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A critical discourse analysis of U.S. media coverage of government leaking during the Trump administration

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Abstract

Leaks of government information allow the news media to fulfill their traditional role of watchdog over the government and other powerful figures, yet public opinion about leaking and leakers is mixed. As anti-leak rhetoric proliferates from the President of the United States and others in government agencies, it is worth investigating the discourse employed by the media regarding government leaks and leakers. Using the Dialectical-Relational Approach to Critical Discourse Analysis, this study explored discourse about government leaking in news media during President Trump's first year in office in order to understand how government leaking is constructed and negotiated as a concept and how it relates to established relations and practices of power in the United States. Analysis of news media coverage of leaking events found that four dominant construals were employed regarding government leaking: legal, political, ethical, and depolitical. News media relied heavily on government and other elite sources when covering leaking events, and these sources were primarily responsible for promoting the dominant construals. The findings reveal the complicated relationship between the government, the media, and leakers, wherein each receives benefits and weathers damages for fulfilling their role. Ultimately, the government and elites are able to dominate the discourse about government leaking, presenting discourse that favors their position and disfavors that of leakers.

Keywords: Discourse, government leaking, leaks, leakers, political communication, Trump administration, critical discourse analysis.

A Critical Discourse Analysis of U.S. Media Coverage of Government Leaking
During the Trump Administration

by

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Chapter I: Introduction

I worried it would be like feeding seagulls at the beach if it was I who gave [the memo] to the media. So I asked my friend, "Make sure this gets out."

–James B. Comey, testifying to Congress

Leaks are not a new phenomenon in American politics and media (Leslie & Grannis, 2014; Ember, 2017). Yet under the Trump Administration, their prevalence seems to have increased and the rhetoric surrounding them seems to have escalated. Via his personal Twitter account, President Donald Trump has scolded former Federal Bureau of Investigation Director James B. Comey for leaking (realDonaldTrump, 2017d) and has assailed the media for using leaked information to construct "fabricated lies" about him and the White House (realDonaldTrump, 2017c). Mike Pompeo, the director[1] of the Central Intelligence Agency, described Snowden's leaking as "treachery" and Wikileaks as a "hostile intelligence service" (Pompeo, 2017). Anthony Scaramucci, the ephemeral White House communications director, asserted that he was "going to fire everybody" in order to stop "leaks" to the media (Davis & Haberman, 2017). Attorney General Jeff Sessions and National Intelligence Director Dan Coats delivered a press conference to reaffirm the federal government's intention to prosecute and jail leakers while also threatening to increase the potency of media subpoenas (PBS Newshour, 2017).

The news media have reported extensively on leaks. For instance, on June 5th, 2017, *The Intercept* published a leaked National Security Agency report about Russian efforts to hack the 2016 U.S. presidential election (Cole, Esposito, Biddle, & Grim, 2017). Before it was even published, the leaker of that report, Reality Winner, was arrested by the government after several

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[1] Pompeo was nominated by President Trump to succeed Rex Tillerson as Secretary of State on March 13, 2018.

clues revealed her identity, including markings in a scan of the report that *The Intercept* had shared with the government for corroboration (Savage, Shane, & Blinder, 2017). On August 3rd, *The Washington Post* published transcripts of President Trump's calls with the leaders of Mexico and Australia, which contained many unflattering quotes from the president about his political strategy and desires (Miller, Vitkovskaya, & Fischer-Baum, 2017).

Additionally, information reported as leaks by individuals or the media has not always been actual leaks. For instance, *Politico* published details about Scaramucci's financial disclosure form on July 26th (Woellert, 2017), and while Scaramucci decried the "leak" of such information (Baker & Fandos, 2017), the form was actually publically available and never claimed as a leak by *Politico*. Conversely, *The New York Times* published a draft of a federal climate report on August 7th and originally described it as not being available elsewhere, but two days later the paper published a correction to state that the report had been publically available on the *Internet Archive* since January (Friedman, 2017).

With the proliferating and varying use of the word and concept of leaking by the President, other members of the government, and the media, now seems an appropriate time to investigate the discourse employed as they reference and debate the action of leaking in U.S. society. The purpose of this study was to understand, via a critical discourse analysis, how discourse about government leaks is constructed and negotiated in U.S. news media. Discourse is shaped by relations of power in society, and it has a way of shaping that power too (Wodak & Meyer, 2009; Fairclough, 2009). Examining this discourse may help to better understand the current complicated relationships of power among the government, the media, and leakers and where these relationships fit within the whole of U.S. society.

Watchdogs and Criminals

One role that the media plays in its relationship with the government is that of watchdog—keeping watch on government doings and reporting to the public. The law has generally been on the media's side in this regard. Thanks to court rulings like *New York Times, Co. v. United States*, the news media "appear to occupy a privileged position" in that they have been relatively protected when publishing leaked information (Pozen, 2013; p. 525). Journalists may even publish illegally obtained information that has been leaked to them so long as they were not involved in the illegal activity (Bartnicki v. Hopper, 2001).

This privilege and protection was linked prominently to the use of leaked information in the U.S. Supreme Court case of *New York Times, Co. v. United States*. In that case, the government had filed suit against *The New York Times* for publishing classified information about the Vietnam War leaked to the paper by Daniel Ellsberg, an analyst working for the RAND Corporation (Cooper & Roberts, 2011). In their ruling, the court affirmed the media's watchdog role as a fundamental aspect of the First Amendment to the Constitution. Justice Black wrote, "The press was protected so that it could bear the secrets of government and inform the people"; Justice Douglas added, "Secrecy in government is fundamentally anti-democratic .... Open debate and discussion of public issues are vital to our national health" (New York Times v. U.S., 1971).

Support for the media's role as watchdogs over the government—for publishing information that served the public interest—has grown in recent years (Amid Criticism, 2013). Additionally, trust for the government is mixed: only 15% of those polled trust the government "a lot," whereas 36% trust it "somewhat" (Wike, Simmons, Stokes, & Fetterolf, 2017). Yet support for the leakers themselves is more divided. In a Pew Research survey regarding Chelsea Manning's release of Afghanistan war documents in 2010, 47% of those polled said it harmed

the public interest and 42% said it served it (Most say, 2010). Survey responses for Edward Snowden's NSA surveillance leaks were similar: 44% said it harmed the public interest and 49% said it served it (Public split, 2013). More decisive was the public's opinion on whether Snowden should be prosecuted: 54% said yes, while only 38% said no.

Unlike the media, leakers have little legal protection, even if they are not often punished in the system. Leakers can be charged under numerous federal statutes (Pozen, 2013; pp. 522-4), particularly 18 U.S.C. § 793, which puts them at risk for fines and up to 10 years in prison for "gathering, transmitting or losing defense information" (Espionage and Censorship, 2006). If "whistleblowers" within the government report actual wrongdoing through the official channels, they are protected from adverse personnel consequences (Whistleblower Protection Act, 1989), but this does nothing to protect those leakers like Daniel Ellsberg and Edward Snowden who may feel official channels are ineffective (Neuman, 2013). But even after using unofficial channels like news media, leakers may have their identities revealed by the journalists they worked with, as the government can legally compel journalists to give up confidential sources (Branzburg v. Hayes, 1972).

The Political Economy of Leaks

In addition to legal systems, a political-economic system exists to link the government, media, and leakers. Generally, to build their coverage of events and policy, the media seek out primary sources of information and experts, and these can include the government and other elites (Herman & Chomsky, 1988). This process assists the government and elites in promoting their frames and narratives in an environment where issue frames are in competition (Chong & Druckman, 2007; Slothuus & de Vreese, 2010); in other words, it helps them influence news coverage in their favor. The media are also pressured to work within these frames or else risk

critical flak from the government and elites should they deviate too far (Herman & Chomsky, 1988; Boyd-Barrett, 2004; Entman, 2010).

This relationship between the media and the government, where one provides benefits and potential drawbacks to the other, extends to leaks, as theorized by David Pozen (2013). Within his political-economic theory of leaks, leaks are sometimes sanctioned plants that may benefit the government and sometimes unsanctioned releases that may harm it. When sanctioned as plants, the government depends on the media to circulate the plant, and when unsanctioned, the government depends on the media to promote its narratives about the leak, the leaker, and the government's response and accountability (Pozen, 2013).

In short, the government often depends on the news media, and the news media often depend on the government. Yet the news media, while fulfilling their watchdog role, also depend on the leakers themselves and the information they provide. And the leakers are often engaging in illegal activities to acquire or transmit their information. This creates an interesting setting for the construal of leaks and leakers in the media, especially in a political environment that has become turbulent for news media and leakers alike.

Key Concepts for This Study

To investigate how this environment and these relationships are shaped by the discourse of leaks, I approached this study's concepts specifically from the perspective of Critical Discourse Analysis (CDA). Writing from that perspective, Norman Fairclough (1993) defined *discourse* as "socially shaped, but also … socially shaping" (p. 134): it is the "practices, events, and texts" (p. 135) about a subject, informed by how people socialize while also serving to reinforce or restructure those socializations. The discourse that I sought to investigate was not

specific to any one leak or leaker. Rather, it was the discourse that the news media employ about how society views, discusses, and reacts to leaks and leakers as social actions and actors.

Understanding discourse, understanding the semiotic and social relationships it involves, is fundamental to understanding how *power* functions in and through society (Fairclough, 2009). Power is central to many studies in the CDA tradition. CDA researchers' conception of power is rooted in the philosophy of Michel Foucault (Wodak & Meyer, 2009): "Power is about relations of difference, and particularly about the effects of differences in social structures" (p. 10). Power is part of the basic structure of society, intrinsic to social action, rather than an outside force draped over it (Foucault, 1983). Members of society have their actions constrained by power, not only when the constraint is explicit (against the law) but also when it is implicit (adhering to social hierarchies or avoiding social punishments). Discourse allows power to be expressed by providing relations to be followed and subject positions to be assumed: a doctor may interrupt or command a medical student, and the student's responses and actions will be subject to the doctor's understood power over them (Fairclough, 2001; p. 36-39). Given the subjects and targets of government leaks, the discourse surrounding them will likely relate, implicitly or explicitly, to power relations and structures within the United States, particularly among citizens, the press, and the government.

Fairclough's (2009) Dialectical-Relational Approach to Critical Discourse Analysis relies on several key concepts in its analytical process. An analysis identifies the *semiotic nature* of texts, or how the language of a text generates meaning. This semiosis is partially shaped by how a text utilizes *genres*, such as a news report, an editorial, a stump speech; *discourses*, such as how leakers may be construed differently in journalism, politics, and national security; and *styles*, "identities, or ways of being" particular to a social role that distinguishes that role from

others (p. 164). Analysis of these facets of semiosis entails identifying *construals* employed by texts. Fairclough uses this term rather than others (representation, portrayal) "to emphasize an active and often difficult process of 'grasping' the world from a particular perspective" (p. 164). For example, a discourse about world change will likely construe it as lacking any responsible agents and being more akin to a force of nature outside of history (p. 178). An analysis of a text should also include an analysis of its *interdiscursivity*, which essentially establishes a network between a text and other texts, discourses, and social practices (pp. 166, 180). The dialectical relationships formed by this interdiscursivity provide further structure and meaning for the discourse under analysis.

Determining a standard definition for the concept of *leaking* is difficult. The concept is contested, acutely in the current historical moment, as what President Trump means when he employs it may differ starkly from what a journalist means. The law provides no clear definition either but rather a constellation of "overlapping, inconsistent, and vague criminal statutes" (Vladeck, 2014). For the purposes of this study, I have defined the concept of *leaking* generally as anonymously revealing a government organization's not-publicly-available information to the press without using that organization's official channels. I have treated it as related to but separate from the concept of *whistleblowing*, a concept generally defined by reporting wrongdoing by an organization (such as in various legal statutes, e.g., Whistleblower Protection Act, 1989; Prohibited Personnel Practices, 2006). *Leaks* result from a variety of motivations toward a variety of ends (Pozen, 2013). I hope that this study will help this conceptualization to be further refined and specified within current historical context.

Toward a Discourse of Leaks

With the above concepts in mind, I have employed the following research questions to guide my analysis.

RQ1: How do news media construct discourse of government leaks and leakers?

RQ1a: What construals are employed in this discourse?

RQ1b: What is the interdiscursivity of the discourse? In other words, what is the network of texts and social practices, events, and strategies involved?

RQ2: How does this discourse establish, reinforce, or challenge power structures?

RQ2a: According to the construals employed, what roles do government leaks and leakers play in society, and to what extent are these roles portrayed as necessary or unnecessary?

Previous studies relating to government leaks and leakers have focused on the framing of the leakers, particularly Edward Snowden, though more quantitatively than critically (Qin, 2015; Di Salvo & Negro, 2016). Some research has also attempted to assess the fallout regarding government surveillance policy and public opinion (Smith, 2016; Lischka, 2017). Studies about the related concept of whistleblowing have interviewed whistleblowers (McGlynn & Richardson, 2014) and public relations employees (Greenwood, 2015) for their subjective experiences with the act of whistleblowing. Leaking and whistleblowing have received extensive legal analysis (e.g. Rosenzweig, McNulty, & Shearer, 2014; Hennessey & Murillo, 2017), and David Pozen (2013) developed a substantial political-economic theory for leaks. However, no studies have critically addressed the discourse used about leaks and how this discourse relates to power in society.

The results of this research should be of interest to those seeking to understand how the concept of leaking exists and is defined within the current historical moment in U.S. news media

discourse. Furthermore, the results may provide an additional avenue for arriving at an understanding of the relationship between the media and the government, particularly under a Presidential administration that has openly shown hostility and disdain for the press. It is also my hope that this research will assist in mapping and understanding the current shape of power in American society, particularly how leakers, the media, and the government fit within it and engage with each other.

In the next chapter, I detail leaking's legal existence in the United States. Following this discussion, I explore the relationship between the media and the government within the context of government leaking, paying particular attention to the propaganda model described by Herman and Chomsky (1988). The final section of the chapter presents the concepts of discourse and power from the perspective of critical discourse analysis, while also providing overviews of two pairs of important discursive strategies of power: politicization and depoliticization, and legitimization and delegitimization.

In the third chapter, I review in greater detail CDA, particularly the school of thought within it known as the Dialectical-Relational Approach (DRA), which informed my sampling, analysis, and validity procedures. Upon detailing each of those, I conclude with a brief note regarding my role as researcher in this study.

In the fourth chapter, I present the findings from my analysis of U.S. news media coverage of leaking under the Trump administration. The findings are gleaned from eight distinct leaking "events" spread across 2017 that generated significant discourse about leaking, and I begin the chapter with a brief description of each event to provide the reader with the basic historical context for my findings. I present findings on four dominant construals from the

discourse--legal, political, ethical, and depolitical—before concluding with an analysis of how the discourse reveals relationships of power in the United States.

In the fifth chapter, I provide a discussion and summary of findings with attention to the implications that these findings have for leaking, leakers, and the political economy of media. I revisit David Pozen's (2013) "political economy of leakiness" and consider the limitations of this study. To address some of these limitations in the future, I propose several avenues for future research. I conclude with a final note about leaking, power, and the media.

Chapter II: Literature Review

This chapter establishes the context of my study and analysis. It begins with an overview of the leaking and its relationship to the law and to national security. Next, it examines the link that leaking creates between the media and the government, paying particular attention to Herman and Chomsky's (1988) propaganda model, while also reviewing past research about government leaking. The final section of this chapter explores the concepts of discourse and power from the perspective of critical discourse analysis, and it concludes with a discussion of two pairs of discursive strategies of power that are applicable to government leaking discourse: politicization and depoliticization, and legitimization and delegitimization.

Leaks and Leakers

The following section reviews literature and research regarding government leaks and leakers. Many studies have focused on the roles that the government and the media play in pursuing leaks and presenting them to the public. I have found no studies that investigate analytically the discourse about leaks, though some researchers have conducted analyses of the discourse generated by leaks about other topics (Bail, 2015; Lischka, 2017). Nevertheless, these studies provide important context for understanding how the government and news media construct and employ discourses about government leaks and leakers.

Leaking and the law. What constitutes government leaking depends on context. Much of the legal and ethical issues described in this section approach leaking within the context of sharing classified information, and much of that information relates to national security and surveillance. But leaks reveal government secrets, and not all government secrets are classified— they may simply be bits of information that the government would prefer to keep from the public eye. This distinction, or rather, this lack of distinction between leaks is of vital importance to this

study and news media discourse about government leaking. Much of the argumentation about government leaking depends upon the context of leaking *classified* information, and so the review I provide below is necessary for understanding the foundations of those arguments. But the findings of this study in Chapter IV also show how these foundations are referenced nearly indiscriminately when government information is leaked to the U.S. news media.

A clear definition of government leaking does not exist, though the legal system does provide some points of reference for understanding the actions and behaviors that could warrant prosecution. The Espionage Act of 1917 (18 U.S.C. § 793; Espionage and Censorship, 2006) is frequently cited in both legal and news media discussions of leaking and applies to leaking of confidential government information. and this was the case for leaking news coverage during 2017. This act makes it illegal to remove, copy, or otherwise disseminate confidential information "with intent or reason to believe that the information is to be used to the injury of the United States, or to the advantage of any foreign nation." As I show in this study's findings, leakers are frequently held to this standard in discourse generated through the news media, regardless of whether they have actually disclosed confidential information and whether it truly advantages foreign nations. In addition to the Espionage Act, Vladek (2014) explains that the United States has also turned to "more property-oriented rationale … [in] the federal conversion statute, 18 U.S.C. § 641" (p. 34). This law forbids the personal use without authority of "any record, voucher, money, or thing of value to the United States" (Public money, 1940), potentially allowing for a "broad reading" with even fewer constraints than the Espionage Act provides (Vladek, 2014; p. 34). Vladek notes additional statutes and acts that may be applicable to leaking cases, though all previous legal actions have involved only either the Espionage Act or 18 U.S.C. § 641 (pp. 35-36).

Leaking is similar to the act of whistleblowing, in that it involves transmission of secret information and also has point of reference within U.S. law. I briefly address whistleblowing here because some individuals who disclose government information may be considered both leakers and whistleblowers, depending on the context and the source of the discourse. For instance, James B. Comey may be considered a whistleblower for leaking a memo of a private conversation he had with President Trump in order to spur government oversight, though others characterized him as a leaker (Zapotosky, 2017b). Legally, whistleblowers have protection under the creatively named Whistleblower Protection Act (2006), which references title 5, section 2302(b)(8) of the United States Code for what constitutes whistleblowing actions. These actions are "any disclosure of information by an employee or applicant which they employee or applicant reasonably believes evidences—(i) any violation or any law, rule, or regulation, or (ii) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety" (Prohibited Personnel Practices, 2006).

Beginning with the passage of the National Defense Authorization Act of 2012, government contractors and subcontractors have gradually gained access to most of the same whistleblower protections that government employees have, including protection from personnel actions (like firing) and access to jury trials (Devine & Katz, 2014). However, protections for both government employees and contractors seem to require reporting through the proper internal channels rather than leaking information directly to the press. For one to claim "whistleblower" status, one has to play by the established rules. Someone like Daniel Ellsberg, leaker of the Pentagon Papers, would not be protected as a whistleblower because they passed over official channels that they saw as ineffective (Neuman, 2013).

Vladeck (2014) notes an important point about the applicability of the Espionage Act, particularly salient for this study: "the text of the Act draws no distinction between the leaker, the recipient of the leak, or the 100th person to redistribute, retransmit, or even retain the national defense information that, by that point, is already in the public domain" (p. 33). Within the text of the law, there is no clear delineation between leaker and the press, no special protection for news media. Relevant case law, however, has built some defense for the media over time. *New York Times, Co. v. United States* (1971) protected news media from publishing government secrets when there was a clear public interest in doing so, and while leakers are not protected, the decision in *Bartnicki v. Hopper* (2001) protects journalists when publishing illegally obtained information.

Leaking and national security. Discourse about government leaking tends to raise concerns about national security, even when the specific leaks in question may not seem to directly impact national security. The leaks from Edward Snowden to *The Guardian* did appear to directly involve national security, having revealed the U.S. National Security Agency's deep involvement in the proliferation of surveillance policies, training, and equipment around the world. Keiber (2015) argues that U.S. economic and foreign policy has made possible a global system of international surveillance in the interests of national and international security. The current concept of national security around the world has been strongly influenced by U.S. foreign policy since at least the 1960s: then, it was related to the Cold War with the U.S.S.R., but it has remained in effect even as the Cold War has ended and been replaced by neoliberal hegemony (McSherry, 2000). Indeed, the centralization of international security and surveillance within the most dominant world power in a given time period is not a new phenomenon, as it

resembles the same centralization of information that the telegraph afforded the U.K. in the early 1900s (Marsden, 2014).

Researchers have paid much attention to the discourse and rhetoric of national security and surveillance in the last decade, likely in response to sharpened (and depoliticized) rhetoric and policies of the so-called War on Terror. An early example of such policy-making was the U.S. Patriot Act. Simone (2009) provides a critical discourse analysis of the website that the government created for the act, ostensibly as an educational tool for the public; instead, the surveillance discourse used by the website amounted to little more than propaganda for establishing and reinforcing the government's power. Hunter and MacDonald's (2017) study of the discourse used by U.S. security organizations revealed that the concepts of "combination" and "collectivism" are key to the security field—this finding is not coincidental considering the concepts of depoliticization and hegemonic consensus central to neoliberal hegemony.

Other studies have found the media (Lischka, 2017), the president (Trifonov), and federal officials (Wagner, 2016) all engaged in discourse, rhetoric, and communication related to national security and surveillance that hinders deliberation and the free flow of information. Instead, each actor involved promotes hegemonic, neoliberal ideals of consensus and the control of markets and information. For instance, while examining U.K. broadcast media coverage of Snowden's leak about the U.S. National Security Agency's mass surveillance programs, Lischka (2017) found that pro-government and pro-surveillance argumentation flourish while "contra-surveillance arguments" were seldom offered. Rather than attributing this to active censorship, Lischka suggests this "underreporting" was caused in part "by not extensively enough including alternative sources than government actors" while covering the leaks (p. 680). Lischka also found that efforts to legitimize mass surveillance (a discursive strategy I discuss at the end of this

chapter) were centralized and concerted by government sources, whereas efforts to delegitimize it were "more diverse and vary for each case" (p. 679). These observations about alternative and government sources are also applicable to government leaking discourse, as can be seen throughout the findings presented in Chapter IV. Government leaking, by offering means of cutting through strategies of communication to prevent deliberation and information flow, represents a serious threat to the established structure of the government's power over information.

"A Political Economy of Leakiness." What purposes leaks serve and why they continue to happen were two of the basic research questions pursued by David Pozen (2013) in his highly-detailed analysis of leaking in the United States. Laws such as the Espionage Act of 1917 exist in the U.S. to punish leakers of classified information, and the government routinely condemns leakers to the news media and the public—and yet, only "roughly a dozen criminal prosecutions" (p. 534) have resulted from leaks (the Obama administration prosecuted eight), and most leak cases are never prosecuted as criminal actions (p. 555).

Pozen theorizes the existence of "a political economy of leakiness" (p. 580), which explains the benefits of allowing leaks to continue with little legal punishment while also revealing the indirect ways in which leaks are dealt with. This argument hinges on the understanding that the government will purposefully leak anonymous information to the press, whether it is done as an intentional executive branch strategy or a means of one department getting the attention of another. These "plants" work in part because it is difficult to distinguish them from more traditional leaks with complete certainty. If leaks in the media were pursued aggressively enough by the government, they would likely dry up, making it easier to spot planted information and thus removing a valuable strategic communication tool from the

government's repertoire. Instead, leakers are often dealt with indirectly, or at least extra-judicially, in the form of professional repercussions: quiet transfers or firings, missed promotions, and so on.

In Pozen's theory the media play an important role as avenues for communicating leaks and plants. Importantly, he notes that the media mitigate the potential damage of leaks by making stories more consumable and, in theory, less analytical and useful for public scrutiny, further easing the burden on the government of prosecuting them:

> [W]hat limits the spread and cost of leaks is not necessarily the mainstream media's ethic of responsible journalism. It is their simple need to package content in a way that is intelligible and interesting to a mass audience. There is also a related resource constraint. A mainstream media outlet can only allocate so many pages or so much airtime to any given news item. (p. 615)

Pozen highlights what are some of the key principles of media gatekeeping theory (Shoemaker & Vos, 2009): the mass media, being intended for and dependent on mass consumption, makes publishing decisions in part based on mass appeal and in part based on press or screen real estate. Essentially, in addition to effects like agenda setting and frame building (Vu, Guo, & McCombs, 2014; Powell, Boomgaarden, De Swert, & de Vreese, 2015), the media plays a role in affecting public opinion about leaks and leakers by virtue of its political-economic position, in the way that various gatekeeping processes related to political economy lead to the inclusion or exclusion of certain information and narratives.

Some critical theorists have argued that media ends up relying on the government to compile these narratives for mass consumption, turning to current and former government employees as primary sources of information, which in turn serves to promote the agendas of

those in government (e.g. Herman & Chomsky, 1988). In some cases, the relationship between the media, the government, and sources operates to silence agendas rather than build them, promoting rationales for government silence in response to leaks and other intelligence-related activities (Herfroy-Mischler, 2015). In other cases, the media functions on its own to police individual outlets that cater to leaks that may threaten the government's agenda (Petley, 2014), a phenomenon reminiscent of the propaganda model's (Herman & Chomsky, 1988) concept of "flak" to discourage divergence from such agenda. Exactly which strategy will be employed or which phenomenon will result depends on the historical context of the event and actors.

Since its publication, the propaganda model has been both utilized for media analyses and criticized. A retrospective on the model by Herman (2000) refutes multiple criticisms that have been made, including that the model is simply "conspiracy theory," that professionalism and objectivity would prevail over concerted efforts by elite media ownership and politicians to craft a singular message, that the model cannot explain resistance in the media, and that it is too functional. Addressing professionalism and objectivity, Herman uses the context of the often contentious relationship between President Reagan and the media—a context raised by a critic of the propaganda model—to show how the media can be allowed to oppose specific government actions while supporting long-term policy. Hertog (2000) noted similar findings while analyzing Reagan-era media coverage of the U.S.-Libya conflict: journalistic "professionalism" and "objectivity" may generate critical coverage of government actions at a "tactical" or short-term, specific-event level, but "strategic" coverage will nonetheless support long-term, macro foreign policy.

Lang and Lang (2004), reviewing Chomsky's body of work while focused on the propaganda model, criticize the model not for how each filter describes the relationship between

elites and the media—they seem to acknowledge that the filters are applicable to how the media can sometimes function—but for the model's general assertion that the media only function as a collective propaganda machine for the powerful. They critique Chomsky (and Herman) for cherry-picking events and data to support the propaganda model. They use Chomsky's ability to get published as evidence that the media are not locked into the propaganda model, as well as the apparent political division in the media with "conservative" outlets is attacking "liberal" ones. However, the model allows for division among the media when elites are in disagreement over particular policies and political issues (Herman, 2000). Furthermore, while the division reflects differences in some political and ideological values, the propaganda model seems to be more focused on a larger, dominant structure of power in society that is even more pervasive than political parties or political ideologies.

