

CHAPTER 16

Chilling Effects on Free Expression: Surveillance, Threats and Harassment

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Abstract: This chapter addresses global surveillance as revealed by Edward Snowden in 2013 and discusses the effects such surveillance – and indeed its revelation – may have on freedom of the press and investigative journalism. The chilling effect – an act of discouragement – has proven to be an effective way of deterring public intellectuals and other citizens from voicing their opinions in the public sphere. This chapter presents some examples of how it works on practicing freedom of expression for both groups and individuals, as well as how it may affect relationships between various actors in the public sphere, particularly the state and the media, and journalists/writers and politicians. Finally, it discusses consequences for the future of investigative journalism.

Keywords: chilling effect, investigative journalism, surveillance, freedom of expression

Rarely it is mentioned, in this regard, that surveillance fundamentally questions journalistic work as such – at least in its form of investigative journalism that requires confidential communication with sources.

—Arne Hintz (2013)

Introduction

This chapter addresses the *chilling effect* on freedom of expression and freedom of the press. As a case study, it discusses how investigative journalism,

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revealing modern global surveillance helped by whistleblower Edward Snowden (in June 2013), may be hampered by this effect, oftentimes in the form of a tight relationship between state power and the media.

It elaborates on how *journalism* – which is essential for whistleblowers’ outreach – treated the revelations, and which challenges such independent investigative journalism faces. The concept *chilling effect* is central to my approach, since this effect has demonstrated its effectiveness in stimulating self-censorship and thus less transparency in any given public sphere, and since the chilling effect may have severe repercussions vis-à-vis this particularly important strand of journalism. Surveillance and the threat of being surveilled (and thus perhaps also persecuted) are in turn important components of the *chilling effect*, as claimed by the U.S. PEN chapter (see below).

After clarifying the concept *chilling effect*, a major part of the chapter presents the Snowden revelations of mass surveillance, Edward Snowden being the most important whistleblower of our era. This part discusses the ways in which threats of surveillance may affect people’s willingness to make full use of their freedom of expression. It then takes on journalism and other public individuals’ practices, and demonstrates how revelations of surveillance (and its chilling effects) have deepened conflicts between the media and state power, between various actors in the journalistic field (for example editors and journalists), and between whistleblowers and society at large. Last, but not least, I outline some future scenarios for journalism and free expression.

An act of deterrence

The concept *chilling effect* has been thoroughly treated as a phenomenon linked to the judiciary, as shown by a variety of lexical definitions. This short one synthesizes the legal approach: “A discouraging or deterring effect, especially one resulting from a restrictive law or regulation”.¹ Schauer (1978) writes that the “very essence of a chilling effect is an act of deterrence” (p. 689). Furthermore, he finds it proper to distinguish

¹ <https://www.dictionary.com/browse/chilling-effect> accessed 24.09.2018

between “an *activity* as being chilled” while one oftentimes talks of “*people* being deterred” (ibid.).

The two concepts [activity and people] go hand in hand, of course, in that an activity is chilled if people are deterred from participating in that activity. Although an individual’s decision not to engage in certain behavior may be influenced by a wide range of stimuli, in law the acknowledged basis of deterrence is the fear of punishment - be it fine, imprisonment, imposition of civil liability, or deprivation of governmental benefit. (Schauer, 1978, p. 689)

Furthermore, Schauer discusses how laws on obscenity or defamation may impose a chilling effect on citizens, preventing some types of expression. This chapter’s focus is not primarily on the judicial approach to freedom of expression. The emphasis on *deterrence* enables a broader approach to the *chilling effect*, i.e. as an effect constituted by a variety of institutions or groups/individuals, contributing to the exclusion or barring of people from the democratic exercise of their right to free expression. The aim of this chapter is to investigate how this works, with a particular emphasis on surveillance and other threats to public speakers/writers/journalists.

In a world where media platforms and channels offer themselves in multitudes, laws still play a role. However state and military *practices* in conflict with laws (or with a country’s adherence to international charters and treaties), as well as threats and actions by non-government entities, may also cause deterrence. We should also not forget that conventions of loyalty to authorities within news organizations might have a ‘chilling effect’ on journalists, especially when working with sensitive areas such as national security. *The Post*, a recently released movie, clearly demonstrated this (Spielberg, 2017) by focusing on controversies within the mainstream press on whether to print *The Pentagon Papers*.² Below, we shall see how (the practicing of) laws as well as other factors contribute to a chilling effect on free expression, whistleblowing and democratic rights in a given society.

