimate debate (Hallin, 1986), as different news platforms focus on various aspects of a given story. In the mass-media era, traditional news media largely defined the sphere of legitimate debate, the range of ideas and perspectives deemed worthy of consideration. Today, the scope of perspectives and opinions that enter into discourse about issues such as the Snowden revelations are much broader, as people connect with one another and with alternative forms of news and not just with mainstream media (Rosen, 2009). Yet such expansion of legitimate debate does not happen completely outside or against the traditional fourth estate, but rather in relation to it.

In a 2015 interview, former *Guardian* editor-in-chief Alan Rusbridger lamented what he described as the simplistic public debate that has grown out of the Snowden revelations and pointed out that, while the press tends to cover only privacy and security, “there are multiple public interests” related to the story (Kunelius & Russell, 2015). He was referencing the British press, but our analysis suggests that the same rings true in the U.S. mainstream press, where treatment of the issues surrounding the leaks has been fairly narrow.

Taken as a whole, however, news organizations offered different frames and were driven by different sets of practices and values that determined what was important to highlight, investigate, or consider about the story. Indeed, in the expanded hybrid media landscape, public interest concerns were not limited to privacy and security—the issues taken up most prominently by political elite and traditional journalists. In fact, the Snowden/NSA story became different stories, focused on multiple themes and interpretative frames across news and opinion platforms. EFF covered issues of security and online civil liberties and acted as a repository of information. *The Verge* highlighted the technology industry and tools both used to spy and to resist surveillance. Conservative media focused on the implications of the revelation for national security, dismissed concerns about privacy, and condemned Snowden. Progressive media championed Snowden and engaged with issues of privacy and government transparency. Legacy newspapers mostly covered the doings of political and economic elites and at times publicly debated the implications of new forms of reporting put in evidence by the Snowden leaks, as illustrated by the Keller/Greenwald debate. Also, published leaks became fodder for social media, search engines, and other platforms that afforded their own particular takes on the story and ways of covering it (Klinger & Svensson, 2014; Dijck & Poell, 2013).

Conclusion

Two main conclusions with implications for the study of contemporary news ecology can be drawn from this study. First, coverage of the Snowden revelation in various U.S. news outlets confirms that, at a time when boundaries of journalism are undergoing significant changes (Carlson & Lewis, 2015; Papacharissi, 2015), legacy news organizations continue to rely on traditional journalistic norms and practices that define newsworthiness and professional ethics. The life span of the coverage predictably overlaps with the dynamics of conventional news events. Peaks coincided with declarations (e.g.,

presidential speeches) made by and actions (e.g., congressional hearings, judicial decisions) taken by high government officials and new revelations involving government and corporate actors. The flashpoints identified here followed conventional understandings of newsworthiness. The journalistic logic shaped the evolution of the story across multiple news platforms.

Therefore, there is no evidence of a universal digital logic that is distinct from a journalistic logic emerging in the networked fourth estate. Rather, various logics emerge as news organizations and platforms with different understandings and approaches to news and information mingle. It does not represent a uniformly new way of conceptualizing information or journalism, but rather the reflection of various traditions. These norms and practices not only continue to shape news coverage; they also define the way legacy news organizations firm up boundaries of expertise vis-à-vis multiple actors, including other news outlets, bloggers, citizen reporters, and sources (Waisbord, 2013).

The second conclusion that can be drawn is that the traditional press still plays a major role as fourth estate. It has not been replaced by networked actors; rather, it has become networked by the nature of the technologies in use, media landscapes the press inhabits and the practices outlets are adopting. No doubt, the proliferation of news platforms has changed the dynamics of leak and accountability reporting. Yet the traditional fourth estate continues to play important roles in a hybrid news environment, a fact that did not escape Snowden when he strategically placed the leaks. In fact, the coverage across various platforms closely followed the evolution of news flashpoints in major news organizations. Journalism continues to be a central "sense-making" (Hartley, 2011) institution, providing resources for societies to understand and communicate about public issues. Thus, insight into the linkages between legacy news and the networked fourth estate in monitoring power and denouncing wrongdoing in multilayered and dynamic information ecologies is key to our understanding of contemporary public discourse.

Both conclusions suggest that we should not lose sight of continuities and changes in a dynamic news landscape. Whereas the Snowden revelations patently reflect new ways of making news and fostering accountability, they also suggest important continuities in news production, practices, readership, and reception. As important as it is to understand major shifts in contemporary journalism and news, attention to novel ways for holding power accountable should keep in mind the persistence of long-standing news values and the blending of various brands of journalism in the networked fourth estate.