Though the propaganda model has faced criticism, it has nonetheless been applied to the U.S. news media environment and generated findings that support its composition and operation as argued by Herman and Chomsky. In addition to Hertog's (2000) findings, Goss (2009) analyzed the discourse employed by the Accuracy in Media (AIM) group—identified by Herman and Chomsky as a flak-producing media entity—and revealed its systematic bias in favor of elite government agenda, even going so far as to omit facts to present a consistent narrative. Additionally, Kennis (2009) reviewed news media coverage of the 2000 uprisings in Ecuador, finding a focus on official sources and a lack of contextual references and substantial discussion of underlying issues for the uprisings. Coverage reflected no split in elite opinions and offered no resistance or interrogation of elite opinions. These findings related to elite sources and news media coverage are particularly relevant to the present study about government leaking

discourse, as news media coverage in this case similarly relies on elite sources to provide commentary and discourse.

Previous studies of leaking. Past research into leaks and leakers has been relatively limited. A fair number of studies exist about whistleblowing, which is a broader term than my use of "government leaking" as it is not restricted to giving government information to the media and is usually characterized expressly by a desire to reveal perceived wrongdoing (for how the government defines whistleblowing, see above as well as Whistleblower Protection Act, 2006). There are, however, similarities in how government leaking and whistleblowing each disrupt the "normal" flow of information, extracting it from internal processes and inserting into external processes like media publication. Government leakers and whistleblowers publicize information that would otherwise be non-public and secret.

Whistleblowing research looks at the social practice in other fields, such as healthcare (Mansbach & Bachner, 2010; Rodulson, Marshall, & Bleakley, 2015) and business (Mesmer-Magnus & Viswesvaran, 2005; Skivenes & Trygstad, 2015; Middlemiss, 2017). These studies investigate the action of whistleblowing itself and how it functions within organizational structures, similar to Pozen's (2013) analysis of how classified leaks function. Whistleblowing in the workplace can serve to open rifts in the structure of power and challenge accepted "truth" in the organization, allowing for organizational transformation (Weiskopf & Tobias-Miersch, 2016).

How leaking and whistleblowing function for government workers has been investigated at both the state or local level (Skivenes & Trygstad, 2016) and the federal or national level (Harwood, 2016). Findings tend toward promoting transparency as beneficial for the primary actors involved—the politicians, government employees, and leakers and whistleblowers. On the

other hand, government leaking and whistleblowing can also result in "spectacles" of accountability, wherein the revelations trigger investigations and largely political (though also legal) repercussions for those held up as responsible by the government (Schlosberg, 2015; Tarzie, 2017). This sort of spectacle reinforces power by sacrificing or changing little while offering the public the illusion or simulation that making one example out of someone who is little more than a scapegoat will remedy the issue.

Studies about government leakers themselves have focused on how they are framed in the media, with Edward Snowden being the leaker of choice (Crook, 2015; Qin, 2015; Di Salvo & Negro, 2016); self-presentation has also been examined for both Snowden (Opt, 2015) and Chelsea Manning (Maxwell, 2015). Looking at framing within a relatively simple choice of categories, newspapers in the U.S. and the U.K. offered somewhat balanced coverage of Snowden, with most articles tending to use the more value-neutral term "whistleblower" as opposed to "hero" or "villain" (Di Salvo & Negro, 2016). Nevertheless, this quantitative analysis does not afford the more nuanced readings available to a qualitative analysis; there are undoubtedly more subtleties in coverage when the dialectical and contextual qualities of discourse are accounted for.

As a final note on the portrayal of government leakers, which I feel also further highlights the importance of this study, Malcolm Gladwell (2016) wrote in *The New Yorker* of the difference he saw between Daniel Ellsberg, leaker of the "Pentagon Papers," and Snowden. Gladwell objected to the word "leak" in framing Snowden's case; rather, he argued, Snowden "flooded." The semiotic difference here is, of course, that Snowden released a large amount of uncontrolled information, whereas Ellsberg released a precise amount of controlled information; Snowden was not selective in the information he released, whereas Ellsberg was more deliberate.

The deeper implication is that Snowden was irresponsible and dangerous, whereas Ellsberg was responsible and considerate—one is a threat to the U.S., one is a patriot. Gladwell also draws unmistakable connections to differences in class and age between the two. It is an altogether remarkably hegemonic critique, but a type of critique that the media address repeatedly in their coverage of leaks and leakers (Neuman, 2013; Peralta, 2014; Blinder, 2017; Zaid, 2017).

Discourse, Power, and Related Communication Strategies

The theoretical concepts of discourse and power are wide and branching, but Critical Discourse Analysis (CDA) researchers have developed their own conceptualizations to complement their work and world views. For the final section of my literature review, I explain these CDA-oriented conceptualizations of discourse and power and provide an overview of two pairs of discursive strategies of power that are central to discourse about government actions: politicization and depoliticization, and legitimization and delegitimization.

Discourse. In their introduction to *Methods of Critical Discourse Analysis*, Wodak and Meyer (2009) note that definitions and uses of discourse vary not only within the social sciences but between different CDA researchers and approaches as well. At its most basic level, discourse is the use of language underscored by the recognition that its use occurs within a particular social context; that social context dictates the language used but is also influenced by language in turn. Norman Fairclough, CDA researcher and proponent of the Dialectical-Relational Approach to be used for this study, commonly explains discourse as some variant of the phrase, "language as a form of social practice" (Fairclough, 2001; see also: Fairclough, 1993; Fairclough, 2009). Language relates to society not on an external level but as a fundamental part of society: "there is not an external relationship 'between' language and society, but an internal and dialectical relationship" (Fairclough, 2001; p. 19). Social practices can determine word choice or the

grammatical structure of a sentence, but social practices are also often *constituted by* discourse: they necessarily involve the use of language in order to play out as social practices (Fairclough, 2001).

Because of its intrinsic nature to society, discourse tends to be influenced by and an influencer of power relations: "Discursive practices … can help produce and reproduce unequal power relations between (for instance) social classes, women and men, and ethnic/cultural majorities and minorities through the ways in which they represent things and position people" (Fairclough & Wodak, 1997). Like the concept of discourse, just what is meant by power varies within the social sciences, even within the different approaches to CDA. The general CDA approach to power, as well as the specific DRA conceptualization, is discussed below.

Power. How CDA researchers conceive of power derives from the work of theorist Michel Foucault (Wodak & Meyer, 2009). Foucault wrote and spoke at length about the nature of power in society, particularly through disciplinary institutions and the concepts of biopower and biopolitics (Foucault 1995; 2007). For Foucault and CDA researchers, power is an intrinsic part of society, as society is formed by relationships among individuals, relationships that lead to imbalance and power over or under each other (Wodak & Meyer, 2009). Power cannot be separated from society: "power relations are rooted deep in the social nexus, not reconstituted 'above' society" (Foucault, 1983). Everything that transpires in society is affected somehow by power relations.

Foucault (1983) also noted that power is "not simply a relationship between partners, individuals or collective; it is a way in which certain actions modify others." In other words, power is not simply one person coercing another or one person consenting to another—it is also the ability for actions or other social context to modify our actions without a direct influence or

relationship with another person. This sort of contextualization of power is incorporated by Fairclough (2009) in his conceptualization of the Dialectical-Relational Approach (DRA) to CDA. This approach understands all meaning as negotiated and affected by other meanings. Meaning, or *semiosis*, is dialectical: "relations between elements are dialectical in the sense of being different but not 'discrete', i.e. not fully separate" (p. 163). Word choice, sentence structure, and argument and text layouts are chosen not at random but due to their dialectical relationship to other meanings and practices in society. By understanding these "relations of difference, and … the effects of differences in social structures," we can also understand how power functions in and through society (Wodak & Meyer, 2009; p. 10).

Fairclough's approach to looking at the relationship between discourse and power vis-à-vis social wrongs provides a more specific methodology that I felt was particularly applicable to this study. Even a cursory glance at discourse about government leaking shows that many government officials, intelligence experts, and members of the media would construe leaking as one such social wrong. It is this focused approach, adapted from Foucault's writings by Fairclough in his practice of the CDA discipline, that provides an appealing blueprint for investigating discourse about government leaking, and I explain this approach with detail in the next chapter.

Discursive strategies of power. The functioning of power can rely on any one of a collection of communication strategies present in discourse, what Fairclough (2009) refers to as "macro strategies" in his explanation of the Dialectical-Relational Approach to critical discourse analysis (p. 174). Those who hold power, such as political actors, "aim to maintain [it], through different means and particularly through discourse" (Reyes, 2011; p. 783). In this section, I have identified two pairs of discursive strategies of power that important for understanding discourse

about government actions: politicization and depoliticization, and legitimization and delegitimization.

Politicization and depoliticization can be understood as similar means employed to achieve opposite ends. Both operate by seeking to modify the political nature of an issue, social group, or conflict: politicization attempts to make an issue political and open to political debate, whereas depoliticization attempts to make an issue non-political and closed to debate. Much of the conceptualization of these strategies depends on the agonistic political model developed primarily by Chantal Mouffe and Ernesto Laclau and how that model approaches politics and the political (Mouffe, 1999; Laclau & Mouffe, 2001; Mouffe, 2009; Pepermans & Maeseele, 2014). The political refers to "the dimension of antagonism that is inherent in all human society," while politics represent the actual "practices, discourses, and institutions that seek to establish a certain order" for engaging with the political (Mouffe, 1999; p. 754). Politicization and depoliticization are strategies engaging at the level of the political in order to instigate or prevent politics about an issue, group, or conflict. When something is politicized, it is recognized as a valid part of the political and is considered fair game for deliberative conflict, and Mouffe (2009) argues that conflict is necessary in politics to incorporate pluralism, or multiple groups and values. When something is depoliticized, the opposite occurs: it is seen as an invalid part of the political and considered inappropriate for deliberative conflict. Because depoliticization makes an issue non-political, any deliberative conflict that actors try to foster about that issue becomes non-political as well. Anyone wishing to debate a depoliticized issue, or offer strong dissent to one, risks being framed as an enemy of society rather than recognized as a political adversary (Fairclough, 2009; Maeseele, Raeijmaekers, Van der Steen, Reul, & Paulussen, 2015). Depoliticization places

issues and people "outside politics" (Fairclough, 2009; p. 173), while politicization attempts to bring them back in.

Both politicization and depoliticization have been studied in relation to a broad range of topics. Researchers have found and investigated these strategies in communication regarding climate change and environmental science (Pepermans & Maeseele, 2014; Maeseele, Raeijmaekers, Van der Steen, Reul, & Paulussen, 2015), urbanization (Wilson, 2013), globalization of society (Jaeger, 2007), and issues of diversity and racism (Modan, 2008; Araújo, 2014). It is interesting to note that social actors or groups will choose to politicize or depoliticize issues depending on which strategy will best suit their desired ends; there does not seem to be a strong correlation between a given ideology and a tendency to always depoliticize when given a choice (Pepermans & Maeseele, 2014; Maeseele, Raeijmaekers, Van der Steen, Reul, & Paulussen, 2015). Additionally, Shalini Randeria (2007) discussed how the discourse regarding democracy has shifted toward the ideals of the political and economic theory "neoliberalism," in which "democracy conceived of as good governance substitutes efficiency and cost-effectiveness for political contention, public deliberation, and consensus-building" (p. 41). Through this process, deliberative democracy has been depoliticized, as contention and disagreement are discouraged in favor of more "effective" government.

The third discursive strategy of relevance to discourse about government actions is the strategy of legitimization, or "the process by which speakers accredit or license a type of social behavior"; it is presented as argumentation to provide "a justification of behavior" (Reyes, 2011; p. 782). Like the strategies of politicization and depoliticization, legitimization can also be understood to have an equal-and-opposite strategy, delegitimization. This companion discursive strategy seeks to discredit a behavior or action instead of accrediting it. Van Leeuwen (2007)

described four categories of legitimization (legitimation) in communication: authorization, or appealing to already-fixed "texts" like traditions, customs, and laws; moral evaluation, or appealing to value systems; rationalization, or appealing to the "goals and uses of institutionalized social action" combined with reasoning that is socially recognized to create "cognitive validity; and mythopoesis, or appealing to narratives that illustrate differences between legitimate and illegitimate actions (p. 92). Van Leeuwen noted that the categories would not only serve to legitimize actions but also to test actions that had already occurred, to criticize them, and to delegitimize them if need be (p. 92). Legitimization can also link "social practices…and discourses of value," or morality, in complex and contextual ways, where actions that are motivated by morals come to be legitimized by their outcomes (pp. 108-111). In other words, rather than simply arguing for legitimization, actors can "legitimize" their actions simply by being successful or rewarded for them.

Reyes (2011) further developed van Leeuwen's categories, identifying five methods of legitimization based on a synthesis of critical discourse analysis work on the strategy of legitimization: appealing to emotions that have been linked to issues or actors, appealing to proposed hypothetical futures that may or may not result from actions, appealing to rationality that is understood by the society being addressed, appealing to the expertise of others on the issue, and appealing to altruism or a concern for the common good and the entirety of society (pp. 785-787). Each of these methods tends to construct two opposing sides to an issue, regardless of how many assumable positions there are, and leading to the creation of us-them binaries (p. 787). The methods can function on their own or in concert with any of the others, depending on what an actor feels is necessary to legitimize or delegitimize their proposed or realized actions in the minds of their audience (pp. 803-804).

The concepts of discourse and power that these strategies help to maintain, not only sprawling and varying, can be further understood within the discipline of critical discourse analysis (CDA) through an examination of the methodology of CDA and DRA. The next chapter details this methodology, beginning with overviews of CDA and DRA before discussing my plans for sampling and data analysis in this study. I also discuss procedures for establishing validity within CDA, as well as my role as a researcher for this study.

Chapter III: Methodology

In this chapter, I outline my chosen method of study—the Dialectical-Relational Approach (DRA) to Critical Discourse Analysis (CDA) (Fairclough, 2009). I review CDA as a school of thought before explaining the methodology of DRA. Following that, I describe my intended sampling, analysis, and validity procedures. Finally, I review potential ethical considerations and what my role as researcher has been.

Method

The design of this study is a Critical Discourse Analysis (CDA), a research design that critically examines the relationship of discourse, ideology, and power (Fairclough, 2001; Wodak & Meyer, 2009; Hyland, 2013). Analysis of a discourse that is focused on a perceived social wrong can provide us, as members of society, with "the design for the key that can disrupt, disclose, and challenge the mechanisms involved" (van Dijk, 1985; p. 7).

In their introduction to CDA, Wodak and Meyer (2009) note that it is not a singular, easily-defined method. While most analyses of discourse share characteristics (attention to whole texts, contexts, grammar phenomena, communication strategies, and social actions), each researcher approaches topics with different emphases and different conceptualizations of discourse, ideology, and power. As studies should "always specify which research or researcher they relate to" (Wodak & Meyer, 2009; p. 5), I chose to work specifically within the Dialectical-Relational Approach (DRA) to CDA, following the methodology laid out by Norman Fairclough (2001; 2009).

The Dialectical-Relational Approach. This approach focuses on the "dialectical relationships between semiosis (including language) and other elements of social practices" (Wodak & Meyer, 2009; p. 27); in other words, meaning-making is a social practice that also

depends on relations to other social practices. This aligns with Fairclough's conceptualization of discourse as "socially shaped, but … also socially shaping" (Fairclough, 1993; p. 134). Discourse is dialectical because its components—objects, words, relations and other signs—need context to give them a completeness of meaning; they are "different but not 'discrete,' i.e. not fully separate" (Fairclough, 2009; p. 163).

DRA also emphasizes as its critical component addressing "social wrongs" and how discourses relate to them (Fairclough, 2009): this is achieved "by analyzing their sources and causes, resistance to them and possibilities of overcoming them" (p. 163). This emphasis is both necessary and invaluable because relations between discourse and power are often latent and buried within culture and social relations, which limits the means of addressing them (Fairclough 2003; Fairclough 2009).

Like other approaches to CDA, DRA is theoretically and methodologically flexible. Below, I provide a more complete explication of DRA by discussing my sample, analysis, and validity procedures.

Sample

Sampling texts for CDA varies by topic and study, often working with few or single texts (Machin & Mayr, 2012), sometimes due to the realities of time and scope (Reisigl & Wodak, 2009). Past studies have shown a wide range of texts as valid (Cameron, 2001; Buttny, 2004; Fairclough, 2009; Leeuwen, 2009; Simone, 2009; Tagg, 2013; Zappavigna, 2013). CDA studies should also strive for completeness of context (Wodak & Meyer, 2009). Essentially, text selection comes down to the interests of the researcher and the needs of the study.

For the purposes of this study, I inductively sought out "leaking events" in news media coverage, or time periods of news coverage of government leaking. These events were periods of

coverage that involved discourse about government leaks, leakers, and related policy to a significant degree. *Significance* was judged by the apparent quantity of references to and discussion of these terms, as well as the number of source texts, contexts, and intertextual references found in other news media. I expected that the coverage duration of these leaking events would vary, and I ceased collection once I felt that I had developed a set of texts representing the discourse in that moment. Additionally, I limited the time frame of my search to be contained by the Trump administration and current composition of Congress, beginning January 20, 2017, inauguration day. This should reveal the current, ongoing discourse used in relation, and perhaps reaction, to the current executive and legislative regimes.

I began examining news coverage by reviewing the articles of two prominent American newspapers: *The New York Times* and *The Washington Post*. I chose these newspapers for their widespread circulation (Alliance for Audited Media, 2017), their recognition as elite news media producing intermedia agenda-setting effects (Golan, 2006; Meraz, 2009; Meraz, 2011; Denham, 2014), and their tendency to be involved in covering and analyzing past and recent government leaks (Pozen, 2013; p. 531), such as Chelsea Manning and Wikileaks, Edward Snowden, Donald Trump's call transcripts with Mexico, and so on. I found articles by reviewing their online databases and referring to the print versions when possible.

I introduce Chapter IV with a brief overview of the eight leaking events that resulted from this sampling process. Each event was found by a review of coverage in the *Times* and *Post* followed by further sampling from other news media outlets to develop a rounded understanding of the discourse about government leaking used during the coverage of each event. More than eight leaking events transpired over the course of 2017, but the eight chosen provided a rich and varied sample for analysis.

Data Analysis

I analyzed the data following the recommendations of Fairclough (2009) for conducting a CDA project using the Dialectical-Relational Approach. He emphasizes that his recommendations constitute "a general method" and that more specific methods must be developed depending on the theories and objects under study (Fairclough, 2009; p. 167). This methodology is composed of four stages, listed below. I diverged from this approach only slightly, as the social issue that I am addressing—government leaking—is contested as a "social wrong" with public opinion split; it is not decisively acknowledged as "wrong":

Stage 1: Focus upon a social wrong, in its semiotic aspect.

Stage 2: Identify obstacles to addressing the social wrong.

Stage 3: Consider whether the social order 'needs' the social wrong.

Stage 4: Identify possible ways past the obstacles (Fairclough, 2009; p. 167).

Leaking as a social wrong is generally a construction employed by those in power, whereas Fairclough's use of "social wrong" tends to be from the perspective of the disempowered. However, I do not see this variation significantly impacting the analysis or validity of this study.

To provide more guidance for my analysis of the social issue, I combined those above with Fairclough's more prescriptive CDA stages from a previous work (Fairclough, 2001) while employing the concepts of semiosis, genres, discourses, styles, and interdiscursivity discussed in Chapter I:

Description: "formal properties of the text" (Fairclough, 2001; p. 21); identifying a text's

structure, layout, voice, grammar, etc.

Interpretation: "discourse processes, and their dependence on background assumptions"

(p. 117); identifying the range of interpretations of a text within a discourse

Explanation: "the relationship of discourses to processes of struggle and to power

relations" (p. 117); identifying how the discourse establishes, reinforces, or challenges

power

These correspond to Fairclough's conception of the three dimensions of discourse: text, interaction, and context, respectively (p. 21). These stages of analysis depend upon asking many questions of the text, which refine the raw data for deeper analysis. DRA researchers must be open to repeating stages or navigating them in varying sequences as required to develop a well-rounded understanding of the discourse (Fairclough, 2009).

My tool for analysis was NVivo, a qualitative data analysis software program. While reviewing each text, I maintained field notes of observations in NVivo. Highlighting and nodes assisted in the description stage, and memos allowed for tracking interpretations. For the explanation stage, I coded the data partially using "in vivo" coding, to use the actual words of the discourse to organize my analysis, and partially using "versus" coding, to identify conflict binaries (opposing individuals, groups, values, or ideologies), which often function through power imbalances (Wolcott, 2003; Handwerker, 2015; Saldaña, 2016). I paid close attention to values that were set against each other, implicitly or explicitly, as I anticipated much of the underlying explanation for interpretations to be formed through competing cultural and social values. The resulting codes were grouped into the construals of government leaking that seemed to exist in the discourse as coherent ways of thinking about the social issue. Finally, these findings allowed me to analyze what the discourse revealed about the role of government leaking in society.

Validity and Ethics

Because CDA approaches do not have specific sampling procedures, Wodak and Meyer (2009) summarize recommendations for ensuring validity from various CDA approaches: completeness, or working with data until no new findings present themselves; accessibility, or ensuring that data is pulled from texts that are accessible to the social group under study; and triangulation, or looking for emerging patterns that are shared by the immediate texts, related texts, and contextual social practices (p. 31). To meet these standards of validity, I introduced new texts as needed to achieve a feeling of completeness and a basis for triangulation, and I ensured these texts were widely accessible.

I did not anticipate any ethical concerns arising from this study. However, any use of CDA, particularly through DRA, is directly concerned with the analysis of power and addressing social wrongs. I expect to make this research available to the public as an interpretive tool for engaging with those in power and the press over government leaking; therefore, I focused on the clarity and approachability of my writing and will seek to make it available for public review via publishing.

Role of the Researcher

Finally, as a white heterosexual male, I recognize that I am the embodiment of hegemony in the United States. Any interpretation, analysis, or criticism that I provide is likely delivered from a privileged standpoint in terms of the cultural and social experiences and relations that have shaped me. Nevertheless, as a researcher working in the CDA discipline, I endeavor to identify the disparities explicit and implicit to these experiences and the social structures that they shape. Within the context of this study, I am predisposed to support efforts to reveal government wrongdoing in favor of public deliberation and accountability for those in power. While such efforts do not encompass all types and examples of government leaking, this may

have unconsciously influenced my attention to or interpretation of particular aspects of the

discourse.

Chapter IV: Findings and Analysis

I begin this chapter by providing a brief overview of the leaking events I have chosen and the dominant construals I have found. The deeper analyses that follow reference many and potentially all of the events and construals at once, so a basic familiarity with each of them beforehand should prove beneficial. The analyses are structured around each dominant construal, and I analyze them for how they are constructed and deployed across coverage of leaking events. In doing so, I treat each event as a text, which allows each to be read as a discourse with its own actors, dominant and subject positions, genres, styles, and interdiscursivities.

Following these specific analyses, I examine the discourse more broadly to understand its relation to power in the United States. I discuss how leaking reveals the relationship between the government, the news media, and leakers and how each actor in the relationship struggles to grasp power over the communication of information in U.S. society. Leaking disrupts the government's power, and each of the dominant construals is an attempt to reclaim and repair that power. I question how, according to the discourse, each agent in the social action of leaking—government, press, leaker, and news consumer—occupies its role and how the purpose of each role is portrayed.

While I have chosen eight significant government leaking events from media coverage to frame my analysis, these are not *discrete* events by any means. Each was caused by a series and combination of preceding events, and each bleeds into future events. Likewise, the construals that dominated the discourse across these eight events are impossible to disentangle from one another. For the sake of the textual clarity of this analysis, however, I refer to the events and construals as if they were separate and distinct.

Context for the Analysis

In 2017, the Trump administration was a wellspring of leaks discourse, from the days leading to inauguration right through to the end of the year. This overarching discourse, as well as the more specific discourses that embody it, was and is a continuum of semiosis, a constant dialectical practice playing out in the government, media, and society in the struggle to construe leaking and the actors that are involved. I chose eight government leaking events in news coverage to explore for this analysis. While there were more possible events for selection, these each generated significant discourses regarding leaking and leakers while also representing a rich variety of circumstances. I feel this sample was more than robust enough to develop a comprehensive view of leaking discourse. For easier reference, I have included these leaking events as Table 1 as well.

The year in leaks. Chronologically, the first significant news event regarding leaking was the release of highly detailed information about CIA hacking tools by WikiLeaks on March 7, 2017. This information showed how the CIA took advantage of "backdoors" and other loopholes in software and in Internet-enabled devices such as smart TVs and cell phones to conduct surveillance. Many of the companies that were affected by these hacking tools claimed to be unaware of the CIA's efforts. Though a specific person has yet to be identified as WikiLeaks' source, the information had apparently been in circulation among government contractors for some time. The leak generated fear that malevolent hackers, terrorists, and other states might use the tools for their own interests.

On May 10th, President Donald Trump revealed classified intelligence information to Russian Foreign Minister Sergei Lavrov and Russian Ambassador Sergey Kislyak during a private meeting in the Oval Office. This fact was then leaked to the press by unidentified sources. Coverage focused on questions about the severity of the information disclosed by

Trump, Trump's insistence on his right to do so, and the administration's questions about the leak to the press. This event is significant for the competing construals of leakers, one affecting the President of the United States.

A leak again generated international concern following the bombing of the Manchester Arena in Manchester, United Kingdom, on May 22nd. The U.S. news media reported details from the investigation into the bombing that were leaked by members of the U.S. government or law enforcement. This leak angered members of the British government and law enforcement, and British Prime Minister Theresa May issued a public rebuke of the United States shortly thereafter. This event generated significant discourse about leaking "culture" in the United States, contrasted starkly against journalism practices in the United Kingdom that place more emphasis on cooperating with the government in such situations.

On June 5th, the U.S. government announced that it had arrested Reality Leigh Winner in connection with a leak of a classified document concerning potential Russian tampering in the 2016 U.S. presidential election; this was the same day that the leak was published online by *The Intercept*. While verifying the authenticity of the document they had received, reporters from *The Intercept* may have inadvertently assisted the government in identifying Winner as the leaker. This event played out as a more archetypal leak in the same vein as Daniel Ellsberg and the Pentagon Papers, Chelsea Manning and WikiLeaks, and Edward Snowden and NSA surveillance, though the information revealed seemed to attract far less attention.

That may have been due to the event that immediately followed. Later that week, on June 9th, former FBI director James B. Comey testified before Congress about his dismissal from the FBI by President Trump. The dismissal had occurred the day before Trump had his controversial meeting with Russian ministers on May 10th. During his testimony, Comey revealed that he had

been the source of leaks to the press that detailed conversations he had had with the president prior to his dismissal. Comey's event serves as a fascinating companion to Winner's, as the public was presented with two leakers occupying radically different positions of social and political power; the similarities and differences between the related discourses are noteworthy.

The final week of July cast the leaking limelight on Anthony Scaramucci, offered the position of White House communications director on July 21st and fired from the position on July 31st. Scaramucci promised to address leaks from the White House by firing any staff member suspected of leaking, vowing to reduce the communications staff to himself and Sarah Huckabee Sanders if he had to. This discourse often hinged on leakers as employees and the president as the employer, emphasizing differences in power and obligation.