2 For more on the Pentagon Papers: <https://www.britannica.com/topic/Pentagon-Papers> Accessed 24.09.2018

Surveillance: The Snowden revelations

In June 2013, a person hitherto unknown to the world, Edward Snowden, revealed how the U.S. National Security Agency (NSA) practiced mass surveillance on citizens in large parts of the world. The surveillance included phone tapping, and data gathering helped by email services and IT giants such as Google, Facebook and others. It was a global revelation, involving other countries' secret services as well, not least the GCHQ (General Central Headquarters) in the U.K. Edward J. Snowden was working as a senior IT consultant at the Booz Allen Hamilton Company, but on lease to the NSA, where he had access to top secret surveillance data. When he could no longer tolerate what he knew about the illegal surveillance, he made an appointment to meet reporters and left for Hong Kong.

When the news of mass surveillance was revealed, it caused massive reactions from political leaders, as well as from citizens, as WikiLeaks had previously done. Unlike in WikiLeaks, Snowden entrusted experienced reporters to transform/translate his whistleblowing into investigative journalism. He contacted Glenn Greenwald, who had worked for *The Guardian*, as well as documentary filmmaker Laura Poitras, to do the job. Both had experience in writing about surveillance and secret services. In his book on the 'affair', Greenwald confirms that it was "vital to publish the documents journalistically [...] rather than just publishing them in bulk" (Greenwald, 2014, p. 52), thus hinting at the previous experiences of WikiLeaks, which did just that – publish 'in bulk'.

In Hong Kong, *Guardian* staff reporter Ewen MacAskill joined Poitras and Greenwald. Together, they went through the vast material Snowden had stored, and started publishing the revelations, but took care not to endanger ordinary citizens. Snowden has later revealed that he had never spoken to a journalist before, and thus labelled himself a "virgin source".³

3 Coll, Steve. (2014, October 21) How Edward Snowden changed journalism. *The New Yorker* Retrieved from <https://www.newyorker.com/news/daily-comment/snowden-changed-journalism>, accessed 13.07.2018

More transparency

The Snowden case is a perfect example of how a whistleblower joining hands with professional journalists, with support from a powerful media institution, may shape a series of powerful investigative journalism reports on issues vital to hundreds of millions of people. It may remind us of the Watergate affair, but unlike the *Washington Post*'s "deep throat" who kept his identity hidden until late in his life⁴, Snowden wanted to go public about his role in the revelations, and did so in a video interview in *The Guardian*. Thus, his strategy is more related to the way in which former military analyst Daniel Ellsberg revealed The Pentagon Papers, and took the risk of going public as the source of the revelations on the historical role of the U.S. in the Vietnam War (Ellsberg, 2001).⁵ Snowden stated in the interview that he "did not want to live in a society that does these sorts of things" and that the surveillance activities were done "outside the democratic model".⁶ By stepping forward in this manner, he made the issue of transparency even more prominent, since working with anonymous sources remains a contested area within professional journalism. This was also an important gesture vis-à-vis the public, since he could be explicit about his motives and be judged accordingly.

This ultimate revelation of Snowden's own identity came at a high cost, not least to the whistleblower himself, since he has lived involuntarily in Russian exile since 2013. It seems he will remain there for the foreseeable future, although the European Parliament with a slim majority voted in favor of granting him asylum in a member country.⁷

4 von Drehle, David (2005, June 1). FBI's no. 2 was 'Deep Throat': Mark Felt ends 30-year mystery of The Post's Watergate source, *The Washington Post*. Retrieved from https://www.washingtonpost.com/politics/fbis-no-2-was-deep-throat-mark-felt-ends-30-year-mystery-of-the-posts-watergate-source/2012/06/04/gJQAwseRIV_story.html?noredirect=on&utm_term=.2978cbe5b769 Accessed 14.07.2018

5 Ellsberg has, after the Snowden revelations, toured many countries together with other American whistleblowers in support of Edward Snowden.

6 <https://www.theguardian.com/world/video/2013/jun/09/nsa-whistleblower-edward-snowden-interview-video> Accessed 13.07.2018.

7 Friedensdorf, Conor (2015, October 29). European Lawmakers Vote in Support of Edwards Snowden, *The Atlantic*. Retrieved from <https://www.theatlantic.com/international/archive/2015/10/european-parliament-edward-snowden/413257/> Accessed 14.07.2018

The case of Norway

Norway, being part of the NSA's 'nine eyes', has a particularly close connection to the U.S. surveillance system. The most important results regarding the surveillance of its citizens until now have been provided by reports from the "Status for Freedom of Expression in Norway" (Staksrud et al., 2014). This survey of citizens in general includes several questions on attitudes towards surveillance and other security measures. It reveals a rather divided people when it comes to confidence in the government being able to hinder a terror attack on Norwegian soil (35 percent have great or moderate confidence, 30 percent have low or no confidence, and a substantial number say neither/nor or do not know).