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Appendix

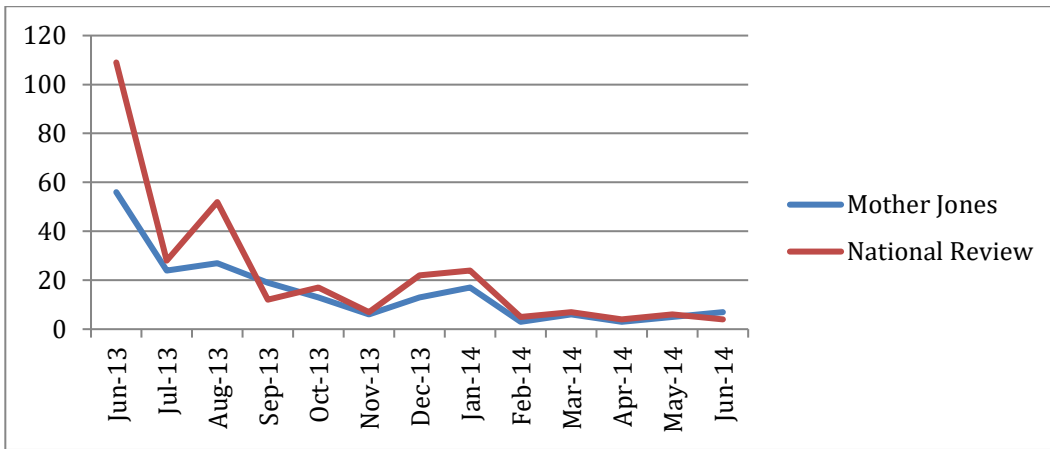


Figure A1. Number of stories about the Snowden revelations in Mother Jones and National Review, June 2013 to June 2014.

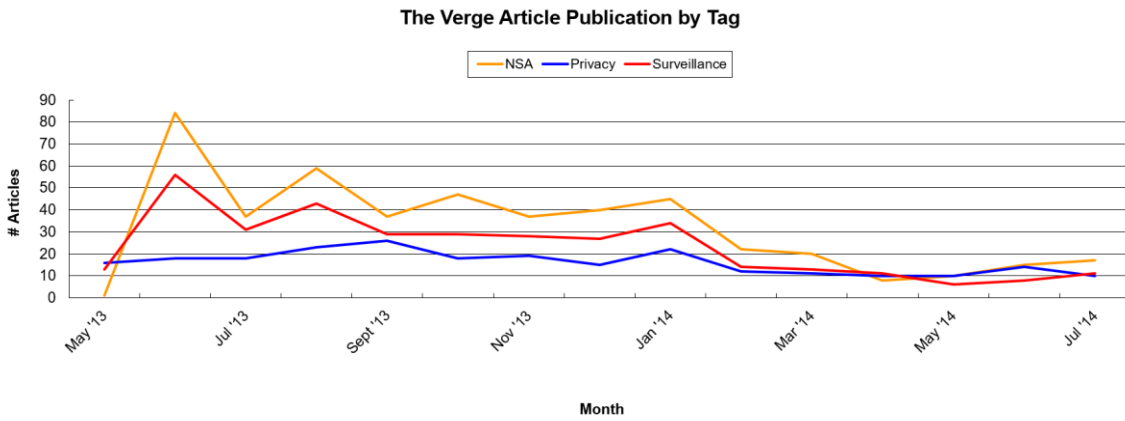


Figure A2. Number of stories about the Snowden revelations in The Verge, May 2013 to July 2014.

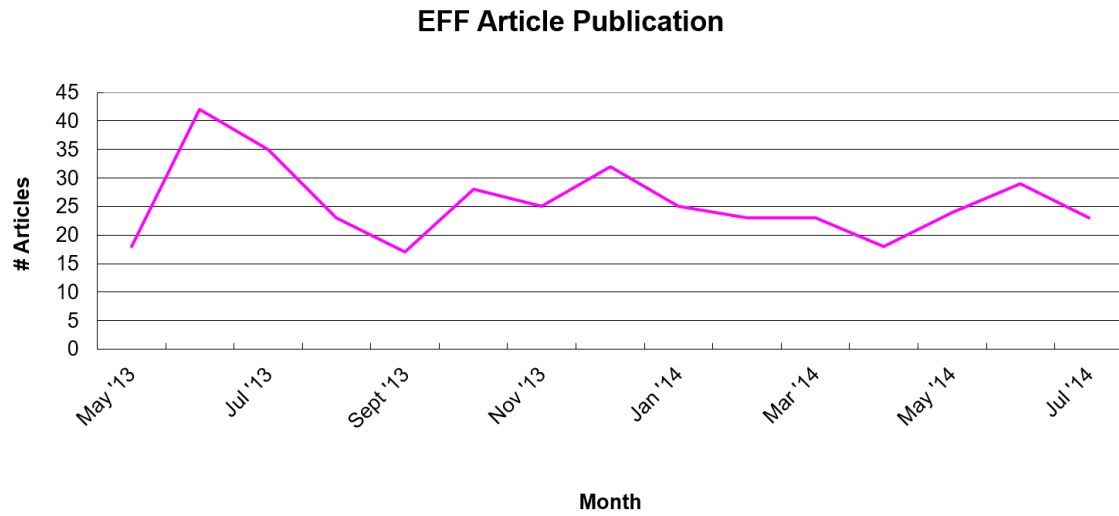


Figure A3. Number of stories about the Snowden revelations by the Electronic Frontier Foundation, May 2013 to July 2014.