On August 4th, Attorney General Jeff Sessions held a press conference to emphasize the government's commitment to legally pursuing and punishing leakers. The press conference is especially noteworthy here because Sessions suggested that the media would be subpoenaed more aggressively in pursuit of ongoing and future investigations into leaks. This was a substantial, direct challenge from the government to the press over its watchdog role. Two days later, Deputy Attorney General Rod J. Rosenstein clarified that the government would not seek to prosecute reporters while investigating leaks.

Finally, on August 11th, Harvard University announced that it had rescinded its fellowship invitation to Chelsea Manning after receiving criticism current and former intelligence officials, including CIA Director Mike Pompeo. Though they removed her "visiting fellow" title, the school still offered Manning the opportunity to speak at the John F. Kennedy, Jr. Forum. While the backlash from members of the intelligence committee was unsurprisingly

strong, media coverage as well as the dean's statement provide insights explicitly into the *social* status of leakers in the United States.

Leaking construals, in brief. The construals of leaking and leakers, the struggles to dominate their discursive and social meaning, often rely on the same or similar arguments and "common sense" understandings while simultaneously employing them in different ways and to different ends. This can make it difficult to demarcate the discursive space that one occupies without intruding on the space of another. However, they can be grouped with coherence into four general but recognizable construals of government leaking: legal, political, ethical, and depolitical.

However, before I touch upon each briefly below, I must emphasize two observations about government leaking discourse in news media that significantly impact the composition and arguments of these four dominant construals. First, the actors primarily responsible for generating much of the discourse for these construals tend to be what Herman and Chomsky (1988) described as their third filter of the Propaganda Model, sourcing. This model presents the media as largely beholden to a system of five "filters" from those in society with power: ownership, advertising, sourcing, flak, and a common ideological threat (anti-communism, the war on terror, and fear in general). Sourcing of information, seen throughout this discourse, comes from current and former government officials as well as people presented as "experts" regarding leaking, leaking laws, intelligence, and national security. Argumentation seldom comes from the news media themselves, though when it does—in the form of original analysis, editorials, and opinions—it too tends to side with the dominant construals that are most strongly communicated by elite sources.

The second observation to be mindful of concerning these findings is that precisely *what* leaks reveal is at the very heart of each of these dominant construals, but more importantly, it seldom involves the literal information conveyed by a leak. Rather, leaks provide revelations about supposed anti-American espionage committed by government employees, about a nefarious anti-democratic "deep state" in American politics, about a perverse and unethical culture in Washington, D.C., and about the constant looming threat to national security that leaks perpetuate and strengthen. While news media coverage of government leaking does include (though not always) *some* detail about the leaked information, it usually spends more time addressing deeper legal, political, ethical, or depolitical concerns, in large part due to news media's reliance on elite sourcing. I revisit both of these observations as part of my discussion for this study in Chapter V.

The legal construal relates leaking to legal issues, such as laws, presidential orders, and law enforcement. It consistently characterizes leaking as a crime and leakers as criminals at best, spies and traitors at worst, and this construal appears to varying degrees in nearly every text or type of discourse that mentions leaking. The political construal is preoccupied with leaking and politics. It focuses on leaking as part of the machinations of politics, often from a partisan standpoint. Leaking tends to be construed politically as a statement to or about the Trump administration, the government more generally, or an entire ideology. The ethical construal focuses on applying moral and social standards of behavior to leaking and leakers. It individualizes and marginalizes leakers while at the same time construing them as symptoms of a culture of leaking—a greater collective of society that thrives on unethically divulging secret information. It evaluates concepts of appropriateness and inappropriateness and construes leakers often as selfish, deviant, or dishonorable.

The final construal is the depolitical: it encompasses efforts that seem to fall directly within the discursive strategy of depoliticization. This construal can be broken into two general approaches to leaking: leaks as "threats to all" and leaks as "the real issue." The latter obfuscates whatever a leak may be about and focuses on the act of leaking as being a "common sense" problem that all of society can recognize as such. In this construal, leaking becomes a non-political obstacle to overcome, an issue not open to debate.

The next four sections of this chapter investigate these dominant construals of government leaking in greater detail.

The Legal: Crime and Espionage

Following news media coverage of government leaking, it is difficult to avoid or escape the mindset that leaking is a crime, regardless of the news institution that provides the coverage. This construal can take the form of a clear, definite discursive strategy of law enforcement—inserted into the media via elite sourcing—as well as a more general, perhaps unintentional way of writing and speaking about leaking. Together, these aspects of the construal combine in such a way that thinking of leaking as a crime hardly seems like a "construal" at all. Because arguments for this construal typically reference specific statutes like the Espionage Act, they become less like arguments—in which sides can be taken and supported or refuted—and more like indisputable legal judgments. Furthermore, it is difficult to point to a collection of detailed or varied exemplars because of how innocuous and pervasive this construal proves to be.

However, the way that this construal is employed across government leaking news coverage shows that it often *is* being used as an argument, not as a factual description, specifically to further the ends of those in power—i.e. those most endangered by the leaks. The legality of a leak is almost always up for discussion, whether or not it is actually illegal, as a core

part of how news media cover leaking events, and so the link between leaking and crime, and leakers and criminals, is almost always suggested in the discourse for consideration by the public. As criminals who have "stolen" government information that should have remained secret, leakers are also construed as spies and traitors, as enemies to the United States. Notably, in much of this discourse, the actual substance of the "stolen" information is seldom discussed with any detail: the "fact" that the crime was committed is enough for the construal to operate.

A basis in law. The foundation of the legal construal lies in the existence of federal statutes that address the procurement or communication of confidential government information, and this certainly lends an air of credibility to branding a leaker as a criminal. After all, if a person does something expressly prohibited in a written law, passed by the government, there seems little room for argument. I show below, however, that there often is or should be room for argument, and whether or not someone does something prohibited by the law is often the crux of the matter.

The specific section of law referenced regarding leaking is often the Espionage Act of 1917 (18 U.S.C. § 793; Espionage and Censorship, 2006), and this was the case for leaking news coverage during 2017. This act makes it illegal to remove, copy, or otherwise disseminate confidential information "with intent or reason to believe that the information is to be used to the injury of the United States, or to the advantage of any foreign nation."[2] This is the act that leakers tend to be charged for violating, as was the case in 2017 with Reality Leigh Winner. In some coverage from outlets such as *The New York Times* and *CNN*, the Espionage Act was named (Filipovic, 2017; Savage, 2017), whereas in other coverage it was referenced indirectly by describing the details of the charges: "Reality Leigh Winner was accused of gathering,

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[2] It also addresses those who through "gross negligence" allow others to do the same or otherwise fail to report the loss or theft of confidential information. This aspect was absent from leaks discourse, however.

transmitting or losing defense information - the first criminal charge filed in a leak investigation during the Trump administration" (Barrett, 2017b).

Often, however, those in the media provide little context to the law beyond naming it or listing the alleged criminal actions. In its coverage of James B. Comey's admission that he had been responsible for leaks of his memos about meetings with President Trump, *The New York Times* answered several questions for readers, including if leaks are illegal:

> Most are not, but some are. Federal law criminalizes the leaking of certain types of information. The Espionage Act makes it a felony to disclose, to someone not authorized to receive it, information related to the national defense that could be used to harm the United States or aid a foreign adversary. (Savage, 2017b)

The *Times*'s analysis provides a slight change to the law, though one that arguably reflects how it is being interpreted in recent history. There is no "intent or reason to believe" that the information would be harmful; it simply "could" be harmful. This exemplifies a discursive shift in the ability to evaluate harm away from the leaker, and this shift is of central importance to the full realization of this legal construal of leaking, for it allows the government to make vague and expansive arguments about national security regarding any leak, regardless of size, intent, or possible ramifications.

Providing commentary for CNBC.com about the leak that revealed President Trump had shared intelligence information with Russian foreign ministers, Jake Novak similarly sidestepped the agency of the leaker in evaluating harm. Using that leak as an opportunity to address all leaks during the Trump administration, apparently indiscriminately, he wrote:

> What all of the leaked stories have in common is that they were immediately beset with multiple leaks from highly placed officials meant to deeply defame President Trump.

Once again, it's important to note that a good deal of these leaks may, indeed, be illegal. The Espionage Act bans transmitting or communicating information "relating to the national defense" if the leaker believes the information could be used to harm the United States or aid a foreign nation. And it's hard to see how these many leaks aren't helping our enemies. (Novak, 2017)

Novak made several dubious leaps of argument. In addition to grouping all leaks during the Trump administration together, he suggested without evidence that, first, the leaks were intended to "defame" the president, and second, many of them "may" have been illegal. He followed this by referencing the Espionage Act, and in doing so, he initially placed the burden of believing harm could come from the leak on the leaker. However, he immediately countered this with a "common sense" judgment of his own: "it's hard to see." Since he did not specify to which leaks he was referring, it may in fact be quite "hard to see." Furthermore, notice that "foreign nation" became "our enemies"—which foreign nations are our enemies? It is unclear, and this seems intentional. Indeed, the final sentence may even argue that leaking-in-general helps "our enemies."

Aside from references to the Espionage Act such as these, there were few specific legal citations used in media coverage of leaks in order to criminalize them. Several stories mentioned Executive Order 13526, signed by President Barack Obama on December 29, 2009 (Executive Order 13526, 2009), which is primarily concerned with the process of *properly* classifying information and maintaining its classification. It is often cited to show that the classification system cannot be used to hide information simply because it is embarrassing, such as when discussing Comey's leaked memos (Zapotosky, 2017b) and the Attorney General Jeff Sessions's press conference addressing increased leak prosecutions (Zapotosky & Barrett, 2017).

Similar to criminalizing leaks, supporting them receives little legal support in the media as well. What is usually supported with a legal argument is the press's ability to report leaks, which references the First Amendment to the United States Constitution. Case law has defined the role for press freedom in covering leaked and classified information, perhaps most notably in *New York Times Company v. United States*, the Pentagon Papers case. This case enshrined a basis needed for the government to issue prior restraint against the press to prevent them from publishing information, that "only governmental allegation and proof that publication must inevitably, directly, and immediately cause [harm to the country or its assets] … can support even the issuance of an interim restraining order." The justices also acknowledged that the press had a duty to report information that was in the public's interest to know that the government might otherwise seek to keep from them; it was essential to democracy.

Unsurprisingly, references to the First Amendment and these concepts of government restraint and press freedom appeared primarily as part of covering Sessions's press conference about prosecuting leaks. In the press conference, Sessions suggested that journalists would be investigated more often and more aggressively in conjunction with leaks cases than they had been in the past. The Editorial Board of *The Chicago Tribune* offered a strong reply (Press freedom, 2017). They provided quotes from President Trump denouncing the news media as "the enemy of the people" and White House advisor at the time Stephen Bannon telling the news media to "keep its mouth shut." They argued not only that the media should do otherwise, but that the First Amendment actively says they should:

> Fortunately, the First Amendment says otherwise, and under this administration, the news
> media have done what they did under previous ones: Journalists have tried to find out as

much as they can about what government officials are doing and make sense of it for the

public. If Trump hoped to intimidate reporters and their editors, he has failed.

Of course, their entire editorial was in response to the threats issued by Sessions to the *media*,

not to leakers. There was no offer to similarly shield leakers under the mandate, as they seem to

construe it, of the First Amendment.

Importantly, however, coverage of leaking overall rarely cites or even suggests specific

laws or orders—and yet language and argumentation referencing illegality, criminality, and

treason appear for nearly every example of leaking reported in the media. What results are

arguments that have the appearance, inadvertently or deliberately, of logical appeals but are in

reality appeals based on emotion and the credibility of the person making the argument. Such

arguments lead to the expansion of the legal construal beyond basic criminality and into

espionage and treason.

Leakers, spies, and traitors. Using emotion and credibility, arguments play out in the

media to construe those who leak information to the press as criminals, spies, and traitors, often

simultaneously and equally, all while seemingly appealing to legal logic. Much of the strategy

behind this relies on arguments of national security. Threats to national security tend to be

claimed in response to any and every leak, though the legitimacy of the claim varies based on

circumstances. *The Washington Post* highlighted the potential harm posed by the release of

information regarding CIA hacking tools by WikiLeaks:

> The breach could undermine the CIA's ability to carry out key parts of its mission, from
>
> targeting the Islamic State and other terrorist networks to penetrating the computer
>
> defenses of sophisticated cyber-adversaries including Russia, China and Iran, former
>
> officials and tech specialists said. … "Any exposure of these tools is going to cause grave

if not irreparable damage to the ability of our intelligence agencies to conduct our

mission," a former senior U.S. intelligence official said. (Miller & Nakashima, 2017)

According to the *Post*'s government and technology sources, the leak appeared to be quite

dangerous, despite presenting vague repercussions: it "could" cause "irreparable damage to the

ability … to conduct our mission." The blanket use of "our" by the source enhanced the danger

by making it collective and indiscriminate, with the implication being that these undefined

missions are for all of us—Americans—and thus this endangers us all. Additionally, the fact that

the leak was eventually shown to be far less serious—because the information was already

widely known by security experts (Tufekci, 2017)—highlights even more clearly the strategy

being used to construe the leak as a dangerous act that would harm the United States and all

Americans.

Attorney General Jeff Sessions used national security concerns to justify increased

government efforts to investigate leakers during his press conference in August, describing a

"staggering number of leaks undermining the ability of our government to protect this country"

(Department of Justice, 2017). To better investigate leakers, Sessions announced he would be

creating "a new counterintelligence unit in the FBI to manage the work" (Zapotosky & Barrett,

2017). If a counterintelligence unit is needed to investigate leaking, leaking must be an

intelligence—espionage, spying—activity.

Others also view leaking as the equivalent of espionage. As part of its coverage of the

WikiLeaks release of CIA hacking tools, *The New York Times* quoted a former NSA official as

saying about government and corporation employees, "We expect governments to be involved in

espionage. What we don't expect is that the people within these organizations would create

vulnerabilities by disclosing them" (Goel & Wingfield, 2017). In response to the same leak, a

column in *The Huffington Post* casually equated Edward Snowden to a spy while offering no argument as to why he views him as one: "Get Snowden back and prosecute him under the Espionage Act. Swapping spies with the Russians has a long and time-honored history" (Wagner, 2017).

Bill O'Reilly for FoxNews.com encapsulated the way leaking-as-spying can be construed as leaking-as-treason (O'Reilly, 2017). Also writing in response to WikiLeaks and titling his statement "Treason is in the Air," O'Reilly opened with a simple premise: "ISIS, Al Qaeda, other [*sic*] killers now know how the USA is tracking them. Therefore the leaks are a treasonous act." The argument is that leaks allowed enemies of the United States to learn classified information; knowing this gave them an advantage; according to the Espionage Act, this is espionage and a legal violation (though the Espionage Act is not referenced, so this is an understood premise); violating the Espionage Act is treason; so, leaking is the same as committing treason. Whether the information was already potentially known to those interested in cyber-security, as it was later revealed (Tufekci, 2017), is irrelevant, as is whether it may have been in the public's best interest to be aware of tools their government may be using to spy on them.

But O'Reilly broadened his argument. He transitioned from stating that "we still have people committing treason inside the government" immediately to describing President Trump "bedeviled by leaks, with classified information being fed to the anti-Trump press…." From this phrasing, it is nearly impossible to differentiate leaking from treason or to imagine leaks that did not contain classified information. He lamented that the government seemed unable "to apprehend these traitors, much less *stop* the espionage" [italics in original], again equating leaking to treason and espionage.

The polemic labels of traitor and treason were taken up frequently by two primary sources in the media: current and former government officials, and Fox News. For instance, in criticism regarding Chelsea Manning's visiting fellow invitation from Harvard University in August 2017, CIA Director Mike Pompeo described her as a traitor, and *The New York Times* reported that "many people complain[ed] that Ms. Manning was a traitor to the country and should not be honored with a Harvard fellowship" (Seelye, 2017). In May of 2017, *The New York Times* quoted several tweets from President Trump (Qiu, 2017): in January of 2017, he called Manning an "ungrateful TRAITOR," and in multiple tweets between June and July of 2013, he called Edward Snowden a traitor as well.

Fox News commentary branded Reality Winner a traitor both explicitly and implicitly. One article described her as "being heavily anti-Trump, an apparent social justice warrior, and a supporter of Iran over the U.S." (Fondacaro, 2017). With that concise list, Winner is construed as a political enemy (against the president), a social enemy ("social justice warrior" being a pejorative meant to signify someone seeking additional social rights at the expense of whites, particularly white males), and a national enemy (supporting a traditional, Arab enemy nation "over" the United States). This broadens and conflates the legal basis of treason with political, social, and ethical bases, which I explore later in my analysis.

There is some evidence that the construal carries over beyond the press and into the public at large. Reality Winner's parents were forced to defend her against charges of treason, resorting to patriotism: "Winner's mother…told the court her daughter had never been in any trouble and was at the top of her class throughout her school days. Her stepfather said [she] never expressed unpatriotic thoughts and 'is a good person'" (Valencia & Almasy, 2017). People on

social media, however, "accus[ed] her of treason and call[ed] for her to be executed" (Berman & Bever, 2017).

Rarely, news media did engage in more rational debates over the typology of leaks: some leaks are good because they result in oversight and reform, and some leaks are bad because they reveal little or more evidently endanger the country. And some leaks are illegal, some are not. The latter discussion, for example, occurred in detail during coverage of Comey's admission to leaking memos of his conversations with President Trump. Both *The New York Times* (Savage, 2017b) and *The Washington Post* (Zapatosky, 2017) laid out careful explanations of why Comey's leak was not illegal because it did not reveal classified information and did not break any sort of privilege about conversations with the president. The problem is that, for those in power in 2017, no leak was construed as potentially good; rather, every leak was *certainly* bad. When positions of power and the construals of those in power combine with other discursive properties and influences of the news media, as shown below, it is difficult to escape the legal construal that focuses on criminality and treason.

Other discursive influences. The formal properties of news media contribute to this legal construal of leaking in several ways, making it even more natural to conceive of leaking as a crime and espionage and leakers as criminals and spies. Journalistic norms entail turning to primary sources for information for a story, sources that are well-placed to corroborate or refute existing details and provide new ones. These are the elite sources of the Propaganda Model (Herman & Chomsky, 1988). These sources represent power in society, such as the government and law enforcement, and that is particularly true in news coverage involving leaks. When included in news coverage of leaking, these sources often received prominence in terms of where their quotes are placed in the text and how often they are mentioned.

Basic reporting of leaking occurrences in *The New York Times* and *The Washington Post*—articles that did not provide intentional analysis of events—often relied on information provided by the FBI or government administration officials. Many of the quotes used in coverage came from these officials and sought to construe the illegality of leaking as a fact, even if it were no more than an accusation. While these quotes were the words of people independent from the media institution publishing them, they nevertheless conveyed information to the reader. The fact that they are contained by quotation marks may even signify for readers greater importance: not only is this information, but someone actually said it, and the reporter felt it needed to be included verbatim. Because they provided a quote, the person being quoted must be correctly attributed, and this necessitates specifying their position and to which government entity they belong, if not potentially including their name. It is likely that this legitimizes their statements by linking them to legal or political authority.

Journalists are constrained into using this legal construal not only because their sources do but also because they are writing within a particular type of discourse: news coverage of a crime. Word choice signals the discourse of crime coverage. Rather than "reasons," leakers may have "motivations" to leak information, and "motive" would likely have strong legal connotations for many media consumers. Leakers, like criminals, are grammatically pursued: they are investigated, arrested, jailed, prosecuted, and charged by others, by legal authorities. They are the direct and indirect objects of verbs whereas those in power, like Justice Department officials, FBI investigators, and the U.S. attorney general, are the explicit or implicit subjects of sentences.

Examples abound in leaking coverage, and here I use the case of Reality Winner for simplicity: "Winner was charged under the Espionage Act for the leak, and faces up to 10 years

in prison" (Filipovic, 2017); "It was not immediately clear who is serving as the defense lawyer for Ms. Winner, who has been charged under the Espionage Act" (Savage, 2017a); "the Justice Department said it had charged Ms. Winner, 25, with violating the Espionage Act, saying she had leaked the report" (Grynbaum & Koblin, 2017). Even when she occupies the subject position in a sentence, as in the first quote, it is due to the passive voice: someone else did the charging, it simply happened *to* her.

Referencing the Espionage Act further strengthens the construal that leaking is a crime and that crime is spying. The simple textual association with a legal act named for espionage, a type of action many consider treasonous, construes an accused leaker specifically as a spy, not simply a criminal. It may be "safe" to assume that someone being prosecuted for violating the Espionage Act may have committed espionage, and the action that was taken—leaking a report to the press—may have been an act of espionage.

The Espionage Act is intended to protect the United States from harm and to prevent the advantage of other nations—from the actions of espionage agents, or spies. As shown above, the legal construal often relies on the argument that this is what leaking does. However, often those accused of leaking—e.g. Chelsea Manning, Edward Snowden, and now Winner—do not claim to be driven by desires to harm the U.S. or aid other nations. Rather, they claim altruism on *behalf* of the United States. They do not act as agents of espionage but as agents of oversight. But in the course of news coverage, accused leakers may have limited means to communicate this difference in intent. Those who have been formally charged would likely be restricted from speaking to the press except through a lawyer, either due to the constraint of incarceration or of ramifications for their legal case. In Winner's case, the most prominent communication about her possible intentions came from her family, but these were limited to how she could not have

intended to spy or to harm the country. Winner did not have access or agency to counter the construal of her that appeared—almost inevitably, almost naturally—in the media.

In summary, to leak is to be a criminal. Although some members of the media may suggest criminality in an off-hand way, dismissing it as a regrettable technicality, the vitriol of other rhetoric directed at leakers as criminals seems to overwhelm that sort of rationalization. Furthermore, in addition to automatically being labeled criminals, leakers, accused leakers, and potential leakers must contend with being branded a particular type of criminal: a spy. As many in positions of power would desire the public to believe, leakers *must* be spies, and because they jeopardize the security of the country to benefit others, spies *must* be traitors. The stakes for a leaker, then, are doubled if not multiplied. To leak and to be found out is not only to risk a substantial fine and imprisonment under the Espionage Act, it is also to risk being ethically and socially ostracized as dangerous, deviant, or treasonous. These are powerful deterrents to leaking, and these aspects of the legal construal entangle it with the ethical construal of leaking, which I explore further below.

The Political: Masters, Hacks, and Conspirators

News media can politicize leaking and leakers, though this comes at the expense of the actual information revealed by leaks. That information is often inconsequential to the functioning of the political construal, consistent with the other construals discussed here. Within the political construal, leaks are political tactics, machinations orchestrated by leakers as statements to and against the Trump administration. What leaks reveal is less important than how they manipulate, or might manipulate, public opinion of the president and the government. Arguments that politicize leaks construe them as obstacles to good government and leakers as anonymous members of government protesting the president. According to political construals, leaks are

driven by political ambitions and differences, using the "public's right to know" as a pretext to sharing information that could damage political opponents.

This is not the most surprising of findings. David Pozen (2013) outlined the ways that leaks can serve political ends rather than address wrongdoing (and they may even accomplish both). Members of the government can use leaks in the press to communicate with each other. This communication need not be motivated by goodwill, which holds with the animosity often seen in how this political construal is employed. Interestingly, this construal buttresses the legal, ethical, and even depolitical construals. It does so because, as the act of leaking is politicized, real or perceived stances toward leaks become political stances. These political stances engender the creation of adversarial political relationships. These adversarial relationships can strengthen legal, ethical, and depolitical arguments by providing "us" and "them" positions to occupy.

When looking at the whole of government leaking discourse during the Trump administration, this relationship to the other construals—the way the political metastasizes into other arguments about leaks—seems inevitable. The political nature of leaks, real or imagined, tinges questions of criminality and threatens to turn political antagonists into enemies of the state and the people. Here, I begin by looking at the more pedestrian side of the construal before turning to the problematic directions in which it can lead discourse about government leaking.

Politics as usual. In 2017 news media coverage, government sources and news media often construed leaking as a political tool for criticizing or expressing opposition to President Trump. Perhaps the posterchild subject of the political construal was James B. Comey and his leaked memo about private conversations he had with the president. Two versions of a construal based on politics emerged in coverage, one from Comey and one from government sources. Comey insisted on his leaking of the memo being an attempt to spur greater oversight on the

investigation into links between Trump's presidential campaign and Russia: "I thought that might prompt the appointment of a special counsel" to investigate Russian links to the Trump campaign ("The administration then chose to defame me," 2017). This assertion, either quoted or paraphrased, was included in much of the coverage immediately following Comey's testimony before Congress.

In a sense, Comey argued that his leaking of the memo was akin to whistleblowing: the memos would reveal potential wrongdoing and encourage others in government to investigate. But its timing—immediately after being fired from his position—allowed members of the Trump administration and Congress, as well as some in the news media, to accuse Comey of political and vengeful motivations. Government sources as quoted in news media construed Comey as a man intent on undermining President Trump and the administration. In *The New York Times* and *The Washington Post*'s coverage, these quotes tended to appear after quotes from Comey, but they nonetheless provided counter narratives for the leak and Comey's character. President Trump's lawyer Marc Kasowitz was quoted as saying that Comey had tried to "undermine this administration with selective and illegal leaks of classified information and privileged communications" (Barrett, Nakashima, & O'Keefe, 2017). These leaks, Kasowitz argued, were not only illegal but purposefully selected: had Comey released other information, or the complete picture, and the effect on Trump would not have been negative.

Analyses of Comey's testimony and the questioning he faced from members of Congress further supported a construal of Comey as a political actor rather than a whistleblower. *The Washington Post* surmised that Republican Senator Marco Rubio "seemed to be suggesting that Comey or his onetime allies at the FBI were behind the leaks damaging to Trump, asking him to name every member of his senior leadership team with whom he had discussed his interactions

with Trump" (Kane, 2017). *The New York Times*, in an article titled "Trump Accuses Comey of Lying to the Senate," led the article with Trump's calling Comey a leaker and dismissing Comey's testimony "as a politically motivated stunt orchestrated by adversaries bitter about his victory in November" (Davis & Thrush, 2017).

Even when the news media were not quoting or paraphrasing those in the government, Comey was construed politically. News media portrayed him as a masterful D.C. strategist (positively and negatively), which drew attention away from the whistleblowing nature of his leaked memo and emphasized political maneuverings instead. For instance, *The New York Times* shared a construal from Washington circles of Comey as a politician: "Over a long career, Mr. Comey has excelled at telling his story while tiptoeing around Washington's bureaucratic minefields. He has been so at ease before Congress that some staff members have jokingly called him 'Senator Comey'" (Apuzzo & Huetteman, 2017). This observation was used to set up Comey's testimony about his firing and memo leaking as a reversal, a blunt and honest testimony contrasted to his usually nuanced and *political* way of engaging. But in doing so, it emphasized to the reader that political nature. Additionally, *The Washington Post* described Comey bluntly as "a veteran Washington power player" (Zapotosky, 2017b) and couched in mysticism his ease with Congress: "As Comey spoke, most senators on the dais sat spellbound" (Barrett, Nakashima, & O'Keefe, 2017). *The Hill* described Comey's leak as a "careful plan" that was "carefully orchestrated" (K. B. Williams, 2017). Descriptions like these read positively. The journalists seem awestruck, no less "spellbound" than the senators, observing a master at his craft. More than anything, Comey is firmly in control, reading the room, commanding attention, conducting his leaks and proceedings like an orchestra. When *The New York Times* reported that

Spicer said Comey "had behaved politically" (Apuzzo, Haberman, & Rosenberg, 2017), it is hard to argue with such an assessment.