These results must be judged in context, appearing just three years after a major terrorist attack against the government and the Labor party's youth camp in Norway, killing 77 people and wounding many more. Also important here is the context of the subsequent *Gjørv commission*⁸, revealing severe weaknesses in Norway's preparedness in relation to such attacks. Another question concerned phone tapping in a situation with a "rapidly approaching terror attack" (ibid. my translation). A vast majority (81 percent: 42 percent 'absolutely', 39 'probably') would accept this measure in such a situation (ibid., p. 53). About two thirds would – to an extent or absolutely – accept surveillance of emails in the same described extreme situation, while one third would not (ibid., p. 57). Approximately the same proportions emerge when respondents are asked about surveillance of social media, with somewhat fewer being negative (ibid., p. 58). The phrasing of the questions (immediate danger) might have influenced the outcome in a more pro-authorities direction.

When asked in general about attitudes towards the authorities' control of the Internet, the sample population is more equally divided, the proportion of "control skeptics" being slightly larger than those who are "control supportive" (ibid. p. 60). The report reveals that journalists in the survey are significantly more skeptical to such measures than the public.

8 <https://www.regjeringen.no/contentassets/bb3dc76229c64735b4f6eb4dbfcd8/no/pdfs/nou201220120014000dddpdfs.pdf> Accessed 16.07.2018

Source protection – for whom?

Such discrepancies between citizens in general and people whose livelihood depends on freedom of expression, may in the long run have political consequences, although a significant Supreme Court decision ruled in favor of source protection.⁹ The case in question concerned documentary filmmaker Ulrik Imtiaz Rolfsen, who was working on a film about extremists recruiting young people for the so-called Islamic State. Such a decision, whereby the surveillance authorities (PST) had to return confiscated material to the filmmaker, may be seen as working in the opposite direction, i.e. as part of an *unchilling effect* on journalists and related professionals working with sensitive issues of national security.

As we can see from the above, the questions in the survey were different from the ones in a survey orchestrated by U.S. PEN (see below), although the Norwegian research was also conducted in the autumn of 2013, i.e. while the Snowden revelations were still fresh news. What the answers reveal, though, is a varying alertness in the general population on questions concerning freedom of expression, but also a varying level of confidence towards the media, exemplified by the fact that about one third of the respondents think journalists may refrain from writing about politically extremist groups in fear of their reactions (Staksrud et al., 2014, p. 77).

In an anthology on surveillance (Hausken et al., 2014, not treating the Snowden revelations in particular), several chapters warn against not taking surveillance seriously enough, and Bjørn Erik Thon (Thon, 2014) envisages with fear a situation where you may be arrested due to an algorithm. Furthermore, he warns against a “development where confidence in data analysis overrides the human analytic ability”. He also says that the law passed concerning the fight against terror is not precise enough on these issues. He concludes that it is not acceptable that Norwegian citizens may be surveilled by programs such as PRISM (one of the programs later revealed by Snowden¹⁰), and therefore it is of vital importance

9 https://www.aftenposten.no/kultur/i/qkJo/Full-seier-til-kildevernet-i-Hoyesterett_-PST-magi-tilbake-6-8-timer-med-filmopptak Accessed 16.07.2018

10 Lee, Timothy B. (2013, June 12). Here is everything we know about PRISM so far. *Washington Post*. Retrieved from https://www.washingtonpost.com/news/wonk/wp/2013/06/12/heres-everything-we-know-about-prism-to-date/?utm_term=.a6903843234b Accessed 14.07.2018

that the Norwegian government pressures the U.S. on these issues. This does not seem to be the case, and politicians have in general been reluctant to take part in public discussions of the Snowden revelations (Eide & Lånkan, 2016).

The case of U.S. writers

The revelations of mass surveillance may have changed the practices of people who work with journalism and literature more than we know so far. Journalists increasingly use encryption techniques to safeguard exchanges with sources and colleagues. This has proven to be a good tool for many professionals, but when/if noticed this usage itself may raise suspicion among surveillance services.

A survey conducted by U.S. PEN¹¹ among its members, done after the Snowden revelations in 2013, may be an indicator, although the response was low (which may in itself be an indicator of a chilling effect of sorts). Respondents expressed having reservations to the survey since it was conducted online (U.S. PEN, 2013). Nevertheless, the results may be connected to chilling effects, and to the need for further research on this vital issue. The members of U.S. PEN are writers, translators, and journalists, and among the more than 500 who responded, 85 percent expressed worries about government surveillance of Americans. While 73 percent were worried about privacy rights and freedom of the press, almost all, 96 percent, were concerned about government efforts to compel journalists to reveal sources of classified information, and most of these were *very* concerned. After the Snowden revelations, more than one fourth of the respondents reported limiting their exposure to or totally avoiding social media. Equally, one fourth avoid speaking of certain issues on the telephone. Sixteen percent have avoided writing or speaking publicly on special subjects. Several respondents also reported a reluctance to communicate with sources or friends abroad for fear of endangering them.