Compare this to more negative coverage of Comey published by *Fox News*. Comey's skillfulness was construed as a negative, making him a "political hack" and claiming his memo leak "shows how calculating and political this guy really is" (Hannity, 2017)[3]. There is a sense of betrayal and hurt in these words, but they come at the revelation that Comey is, apparently, far more skillful and manipulative than he led people to believe. Former Republican Representative Pete Hoekstra[4] argued in an opinion piece that, rather than utilize "appropriate" communication channels, Comey took his memo "to the press because his clear intention was to achieve a political objective and damage the President" (Hoekstra, 2017). Appropriateness is an important tool of power that plays on a sense of morality to constrain leaking, which I cover in greater detail as part of the ethical construal of leaking. Hoekstra's point was that Comey leaked his memo for political and vindictive gain, not government oversight. He dubbed Comey the "political-manipulator-in-chief," which not only makes Comey a political agent but also parallels the office of the president (the commander-in-chief). Hoekstra surmised that Comey may have leaked information to the press at other points, which *Fox News* later explored (Derespina, 2017). This suspicion and investigation simultaneously weaken Comey's credibility as a trustworthy person—inappropriate, a habitual leaker—and strengthen his credibility as a political manipulator—calculating, a deceitful political enemy. Both must occur in order to cast doubt on the substance and importance of the leak and play up the political nature of the leaker.

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[3] Sean Hannity, contributor and show host on *Fox News*, is a client of Michael Cohen, President Trump's "fixer" lawyer who has been tied to payments made to silence women from speaking about the president (Feuer, Grynbaum, & Koblin, 2018).

[4] As of January 10, 2018, Hoekstra serves as the United States ambassador to the Netherlands, appointed by President Trump.

Though I highlighted the timing of Comey's leak as being a contributing factor to the political construal, I believe government sources and news media outlets would have employed the construal nonetheless. Concepts of partisanship and political motivations were linked to leaking in the discourses generated by other leak events as well, but to lesser degrees—Comey's character and situation seemed to amplify the construal and strengthen its legitimacy in his case. For instance, in an article about Attorney General Jeff Sessions's press conference about leaking, *The Hill* noted "[m]any in the media and on the left have celebrated the leaks, which have consistently embarrassed the president or caused new political problems for him" (Easley, 2017). Here, in addition to highlighting a rift between the left-leaning media and the government, the writing emphasizes the political ramifications of leaks.

In a brief description of a conversation between President Trump and his advisers, *The New York Times* showed how leaking can be part of a political strategy: "[Trump] asked them how the leaks were happening, according to a person familiar with the discussions, and called Mr. Spicer a 'good guy' who leaks only when told to by Mr. Priebus" (Thrush & Haberman, 2017). It is difficult to determine if Spicer's status as a "good guy" is because or in spite of his leaking when told to do so. If he is a "good guy" because the only times he leaks are when he is directed to as part of his job, the article reveals clearly the political convenience available in leaking. Regardless, this glimpse into the communication structure of top White House officials adds to a political understanding of leaking.

Often, news media also explained how politically convenient leaks could be, particularly for President Trump. References to convenience routinely depended on Trump's assertion that he "love[d] WikiLeaks" following their release of damaging emails to Hillary Clinton during the

2016 presidential campaign. Providing context for leaks to the U.S. news media about the

Manchester Arena bombing investigation, *The New York Times* wrote:

> Mr. Trump has viewed leaks differently at different times depending on whether they
>
> helped or hurt him. During last year's presidential campaign, he not only capitalized on
>
> the disclosure of emails from the Democratic National Committee and from Hillary
>
> Clinton's presidential campaign, he publicly called on Russian hackers to unearth and
>
> publicize even more of them. (Shear & Erlanger, 2017)

Leaks can both "help and hurt" and present political opportunities upon which a savvy enough

person may "capitalize." While this story was not providing analysis of the Clinton emails and

this was a brief paragraph of context, it is relevant for the political construal of leaks that the

political means and ends were present whereas the content of the leak was absent.

Coincidentally, while providing further evidence for leaks-as-politics, this article referenced

"anonymously sourced articles about Mr. Trump's private conversations with and about James B.

Comey"—later revealed to be Comey's own leaked memo.

And leaks in the American government and news media might be politically convenient

to those outside it, as an opinion piece in *The New York Times* suggested regarding the leaking of

Trump's disclosure of intelligence to Russian officials: "Viewed through a Machiavellian prism,

American embarrassment over the leak provides [Israeli Prime Minister] Mr. Netanyahu with a

little extra leverage in his dealings with Mr. Trump next week" (Alpher, 2017). Once again, there

is a political currency attributable to leaking that is beyond the information revealed by the leak

itself. Rather, the leaks lead to political boons and constraints for political actors depending on

their relations to the leaks. Discourse such as this construes leaks as valuable political tools

rather than tools for oversight and watchdog-like scrutiny.

News media such as *The New York Times*, *The Washington Post*, and others also construed leaking as simply an accepted part of how Washington operates (i.e. Ember & Grynbaum, 2017; Shane, 2017; Johnson & Parker, 2017). This acceptance makes it easier to legitimize accusations of political maneuvering or hackery because it occurs so frequently in the center of U.S. political power. But this conception of Washington as a hotbed of leakers—home to a "culture of leaking," as Attorney General Sessions described it (Department of Justice, 2017)—allows for the political construal of leaks to extended into the realm of paranoid and alarmist rhetoric, into "deep states" and coups.

"**Deep state" orchestrations.** Reality Winner's mother defended her by insisting that "her daughter had never been overtly political" (Berman & Bever, 2017); this also seemed to be an attempt by her mother to understand her daughter's actions. It seems that leaking *is* political, at least to Winner's mother, and so Winner's leak is all the more incomprehensible because she was never "overtly political." Some in the news media argued that politics may not have played that large of a role in her leak; even a columnist for *Fox News* wondered if she were actually a "patriot" (Napolitano, 2017). In that argument, Winner's motivations were not political but nationalist: she "risked her career and freedom to warn the American public of what the government was afraid to acknowledge—that mass spying keeps us neither safe nor free." Neither the president nor the government is targeted, damaged, or embarrassed, and instead the entire "American" public benefits, regardless of political leaning.

Others at *Fox News* construed Winner quite differently. Winner's Twitter activity was used to support the argument that she "was deeply uncomfortable with Donald Trump as commander in chief" (Wallace, 2017):

> She was sympathetic with Black Lives Matter, expressed concerns about climate change, and in a tweet aimed at Iran's foreign minister, said: 'There are many Americans protesting U.S. govt aggression towards Iran. If our Tangerine in Chief declares war, we stand with you!' … How such comments went unnoticed in a time when the Office of the Director of National Intelligence (ODNI) is taking steps to scrutinize social media is still an open question.

The phrase "such comments" has a contemptuous ring to it, and it depends on assumptions that the reader would have about Winner based on the three things she was said to support: Black Lives Matter, climate change, and Iran. The politicized nature of each of these topics, and Winner's stance toward them, ensures that the reader will see her as part of the political left, opposed to President Trump and his administration (*The New York Times* described these as "liberal views" [Savage, Shane, & Blinder, 2017]). It also implies that such a person—a political adversary—has no place within the government, even though the government is at any point comprised of thousands of people, elected and unelected, with varying political beliefs. The article continued by arguing that Winner's leak was a political action against Trump's presidency:

> Reality Winner's Twitter feed revealed her hostility to the president she had a duty to serve under the executive branch. Prosecutors are expected to argue that her motive was to bolster the narrative that Mr. Trump's victory was illegitimate due to Russian interference in the vote.

The implication of this paragraph is that Winner has not only taken a political action but she has also betrayed her duty and eroded the legitimacy of the president. Furthermore, this is part of a

pre-existing "narrative," not just a personal vendetta, which alludes to a collection of actors

rather than the individual Winner.

In leaking coverage from *Fox News*, this collection is a "deep state" embedded in the

government, an accusation made in response to Comey's memo leak revelation (Hannity, 2017).

"Deep state" refers to a government within a government: the outer government is what the

public sees and expects to be making decisions for the country, while the inner government is

either secretly in charge or actively working to take charge. The "deep state" is imagined to be

opposed to the current visible government and its policies, and sometimes its members are

specifically holdovers from previous administrations, in this case the Obama administration. The

argument for a "deep state" was produced primarily, though not exclusively, in right-leaning

publications. For instance, *Breitbart* provided an analysis of the leak of Trump's intelligence

disclosure to Russian officials, which had been first reported by *The Washington Post*: "The real

story…may be that anti-Trump intelligence officials are leaking classified information to their

political friends from former (Obama? Bush?) administrations" (Pollak, 2017). But these

arguments were also *re*-produced in publications not typically seen as supportive of the Trump

administration, such as when *The New York Times* quoted an email sent by fund-raisers also in

response to the Trump-Russia leak: "'But sadly it's not just the fake news,' the email read.

'There are people within our own un-elected bureaucracy that want to sabotage President

Trump'" (Grynbaum, 2017); the *Times* also provided a round-up of many pro-Trump

conspiracies in May 2017 (Peters, 2017). Leaks are the signs that reveal the existence of this

"deep state," the way earthquakes signal the existence of tectonic plates reshaping the world

beneath its surface.

In addition to a "deep state," there is the threat of overt political action. One analysis from *CNBC* suggested that the leak regarding Trump's disclosure of classified information to Russians might anticipate an imminent "political coup" (Novak, 2017). This appearance of a coup was described as "really alarming news," as if it were referring to a public broadcast. While the writer was actually putting forth an argument that the leak might signal a coup, he began by construing it as if its existence were a fact. He equated leaks as efforts to remove Trump from office while at the same time arguing that Trump could not be removed simply for "arrogance or sloppiness." But this does not preclude leaks of information that *could* lead to impeachment, and if any president were committing impeachable offenses, a significant portion of the public would likely want to know. And yet, this article suggests that *any* leak would be an improper political attempt to usurp a "duly-elected" president. Leaking, under the Trump administration at least, is a political action building toward an emphatically undemocratic coup.

What is particularly disturbing about the arguments for a "deep state" and a political coup is that they spring from disagreements with the political stances that have been attributed to leaks and leakers. The legitimacy of these attributions is rarely investigated because the effects of leaks—political embarrassment and damage for President Trump—are readily agreed upon in the news media; it seems no further evidence of politics is needed. In the discourse surrounding leaking, politics is always-already involved: simply, to leak is to act politically. The focus on the political embarrassment and damage to Trump further construes leaking and leakers as Trump's political enemies. And because, as I explain elsewhere, leaks discourse also construes leakers as traitors, enemies of the state, and enemies of the people, there is potential for the discourse to conflate each of these with the political stance of being anti-Trump.

When embarrassing the president becomes something more than political, rhetoric like briefly-employed White House communication director Anthony Scaramucci's is more discursively powerful, as quoted by *The Washington Post*: "What I want to do is I want to fucking kill all the leakers, and I want to get the president's agenda on track so we can succeed for the American people" (Johnson, Rucker, & Nakamura, 2017). Maybe we can assume that Scaramucci means "kill" in a metaphorical sense, but when leakers are potentially more threatening than *political* enemies, it is worth pausing at. After all, the success of the president's agenda, *as well as* the wellbeing of the American people, is at stake. This lens for viewing the rhetoric re-colors, perhaps, the construals of Comey and his political wizardry. "Engineering" and "orchestrating" leaks may suggest sinister machinations behind closed doors and drawn curtains, away from the public's eye and the president's reach. Leakers exist like an insurgency in the U.S., "surreptitiously fight[ing] their battles in the media by revealing sensitive government information," as Attorney General Sessions said in his August press conference (Department of Justice, 2017).

Leaks have political uses. They can be tools for oversight, for insight, and for policy communication. They may also be weapons for settling scores and embarrassing political opponents. However, construing leaks as such political weapons provides fertile ground for the cultivation of enemies and conspiracies. Politicized, leaking is at best a strategy in a game or in a petty spat; at worst, a growing sign of an imperiled democracy.

The Ethical: Propriety and Culture

In much of the leaks discourse throughout 2017, news media and elite sources were preoccupied by the appropriateness of leaking when they were not debating its legality and political value. Especially among elite sources—those in the government and those deemed

"experts" on leaking, national security, and other issues—leaking was construed as an inappropriate activity to engage in, and the arguments employed varied in depth. Some did little more than appeal to emotion and a general feeling of "wrongness" about leaking, whereas others appealed to logic by referencing how leaking broke or obstructed established channels of communication, chains of command and responsibility, and effectiveness of government. The conceptualization of what is appropriate adheres to the structure of communication and power as it exists—the power to make information available or unavailable to the public. Leaking was construed as inappropriate because it disrupts mechanisms that constrain the flow of information.

Tied to the ethical dubiousness of their behavior, leakers themselves were construed in socially undesirable ways: deviant, selfish, dishonorable. They were also often isolated as individuals during a specific leaking event, while at the same time leaking was construed as an entire culture, pervasive in Washington, D.C., the government, and the United States. By being construed as unethical individuals, leakers can be dismissed from society at large like aberrations and outcasts, which can impact the information they leak and their reasons for leaking in the same way. By being construed as part of an unethical culture, leakers can embody a dangerous counter-society that poses a threat to government and national security, replacing the established order with anarchy.

Leaking and propriety. During leak coverage in 2017, the act of leaking was often construed as "inappropriate," either by specifically labeling it as such or alluding to concepts of appropriateness and inappropriateness in other ways. The propriety of leaking was questioned or invoked to varying degrees across the eight government leaking events sampled here. Sometimes propriety was approached vaguely, such as when President Trump described leaked law enforcement reports about the Manchester, U.K., bombing as "deeply troubling" (Shane, 2017).

This type of characterization was given in reply to U.K. Prime Minister Theresa May's chastisement of the U.S. for allowing investigation details to leak to U.S. media outlets, a leak which the British claimed could harm their investigation. The apologetic tone of such characterizations of the leak did not seem to stem from any legal or political argument, though in his official remarks President Trump promised a legal investigation into the leak (Shear & Erlanger, 2017). Rather, it seemed to be diplomatic embarrassment over a breach of reporting etiquette resulting from cultural differences between the U.S. and the U.K. that *The New York Times* explained in its coverage, which many expert sources supported (Shane, 2017).

A word like "troubling" communicates more emotion than if Trump had chosen to describe the leaks simply as "criminal," and his full apology represented a much more sober, diplomatic construal of leaking:

> "The alleged leaks coming out of government agencies are deeply troubling," Mr. Trump said in a statement. "These leaks have been going on for a long time, and my administration will get to the bottom of this. The leaks of sensitive information pose a grave threat to our national security."

He added, "I am asking the Department of Justice and other relevant agencies to launch a complete review of this matter, and, if appropriate, the culprit should be prosecuted to the fullest extent of the law." (Shear & Erlanger, 2017)

"Deeply troubling," "grave," and "appropriate" were a marked departure from Trump's usual rhetoric about leaks, which is understandable considering the statement's purpose as an international apology. Trump's inclusion of "my administration" further emphasized the personally moral nature of this statement by assigning some sense of personal obligation. And

while prosecution was uncertain, leaking clearly was something that simply should not happen—it is beyond a question of law.

For the most part, appeals to propriety focused on how leaks circumvent established chains of communication and power. However, because these arguments were often couched in language of propriety, morals, and ethics, the link to communication chains and power roles was not always explicit. For instance, former White House communications director Anthony Scaramucci, who had promised to eradicate leaks from the White House, meandered around appropriateness of behavior when lamenting a leak that warned a White House worker that he was being fired, as reported by *CNN*:

> "Let's say I'm firing Michael Short today. The fact that you guys know about it before he does really upsets me as a human being and as a Roman Catholic," Scaramucci said. "I should have the opportunity if I have to let somebody go to let the person go in a very humane, dignified way, and then the next thing... is help the person get a job somewhere, OK, because he probably has a family, right? So now you guys are talking about it, it's not fair. ... Here's the problem with the leaking, why I have to figure out a way to get the leaking to stop, because it hurts people." (Diamond, 2017)

Leaking is an inappropriate activity first because it damages Scaramucci and second because it damages others. By calling attention to the labels "human being" and "Roman Catholic," Scaramucci attempted to evoke a certain credibility in the eyes of his audience when he complains about leaking: he has both secular and religious morality on his side. Scaramucci appealed to both the ethics of society—one person to another—and the morals of behavior under the eyes of God. In this case, leaking was detestable because it prevented Scaramucci from behaving in secularly and religiously just ways ("humane" and "dignified" also remind of capital

punishment discourse). Leaking also "hurts people," and Scaramucci sought to appeal emotionally to his audience by suggesting without evidence that the man being fired "has a family"—the victim count of this one leak increased by at least one or two other people. All of this—the hurt to Scaramucci's ethical sensibilities, the hurt to the man and his family—could have been avoided if "appropriate" communication had been followed: Scaramucci had fired the man first, and the news media had reported it as a past-tense news story second (if it were reported at all). Ironically, Scaramucci himself was the person who "leaked" to the news media that the man would be fired—fired in an effort to curtail further leaks (G. Williams, 2017).

Sometimes, communication hierarchies and roles were referenced more specifically. While covering WikiLeaks' release of CIA hacking tools in early March 2017, *The Washington Post* quoted "an expert on national security and digital surveillance" as saying, "If WikiLeaks were really concerned about user security, they could've handed these vulnerabilities over to vendors immediately upon receiving this archive. But we know they've had it for some time and haven't done so" (Nakashima, Dwoskin, & Barrett, 2017). This quote was in response to WikiLeaks professing a desire to help companies that were vulnerable to the hacking tools by guiding them through the process of updating their software. The expert's point was that withholding and publicizing the hacking tools as a leak of information was an inappropriate course of action. WikiLeaks should have kept the information secret—not leaked it—and worked directly with the companies instead.

Former FBI Director James B. Comey elicited a substantial amount of criticism about the inappropriateness of his leaking a memo of a private conversation between him and President Trump. In their reporting, most media outlets did not themselves argue about the propriety of Comey's leaking, but they did rely on sources that consistently construed Comey's leaking as

wholly inappropriate even if it was not illegal. *The Washington Post*, under the headline,

"Comey is a 'leaker,' but that doesn't make him a criminal," provided as its fourth paragraph the

following quote from a criminal defense attorney:

> "He can fairly be criticized for whether that was the best way for him to address his
>
> discomfort with his conversation with the president," said Barry J. Pollack, a white-collar
>
> criminal-defense attorney at Miller & Chevalier who has been involved in leak cases.
>
> "But that's all a matter of how he conducts his job, and what his relationship is with the
>
> president is not a legal question." (Zapotosky, 2017b)

Pollack, presented as an expert, suggested that leaking could be challenged as "the best way" to

"address his discomfort." The past participle "criticized" implied a conviction already held by

Pollack that leaking *was not* "the best way"; he did not suggest that Comey could be

"questioned." He also construed it as an employer-employee relationship, which should suggest

in the minds of readers an established vertical chain of communication, with the employee taking

his grievances up toward his boss (the president), rather than horizontally outside the chain to the

media. Later in the *Post* article, Pollack is quoted again, describing Comey as someone "who

does things by the book, and I think it's pretty hard to argue that leaking something to the *New*

York Times through an intermediary so you don't leave any fingerprints on it is what most people

would consider by the book." To Pollack, "by the book" must mean within the established,

controlled, and non-public communication channels between the FBI and the White House, as

what he described could arguably be considered "by the book" leaking. Operating "by the book"

means not stepping out of line and is seen as a positive quality, whereas leaking is the opposite

of both.

Members of the government echoed this "by the book" approach to the inappropriate nature of Comey's leak. *The Hill* reported politicians' being frustrated that Comey "didn't bring his story to Congress, rather than the media" (K. B. Williams, 2017). They quoted Susan Collins, the Republican Senator from Maine, as saying, "If it is a government work product, it belongs to the FBI and not to him as a private citizen. …I think a better way would have been to give it to our committee." Like Pollack above, Collins characterized Comey's situation more like a workplace disagreement between an employee and employer, in this case to argue that the actual material of the leak—the memo—should not have been removed from the FBI and should have instead been passed along non-public, government-centered channels.

Leaking could also be considered inappropriate because of its aggregate effects, regardless of the good done by any one leak. *Foreign Policy* made this argument following Attorney General Sessions's press conference in August about pursuing leaks more aggressively than in the past:

> There are big costs to certain types of leaks, and we are paying those costs every day.
>
> And for that reason, the current flood of leaks, whatever public purposes they might also be serving, is deeply disturbing and corrosive of important values we expect to presidency to protect. (Wittes & Hennessey, 2017)

Leaking as often as administration and government workers currently do, *Foreign Policy* argued, inundates the country with too many "bad" leaks that outweigh the "good." This echoed a similar sentiment voiced in *The Washington Post*, which stated that an increase in leaks would increase the vigilance of the government in stamping out leaks indiscriminately and haphazardly, thus deterring "true whistleblowers" from coming forward (Zaid, 2017).

Lastly, whenever a focus is placed on the *confidentiality* of information, that is also an argument for the inappropriateness of leaking it. To decide that information is confidential is to decide that it should be restricted from public view, and only the most powerful members of the government may do so: the president, the vice president, heads of national agencies, and specifically designated individuals (Fields, 2017; Executive Order 13526). Drawing attention to confidentiality emphasizes how a rule has been broken, a rule that is not a law but a classification imposed on information by a select few. In addition to breaking a law like the Espionage Act, leaking classified information represents a breach in the chains of command and communication. In terms of confidentiality, chains take on a double meaning: they link individuals and roles in communication hierarchies, and they keep information in bondage.

Ultimately, government and elite sources consistently put forward arguments that focus on the ethics of leaking rather than on the ethical implications of what has been leaked. These arguments emphasize that most leaking is ethically wrong, if not illegal. And, as some commentators have argued, it may still be questionable even when it reveals wrongdoing (Wittes & Hennessey, 2017). However, not only were leaks construed as unethical, but leakers were as well, and as a result they were consistently marginalized from society and delegitimized as individuals.

Ethically delegitimizing leakers. In addition to arguments about the propriety of leaking, leakers themselves were consistently construed as unethical and socially undesirable. This served dual purposes: first, it delegitimized the leakers, and second, it delegitimized the leaks and any real or alleged motivations attributed to leaks and leakers. To do so, leakers were alternatively construed as deviant, untrustworthy, or cowardly and dishonorable. While these would seem to be strategies that more vocally pro-adminstration media outlets would employ the

most, these types of labels emerged in the discourse from media outlets indiscriminately. It does not appear to be the result of a concerted strategy. Rather, it arises from a combination of language used in reporting and analysis and a reliance on quotes and context from government sources.

Leaking was routinely construed as behavioral deviance, usually indicated by lacking discipline or taking actions that would warrant discipline (i.e. punishment). *The New York Times* equated leaking to actions that would warrant disciplinary consequences in Winner's case: "She had no apparent history of leaking or any disciplinary proceedings during her military service" (Savage, Shane, & Blinder, 2017). *CNN* reported that Winner "had never been in any trouble and was at the top of her class throughout her school days," according to her mother, and "never expressed unpatriotic thoughts and 'is a good person,' according to her father (Valencia & Almasy, 2017). Such arguments implied that leaking would be linked to behavior that the military and schools would deem deviant, in addition to "unpatriotic" and bad behavior. Similarly, when a press leak inaugurated John F. Kelly's takeover of the White House communication director role from Anthony Scaramucci at the start of August, *The New York Times* described the leak as contravening "his desire for discipline" (Shear, Thrush, & Haberman, 2017).

Leakers were often construed in the media as being untrustworthy and sometimes outright liars. In its coverage of the WikiLeaks release of NSA hacking tool information in March, *The New York Times* quoted a statement from the CIA that described Julian Assange, the head of WikiLeaks, as "not exactly a bastion of truth and integrity" (Shane, Sanger, & Goel, 2017). *The Washington Post* quoted President Trump's personal lawyer Marc Kasowitz as accusing former FBI director James Comey of lying under oath and of being a leaker (Rucker &

Costa, 2017), as if the two accusations were a natural pair. *Fox News* accused Comey of

"manipulating facts, leaking information and blocking the duly elected president from doing his

job" (Hannity, 2017), again connecting lying to leaking.

When they were not directly accused of lying, leakers could still be construed as

untrustworthy. Deputy Attorney General Rod J. Rosenstein addressed government leakers in a

Washington Post story about Reality Winner's leak: "People who are trusted with classified

information and pledge to protect it must be held accountable when they violate that obligation"

(Barrett, 2017b). When someone leaks information to the media, they break a trust placed in

them and a pledge they have taken. Rosenstein argued that this breach of trust endangers national

security, making a leaker's untrustworthiness even more ethically unacceptable.

This rhetoric of breaking pledges and trust ties into concepts of dishonor and cowardice,

which were mostly leveled at former FBI director James Comey. Characterizations of cowardice

hinged not only on the fact that Comey leaked but also on his use of an intermediary to do so, as

The Washington Post reported (Somashekhar & Johnson, 2017). The *Post* also quoted a tweet

from President Trump that called Comey "very cowardly." *Fox News* contributors wrote that

Comey was "unable to stand up to … President Trump when he thought it was required," and

emphasized that he "leaked information through a third party and remained an anonymous

source" (Hoekstra, 2017). They also questioned "[w]hat so-called champion of law and justice

would ever do that to the president of the United States" (Hannity, 2017). While it is unclear who

they claim labeled Comey a "champion," it is clear that he does not deserve such an honorific.

These sources attempted to delegitimize Comey by making him out to be dishonorable and

cowardly, someone whose integrity should be questioned. In turn, the integrity of Comey's leak

should also be questioned, and the leak should ultimately be dismissed.

Each of these characterizations—deviant, untrustworthy, dishonorable—erodes the legitimacy of leakers. They were employed individually, but because one or more was consistently employed across government leaking events in news coverage, they also functioned to delegitimize leakers collectively. When reading about leakers in U.S. news media, it would be impossible to avoid these characterizations even if one were to read only *The New York Times* or *The Washington Post*, for the characterizations are often provided by government or expert sources and are seldom challenged in the reporting.

Individuals in a culture of leaking. Though leakers were often singled out for marginalization using the characterizations described above, there was an interesting dynamic in the discourse about leaking in that leakers as a collective constituted a separate society within the United States. This has been alluded to in the legal and political construals as networks of spies and international traitors and an anti-Trump and anti-democratic "deep state." According to construals focused on ethics and leaking, this insurgent- or counter-society allows and is allowed by a "culture of leaking," as Attorney General Jeff Sessions described it in his August 4th press conference (Department of Justice, 2017). While its existence was acknowledged by those in the government and media alike throughout 2017, the "culture of leaking" concept was generally used to construe leaking as a vice springing from what is almost a debased and debauched political-economic media system; in short, leaking culture is recognized by most, but accepted by only some.

Leaking culture, as constructed by the discourse, is constituted by a pervasiveness of leaks and a political economy of media that permits and even encourages them. In his August press conference, Sessions bemoaned an "unprecedented rise in leaks" and a "staggering number of leaks undermining the ability of our government to protect this country" (Department of

Justice, 2017). Covering the press conference, *The Hill* described a "flow" of leaks and details

that "consistently found their way into the press through anonymous sources" (Easley, 2017).

And *Foreign Policy*, also responding to the press conference, wrote about the "unprecedented

torrent" and "flood" of leaks under the Trump administration (Wittes & Hennessey). The word

"unprecedented" appeared even earlier in the year during coverage of WikiLeaks in March

(Wagner, 2017) and the Manchester bombing investigation in May (Shane, 2017), though in the

latter case it was used to describe the number of leak investigations under President Barack

Obama. At the time of Manchester investigation leak, Sessions had already described leaks as

"rampant" (Shane, 2017).

Former White House communications director Anthony Scaramucci situated leaking

within workplace or business discourse, which fit his background and primary focus of

eradicating communications department leaks. The number of and increase in leaks were still

"astonishing" and "staggering," according to a Justice Department spokeswoman who spoke in

agreement with Scaramucci (Baker & Fandos, 2017). Scaramucci saw the problem as pervasive,

as reported in *The New York Times*:

> Mr. Scaramucci conceded on Tuesday that the leaking was not confined to the
>
> communications operation.
>
> "There are leakers in the comms shop, there are leakers everywhere," Mr.
>
> Scaramucci said, calling the practice atrocious, outrageous and unpatriotic. "It damages
>
> the president personally, it damages the institution of the presidency, and I don't like it."
>
> (Davis & Haberman, 2017)

Scaramucci construed leaking as a problem he could directly address ("in the comms shop"), but

also one that was beyond his reach, amplifying the threat to the president and the more general,

value-based concept of "the institution of the presidency." Scaramucci saw himself as a "more of a front-stabbing person" dealing with "Washington back-stabbing," as reported by *Fox News*—an ethical man, apparently, dealing with unethical employees (Fox News, 2017). He promised to focus on firing leakers from the communications staff, who were "leaking information on each other," and stated that "[t]he president himself deserves better than that" (Fox News, 2017). Scaramucci's approach to leaking as a widely practiced workplace indiscretion was included throughout coverage of his brief tenure in *The New York Times* (Haberman, 2017; Davis & Haberman, 2017) and *The Washington Post* (Rucker & Parker, 2017; Johnson, Rucker, & Nakamura, 2017).

Leaking culture as part of a workplace appeared within other contexts as well, though to a lesser degree, and this is likely due to Scaramucci's position and focus. *The Washington Post* ran an article under the headline "Latest NSA leak is a reminder that your boss can monitor you," as part of its coverage of Reality Winner's leak in early June (Fung, 2017). Many leaks from outside the White House, such as Winner's, still emerge from workplace-like settings. Daniel Ellsberg of Pentagon Papers fame, Edward Snowden, and Stephen Jin-Woo Kim, a State Department advisor who leaked intelligence about North Korea to *Fox News* in 2009 (Marimow, 2014), were all directly or indirectly employed by the government when they leaked information to the media. In May 2017, following the leak of President Trump's intelligence sharing with Russian officials in the Oval Office, *The Washington Post* described the workplace leaking culture of the White House as if it were a battle, where combatants fight against or for management: "the latest waves of anonymous griping have subtly shifted from warring aides bickering among themselves to staffers training their frustrations on the president, as well. Those who remain fully loyal to Trump report a growing sense of isolation" (Parker & Phillip, 2017).

Most media coverage situated the pervasiveness of leaking as part of a generally accepted "way of doing business" in Washington, and this construed leaking as ethically questionable but accepted practice. *The New York Times*, under the headline "Media Leaks? It's engrained in U.S. psyche," provided a summary of leaking in the U.S. prior to and during the Trump administration as part of the paper's coverage of the Manchester investigation leak (Shane, 2017). The foundation of the *Times*'s summary was a legal argument using the First Amendment to support a free press. An expert source, the director of the Project on Government Secrecy at the Federation of American Scientists, argued that ethically "[t]he press here even has the right to be irresponsible" due to the First Amendment. This was contrasted with British culture, which one journalist described as a "culture of 'you don't need to know this'"; *The Washington Post* covered this cultural difference as well (Birnbaum, 2017).

Alternatively, *Foreign Policy* located the "unprecedented torrent" of leaks within the specific historical context of the Trump administration ("Under such circumstances, leaks are inevitable," they wrote, listing ways that Trump has engendered animosity among government workers [Wittes & Hennessey, 2017]). Whether it the leaking was specific to the Trump administration or simply the way media and politics work in the U.S., either construal has the effect of passing off leaking as a natural consequence with limited ethical responsibility on the leakers. If anything, Trump and other leaders have brought it on themselves.

However, many of those in power feel that leaking culture *is* unethical and that leakers should feel responsible for their unethical actions, and these sentiments are shared by some in the media as well. This can be seen to some extent in the construction of discourse surrounding a "deep state" in the U.S. government, a prominent piece of the political construal of leaking. *The New York Times* described how "[w]ith varying degrees of credibility and credulity,

conservatives have fed stories that Mr. Trump is the victim of sabotage by an adversarial intelligence community full of Trojan horse holdovers from the Obama administration" (Peters, 2017). And *The Washington Post*, reporting on the WikiLeaks release of CIA hacking tools in March, provided an interesting quote about the "problem" of leaking culture:

"Anybody who thinks that the Manning and Snowden problems were one-offs is just dead wrong," said Joel Brenner, former head of U.S. counterintelligence at the office of the director of national intelligence. "…If secrets are shared on systems in which thousands of people have access to them, that may really not be a secret anymore. This problem is not going away, and it's a condition of our existence." (Barrett, 2017a)

The source construed leaking as a natural consequence arising from too many people having access to information. It is cultural and unavoidable.

Others attributed the culture of leaking specifically to generational changes in American culture at-large. Michael Hayden, a former director of the CIA, was quoted by *Breitbart* blaming "millennials," generally meaning someone born between 1980 and 2000 or so, for changing common values and actions associated with those values:

 "I don't mean to judge them at all, but this group of millennials and related groups simply have different understandings of the words loyalty, secrecy, and transparency than certainly my generation did. So we bring these folks into the agency – good Americans, all, I assume – but culturally they have different instincts than the people who made the decision to hire them." (Nolan, 2017)

Hayden tried to position himself as a neutral observer by stating that he did not intend to "judge them," but his disagreement with their ethics was made clear by his feeling it necessary to interject with "good Americans all, I assume." Had he not been disparaging them in his mind,

Hayden would not have felt it necessary to qualify them as good citizens, employees, and patriots. *Fox News* quoted a senior fellow at the Center for Digital Government who also complained about cultural values changing for the worse: "We're turning people into folk heroes who 20 years ago would have been called traitors, by anybody left or right" (Wallace, 2017). It is likely no coincidence that both sources were quoted by conservative media outlets, which are sympathetic to the current presidential administration.

These changing cultural values and the "unprecedented" number of leaks might on their own only pose cultural and political dangers: one generation fearing the next, one party strategizing against the other. However, leaking and leaking culture is construed as unethical because of the danger they may pose to the effectiveness of government and the security of the nation. Those in power, and some in the media, argued in various ways that the consequences of a "culture of leaking" on government and security make such a culture unethical and a clear, immediate danger to U.S. society.

Obstacles to government and security. Leaking is construed as an ethical wrong not just by characterizing leakers as socially undesirable and leaking culture as pervasive and threatening U.S. cultural values. It is also ethically wrong for the consequences it creates for government functioning and national security. In 2017, government sources quoted by news media argued consistently that leaking obstructed the functioning of government, and they usually tied this argument to other arguments related to national security. Indeed, with how often the two concepts were tied together, it seems that the primary and perhaps solitary function of government is to provide national security and that any unauthorized information disclosed to the public represents a breach in that security.

The two primary arguments presented in news media about leaking's deleterious effects on government were how it undermined public faith in the government and how it prevented government from functioning well, with the latter argument being the strongest. Regarding public faith in government, this argument appeared during coverage of Reality Winner's NSA leak and Comey's leaked memo and testimony, both in June. Deputy Attorney General Rod J. Rosenstein argued it explicitly when addressing the arrest of Winner (Barrett, 2017b). And in a column for *The Washington Post*, Mark S. Zaid argued implicitly about faith in government following Winner's arrest, specifically in its ability to listen to and assist whistleblowers:

> [T]he argument can be made that every time a leaker illegally discloses classified information, even if the motive is sincere, it causes the government to cast a wider net to identify and prevent perceived insider threats, i.e., leakers. The repercussion is that true whistleblowers are deterred from coming forward while other innocent individuals have their careers derailed or ruined. Sadly, I have encountered this numerous times within the intelligence community, as agencies desperately seek to use sledgehammer approaches where laser precision is required to try to prevent another Snowden breach - or another Aaron Alexis, the Navy Yard shooter, whose colleagues had many security concerns about him that were either ignored or unreported. (Zaid, 2017)

Leakers, Zaid argued, prevent whistleblowers—people who are ethically driven and obligated to share information—from having enough faith in government to protect them if they come forward. In his truly alarmist rhetoric, the consequences of this lack of faith range from killing careers to killing people.

Beyond the argument about faith in government was the argument about the ability to govern. Often, the ability to govern was argued generally by referring to the Trump

administration as "undermined" or "ineffective." *The New York Times* reported that Trump

complained about leaks "undermining his administration," and that "[h]is grievances have

contributed to a sometimes tense relationship with the intelligence agencies he now oversees"

(Savage, 2017). Agreement with Trump's assessment of leaks is not required to extrapolate from

such reporting how leaks can debilitate, at least indirectly, the functioning of government.

Trump's complaints about leaks had created rifts between him and national intelligence agencies.

Without leaks, the reader may wonder, Trump and his intelligence agencies may be able to

collaborate more effectively.

Sometimes, the government's effectiveness was evaluated in terms of diplomacy, and

leaking was often argued to hurt diplomatic relations between the U.S. and other countries.

Attorney General Jeff Sessions, in his August press conference about cracking down on leaks,

argued that "[n]o government can be effective when its leaders cannot discuss sensitive matters

in confidence or to talk freely in confidence with foreign leaders" (Department of Justice, 2017),

a direct reference to leaked phone call transcripts between Trump and the leaders of Mexico and

Australia. It was also leaked investigation details published by U.S. news media that "prompted

an unusual public rebuke" from the British prime minister in the aftermath of the Manchester,

U.K., arena bombing (Birnbaum, 2017). Concerns about the diplomatic repercussions of

Trump's "leak" of intelligence information to Russian officials were also raised because the

information was given to the U.S. by Israel, as reported by *The Washington Post*: "The partner

[Israel] had not given the United States permission to share the material with Russia, and

officials said Trump's decision to do so endangers cooperation from an ally that has access to the

inner workings of the Islamic State" (Miller & Jaffe, 2017). In each case, high-level government

sources argued through the media about the negative diplomatic consequences of leaked information for the United States.

Arguments about effective government often went hand-in-hand with arguments about national security, though there was seldom effort made to link the two arguments beyond mentioning them together. The editors of *Bloomberg* did construct one way of linking the arguments in response to WikiLeaks' release of CIA hacking tools in March, beginning with the disruption the leak may cause to U.S. spying activities:

> That creates problems throughout the U.S. government, from the State Department to the White House. When espionage can no longer be counted on to inform policy making, diplomacy and negotiation become harder. Confusion and miscalculation become more likely. Tensions escalate, and lives are put at risk. (A very dangerous, 2017)

According to *Bloomberg*, espionage is integral to policy making and maintaining international relations, and so the leak of CIA hacking tools damaged both of those government functions. Because of that damage, international relations were put in jeopardy—due to diminished espionage capabilities, of course, and not to international fallout from the revelation of such hacking tools. In turn, this put lives "at risk," which makes leaking a dangerous action indeed. The fact that the hacking tools and the vulnerabilities they exploited were already well-known in the international security community likely takes some of the teeth out of *Bloomberg*'s argument in this case (Tufekci, 2017).

Elsewhere, linking effectiveness and security was argued simply by mentioning the two at the same time. The quote from a Justice Department spokeswoman discussed above, issued in support of Anthony Scaramucci's attempted crackdown on leaks, is emblematic of this sort of association argument: "We agree with Anthony that these staggering number of leaks are

undermining the ability of our government to function and to protect this country" (Baker & Fandos, 2017). The same effect could also be achieved implicitly by focusing on how leaks disrupted President Trump's duties as president, such as in news coverage of former FBI director James B. Comey's leaking of a memo. *The New York Times* reported that Trump's personal lawyer, Marc Kasowitz, "portrayed Mr. Comey as part of a stealth campaign to undermine Mr. Trump" (Apuzzo & Huetteman, 2017), and *Fox News* wrote that Comey had "been manipulating facts, leaking information and blocking the duly elected president from doing his job" (Hannity, 2017). If the President of the United States, it was argued, cannot fulfill the duties of his office due to the disruption caused by leaks, it may be easy to surmise that the government as a whole is being disrupted as well.

National security was often tied to leaking with little warning or evidence. Any release of information could somehow be construed to impact national security. *The New York Times* quoted White House spokesman Sean Spicer responding to Comey's memo leaking and subsequent testimony before Congress:

> "By grandstanding and politicizing the investigation into Russia's actions, James Comey created unnecessary pressure on our ability to engage and negotiate with Russia," Mr. Spicer said. "The investigation would have always continued, and obviously, the termination of Comey would not have ended it. Once again, the real story is that our national security has been undermined by the leaking of private and highly classified conversations." (Apuzzo, Haberman, & Rosenberg, 2017)

There is a continual preoccupation with what "the real story" is regarding leaking, particularly among government sources and conservative media. "The real story" tends to be not even the threat to national security, but the leak itself, the fact that it occurred. The various effects of the

leak, such as the threat to national security, legitimize it as "the real story." This type of argument is even more integral to the depolitical construal of leaking, which is discussed in detail further below.

References to national security employed to argue for the unethical nature of leaks appeared so frequently that it would be nearly impossible to encounter more than one or two news stories and not "learn" that leaks harmed national security. In his apology to the United Kingdom, influenced by concepts of propriety, President Trump claimed, "These leaks have been going on for a long time, and my administration will get to the bottom of this. The leaks of sensitive information pose a grave threat to our national security" (Shear & Erlanger, 2017). The president considered leaked crime scene photos from the U.K. to be a "grave threat" to U.S. national security. A tenuous yet clear link was drawn between leaks and national security by national security advisor H. R. McMaster when he spoke to reporters about President Trump's sharing of intelligence information with Russians:

> "National security is put at risk by this leak and by leaks like this," the national security adviser, Lt. Gen. H. R. McMaster, told reporters at the White House on Tuesday. He was referring not to Mr. Trump's disclosure of intelligence to Russian leaders, but to the government officials who acted as sources for *The Washington Post's* scoop about it.

Time and again, government sources escalated the threat of leaking to national security, regardless of the apparent legitimacy of such claims.

The government, communicating through the media, could argue that leaks harm national security because they prevent spies from doing their jobs or because they create rifts in the diplomatic community, as has been shown above. But perhaps the clearest strategy employed by the government was simply repetition: leaks threaten national security, leaks threaten national

security. And overall, arguments about the harm that leaks cause were difficult to avoid in news coverage because, while articles may have been about specific leak events, government sources always sought to talk about leaking in general—and news media, seeking to provide context for their stories, sought to reference these sources. For example, during Anthony Scaramucci's weeklong, leaks-focused tenure in the White House at the end of July 2017, *Politico* published a financial disclosure form belonging to him that revealed his personal asset wealth and a potentially compromising investment. Scaramucci immediately cried leak in a tweet, which he soon deleted (Baker & Fandos, 2017). However, *Politico* published the form several days after it became publicly available, so it has since been disregarded as a leak. Nevertheless, news coverage of the event sought to provide context within Trump administration leaking for Scaramucci's accusation, and this led to government sources being given space to argue the negative consequences of leaking on government and national security (Baker & Fandos, 2017). This style of reporting occurred repeatedly throughout coverage of government leaking events in 2017: a specific news event situated within a larger leaking culture context, with government sources given space to argue the threat of leaks.

Both arguments—about effective government and about national security—grew out of efforts to construe leaking as an ethically suspect course of action. But both also contribute strongly to the final dominant construal of leaking in discourse from 2017: the depolitical. Along with other arguments, the effects on government and national security can be used to depoliticize leaks, construing them and leakers as social and existential threats to every American regardless of political ideology. I explore this construal and the arguments that constitute it in detail below.

The Depolitical: LEAKS

The depolitical construal of leaking was used to make leaking a social wrong, one upon which all of society could agree, rather than a debatable political issue. This construal can exist independently from the others discussed in this chapter, though it can be argued as an extension of those others as well. Drawing attention away from the substance of a leak is imperative to the functioning of this construal. Depoliticized, leaks harm everyone and serve virtually no purpose or benefit for society. Even when leaks reveal some wrongdoing, the accumulated harm caused by all other leaks can lead to little more than pyrrhic victories for the American people. Leaks are far greater threats to national security, effective government, and a free society than the government wrongdoing they reveal could ever be. Regardless of political stance, everyone can and must agree that leaking has no place in society.

I show below how this construal existed independent of the others in 2017's leaking discourse, though each of the previous construals—legal, political, ethical—could also lead to it in its own way. Each construal draws attention to the consequences of leaking (as in, leaking in general) rather than focusing on just *what* information was leaked: in the legal construal, leaks are crimes; in the political construal, leaks are strategies of politics; and in the ethical construal, leaks are inappropriate acts from an unethical culture. Similarly, leakers were often construed as enemies that posed a threat to society as a whole, like spies, traitors, and deviants, which could once again distract from any political debate that might arise from the information they revealed to the media.

Though it may seem counterintuitive to argue that a political construal supports a depolitical one, the two construals engage with leaking differently and, ultimately, complement each other. This relationship can be understood best by differentiating between the concepts of "the political" and "politics," which Chantal Mouffe (1999) did in her development of agonistic

pluralism as a theory of democratic government. This difference in concepts makes the difference in construals more comprehensible:

> By "the political," I refer to the dimension of antagonism that is inherent in all human society, antagonism that can take many different forms and can emerge in diverse social relations. "Politics," on the other hand, refers to the ensemble of practices, discourses, and institutions that seek to establish a certain order and to organize human coexistence in conditions that are always potentially conflictual because they are affected by the dimension of "the political." (p. 754)

In my mind, the *political construal* situates leaking within *politics*—within the actual "practices, discourses and institutions" in which politicians act. Under the political construal of leaking, a leak is another way of practicing politics, and it functions between institutions like the White House, intelligence agencies, Congress, and journalism. However, the *de-political construal* of leaking engages with leaks at the level of *the political*, specifically by removing leaks from the political. Leaking becomes an issue and practice that all human society could and "should" agree to reject, rather than an issue that creates antagonism and disagreement within society. The political construal complements this by emphasizing the *politics* involved in leaking and, in turn, de-emphasizing the subjects of leaking as *political* issues.

In the depolitical construal, leaking ceases to belong to the political for several reasons. Leaking is presented—almost overwhelmingly—as a threat to national security and government. As I wrote in the previous section, this threat is a significant component to the ethical construal of leaking because it construes leaks as unethical actions due to their supposedly dire consequences. The threat is also significant to the depolitical construal in that, by threatening the wellbeing of all society indiscriminately, it construes leaking as a non-political, non-debatable

social wrong. Under the depolitical construal, to support leaking or even allow for its existence is to jeopardize society and risk being branded a traitor and enemy just as leakers do.

As an additional component of the depolitical construal, leaking is argued to be "the real issue" in response to a particular leaking event, with the information revealed by the leaks being dismissed as a distraction. Rather than talk about that information, the government, elite sources, and segments of the news media present the fact of its leaking as the sole public concern. Furthermore, the depolitical construal tends to present leaks as natural phenomena or actors with their own agency. Leaks happen to the government and emerge from everywhere, largely disconnected from the actors and motivations that underlie them.

Threats to all. In government leaking discourse, leaks are presented as threats to effective government and national security. Persistence gave life to this presentation: government, legal, intelligence, and security experts persisting in such arguments, and news media persisting in referencing and quoting them. Leaks-as-threats serves the ethical construal by making leaking an unethical course of action: to still choose to leak after being made aware of the consequences would be unethical. For the depolitical construal, arguments about government and security serve to emphasize leaking as a danger to all of society rather than only certain segments of it (e.g. the president, intelligence agencies, and the military).

Typically, the threat to national security is raised with no concern for what the leak itself reveals, playing into the strategy of depoliticization by breaking the leak's potential links to political issues. Sean Spicer's comments following former FBI director James B. Comey's leaking of a memo, discussed above from the point of view of the ethical construal, was one example of this. Below, I have quoted from an article in *Foreign Policy* spurred by Attorney

General Sessions's press conference about prosecuting leakers. Just as that press conference addressed leaking in general, so too does this argumentation:

> … [I]t's an old saw that leaks harm national security, but it's really true. No, not every leak of classified information is alike. But when it leaks that we have a particular foreign official under surveillance, the leak burns an intelligence collection channel that may involve significant investment and may not easily be replaced with another. It's bad enough that Trump told the Russians about a specific allied intelligence program with respect to the Islamic State; the leaks told the rest of the world about it, too. This same pattern plays out across dozens of leaks of genuinely sensitive materials over the past few months, and the cumulative damage is likely to be very serious. People who discount this damage are kidding themselves. (Wittes & Hennessey, 2017)

The argument is a mixture of general and specific assertions. Arguments about the leaking of specific information—surveillance of an official, intelligence information—are used to support a general premise that "leaks harm national security." While differences in leaks are allowed for, the primary message seems to be that "the cumulative damage" from more sensitive leaks is a great risk to accept.

In his press conference, Sessions emphasized leaking as a threat to all by naming specific categories of potential leak victims: "We must balance the press's role with protecting our national security and the lives of those who serve in the intelligence community, the armed forces and all law-abiding Americans" (Department of Justice, 2017). This statement was delivered as a warning to news media for aiding leakers and publishing leaks and sets them in discursive opposition to members of intelligence agencies, the armed forces, and "law-abiding" society. Sessions's listing of three separate groups, rather than referring to a single homogenous

group, was likely an attempt to gain favor with intelligence agencies who had faced heavy

criticism from the president during the year (e.g. Davis, 2017, for *The New York Times*; Phillips,

2017, for *The Washington Post*). It also allowed Sessions to highlight the danger posed by

leaking to "all" even more emphatically by concluding his brief list with that segment of society.

"Law-abiding" provided an important qualification, however, and gave it a cautionary tone for

the media and anyone else who might consider aiding leakers: they are separate and distinct from

those "law-abiding Americans" who must be protected.

The "threat to all" argument of the depolitical construal functions in another way: the

labels "leak" and "leaker" become threats to all in the form of accusations, and it is threatening

enough to be merely associated with the label. This can be seen in arguments branching from the

"traitor" discourse that is predominant in the legal construal. Throughout that discourse, traitors

exist in dialectical opposition to patriots—there is simply no in between. A person can either

treacherously harm one's country or gallantly defend it. Leakers and those who assist leakers

become traitors because leaking is construed as espionage and national betrayal. The basis for

patriotism seems to require two things: a person is an American citizen, and a person is not a

traitor. The result is that, for non-leakers to remain in favor, they must name names. As Anthony

Scaramucci reasoned to a reporter about a leak, "You're an American citizen, this is a major

catastrophe for the American country. So I'm asking you, as an American patriot, to give me a

sense of who leaked it" (Johnson, Rucker, & Nakamura, 2017). The government's threats to

journalists who published leaks, issued through Attorney General Sessions's press conference in

August, represents a similar attempt to ostracize all parties involved in a leak and to coerce

journalists and other non-leakers to comply with government authority. Through these strategies,

if a person does not perceive leaking as a threat to all, the government seems intent on making it

a threat to *them*.

The language employed in the Espionage Act, which I examined with greater detail as

part of the legal construal, anticipates continued use of arguments about national security. A

person can be charged if they shared information "with intent or reason to believe that the

information is to be used to the injury of the United States, or to the advantage of any foreign

nation" (18 U.S.C. § 793; Espionage and Censorship, 2006). The phrase "reason to believe" may

damn anyone who leaks actual classified information because, in order to be classified, powerful

members of the government must have claimed that public knowledge of it would endanger

national security (Executive Order 13526). Knowing that information is classified is "reason to

believe" it would "be used to injure the United States" because citizens are expected to take the

government's word for it, right or wrong. But people can be expected to also have "reason to

believe" that non-classified information would be harmful, as evidenced by arguments about

leaks undermining the effectiveness of government. When the president and the rest of the

government cannot operate effectively and cannot engage in diplomacy with complete control of

information, it has been argued by those in power, national security is jeopardized. Because of

how often those in power are able to communicate this message through the media, it seems

possible to expect any U.S. citizen to have "reason to believe" that *any* leaked information could

"be used to injure the United States." Whether such leaks would result in prosecutions—and,

historically, they do not (Pozen, 2013)—is less relevant than the obviously intended chilling

effect on the spread of information beyond the government's control.

"**The real issue.**" To a different extent in each government leaking event from 2017

news coverage, discourse about leaking would inevitably construe leaking itself as the greatest

source of concern—or what should be the greatest source of concern—for the American public. Under such a construal, the subject of or the information revealed by a leak would be far less consequential than the fact that the leak occurred in the first place. Disregard the fact that the CIA had been using software loopholes in everyday electronics to spy on people; disregard the fact that President Trump revealed highly classified information to Russian officials in the Oval Office; disregard the fact that *The Intercept* published an NSA report showing how Russian hackers attacked U.S. voting systems in the 2016 elections—focus instead on the fact that in each case someone passed on information when, according to rules of communication, they should have kept it hidden from public view; focus instead on the real or fantastical damage to effective government and national security, as above; focus instead on leaking and leakers.

This argument was not *explicitly* employed in the majority of news events. It may be inferred, rather, from the preoccupation with leaking and leakers generally, a preoccupation emphasized by government and expert sources included routinely in reportage from *The New York Times*, *The Washington Post*, and other news media, in addition to coverage and opinion from media recognized as more supportive of the Trump administration, like *Fox News* and *Breitbart*. Each of the construals discussed previously—legal, political, ethical—arrive at this preoccupation in their own ways, for their own ends. For instance, under the political construal, more "liberal" media often focused on the political skill of James Comey as a leaker, even construing it as praise, but this nevertheless drew attention toward leaking as a political maneuver and leakers as political actors.

The argument that leaks are the real issues in a news event did appear explicitly in relation to two leak-related events: the March WikiLeaks release of information regarding CIA hacking tools, and the May leak revealing that President Trump had shared intelligence

information with Russian officials in the Oval Office. In the WikiLeaks discourse, quoted experts downplayed the importance of what was revealed by the leak and focused on questioning how the CIA let the information leak in the first place. This selection from an article in *The New York Times* captures that argument:

> Security experts said it was not surprising that the government had stockpiled flaws in major technology products to use for spying. "The real scandal and damaging thing is not knowing these things exist, but that the C.I.A. could be so careless with them that they leaked out," said Matthew D. Green, an assistant professor in the department of computer science at Johns Hopkins University. (Goel & Wingfield, 2017)

The revelation about CIA hacking tools was dismissed outright as "not surprising," and the quote itself, by describing "the real scandal and damaging thing," construes the revelation as less damaging as well. The link seems tenuous: if the information were truly unsurprising, its leaking should be less scandalous and damaging. Perhaps the expert was making an argument that the CIA may be sloppy with information in general, but this relies on assuming that the CIA guards far more "surprising" information the same way that it guards "unsurprising" information. The argument seems intended to stoke fear about future leaks from the CIA while using a specific leak that is both unsurprising and not the "real scandal" as evidence. In the same article, another expert echoed this argument:

> But Mr. Falkowitz added that perhaps the most important message behind Tuesday's leaks was that neither government agencies nor companies can trust their employees to keep their most precious information secret. (Goel & Wingfield, 2017)

Here, the information has become the "most precious" of government agencies and companies, and an alarm has been rung for those in power: leaks about their actions, not their actions, are the danger, and those they hold power over are not to be trusted.

The leak in May about President Trump revealed that the president had casually shared highly sensitive intelligence information from Israel with Russian officials during an Oval Office meeting. Government sources and pro-administration media, rather than address what the president had shared, insisted that the real concern was the leak to the press. *The New York Times* noted in its coverage a tweet by President Trump that sought to construe the leak as the real issue: "Mr. Trump tried to turn attention away from whether he had leaked information to finding those who had disclosed what he had done. 'I have been asking Director Comey & others, from the beginning of my administration, to find the LEAKERS in the intelligence community'" (Baker & Davis).

This was later expanded upon by the president's national security advisor, Lieutenant General H. R. McMaster, who had originally issued what could have been interpreted as a denial of Trump's actions. *Vox* summarized McMaster's second scrum with the press, noting the administration's strategy of focusing on the leaks and leakers instead of the information they reveal:

[McMaster] chose to parrot the Trump administration's go-to refrain in these situations — that the real issue here is leakers.

"Our national security has been put at risk by those violating confidentiality and by those releasing information to the press that could be used and connected with other information available to make American citizens and others more vulnerable," he told reporters at the White House. (Ward, 2017)

Rather than addressing questions about President Trump's actions, including whether the president himself had become a leaker of classified information to a foreign government, the national security advisor shifted focus to the leak that informed the public about some of the information Trump had communicated.

Media outlets that have typically been supportive of the Trump administration adopted this argument. *Breitbart* could not have been more direct in doing so when it published an article entitled, "The real story in *The Washington Post* is not 'Fake News,' but the leaks," and called the speed with which the leak appeared in print "astonishing" (Pollak, 2017). However, one of its important points what that "the leaked information was largely public," which would seem to contradict McMaster's assertion that "national security [had] been put at risk" as well as quotes from anonymous sources that originally leaked the information to the *Post*. The point was made in an attempt to trivialize the criticism against Trump for revealing the information in the first place, but it may also have trivialized the government's argument about the severity of the leak.

Fox News published a similar article, entitled, "Trump's Russia leak: The real scandal behind the *Washington Post* story" (Fleitz, 2017). The article argued that the leak and subsequent publication by *The Washington Post* were the real story for their "partisan" undertones. It specifically addresses the "U.S. officials who spoke to *The Washington Post* to generate this story," harkening to arguments about employees seen in the WikiLeaks example above as well as in the ethical construal of leaking. Unlike the *Breitbart* story, this article described the information as "highly classified intelligence," which was in line with what McMaster and the anonymous sources asserted.

While this argument was only seen explicitly in limited coverage, the tendencies of government actors and other expert sources to draw attention away from the information

revealed by leaks helped promote a general construal of leaks as "the real issue." This is largely a cumulative effect from the other leaking construals, each of which distracts from the actual leaked information in their own unique ways. Grammar and rhetoric can also subtly assist in this distraction, and the main methods of accomplishing this are touched upon below.

Other discursive influences. In leaking discourse, leaks can appear to have their own agency, largely due to their anonymous nature. When it is clear who was responsible for a leak—such as with Comey's FBI memo and Reality Winner's NSA report—leakers occupy more "visible" roles in grammar and rhetoric. They are the subjects, the ones who leak: "Comey admitted engineering a leak" (Zapotosky, 2017b); "Comey improperly leaked information" (Rucker & Nakamura, 2017); "Winner, a 25-year-old contractor who allegedly leaked the document…" (Kludt, 2017); "Winner…might have stolen or exposed other secrets" (Blinder, 2017). Even when they are not the subjects, they can be attributed possession of the leaks by referring to them as "his" or "her" leaks.

Conversely, when the person responsible for leaked information remains anonymous, the discourse employed by journalists and government actors alike focuses more on the leaks than it does on the leakers. This can construe leaks as having their own agency or existing as natural phenomena, disconnected from social and political differences and actors. Leaks, rather than leakers, take on culpability for harm and appear without context or motivation: "As a rule, where allies like the United States and Israel share so many vital interests, the partners have no alternative but to absorb the damage from the leak and continue to share intelligence" (Alpher, 2017). Leaks can also occupy subject positions in sentences and become the "actors" that take grammatical action: "Leaks from the ongoing probe…have provoked ire from British officials" (Adam, 2017).

Finally, grammar can subtly alter the construal of leaks and leakers further due to how "leak" is employed as either an intransitive or transitive verb: "they leaked" or "they leaked a document," respectively. The intransitive form seems much harsher, a clipped accusation, and it does not matter what "they leaked"—there is no room or need for qualification. This intransitive quality is also implied simply by naming someone a "leaker," a label applied often by President Trump. No object is needed, nothing needs to have been leaked, because it is enough simply to be called a leaker. With these grammatical tactics, the object of a leak is often nonexistent, further disconnecting leaks from the political and the realm of debate: if nothing has been leaked, grammatically or actually, then there is less to debate.

In summary, the depolitical construal of leaking functions by focusing on the action of leaking rather than the substance of leaks, and it links the action to negative consequences for all of society, specifically in the form of government and national security. This construal stands on its own and also results from the cumulative effects of legal, political, and ethical construals, which all erode the substance of leaks to emphasize leaking and leakers instead. The depolitical construal, like its counterparts, gains strength in news media primarily from the prevalence of quotes from elite sources: government actors and intelligence and leaking experts who are given space to argue for this construal. The functioning of each construal and the dependence on elite sources help to develop an understanding of the shape of power in the United States, power that constrains and is sustained by leaking discourse. It is an analysis of this shape of power, and of the relationships between the government, media, leakers, and public, with which I conclude this chapter below.

Leaking and the Shape of Power in the United States

News media discourse about government leaking reveals how power over the communication of government information is shared between the government, leakers, and the news media. The discourse sheds light on the relationship between these three parties, revealing its symbiotic-antagonistic nature. Each party benefits from the other while simultaneously functioning as an adversary. The news media benefit by being able to publish stories with help from those in the government who provide leaked information, but in doing so they draw flak from the government as well as from news media that disagree with a leak publication. Individuals in the government, the leakers, benefit by being able to leak information to the press to satisfy whatever motivations they may have, but they risk legal and professional consequences from the government. The government as a larger public entity benefits by being able to communicate dominant construals of leaking because of the press's desire to include expert sources in its coverage, but they may anger or alienate the press and trigger further leaks from disgruntled individuals.

Each party to news media discourse about government leaking—the government, leakers, and the news media—struggles to grasp and hold power over information and communication in U.S society. Initially, this power is the government's to lose. Regarding classified information, the government is responsible for collecting it into a (differently) meaningful form—files and reports—and for concealing it from public view with classification rules. Regarding non-classified information like communications, schedules, personnel issues, and so on, the government produces this information itself and chooses to either withhold it or not actively share it with the news media or the public. Should the structure of power and communication function as intended, the news media and the public would only be exposed to the information if the government allowed it.

However, leakers disrupt this power structure by circumventing these processes for classification and communication. They share information, classified or not, that the government would otherwise choose to keep out of public view. In doing so, leakers sap power from the government and share it with the news media. Leakers have direct control over what information the news media may access, constrained by what information the leakers themselves have access to. The news media in turn have direct control over how much of the leaked information the public may access. The government becomes a mere producer or collector of information rather than a controller or distributor. Leakers do not seize the means of production—they seize the product itself. But even here, the government maintains some power over communication, as claims about national security can lead editors to withhold some leaked information "voluntarily"—to avoid endangering people as well as enduring critical flak—e.g. *The Washington Post* curtailing what it published of the intelligence leak from President Trump to Russians in the Oval Office (Miller & Jaffe, 2017).

The dominant construals in news media discourse about government leaking become the means by which the Trump administration attempts both to reclaim and to maintain its power over communication and information. The administration reclaims power over leakers by drawing attention away from the substance of the leaks and by focusing on leakers and the act of leaking; this was evident in each construal employed in 2017. By construing leakers at various times as criminals, political hacks, social outcasts, and depoliticized enemies, the Trump administration attempts to wield its power through the news media and public opinion. While the government seldom prosecutes or (publicly) identifies leakers, it seeks to delegitimize existing leakers and dissuade others in the government from leaking in the future. Faced with public construals that are almost universally negative, potential leakers may feel constrained into not

leaking without the government having to exercise any actual punitive power. Instead, the way the administration has managed to shape discourse about leaking is the actual power that influences actions (or so the administration intends).

The news media facilitate the administration's attempts to reclaim and maintain power by relying on elite sources—current and former government officials and experts who support dominant, government-backed construals—and also by not publishing alternative construals to a competitive degree (the few that did get published are detailed at the conclusion of this chapter). Reading most news media outlets would leave citizens with a view of leaking and leakers shaped by these dominant construals and little else. While the news media also facilitate leakers' disruption and seizure of power, leakers are at a significant disadvantage due to their anonymity and their individuality. Because maintaining anonymity is often necessary, leakers seldom have the opportunity to promote their own construals of themselves and their actions. And because they may be a single person representing a single leak, they do not have the same resources and number of supporting voices that the government or administration can muster. A notable exception to this difficulty in promoting discourse was James Comey, as he was able to push a construal of himself as a whistleblower and of his leak as a tool for oversight. However, as the former director of the FBI, Comey already had significant power—significant enough that President Trump's firing of him led to a public Congressional hearing during which members of Congress gave him ample time and deference to construe himself and his leak. Conversely, Reality Winner also lost her anonymity but had no access to Congress and, likely on the advice of a lawyer, held no press conferences. Winner was young and a low-level intelligence contractor, lacking any of the social power that Comey wielded.

Because the government and its construals are able to dominate the relationship between government, leakers, and the news media, leaking is construed as being unnecessary for society, a social wrong that should be eradicated for the good of all. While Pozen (2013) specified actual, practical roles for government leaking—such as communication between agencies, testing public opinion on policies, and allowing for plants of information in the media—the dominant discourse about government leaking allows for no positive legal, political, or social utility. Government leaking can only benefit other nations and enemies, settle political scores, strengthen "deep state" resistance, and threaten the safety of society. Other roles that could be construed as necessary or useful, like the political communication roles described by Pozen (2013) or the government oversight role, were consistently ignored, left out, or downplayed in news media discourse. This may be because such roles would acknowledge a compromise in the power to control information, and even to acknowledge only the political communication roles may risk encouraging other roles over which the government has less power.

In addition to constructing leaks and leakers and their lack of necessary social roles, news media discourse about government leaking helps to realize two other social concepts: the citizen and the government. The discourse constructs the former as the dialectical opposite of the leaker, where citizens are defined by not leaking information and not supporting those who do. The discourse constructs the government by presenting it through the news media as if it were a single, homogenous entity with uncompromised stances toward leaking. These discursive constructions are discussed in more detail below.

The construction of the citizen and the government. While this study was not intended to allow for clear observations about a citizen's relationship to the government, the construals found in news media discourse about government leaking nevertheless discursively construct

"the citizen" as a compliant subject to domination of government power. Understanding how the construals separate leakers from the rest of society reveals, dialectically, how the rest of society is being construed. More specifically, these are the "law-abiding citizens" to which Attorney General Sessions referred in his early August press conference (Department of Justice, 2017). Leakers endanger national security, so citizens become powerless victims who must be protected. Leaking prevents the government from operating effectively, so citizens want the government to pursue its agenda unimpeded out of national interest. Leakers operate to further the aims of political resistance and a "deep state" within the government, so citizens support the current administration and not offer resistance or dissent to it. Leakers are criminals, spies, and traitors, so citizens are loyal patriots.

Citizens can distinguish themselves from leakers by not leaking. While tautological, it is the essential argument in discourse about government leaking because "not leaking" is defined as compliance: with government control of information, with established systems of classification, with established systems of communication, with the status quo. A citizen may be better understood in leaking discourse as a not-leaker, the other half of the leaker binary. A not-leaker is the ideal subject to power due to their compliance. They trust that information is kept secret for a good reason—national security—and that concerns raised through the proper, non-public channels will be addressed appropriately. Not-leakers offer no disruption to the flow of power over information that is controlled by the government.

Of course, the government is not actually a homogenous entity. Writing about "the government" as a monolithic, organized, deliberate organization can be misleading. Even "the Trump administration" faces this difficulty, and leaking is one way that this fracturing within the government or administration has been laid bare. The government and the Trump administration

both are comprised of not-leakers and leakers. Some members of the government speak out vociferously against leaking, while at the same time other members of government are responsible for those leaks—and those responsible for one leak may not approve of another. But it is possible to see that news media discourse of leaking discursively constructs "the government" or "the Trump administration" through the consistent dominance of the construals presented in these findings.

Throughout 2017, "the government," in the form of the president, attorney general, members of Congress, and other officials, constructed and communicated one or more of the dominant construals of leaking discussed here during each news event. Presumably though, because leaks still occur, these dominant construals are not shared by all. The alternative would be that "leakers" do in fact see themselves as traitors, deviants, and social enemies deserving of imprisonment or worse, yet leak anyway—possible, but unlikely. In news media discourse therefore, "the government" *does* become constructed as having a somewhat homogenous view of leaks—there are no strong dissenting opinions or alternative construals linked to government officials playing out in leaking discourse. "The government" discursively comes into being. This is not to say that alternative opinions or construals do not exist—the act of leaking itself is arguably an alternative construal put into practice—but that others in the government exert enough power over communication so that a generally homogenous stance toward leaking can be attributed reasonably to a single public entity known as "the government" or "the Trump administration."

Nevertheless, alternative construals for government leaking do exist and were communicated through news media in 2017. They were, however, neither particularly strong nor, aside for one defense of the president's intelligence sharing with Russia, vocally supported by

the government or elite sources. I conclude this chapter with a brief examination of these alternative construals below.

  Alternative construals. Alternative construals arise in dialectical relation to the dominant construal of a social concept and offer an alternative way of thinking. They can provide ways to move past the social issues in question—in this case, government leaking and leakers—that are outside the dominant way of thinking. In news media discourse about government leaking, few alternative construals were constructed, and they were mostly unique to or focused on a single leak or leaker. Elite sources in news coverage, government officials and experts, did not support or communicate these construals. Because so much of the reporting on leaking relied on input from these elite sources, and because these elite sources focused on communicating the dominant construals presented in this chapter, the alternative construals described below remained weak and disorganized in the discourse.

  The primary non-dominant, alternative construal is that of leaks serving as tools for government oversight. This construal deemphasizes the actions and actors involved in leaking, such as whether the information was classified or whether the person failed to follow "proper" whistleblower procedure, and instead is more likely than other construals to emphasize the information revealed by leaking. This information is used as justification for arguments about punishing those in the government who have committed a wrong. Writing after the Manchester bombing investigation leak, *The New York Times* noted that in the past leaks have revealed such government wrongdoing as CIA dark sites, torture, NSA mass surveillance, and questionable drone strikes (Shane, 2017). Concerning leaking from 2017, oversight was mentioned as a benefit for allowing the public to be aware of Michael Flynn's ties to Russian officials (Wittes & Hennessey, 2017), President Trump's disclosure of intelligence to Russian officials (French,

2017), and James Comey's memo of a conversation with Trump about the Russia investigation (Barrett, Nakashima, & O'Keefe, 2017). However, other construals took prominence in those news events: the leak of Trump's disclosure to the press was the "real issue" for that event, and Comey's leak was merely partisan gamesmanship and evidence of a "deep state" attempting a political coup.[5] Leaking as a tool for government oversight was seldom constructed or analyzed as a legitimate construal.

In the United States, government oversight—being a "watchdog"—has often fallen to news media through tradition supported by case law that protected journalists when they published leaked information (e.g. New York Times v. United States, 1971; Bartnicki v. Hopper, 2001). This role of the press was only mentioned significantly following the August press conference led by Attorney General Jeff Sessions. During this press conference, Sessions stated that the Justice Department would consider pursuing media subpoenas more aggressively, thus threatening increased pressure on journalists to cease publishing leaks or risk closer government scrutiny (Department of Justice, 2017). The editorial board of *The Chicago Tribune* responded critically to Sessions's speech, though their critique focused on the threat to journalists and not to other rhetoric that he used (Press freedom, 2017). They promised to continue publishing leaked information, arguing that the "job of preventing leaks belongs to the federal government…. If the Trump administration can't keep its own secrets, it shouldn't expect the news media to do that job." *The Washington Post*, also in response to the press conference, defended its journalism by explaining how it determines what to publish and what to withhold regarding leaked information and also by arguing that news media often behave more responsibly in this watchdog role than outside organizations like WikiLeaks (Borchers, 2017). These arguments used the subject of

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[5] The Michael Flynn news coverage was not included in this study.

leaking to defend the role of the press. However, aside from noting that leaked information had to be considered worthy of the public's interest in order to be published, news media offered little discourse that sought to construe leaking or leakers differently from the more dominant leaking construals. Rather, in this case, the news media seemed more preoccupied with staying out of the line of fire than with deflecting or returning it. If anything, emphasizing how careful journalists should be with publishing leaked information reinforces the construal of leakers as unethical.

Leaking is also construed as either revealing the "real issues" or distracting from them, as opposed to depolitical construals of leaks, which claim the leaks themselves are the real, principle issues on which society should focus. Following WikiLeaks' release of CIA hacking tools in March, *The Washington Post*'s editorial board argued that the leaks would provide more fuel for "deep state" conspiracies and "disruptive controversy" between intelligence agencies and corporations (WikiLeaks does America's, 2017); this was a generally negative argument about the leak published by WikiLeaks. Use of this construal could emphasize that leaking distracts the public from the ineptitude of President Trump and his administration. Some writers argued that the administration was encouraging this distraction, such as an opinion column in *The Washington Post* that suggested Trump's desire to focus on prosecuting leaks was intended to relieve pressure from investigating Michael Flynn (Ignatius, 2017). Others simply observed that leaks could steer news media attention away from criticism of the administration and the government (e.g. Filipovic, 2017; Blow, 2017; Wittes & Hennessey, 2017). Interestingly, this type of argument seldom saw the "real issue" as something that the leak revealed. Once again, the act of leaking itself, the fact that a leak occurred, was interpreted as the primary indicator of other political ills; the leaked information was secondary.

Alternative construals for leakers often varied from individual leaker to individual leaker. Comey sought to construe himself as a whistleblower desiring increased government oversight. Reality Winner, the 25-year-old intelligence contractor who sent an NSA report on Russian hacking to *The Intercept*, was construed by her parents as a victim and an almost child-like innocent: her parents described her as "scared" and "afraid…that [investigators] were going to make her disappear" and were saddened "to see her maligned and slandered in the media" (Park, 2017). Winner's parents were some of the few dissenting voices to the dominant construals that marginalized her as a criminal and deviant partisan. One other dissenting voice emerged from an unlikely source: *Fox News*. Judicial analyst and former judge Andrew Napolitano surmised that, rather than a criminal and a traitor, Winner might be better understood as a "patriot who risked her career and freedom to warn the American public of what the government was afraid to acknowledge—that mass spying keeps us neither safe nor free" (Napolitano, 2017). While acknowledging that Winner did commit a crime, Napolitano focuses on the implications of *what* she leaked, of the information that was actually published by *The Intercept*. As has been shown, this type of focus is seldom seen in discourse about government leaking, and indeed, neither *Fox News* nor other media outlets beyond *The Intercept* seemed to join Napolitano in his construal.

One non-dominant construal received clear support from elite sources, but it was only applicable to a single leak news event, and within coverage of that event it was rapidly overshadowed by more dominant construals. President Trump, construed as a leaker by some for his sharing of intelligence with Russian officials in the Oval Office (e.g. Qiu, 2017; Grenoble, 2017; Ward, 2017), presented this unique alternative. Because the president has ultimate authority to declassify information, Trump argued that the president cannot leak information (realDonaldTrump, 2017a; realDonaldTrump, 2017b). A *Washington Post* article headlined "No,

Trump didn't break law by discussing classified details with Russians" included quotes from legal experts, which corroborated Trump's claim (Zapotosky, 2017a). This construal may not have taken center stage during coverage of the government leaking event because of its legal grounding, but additionally, the government and other news media successfully employed a more dominant depolitical construal by focusing on the leak as "the real issue" instead, as discussed further above.

Altogether, the prevalence of these alternative construals pales in comparison to the dominant construals. Perhaps media sources not included in this study may promote one of these more forcefully or construct others, but principle news sources for stories about government leaking like *The New York Times* and *The Washington Post* consistently allowed for the communication of the dominant construals presented earlier in this chapter while making little space for the communication of the alternative construals described here. Elite sources like government officials and experts on leaking laws, intelligence, and national security inundated coverage of leaking with focused repetition of arguments that cast leaking and leakers as illegal and dangerous threats to society. Alternative construals were weakened by isolated applications and a lack of support from additional sources. While government leakers may have disrupted the government's power to control information, the news media offered few discursive alternatives to the government's efforts to repair and reassert that power.

Chapter V: Discussion

If they get you asking the wrong questions, they don't have to worry about answers.

–Thomas Pynchon, *Gravity's Rainbow*

This study grew out of a desire to understand how government leaking and leakers were portrayed for the public in U.S. news media, particularly in a social climate of harsh political rhetoric toward leaks and the news media that publish them. Its purpose was to develop a broad understanding of discourse about government leaking by identifying the dominant construals used in news media coverage and by analyzing what these construals could reveal about power relationships between the government, media, and leakers. To pursue these ends, I chose to analyze news stories about leaking that were published during the first year of the Trump administration, using coverage in *The New York Times* and *The Washington Post* to historically locate leaking events and then drawing on additional coverage from other media outlets to develop a rounded sampling of news media discourse. Employing Norman Fairclough's Dialectical-Relational Approach to critical discourse analysis, I examined these news stories for the construals and argumentation they employed and for the implications such construals have for the shape of power in U.S. society.

Summary of Findings

The finding that overshadows the entirety of this study is the reliance of U.S. news media on government and other elite sources when providing coverage related to government leaking, and importantly, how this reliance allows for the promotion of dominant construals that favor the government's agenda of discouraging leaking. Though this particular finding relates more to my second research question and relationships of power in the United States, it precedes in importance the construals themselves because it is responsible for shaping them. Time and again

in news coverage related to government leaking, news media included a bevy of elite sources with quotes that contained the construals of leaking and leakers that came to dominate the discourse. Tellingly, a large amount of text that I found significant enough to serve as exemplars for the construals in this study originated from elite sources like elected representatives, government officials and spokespersons, and people presented by the news media as experts on leak law and national security. Little in the way of explicit construals and argumentation could be found in the words of the journalists themselves, at least in the main news story coverage found in the *Times* and *Post*. Editorials, op-ed articles, and analyses allowed for more argumentation, yet in most cases these discourses still employed the dominant construals that supported the government's anti-leak position.

This lack of argumentation outside of quoted sources may result from what Gaye Tuchman (1972) called "objectivity as strategic ritual," or journalists' use of ritualistic norms to defend or excuse their work from criticism by providing a set of "rules" that, if followed, could be used to "prove" objectivity. Journalists exclude the subjective position from their writing, letting (and leaving it up to) sources to take subjective positions instead. These rituals have come to rely on "a tacit pact between journalists and the public" (Muhlmann, 2008) in which readers expect journalists to follow ritualistic rules such as the above and can in return expect that the resulting news is acceptably objective. Future professional journalists indicate a continued focus on such objectivity as one way of delineating between their profession and the activities of "citizen" journalists (Blaagaard, 2013). In cases of news coverage of government leaking, the sources that news media turn to in pursuit of objectivity are the elite sources described above, holding with the third filter (sourcing) of the Propaganda Model described by Herman and Chomsky (1988). The prominence of quotes from elite sources, made possible in part by a

ritualistic adherence to an ideal of journalistic objectivity, fosters the dominant construals of government leaking in news media.

The dominant construals. The first research question was concerned with how news media constructed discourse about leaks, specifically by the construals that were employed and the interdiscursivities—references to other texts, social practices, events, and strategies—that were involved. U.S. news media discourse about government leaking promoted and relied upon four dominant construals: legal, political, ethical, and depolitical, with the first three construals also contributing to the construction of the fourth. The actual *substance* behind a leak—the information it reveals—is almost completely inconsequential to each of these construals. News media discourse about government leaking is very much concerned with what leaks reveal, but just "what" they reveal seldom has anything to do with the actual, leaked information. Rather, depending on the construal, leaking reveals American traitors, deep states, an unethical culture, and an indiscriminately endangered society. Political and social fears seem to be projected onto leaking in news media discourse with less importance placed on what the leaks literally, specifically reveal.

The legal construal drew largely from the Espionage Act of 1917, which made it illegal to disseminate confidential information "with intent or reason to believe that the information is to be used to the injury of the United States, or to the advantage of any foreign nation" (18 U.S.C. § 793; Espionage and Censorship, 2006). Focusing on the Espionage Act allowed for leaking to be construed not simply as a crime but as spying and treason, and accordingly, leakers could be construed as spies and traitors. Sources like government officials tended to argue that all leaks, whether or not they revealed confidential information, harmed national security and aided enemies, and so leaking came to be construed as a crime and act of espionage with little

exception. This construal was also aided by the discursive properties of news stories about government leaking. News stories published leak stories as if they were crime stories, not only by quoting from law enforcement but by referring to motives and laws (as being broken) and by using grammatical techniques and vocabulary that left leaks and leakers pursued on the page.

The political construal of government leaking, at its most basic level, argued that leaking is simply politics as usual. A person like James Comey plays a political game by leaking, and depending on the ideological stance of a media outlet can be construed as a brilliant mastermind or a devious manipulator. Seen through the political construal, leaks create political consequences that help or hurt politicians. They can be convenient when they produce political flak for adversaries, such as when then-candidate Donald Trump praised the leaking of emails about Hillary Clinton and the Democratic party. But leaks are also construed as symptoms of a "deep state," a feared state-within-the-state that operates from the shadows to rule or attempt to overthrow the country. Arguments about the existence of a deep state seem to come largely from partisanship, and the deep state is characterized as a dangerous, "liberal" group of Obama administration holdovers. The supposed or actual political motivations of leaks and leakers are used to support this characterization and further politically polarize discourse about leaks and the state of the government.

The ethical construal emphasizes the inappropriate nature of leaking, particularly because it does not follow established chains of communication. Under this construal, most leaks are inappropriate because there is usually an alternative communication channel available, even when leaks might reveal wrongdoing. Leakers are chided for not doing things "by the book" and for harming others simply for personal advantages. News media discourse marginalizes leakers and delegitimizes their actions by construing them as socially undesirable, whether they are

deviant, untrustworthy, or cowardly. Though marginalized and often attacked as individuals, leakers are also portrayed as belonging to a "culture of leaking" that exists primarily within Washington, D.C., but also within the country at large. This culture of leaking is construed as wholly unethical because it persists in the face of repeated claims from the government that leaking harms national security and prevents the government from functioning properly.

Lastly, the depolitical construal makes leaking into a general threat to all of society, primarily for its impact on national security. Each of the preceding construals builds into this one: spies and traitors threaten society in the legal construal; the deep state threatens society in the political construal; and unethical leakers within a culture of leaks threaten society in the ethical construal. Leaking and leakers are depoliticized in other ways as well. Leakers are rhetorically separated from "law-abiding citizens," as Attorney General Jeff Sessions stated (Department of Justice, 2017), and this separation puts all law-abiding citizens at odds with leakers. Leaking, by threatening national security, is "the real issue" that threatens society, rather than anything that might be revealed by the leaks themselves: again, the substance of the leaks is dismissed. The syntax and grammar of news media stories contribute to the depoliticization of government leaking: when leakers remain anonymous, leaks are given their own agency as the subjects of sentences and perpetrators of actions, and claiming that someone "leaked" or is a "leaker" push aside the substance of leaks as irrelevant. Leaks are more easily construed as depolitical issues when their substance is omitted from potential debate.

Power and leaking. The second research question sought to understand how the discourse affected power structures in the United States, what possible social roles the discourse revealed for government leaking and leakers, and the necessity of those roles for society. In particular, the role of elite sources in news media discourse about government leaking sheds light

on how power functions in the relationship between the government, news media, and leakers. In the context of government leaking, this relationship is characterized by a struggle to control the communication of information originating from the government. In this relationship, leaking benefits and harms each party: the news media publish stories and inform the public but receive flak from the government, other media outlets, and segments of the public; the leakers satisfy their motivations for leaking but risk legal and professional ramifications; and the government dominates discourse with anti-leak construals but loses control of information to leakers and the media and risks triggering further leaks.

Leaks represent a discursive disruption of power, power that originates with the government because of its role as producer of information as well as the laws and communication channels it has created to protect that information. Leakers, while not seizing the means of production in this economy of power, seize the product itself and enact the first redistribution of it by passing it along to the media. The media selectively release the leaked information to the public for mass consumption beyond the direct control of the government. Even at this stage, however, the government has some indirect power over the information, as claims about national security can lead editors to voluntarily withhold some leaked information from publication. The government employs anti-leak construals, by way of the news media, to reclaim and repair its lost power, and the news media facilitate this process when they fail to publish alternative construals to a competitive degree.

The discourse about government leaking in news media discursively constructs the dominant position of the government as well as the subject position of the non-leaker, the citizen. The government, though fragmented into a complicated network of leakers and non-leakers itself, exists in discourse as a homogenous entity with a singular anti-leak stance due to the

absence of dissent to the dominant construals. Citizens—"law-abiding"—are dialectically opposed to leakers and become everything leakers are not: they are the not-leakers, the patriots, and the victims. Ideally, citizens are compliant and respect the appropriate channels of communication established by the government.

Dissent to the dominant construals in the form of alternative construals is scattered and divided. While a few alternative construals are present in the discourse, they are usually applied only to one or two leaks or leakers rather than being employed more consistently across leaking events. Nevertheless, these alternative construals afford glimpses of other ways of thinking about government leaking: leaks as tools for government oversight and the press's traditional watchdog role, leaks as revealing or distracting from an incompetent or malevolent administration, and leakers as whistleblowers, innocents, and victims. None of these construals received support from quoted government officials and experts, and as a result, they did not often surface in coverage. The dominant construals, which demonized leaking and leakers, were able to proliferate with little significant resistance.

Further Implications

In its rhetorical and legal attacks on leaking and leakers, the government has aggressively defended its secrecy and control of information. The dominant construals appearing in the news media under the Trump administration have employed extensively what Antonio Reyes (2011) identified as "crucial strategies of legitimization," which in this context have been employed to legitimize secrecy and a government crackdown on leaking. Dominant construals of leaking appealed to emotions, to a hypothetical future of weakened security, to the rationality of existing non-public communication channels, to voices of expertise on leak law and national security, and to the altruistic interest of what is good for all society. Each type of appeal legitimized the

government's desire to withhold information from the public and combat leakers. The discourse seen throughout 2017 implies that the government intends to maintain secrecy and control of information rather than expand transparency, at least in matters concerning national security—which, according to the discourse, encompasses a lot.

It is difficult, however, to use these findings to draw firm conclusions about the future of leaks in the political economy of media. Similar critical discourse analyses would need to be performed for discourse from prior presidential administrations to determine if the "realpolitik" uses of leaking have always been discursively omitted in these ways or if the current discourse is an indication of a greater shift away from any acceptable role for leaking. The political economy for leaking, while not dying, may be changing to fit the current historical circumstances engendered by increased political polarization (Newport & Dugan, 2017; Pew Research Center, 2014), increased partisan mistrust of news media (Pew Research Center, 2017), heightened anti-leak rhetoric from the government, and ongoing debates over secrecy, surveillance, and national security.

Perhaps one implication that can be drawn regarding the "political economy of leakiness," by comparing 2017's leaking discourse to Pozen's writing, is that the value of individual leaks may be declining under the Trump administration. Economically, the buying power of a single leak—its cache or worth to the public—may be lessened by the inflation caused by an over-abundance of "leaks." Describing one benefit of leaking, Pozen wrote, "In an age of information overload…leaks can cut through some of the noise and convey a particularly loud, credible message" (p. 624). Subjectively, it is difficult to identify a loud and credible message among the many published leaks so far under the Trump administration. Leaks seem to be becoming just more noise in an already cacophonous political economy of media. And by

communicating discursive construals that distract from and delegitimize the substance of leaks, the government appears to have a hand in devaluing the leak economy.

Limitations and Future Research

The primary limitation for this study was its scope, which encompassed nearly an entire calendar year of news media coverage of government leaking. This necessitated a broader approach, and while it was my intention to develop a broad understanding of discourse about government leaking, a more focused approach may yet yield more details of dominant construals in the news media, as well as significant variations between news stories. Critical discourse analysis (CDA) of the type employed here thrives on close readings of relatively few texts compared to other interpretive methodologies. Because in this study I approached each leaking event as a text unto itself, the findings discussed here should have merit within the CDA tradition. However, each of these historical "texts" contained even more individual texts in the form of articles and editorials. Future research may examine a leaking event individually, thereby allowing for a closer reading of news media coverage and other interdiscursive texts.

Additionally, it would be interesting to compare these results to the discourse employed under new administrations following President Trump. The Trump administration seems obsessed with communicating about leaking. In 2017, since President Trump's inauguration, social media accounts on Twitter, Facebook, and YouTube belonging to government agencies or figures mentioned "leaker" 129 times according to the voxgov (sic) database of government communications, and in the first three months of 2018, government social media accounts mentioned "leaker" 49 times (voxgov, 2018). Over the previous seven years, "leaker" was mentioned 187 times in total, but this includes 108 mentions from 2013 alone, when Edward Snowden provided arguably one of the largest and most significant leaks in history. The time

period of the Trump administration has seen no comparable leaking event and yet easily surpasses 2013. News coverage has seen a similar spike in references to "leaker." For instance, according to Nexis Uni's database of news articles, *The New York Times* published 175 articles mentioning the term since President Trump's inauguration, whereas between 2009 and 2016 it published only 228 articles (Nexis Uni, 2018). Similar to government social media communications, 2013 was also an anomaly for the *Times*, which published 95 articles mentioning "leaker," once again likely due to Snowden's leak.

With government communications and news media so focused on leakers and leaking during the Trump administration, the discourse contained in news media coverage may be similarly aberrant. A comparison of discourse in coverage of Snowden's leak, which occurred under the Obama administration, with coverage of leaking under the Trump administration may be a worthwhile study to expose similarities and differences between construals and discourses that occur under administrations belonging to different political parties and ideologies. While differences in discourses between time periods would be interesting, the *similarities* may prove far more significant for understanding questions of power and political economy of the media. It is my suspicion that, while differences may exist in the positive or negative valences of rhetoric, similarities would be revealed in the construals of leaking and leakers because of how such construals repair and reassert the status quo of government power over information; in other words, these construals are useful to government power regardless of political party.

A comparison of media coverage under the two administrations would also further explore the relationship between news media and elite sources. Considering how consistently elite sources were quoted in news media coverage under the Trump administration, which has a particularly antagonistic relationship with most news media, I expect the relationship between

elite sources and news media would be no less extensive under the Obama administration. The results of such a study may have significant implications for the political economy of media relative to the ruling political party and that party's ideology.

It does not seem likely that the timing and difference in presidential administrations would have imposed a limitation on the findings of the dominant construals in news media coverage. Given the antagonistic relationship between the Trump administration and the press (Kalb, 2017), the present findings of leaking construals that strongly complement the government's desire to control information suggest that the relationship between the administration and news media is less significant for government leaking discourse than the news media's need for elite sources while covering such news stories. While the dominant construals may vary in composition between the Trump and Obama administrations, for instance, it is likely that, however they may be composed, the dominant construals in news media coverage would nonetheless clearly support the government's position on leaking, whatever that position may be—in short, if the Trump administration can dominate media discourses, surely the Obama administration and others could as well. Nevertheless, further comparisons of discourses generated under past and future administrations may prove fruitful for understanding how the government's stances toward leaking form and change according to the historical moment.

Because this study sought to identify the broad, dominant discourse in U.S. news media about government leaking, it may not account for some of the specific news media to which citizens selectively expose themselves when seeking information. Political and communication theorists have suggested that the Internet has allowed for a proliferation of publics in which citizens may access discursive sites (websites, blogs, forums) that cater more specifically to

social and political issues that are important to them and ignore or marginalize issues that are not (for a detailed review of theories of the political public sphere and the Internet, see Rasmussen, 2014). Because of the multiplicity of news sources from across the political spectrum that is available to U.S. citizens with Internet access, any one person may be engaging with news and politics within an isolated public sphere that encounters leaking construals wholly, partially, or not at all. While I chose *The New York Times* and *The Washington Post* because of their propensity to be central to stories of government leaking—either as go-betweens for leakers or as providers of in-depth coverage and analysis—it is certainly possible that citizens who consider themselves to be politically knowledgeable and engaged may seldom or never read either newspaper, in print or digital. *The Intercept* comes to mind as an example of a news outlet that often presents counter-narratives and other challenges to dominant construals and power. Nevertheless, the construals that I have presented here are broad and dominant even beyond the coverage provided by the *Times* and *Post*; it is possible they would be inescapable to all but the most constrained or disengaged of citizens. Further research could explore this possibility by looking into other media sources based on reported uses. A multi-method approach could involve interviewing study participants for their views on government leaking and pairing those findings with a closer analysis of the news outlets that they reported using.

Ultimately, this study must be situated within a larger framework that investigates discourse of government leaking across U.S. society in order to fully comprehend how leaking exists as a concept semiotically. Among other constraints, discourse within news media has been filtered through elite sourcing and elements of gatekeeping, for instance when editors and journalists choose to withhold information and analysis due to national security concerns. To develop a more complete interdiscursive atlas of government leaking as a social issue, other texts

should be included for interpretation and analysis: government reports and procedures for handling leaking and whistleblowing (legislation protecting whistleblowing), policies on handling classified information from government contractors, and interviews with those involved in government leaking (leakers, reporters, news editors, government agents). Discourse among the public should also be taken into account, whether it is sampled from online resources like social media, forums, and comment sections or from interviews and focus groups. A comparison of public and government discourse may yield findings significant for the understanding of how power functions in a society increasingly constrained by government secrecy and anxiety over national security.

Quantitative methods may provide additional insights into discourse about government leaking as well. For example, statistical analysis of large amounts of text from Swedish blogs allowed for an understanding of issue framing in Sweden by analyzing the networks of words and phrases related to target concepts, in this case the concept of "others" (Dahlberg & Sahlgren, 2014). Furthermore, French political theorists and discourse analysts have developed a diverse body of computational analysis methods that incorporate Althusserian and Foucaultian theories of the state and discourse that could also be explored in this context to develop a better understanding of how the government can linguistically dominate discourse in society about government leaking as a social issue (Chilton & Schäffner, 2011). Undoubtedly, the results of such analyses would supplement this study and the additional qualitative work described above. For instance, quantitative text analysis may make it easier to visualize how construals change or dissipate over time after a leak has occurred, perhaps as coverage shifts from the front page of a newspaper to "below the fold" and deeper into its sections, where the chances of it being read most likely diminish.

Conclusion

Government leaking does not fare well in news media discourse. Depending upon how closely one holds to the propaganda model (Herman & Chomsky, 1988) or simply to a cynical worldview, this may or not be surprising. Leaking can be an important communication tool, whether it serves the policy interests of the powerful or the watchdog interests of the news media. However, the dominant construals of leaking presented in news media discourse are decidedly anti-leaking and heavily promoted by government and expert sources. Preventing leaking helps the powerful maintain control over the communication of information to the public, and these construals support that interest. For citizens engaged with political news, it may be difficult to conceive of leaking as a potentially beneficial social action, or at least they may imagine that the majority of leaks are harmful, dangerous, and illegal.

And yet, under the Trump administration, leaking seems to be part of doing business, and business is booming. Despite these dominant construals being presented to the public, leaking hardly seems in danger of disappearing. But how the public views the media is becoming increasingly polarized, with 89% of Democrats seeing the media as preventing government wrongdoing while only 42% of Republicans feel the same (Pew, 2017). Just one year before in 2016, those percentages were 74% and 77%, respectively. As media's watchdog role becomes more polarized, so too may government leaking. The next presidential administration, reacting to the historical context of the Trump administration, may end up providing an ultimate fate for leaking and the media's ability to even marginally resemble a government watchdog.

Appendix A

Table 1

Discursively Significant News Events About Government Leaking, 2017

March 7	WikiLeaks releases hacking tools used by CIA to infiltrate consumer products	June 9	James Comey testifies to Congress that he leaked memo of conversations with the president
March 10	President Trump reveals classified intelligence to Russians in Oval Office	July 21-31	Anthony Scaramucci reigns as White House communications director
May 22	Media outlets publish leaked photos from investigation into Manchester Arena bombing	August 4	Attorney General Jeff Sessions promises increased leak and media investigations
June 5	Reality Winner arrested for leaking NSA report about Russian tampering in 2016 election	August 11	Harvard University rescinds visiting fellow invitation to Chelsea Manning

References

A very dangerous WikiLeak. [Editorial]. (2017, March 14). *Bloomberg*. Retrieved from

https://www.bloomberg.com/view/articles/2017-03-14/a-very-dangerous-wikileak

Adam, K. (2017, May 26). Trump slams U.S. leaks in Manchester bombing probe. *The*

Washington Post, p. A8.

Alliance for Audited Media. (2017). *Media intelligence center* [Data file]. Retrieved from

https://abcas3.auditedmedia.com/MICenter/Home/Index#0

Alpher, J. (2017, May 17). What Israel makes of Trump's intel gaffe. *The New York Times*.

Retrieved from https://www.nytimes.com/2017/05/17/opinion/israel-trump-classified-

intelligence.html

Amid criticism, support for media's 'watchdog' role stands out. (2013, August 8). Retrieved

from http://www.people-press.org/2013/08/08/amid-criticism-support-for-medias-

watchdog-role-stands-out/

Apuzzo, M., & Huetteman, E. (2017, June 9). Trump tried to sink inquiry, Comey says. *The New*

York Times, p. A1.

Apuzzo, M., Haberman, M., & Rosenberg, M. (2017, May 20). Trump admitted dismissal at

F.B.I. eased pressure. *The New York Times*, p. A1.

Araújo, M. (2014). A very 'prudent integration': White flight, school segregation and the

depoliticization of (anti-)racism. *Race Ethnicity and Education*, *14*(2), 300-323.

Bail, C. A. (2015). The public life of secrets: Deception, disclosure, and discursive framing in

the policy process. *Sociological Theory*, *33*(2), 97-124.

Baker, P., & Fandos, N. (2017, July 27). Trump aide calls for inquiry after 'leak' of financial

form. *The New York Times*, p. 16.

Barrett, D. (2017a, March 8). Government efforts to tighten security have limited effect. *The Washington Post*, p. A11.

Barrett, D. (2017b, June 6). Contractor charged with NSA leak. *The Washington Post*, p. A07.

Barrett, D., Nakashima, E., & O'Keefe, E. (2017, June 9). Comey says Trump lied about him, FBI. *The Washington Post*, p. A01.

Bartnicki v. Vopper. 532 U.S. 514. (2001). Retrieved from https://supreme.justia.com/cases/federal/us/532/514/

Berman, M., & Bever, L. (2017, June 7). Bewilderment from family of federal contractor accused in document leak. *The Washington Post*, p. A09.

Birnbaum, M. (2017, May 27). British authorities think most involved in attack are in custody. *The Washington Post*, p. A13.

Blaagaard, B. B. (2013). Shift boundaries: Objectivity, citizen journalism and tomorrow's journalists. Journalism, 14(8), 1076-1090.

Blinder, A. (2017, June 8). Other secrets possibly stolen by contractor, U.S. says. *The New York Times*, p. A12.

Blow, C. M. (2017, July 31). Satan in a Sunday hat. *The New York Times*, p. A17.

Boyd-Barrett, O. (2004). Judith Miller, the New York Times, and the propaganda model. *Journalism Studies*, *5*(4), 435-449.

Branzburg v. Hayes. 408 U.S. 665. (1972). Retrieved from https://www.oyez.org/cases/1971/70-85

Buttny, R. (2004). *Talking problems*. Albany: State University of New York Press.

Cameron, D. (2001). *Working with spoken discourse*. Thousand Oaks, CA: Sage.

Chilton, P., & Schäffner, C. (2011). Discourse and Politics. In T. A. Van Dijk [Ed.], Discourse

    studies: A multidisciplinary introduction (pp. 303-330). London: SAGE.

Chong, D., & Druckman, J. N. (2007). Framing public opinion in competitive democracies. *The*

    American Political Science Review, *101*(4), 637-655.

Cole, M., Esposito, R., Biddle, S., & Grim, R. (2017, June 5). *Top-secret NSA report details*

    Russian hacking effort days before 2016 election.

    https://theintercept.com/2017/06/05/top-secret-nsa-report-details-russian-hacking-effort-

    days-before-2016-election/

Cooper, M., & Roberts, S. (2011, June 7). *After 40 years, the complete Pentagon Papers*.

    Retrieved from http://www.nytimes.com/2011/06/08/us/08pentagon.html

Crook, T. (2015). Useful idiots or Big Brother's antidote? Analysing the ethical role of the state,

    Guardian, and Edward Snowden in the controversy over surveillance and whistle-

    blowing. *The International Journal of Communication Ethics*, *12*(3/4), 14-24**.**

Dahlberg, S., & Sahlgren, M. (2014). Issue framing and language use in the Swedish

    blogosphere: Changing notions of the outsider concept. In B. Kaal, I. Maks, & A. van

    Elfrinkhof [Eds.], From text to political positions: Text analysis across disciplines (pp.

    71-92). Amsterdam: John Benjamins Publishing Company.

Davis, J. H. (2017, February 24). Trump denounces F.B.I. over leaks, demanding investigation.

    The New York Times. Retrieved from

    https://www.nytimes.com/2017/02/24/us/politics/trump-fbi-leaks.html

Davis, J. H., & Haberman, M. (2017, July 26). Communications chief vows to stop White House

    leaks. *The New York Times*, p. A10.

Davis, J. H., & Thrush, G. (2017, June 10). Trump accuses Comey of lying to the senate. *The New York Times*, p. A1.

Denham, B. E. (2014). Intermedia attribute agenda setting in the New York Times: The case of animal abuse in U.S. horse racing. *Journalism & Mass Communication Quarterly*, *91*(1), 17-37.

Department of Justice. (2017, August 4). Attorney General Jeff Sessions delivers remarks at briefing on leaks of classified materials threatening national security. *Department of Justice*. Retrieved from https://www.justice.gov/opa/pr/attorney-general-jeff-sessions-delivers-remarks-briefing-leaks-classified-materials

Derespina, C. (2017, June 13). Comey admitted single Trump leak, but were there others? *Fox News*. Retrieved from http://www.foxnews.com/politics/2017/06/13/comey-admitted-single-trump-leak-but-were-there-others.html

Devine, T. M., & Katz, S. L. (2014). The national security whistleblower's tightrope: Legal rights of government employees and contractors. In P. Rosenzweig, T. J. McNulty, & E. Shearer (Eds.), *Whistleblowers, leaks, and the media: The first amendment and national security* (pp. 81-106). Chicago: American Bar Association.

Di Salvo, P., & Negro, G. (2016). Framing Edward Snowden: A comparative analysis of four newspapers in China, United Kingdom, and United States. *Journalism*, *17*(7), 805-822.

Diamond, J. (2017, July 25). Scaramucci begins White House press shop shake-up. *CNN Money*. Retrieved from http://money.cnn.com/2017/07/25/media/anthony-scaramucci-press-shop-shake-up/index.html

Easley, J. (2017, August 4). DOJ warns the media could be targeted in crackdown on leaks. *The Hill*. Retrieved from http://thehill.com/homenews/administration/345316-justice-to-review-media-subpoenas-policy-in-crackdown-on-leaks

Ember, S. (2017, February 17). *Trump rails against leaks. But what exactly are they?* Retrieved from https://www.nytimes.com/2017/02/17/business/media/are-leaks-illegal-explaining-history.html

Ember, S., & Grynbaum, M. M. (2017, June 9). Media's role in, and after, a leaker's admission. *The New York Times*, p. A21.

Espionage and censorship, 18 U.S.C. § 793 (2006). Retrieved from https://www.gpo.gov/fdsys/pkg/USCODE-2009-title18/pdf/USCODE-2009-title18-partI-chap37-sec793.pdf

Executive Order 13526. (2009, December 29). Retrieved from https://www.archives.gov/isoo/policy-documents/cnsi-eo.html

Fairclough, N. (1993). Critical discourse analysis and the marketization of public discourse: The universities. *Discourse & Society*, *4*(2), 133-168.

Fairclough, N. (2001). *Language and power: Second edition*. Essex, UK: Pearson Education Limited.

Fairclough, N. (2009). A directional-relational approach to critical discourse analysis in social research. In R. Wodak & M. Meyer (Eds.), *Methods of critical discourse analysis* (pp. 162-186). Thousand Oaks, CA: Sage.

Fairclough, N., & Wodak, R. (1997). Critical discourse analysis. In T. A. van Dijk (Ed.), *Discourse as social interaction* [Vol. 2] (pp. 258-284). London: Sage.

Fields, J. (2017, May 18). What is classified information, and who gets to decide? *CBS News*. Retrieved from https://www.cbsnews.com/news/what-is-classified-information-and-who-gets-to-decide/

Filipovic, J. (2017, June 6). The GOP wants to distract you with Reality Winner. *CNN*. Retrieved from https://www.cnn.com/2017/06/06/opinions/reality-winner-distraction-opinion-filipovic/index.html

Fleitz, F. (2017, May 16). Trump's Russia leak: The real scandal behind the Washington Post story. *Fox News*. Retrieved from http://www.foxnews.com/opinion/2017/05/16/trumps-russia-leak-real-scandal-behind-washington-post-story.html

Feuer, A., Grynbaum, M. M., & Koblin, J. (2018, April 16). Sean Hannity is named as client of Michael Cohen, Trump's lawyer. *The New York Times*. Retrieved from https://www.nytimes.com/2018/04/16/business/media/sean-hannity-michael-cohen-client.html

Fondacaro, N. (2017, June 7). Accused NSA leaker Reality Winner's motives a 'mystery' – At least to ABC, NBC and CBS. *Fox News*. Retrieved from http://www.foxnews.com/opinion/2017/06/07/accused-nsa-leaker-reality-winners-motives-mystery-at-least-to-abc-nbc-and-cbs.html

Foucault, M. (1983). The subject and power. In H. Dreyfus and P. Rabinow (Eds.), *Michel Foucault: Beyond structuralism and hermeneutics* (pp. 208-226). Chicago: University of Chicago Press. Retrieved from https://foucault.info/doc/documents/foucault-power-en-html

Foucault, M. (1995). *Discipline and punish: The birth of the prison*. (A. Sheridan, Trans.). New York: Vintage Books.

Foucault, M. (2007). *Security, territory, population: Lectures at the Collège de France, 1977-1978*. M. Senellart (Ed.). (G. Burchell, Trans.). New York: Picador.

Fox News. (2017, July 26). Scaramucci previews broad crackdown on leaks, warns he's 'front-stabbing person.' *Fox News*. Retrieved from http://www.foxnews.com/politics/2017/07/26/scaramucci-previews-broad-crackdown-on-leaks-warns-hes-front-stabbing-person.html

French, D. (2017, May 16). Trump's defense of his Russia leak is not reassuring. *National Review*. Retrieved from https://www.nationalreview.com/2017/05/trump-shared-classified-information-russians-troubling-h-r-mcmaster-defense-inadequate/

Friedman, L. (2017, August 7). *Scientists fear Trump will dismiss blunt climate report*. Retrieved from https://www.nytimes.com/2017/08/07/climate/climate-change-drastic-warming-trump.html

Fung, B. (2017, June 8). Latest NSA leak is a reminder that your boss can monitor you. *The Washington Post*, p. A18.

Gladwell, M. (2016). Daniel Ellsberg, Edward Snowden, and the modern whistle-blower. *The New Yorker*, *December 19 & 26, 2016*. Retrieved from http://www.newyorker.com/magazine/2016/12/19/daniel-ellsberg-edward-snowden-and-the-modern-whistle-blower

Goel, V., & Wingfield, N. (2017, March 8). Documents reignite tensions between tech world and spy agencies. *The New York Times*, p. A10.

Golan, G. (2006). Inter-media agenda setting and global news coverage. *Journalism Studies*, *7*(2), 323-333.

Goldman, A., Schmitt, E., & Baker, P. (2017, May 17). Secrets that Trump gave Russia are said to come from Israelis. *The New York Times*, p. A1.

Goss, B. M. (2009). The left-media's stranglehold. *Journalism Studies*, *10*(4), 455-473.

Greenwood, C. A. (2015). Whistleblowing in the Fortune 1000: What practitioners told us about wrongdoing in corporations in a pilot study. *Public Relations Review*, *41*(4), 490-500.

Grenoble, R. (2017, May 16). Erick Erickson: Trump's Russia leak is 'far worse' than reported. *Huffington Post*. Retrieved from https://www.huffingtonpost.com/entry/erick-erickson-trump-russia-source-true_us_591b1785e4b07d5f6ba65db5

Grynbaum, M. M. (2017, May 17). White House is fighting a familiar foe: The press. *The New York Times*, p. A14.

Grynbaum, M. M., & Koblin, J. (2017, June 7). Journalists fear effects of an arrest. *The New York Times*, p. A19.

Haberman, M. (2017, July 24). Communications chief cultivates Trump on TV. *The New York Times*, p. A13.

Handwerker, W. P. (2015). Our story: How cultures shaped people to get things done. Walnut Creek, CA: Left Coast Press.

Hannity, S. (2017, June 9). Sean Hannity: Comey reveals himself to be a Deep State political hack. *Fox News*. Retrieved from http://www.foxnews.com/opinion/2017/06/09/sean-hannity-comey-reveals-himself-to-be-deep-state-political-hack.html

Harwood, W. H. (2016). Secrecy, transparency and government whistleblowing. *Philosophy & Social Criticism*, *43*(2), 164-186.

Hennessey, S., & Murillo, H. K. (2017, February 15). *The law of leaks*. Retrieved from https://www.lawfareblog.com/law-leaks

Herfroy-Mischler, A. (2015). Silencing the agenda? Journalism practices and intelligence events: A case study. *Media, War & Conflict*, *8*(2), 244-263.

Herman, E. S. (2000). The propaganda model: A retrospective. *Journalism Studies*, *1*(1), 101-112.

Herman, E. S., & Chomsky, N. (1988). *Manufacturing consent: The political economy of the mass media*. New York: Pantheon.

Hoekstra, P. (2017, June 9). Swamp creature Comey threw Lynch, Trump, the press under the bus on Thursday. *Fox News*. Retrieved from http://www.foxnews.com/opinion/2017/06/09/swamp-creature-comey-threw-lynch-trump-press-under-bus-on-thursday.html

Hunter, D., & MacDonald, M. N. (2017). The emergence of a security discipline in the post 9-11 discourse of U.S. security organisations. *Critical Discourse Studies*, *14*(2), 206-222.

Hyland, K. (Ed.). (2013). *Discourse studies reader: Essential excerpts*. London: Bloomsbury.

Ignatius, D. (2017, May 16). Trump's presidency is beginning to unravel. *The Washington Post*. Retrieved from https://www.washingtonpost.com/opinions/trumps-presidency-is-beginning-to-unravel/2017/05/16/e27aa366-3a7a-11e7-8854-21f359183e8c_story.html

Jaeger, H.-M. (2007). "Global civil society" and the political depoliticization of global governance. *International Political Sociology*, *1*(3), 257-277.

Johnson, J., & Parker, A. (2017, March 8). Onetime hacking fan is quiet on WikiLeaks' new attack. *The Washington Post*, p. A10.

Johnson, J., Rucker, P., & Nakamura, D. (2017, July 28). Scaramucci unloads on Priebus in vulgar tirade. *The Washington Post*, p. A01.

Kalb, M. (2017, February 21). Trump's troubling relationship with the press. The Brookings Institution. Retrieved from https://www.brookings.edu/blog/up-front/2017/02/21/trumps-troubling-relationship-with-the-press/

Kane, P. (2017, June 9). Republican senators, including Rubio, close ranks around their president. *The Washington Post*, p. A15.

Keiber, J. (2015). Surveillance hegemony. *Surveillance and Society*, *13*(2), 168-181.

Kennis, A. (2009). Synthesizing the indexing and propaganda models: An evaluation of US news coverage of the uprising in Ecuador, January 2000. *Communication and Critical/Cultural Studies*, *6*(4), 386-409.

Kludt, T. (2017, June 6). The Intercept's Russia scoop raises questions about reporting. *CNN Money*. Retrieved from http://money.cnn.com/2017/06/06/media/the-intercept-nsa-leak/index.html

Laclau, E., & Mouffe, C. (2001). *Hegemony and socialist strategy: Towards a radical politics*. London: Verso.

Lang, K., & Lang, G. E. (2004). Noam Chomsky and the manufacture of consent for American foreign policy. *Political Communication*, *21*, 93-101.

Leslie, G. P., & Grannis, E. (2014). History of leaks in the United States from the Pentagon Papers through WikiLeaks to Rosen. In P. Rosenzweig, T. J. McNulty, & E. Shearer (Eds.), *Whistleblowers, leaks, and the media: The first amendment and national security* (pp. 13-27). Chicago, IL: ABA Publishing.

Lischka, J. A. (2017). Explicit terror prevention versus vague civil liberty: How the UK broadcasting news (de)legitimatise online mass surveillance since Edward Snowden's revelations. *Information, Communication & Society*, *20*(5), 665-682.

Machin, D., & Mayr, A. (2012). *How to do critical discourse analysis*. Thousand Oaks, CA: Sage.

Maeseele, P., Raeijmaekers, D., Van der Steen, L., Reul, R., & Paulussen, S. (2015). In Flanders Fields: De/politicization and democratic debate on a GM potato field trial controversy in news media. *Environmental Communication*, *11*(2), 166-183.

Mansbach, A., & Bachner, Y. G. (2010). Internal or external whistleblowing: Nurses' willingness to report wrongdoing. *Nursing Ethics*, *17*(4), 483-490.

Marimow, A. E. (2014, April 2). Ex-State Department adviser Stephen J. Kim sentenced to 13 months in leak case. *The Washington Post*. Retrieved from https://www.washingtonpost.com/world/national-security/ex-state-dept-adviser-stephen-j-kim-sentenced-to-13-months-in-leak-case/2014/04/02/f877be54-b9dd-11e3-96ae-f2c36d2b1245_story.html

Marsden, C. (2014). Hyper-power and private monopoly: The unholy marriage of (neo)corporatism and the imperial surveillance state. *Critical Studies in Media Communication*, *31*(2), 100-108.

Maxwell, L. (2015). Truth in public: Chelsea Manning, gender identity, and the politics of truth-telling. *Theory & Event*, *18*(1) [pages unavailable]. Retrieved from http://search.proquest.com/docview/1650149075?pq-origsite=summon&accountid=14214

McGlynn, J., & Richardson, B. K. (2014). Private support, public alienation: Whistle-blowers and the paradox of social support. *Western Journal of Communication*, *78*(2), 213-237.

McSherry, J. P. (2000). Preserving hegemony: National security doctrine in the post-Cold War era. *NACLA Report on the Americas*, *34*(3), 26-34.

Meraz, S. (2009). Is there an elite hold? Traditional media to social media agenda setting influence in blog networks. *Journal of Computer-Mediated Communication*, *14*, 682-707.

Meraz, S. (2011). Using time series analysis to measure intermedia agenda-setting influence in traditional media and political blog networks. *Journalism & Mass Communication Quarterly*, *88*(1), 176-194.

Mesmer-Magnus, J. R., & Viswesvaran, C. (2005). Whistleblowing in organizations: An examination of correlates of whistleblowing intentions, actions, and retaliation. *Journal of Business Ethics*, *62*(3), 277-297.

Middlemiss, S. (2017). Whistle-blowing and the equality dimension of victimization in the workplace. *International Journal of Discrimination and the Law*, *17*(2), 137-156.

Miller, G., & Jaffe, G. (2017, May 16). Trump reveals secret intelligence to Russians. *The Washington Post*, p. A01.

Miller, G., & Nakashima, E. (2017, March 8). WikiLeaks posts files it says reveal CIA hacking tools. *The Washington Post*, p. A01.

Miller, G., Vitkovskaya, J., & Fischer-Baum, R. (2017, August 3). *'This deal will make me look terrible': Full transcripts of Trump's calls with Mexico and Australia*. Retrieved from https://www.washingtonpost.com/graphics/2017/politics/australia-mexico-transcripts/

Modan, G. (2008). Mango fufu kimchi yucca: The depoliticization of "diversity" in Washington, D.C. discourse. *City & Society*, *20*(2), 188-221.

Most say WikiLeaks release harms public interest. (2010, December 8). Retrieved from http://www.people-press.org/2010/12/08/most-say-wikileaks-release-harms-public-interest/

Mouffe, C. (1999). Deliberative democracy or agonistic pluralism? *Social Research*, *66*(3), 745-758.

Mouffe, C. (2009). Democracy in a multipolar world. *Millennium: Journal of International Studies*, *37*(3), 549-561.

Muhlmann, G. (2008). A political history of journalism. Cambridge: Polity Press.

Nakashima, E., Dwoskin, E., & Barrett, D. (2017, March 10). WikiLeaks will share CIA tools' cache. *The Washington Post*, p. A16.

Napolitano, A. P. (2017, June 8). Napolitano: Why Reality Winner may be a true blue American patriot. *Fox News*. Retrieved from http://www.foxnews.com/opinion/2017/06/08/napolitano-why-reality-winner-may-be-true-blue-american-patriot.html

Neuman, S. (2013, August 3). *Pentagon Papers leaker Daniel Ellsberg praises Snowden, Manning*. Retrieved from http://www.npr.org/sections/thetwo-way/2013/08/03/208602113/pentagon-papers-leaker-daniel-ellsberg-praises-snowden-manning

New York Times Co. v. United States. 403 U.S. 713. (1971). Retrieved from https://supreme.justia.com/cases/federal/us/403/713/case.html

Newport, F., & Dugan, A. (2017, August 3). Partisan differences growing on a number of issues. Gallup. Retrieved from http://news.gallup.com/opinion/polling-matters/215210/partisan-differences-growing-number-issues.aspx

Nexis Uni. (2018). Retrieved on March 25, 2018 from https://advance.lexis.com/search/?pdmfid=1516831&crid=5bda2514-146c-4df3-9a6c-247e1c2582a6&pdtypeofsearch=searchboxclick&pdsearchtype=SearchBox&pdsf=MTA

2OTUwNQ~%5Enews~%5EThe+New+York+Times&pdsearchterms=leaker&pdstartin=

pct%3A85&earg=pdsf&ecomp=4n_gkhk&prid=3947df6b-39fd-4b3f-8796-

13f944836da1

Novak, J. (2017, May 16). This latest Trump-Russia leak smells like a coup attempt. *CNBC*.

Retrieved from https://www.cnbc.com/2017/05/16/this-latest-trump-russia-leak-smells-

like-a-coup-attempt-commentary.html

Opt, S. K. (2015). Edward Snowden: Rhetorical reasoning and proposing self-names and other-

names. *Carolinas Communication Annual*, *31*, 30-44.

O'Reilly, B. (2017, March 9). Bill O'Reilly: Treason is in the air. *Fox News*. Retrieved from

http://www.foxnews.com/opinion/2017/03/09/bill-oreilly-treason-is-in-air.html

Park, M. (2017, June 7). Accused leaker Reality Winner is scared after arrest, mom says. *CNN*.

Retrieved from https://www.cnn.com/2017/06/07/politics/reality-winner-parents-

interview/index.html

Parker, A., & Phillip, A. (2017, May 18). Weary of the chaos, some Trump aides mull their exits.

The Washington Post, p. A12.

PBS NewsHour. (2017, August 4). *Attorney general Sessions holds news conference on leaks*.

[Video file]. Retrieved from https://www.youtube.com/watch?v=Da-TtLgXU40

Pepermans, Y., & Maeseele, P. (2014). Democratic debate and mediated discourses on climate

change: From consensus to de/politicization. *Environmental Communication*, *8*(2), 216-

232.

Peralta, E. (2014, June 15). *Chelsea Manning says she leaked classified info out of love for

country*. Retrieved from http://www.npr.org/sections/thetwo-

way/2014/06/15/322252062/chelsea-manning-says-she-leaked-classified-info-out-love-for-country

Peters, J. W. (2017, May 17). The right builds an alternative narrative about the crises around Trump. *The New York Times*. Retrieved from https://www.nytimes.com/2017/05/17/us/politics/trump-scandal-conservatives-media.html

Pew Research Center. (2014, June 12). Political polarization in the American public. Retrieved from http://assets.pewresearch.org/wp-content/uploads/sites/5/2014/06/6-12-2014-Political-Polarization-Release.pdf

Pew Research Center. (2017, May 10). Americans' attitudes about the news media deeply divided along partisan lines. Retrieved from http://assets.pewresearch.org/wp-content/uploads/sites/13/2017/05/09144304/PJ_2017.05.10_Media-Attitudes_FINAL.pdf

Phillips, A. (2017, May 16). The many times Trump undermined, questioned, shocked, and upset his own intelligence agencies. *The Washington Post*. Retrieved from https://www.washingtonpost.com/news/the-fix/wp/2017/05/15/the-many-times-trump-undermined-questioned-shocked-and-upset-his-own-intelligence-agencies/?utm_term=.18880aabd83f

Pollak, J. B. (2017, May 16). The real story in the Washington Post is not the 'fake news,' but the leaks. *Breitbart*. Retrieved from http://www.breitbart.com/big-government/2017/05/16/leaks-fake-news-trump-washington-post/

Press freedom and the war on leaks: Back off, Mr. Sessions. [Editorial]. (2017, August 9). *Chicago Tribune*. Retrieved from

http://www.chicagotribune.com/news/opinion/editorials/ct-sessions-trump-leaks-

   journalists-edit-0809-jm-20170808-story.html

Prohibited Personnel Practices, 5 U.S.C. § 2302 (2006). Retrieved from

   https://www.gpo.gov/fdsys/pkg/USCODE-2010-title5/pdf/USCODE-2010-title5-partIII-

   subpartA-chap23-sec2302.pdf

Petley, J. (2014). The state journalism is in: Edward Snowden and the British press. *The

   International Journal of Communication Ethics*, *11*(1/2), 9-18.

Pompeo, M. (2017, April 13). *Remarks as prepared for delivery by Central Intelligence Agency

   director Mike Pompeo at the Center for Strategic and International Studies*. Retrieved

   from https://www.cia.gov/news-information/speeches-testimony/2017-speeches-

   testimony/pompeo-delivers-remarks-at-csis.html

Pozen, D. E. (2013). The leaky leviathan: Why the government condemns and condones

   unlawful disclosures of information. *Harvard Law Review*, *127*, 512-635.

Public money, property or records, 18 U.S.C. § 641 (1940). Retrieved from

   https://www.gpo.gov/fdsys/pkg/USCODE-2011-title18/pdf/USCODE-2011-title18-partI-

   chap31-sec641.pdf

Public split over impact of NSA leak, but most want Snowden prosecuted. (2013, June 17).

   Retrieved from http://www.people-press.org/2013/06/17/public-split-over-impact-of-nsa-

   leak-but-most-want-snowden-prosecuted/

Qin, J. (2015). Hero on Twitter, traitor on news: How social media and legacy news frame

   Snowden. *International Journal of Press/Politics*, *20*(2), 166-184.

Qiu, L. (2017, May 18). Trump has defended his own leak. He has been far less forgiving of

   others. *The New York Times*, p. A18.

Randeria, S. (2007). De-politicization of democracy and judicialization of politics. *Theory, Culture & Society*, *24*(4), 38-44.

Rasmussen, T. (2014). Internet and the political public sphere. Sociology Compass, 8/12, 1315-1329.

realDonaldTrump. (2017a, May 16). As President I wanted to share with Russia (at an openly scheduled W.H. meeting) which I have the absolute right to do, facts pertaining.... [Tweet]. Retrieved from

https://twitter.com/realDonaldTrump/status/864436162567471104

realDonaldTrump. (2017b, May 16). ...to terrorism and airline flight safety. Humanitarian reasons, plus I want Russia to greatly step up their fight against ISIS & terrorism. [Tweet]. Retrieved from

https://twitter.com/realDonaldTrump/status/864438529472049152

realDonaldTrump. (2017c, May 28). It is my opinion that many of the leaks coming out of the White House are fabricated lies made up by the #FakeNews media. [Tweet]. Retrieved from https://twitter.com/realdonaldtrump/status/868807327130025984

realDonaldTrump. (2017d, June 9). Despite so many false statements and lies, total and complete vindication...and WOW, Comey is a leaker! [Tweet]. Retrieved from https://twitter.com/realDonaldTrump/status/873120139222306817

Reisigl, M., & Wodak, R. (2009). The discourse-historical approach (DHA). In R. Wodak & M. Meyer (Eds.), *Methods of critical discourse analysis* (pp. 87-121). Thousand Oaks, CA: Sage.

Reyes, A. (2011). Strategies of legitimization in political discourse: From words to actions. Discourse & Society, 22(6), 781-807.

Rodulson, V., Marshall, R., & Bleakley, A. (2015). Whistleblowing in medicine and in Homer's

    Iliad. *Medical Humanities*, *41*(2), 95-101.

Rosenzweig, P., McNulty, T. J., & Shearer, E. (2014). *Whistleblowers, leaks, and the media: The*

    first amendment and national security. Chicago, IL: ABA Publishing.

Rucker, P., & Costa, R. (2017, June 9). Tweeter in chief is uncharacteristically silent – for now.

    The Washington Post, p. A01.

Rucker, P., & Nakamura, D. (2017, June 10). Trump accuses Comey of giving false testimony.

    The Washington Post, p. A01.

Rucker, P., & Parker, A. (2017, July 25). New White House communications chief moves

    toward possible staff purge. *The Washington Post*, p. A04.

Saldaña, J. (2016). The coding manual for qualitative researchers: 3E. Thousand Oaks, CA:

    SAGE Publications Ltd.

Savage, C. (2017a, June 6). Intelligence contractor is charged in the first criminal leak case of the

    Trump era. *The New York Times*, p. A4.

Savage, C. (2017b, June 10). Derided as a 'leaker,' but is that the case? *The New York Times*, p.

    A16.

Savage, C., Shane, S., & Blinder, A. (2017, June 7). N.S.A. contractor accused of leak left a trail

    of clues. *The New York Times*, p. A19.

Schlosberg, J. (2015). End of story: Accountability spectacle as "closure" in national security

    news. *The International Journal of Press/Politics*, *20*(2), 228-246.

Seelye, K. Q. (2017, September 16). Honor meant to spur discussion turns into firestorm for

    Harvard. *The New York Times*, p. A1.

Shane, S. (2017, May 26). Media leak? It's engrained in U.S. psyche. *The New York Times*, p. A1.

Shane, S., Sanger, D. E., & Goel, V. (2017, March 10). In a twist, Assange offers to help fix software flaws. *The New York Times*, p. A8.

Shear, M. D., & Erlanger, S. (2017, May 26). Trump condemns 'deeply troubling' leaks on attack after complaints in Britain. *The New York Times*, p. A12.

Shoemaker, P. J., & Vos, T. P. (2009). *Gatekeeping theory*. New York: Routledge.

Simone, M. A. (2009). Give me liberty and give me surveillance: A case study of the U.S. Government's discourse of surveillance. *Critical Discourse Studies*, *6*(1), 1-14.

Skivenes, M., & Trygstad, S. (2015). Explaining whistle blowing processes in the Norwegian labour market: Between individual power resources and institutional arrangements. *Economic and Industrial Democracy*, *38*(1), 119-143.

Skivenes, M., & Trygstad, S. (2016). Whistleblowing in local government: An empirical study of contact patterns and whistleblowing in 20 Norwegian municipalities. *Scandinavian Political Studies*, *39*(3), 264-289.

Slothuus, R., & de Vreese, C. H. (2010). Political parties, motivated reasoning, and issue framing effects. *The Journal of Politics*, *72*(3), 630-645.

Smith, C. (2016). The Snowden effect: Three years after Edward Snowden's mass-surveillance leaks, does the public care how they are watched? *Index on Censorship*, *45*(3), 48-50.

Somashekhar, S., & Johnson, J. (2017, June 12). Former U.S. attorney says Trump calls made him uneasy. *The Washington Post*, p. A04.

Tagg, C. (2013). Respellings in text messages. In K. Hyland (Ed.), *Discourse studies reader: Essential excerpts* (pp. 273-302). London: Bloomsbury.

Tarzie. (2017). Edward Snowden, frenemy of the state. *The American Journal of Economics and Sociology*, *76*(2), 348-380.

'The administration then chose to defame me.' (2017, June 9). *The New York Times*, p. A22.

Thrush, G., & Haberman, M. (2017, July 22). Spicer leaving, angry over pick made by Trump. *The New York Times*, p. A1.

Trifonov, S. V. (2017). Performing prudence: Barack Obama's defense of NSA surveillance programs. *Advances in the History of Rhetoric*, *20*(1), 28-46.

Tuchman, G. (1972). Objectvity as strategic ritual: An examination of newsmen's notions of objectivity. American Journal of Sociology, 77(4), 660-679.

Tufekci, Z. (2017, March 10). How WikiLeaks misleads us. *The New York Times*, p. A31.

Valencia, N., & Almasy, S. (2017, June 8). Accused leaker Reality Winner pleads not guilty, denied bail. *CNN*. Retrieved from https://www.cnn.com/2017/06/08/us/reality-winner-hearing/index.html

van Dijk, T. A. (1985). Introduction: The role of discourse analysis in society. In T. A. van Dijk (Ed.), *Handbook of discourse analysis* (Vol. 4) (pp. 1-8). London: Academic Press.

van Leeuwen, T. (2007). Legitimation in discourse and communication. *Discourse & Communication*, *1*(1), 91-112.

Vladeck, S. I. (2014). Prosecuting leaks under U.S. law. In P. Rosenzweig, T. J. McNulty, & E. Shearer (Eds.), *Whistleblowers, leaks, and the media: The first amendment and national security* (pp. 29-42). Chicago, IL: ABA Publishing.

voxgov. (2018). Retrieved on March 25, 2018 from https://www.voxgov.com/search/results?t=leaker&dgg=co&q2.co=87

Vu, H. T., Guo, L., & McCombs, M. E. (2014). Exploring "the world outside and the pictures in our heads": A network agenda-setting study. *Journalism & Mass Communication Quarterly, 91*(4), 669-686.

Wagner, A. J. (2016). Controlling discourse, foreclosing recourse: The creep of the Glomar response. *Communication Law and Policy*, *21*(4), 539-567.

Wagner, A. R. (2017, March 10). The Snowden effect. *Huffington Post*. Retrieved from https://www.huffingtonpost.com/entry/the-snowden-effect_us_58c35900e4b0a797c1d39cdc

Wallace, C. (2017, June 9). Reality Winner: Can the government prevent more intelligence leaks? *Fox News*. Retrieved from http://www.foxnews.com/politics/2017/06/09/reality-winner-can-government-prevent-more-intelligence-leaks.html

Ward, A. (2017, May 16). 3 big takeaways from McMaster's Russia leak press conference. *Vox*. Retrieved from https://www.vox.com/world/2017/5/16/15647398/mcmaster-trump-russia-leak-intelligence

Weiskopf, R., & Tobias-Miersch, Y. (2016). Whistleblowing, parrhesia and the contestation of truth in the workplace. *Organization Studies*, *37*(11), 1621-1640.

Whistleblower Protection Act, 5 U.S.C. § 101 (2006). Retrieved from https://www.congress.gov/bill/101st-congress/senate-bill/20/text

Wike, R., Simmons, K., Stokes, B., & Fetterolf, J. (2017, October 16). Globally, broad support for representative and direct democracy. Retrieved from http://www.pewglobal.org/2017/10/16/globally-broad-support-for-representative-and-direct-democracy/

WikiLeaks does America's enemies a big favor. [Editorial]. (2017, March 8). *The Washington Post*. Retrieved from https://www.washingtonpost.com/opinions/global-opinions/wikileaks-does-americas-enemies-a-big-favor/2017/03/08/648b1326-0421-11e7-b1e9-a05d3c21f7cf_story.html

Williams, G. (2017, July 25). Anthony Scaramucci leaked that he would fire a press aide, then complained about the leak. *Vox*. Retrieved from https://www.vox.com/policy-and-politics/2017/7/25/16026902/anthony-scaramucci-michael-short-fired-leaks

Williams, K. B. (2017, June 10). Comey followed careful plan in leaking memos. *The Hill*. Retrieved from http://thehill.com/policy/national-security/337202-comey-followed-careful-plan-in-leaking-memos

Wilson, J. (2013). The urbanization of the countryside: Depoliticization and the production of space in Chiapas. *Latin American Perspectives*, *40*(2), 218-236.

Wittes, B., & Hennessey, S. (2017, August 8). The Trump administration's leakers deserve to be investigated. *Foreign Policy*. Retrieved from http://foreignpolicy.com/2017/08/08/the-trump-administrations-leakers-deserve-to-be-investigated-sessions/

Wodak, R., & Meyer, M. (2009). Critical discourse analysis: History, agenda, theory & methodology. In R. Wodak & M. Meyer (Eds.), *Methods of critical discourse analysis* (pp. 1-33). Thousand Oaks, CA: Sage.

Woellert, L. (2017, July 26). *Scaramucci still stands to profit from SkyBridge from the White House*. Retrieved from http://www.politico.com/story/2017/07/26/scaramucci-trump-skybridge-profits-241006

Wolcott, H. F. (2003). Teachers versus technocrats: An educational innovation in anthropological perspective. Walnut Creek, CA: AltaMira Press.

Zaid, M. S. (2017, June 9). *Reality Winner is not a whistleblower – or a victim of Trump's war on leakers*. Retrieved from http://www.chicagotribune.com/news/opinion/commentary/ct-reality-winner-nsa-trump-leaker-20170609-story.html

Zapotosky, M. (2017a, May 17). No, Trump didn't break law by discussing classified details with Russians. *The Washington Post*, p. A06.

Zapotosky, M. (2017b, June 10). Comey is a 'leaker,' but that doesn't make him a criminal. *The Washington Post*, p. A05.

Zapotosky, M., & Barrett, D. (2017, August 5). Leak probes have tripled, Sessions says. *The Washington Post*, p. A01.

Zappavigna, M. (2013). The language of tweets. In K. Hyland (Ed.), *Discourse studies reader: Essential excerpts* (pp. 303-327). London: Bloomsbury.

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Education

PhD in Communication   **Expected 2023**
Annenberg School for Communication, University of Pennsylvania

MA in Media Studies   **May 2018**
S.I. Newhouse School of Public Communications, Syracuse University
Thesis Title: "A critical discourse analysis of U.S. media coverage of
government leaking during the Trump administration."
Advisor: Carol Liebler
Graduate School Master's Prize Recipient

BA in English
Stonehill College   **May 2008**

Research Interests

Investigating the intersection of politics, media, and power through discourse.

Teaching Experience

Instructional Associate   **2016 – 2017**
Department of Communication, Syracuse University
- Assisted in the instruction of grammar and usage for use in public communication fields
- Aided students in composition of papers and in review of course material
- Reviewed and graded submitted papers

Research Experience

Research Assistant   **2017**
Department of Communication, Syracuse University
- Collaborated on a research project to conceptualize an additional category of symbolic annihilation, the "symbolic mystification" of marginalized social groups

- Compiled annotated bibliographies of literature regarding symbolic annihilation, the "magical negro," the "supercrip" or "inspiration porn," and the "wonder woman"

Conference Presentations

Wirzburger, A. (2017, October). *The cause-celebrity: A critical discourse analysis of the 2017 SAG Awards' acceptance speeches.* 11th Annual Critiquing Culture Conference, Fairfax, VA.

Gayle, G., Wirzburger, A., Hu, J., & Rao, H. (2017, August). *Professional photographers and platforms and the perceived credibility of photographs on the internet* [Top student paper]. Association for Education in Journalism and Mass Communication, Chicago, IL.

Wirzburger, A. (2017, August). *'Not proud of it': Candidate arguments and newspaper coverage of the second 2016 presidential debate.* Association for Education in Journalism and Mass Communication, Chicago, IL.

Other Professional Experience

Project Coordinator   **2013 – 2016**
MEDITECH, Inc., Framingham, MA
- Design, create, and teach new hire and continuing education training programs and materials
- Coordinate personal and staff projects with customer service, development, and applications
- Work with customers and staff to write and update physician software best practices

Supervisor   **2011 – 2013**
MEDITECH, Inc., Framingham, MA
- Manage five directly-reporting staff
- Design, create, and teach new hire education program

Applications Specialist   **2010 – 2011**
MEDITECH, Inc., Framingham, MA
- Teach hospital officials and analysts to set up and use physician care management software
- Test and document customer-reported software issues

- Perform on-site assessments of physician workflow for implementing physician order entry

Copywriter   **2008 – 2009**
W.B. Mason Co., Inc., Brockton, MA
- Edit and proofread advertising copy
- Write and edit executive speeches