¹¹ PEN is a global organization promoting literature and free expression. Created in 1921, it organized poets, essayists and novelists, thus the acronym PEN.

In addition, quite a few PEN members expressed reluctance to pursue *research* on certain types of subject matter. The surveillance of professional research, be it directed against journalists, writers or academics, is of particular importance, as such research oftentimes has to do with accessing controversial websites, and mass surveillance does not include monitoring the researcher's *motivation* for accessing these websites.

Among the respondents, the 'younger' writers (below 50 in this survey), seemed less concerned about surveillance, but simultaneously more likely to take precautionary measures against it. The explanation may be that the younger generation is 'groomed' to reveal matters of privacy on digital platforms, yet on the other hand this generation is more digitally literate and thus more aware of digital surveillance methods.

According to U.S. PEN, surveillance of a mass character, such as the one revealed by Edward Snowden, represents a great detriment to the study of foreign cultures, and a subsequent loss of international understanding. A high proportion (88 percent) felt a real concern that a vast amount of data is already in government hands, and is as such vulnerable to bureaucratic bungling, misuse and partisan abuse.

Despite its shortcomings (for example a non-satisfactory percentage of respondents), the results from this PEN survey included very relevant questions, and ought to inspire researchers elsewhere to take up the challenge of monitoring or doing research on the *chilling effect* and its consequences.

Post-privacy society?

It is no exaggeration to claim that in late modernity, citizens are much more than before subject to Foucault's *panopticon*-like surveillance (Foucault, 1977). Surveillance has become a fundamental model of social organization and, I would add, a threat to *any* social organization. One may dispute the claim that most citizens connected to the digital world contribute every day to their own surveillance by innocent actions on email and a variety of social media platforms. Nevertheless, it is relevant to discuss, as seasoned commentator Gary Younge (2012) does, whether we are seamlessly transforming ourselves into a *post-privacy society*, partly by way of low citizen digital media literacy.

Whistleblower Edward Snowden's revelations taught us that mass surveillance is a global phenomenon, and that everyone using phones, email or social media, risk being part of the so-called 'haystack' where the agents of mass surveillance eventually search for the 'needles', i.e. those individuals or groups who pose alleged threats to society. The 'needle in the haystack', albeit a bad metaphor, was a prime argument in defense of the NSA surveillance.

Threats to journalists and public individuals

The journalists (Laura Poitras and Glenn Greenwald) and media (*The Guardian*, *The Washington Post*) at the heart of the revelations, have reported being subject to special scrutiny in the aftermath of publication. *The Guardian*, the newspaper that broke the NSA news, received visitors from GCHQ (Government Communication Headquarters, part of British surveillance), who ordered journalists to destroy their laptops in a futile exercise to destroy the 'Snowden files'.¹² Furthermore, Greenwald's partner, David Miranda, was arrested and searched at Heathrow airport after the revelations, and the police justified their action by referring to anti-terror legislation.¹³ If these acts were intended to produce a chilling effect (knowing that the Snowden data would also be in storage elsewhere), they might have worked.

However, surveillance is far from the only way in which the *chilling effect* operates. Globally, between 2012 and 2016, 530 journalists were killed, which amounts to an average of two deaths per week (UNESCO, 2017). The absolute majority (92 percent) of these were reporters working in their home country. The norm in such cases remains impunity, since in only ten percent of the cases the perpetrator(s) are brought to justice

12 Editorial in *the Guardian* (2013, August 20). NSA files: Why the Guardian in London destroyed hard drives of NSA files. Retrieved from <https://www.theguardian.com/world/2013/aug/20/nsa-snowden-files-drives-destroyed-london> Accessed 15.07.2018

13 Green, Damian (2013, August 20). Police who arrested David Miranda were 'protecting us from terrorism', *The Telegraph* Retrieved from <https://www.telegraph.co.uk/news/uknews/10254309/Damian-Green-Police-who-arrested-David-Miranda-were-protecting-us-from-terrorism.html> Accessed 15.07.2018

(ibid.). UNESCO also emphasizes growing threats to digital safety, by way of cyberattacks, hacking (see also Patrikarakos, 2017), intimidation and more online harassment, particularly of women journalists.

Navigators between states and extremists

In countries at war, journalists and writers risk a lot just by being in contact with a ‘westerner’, since terrorists and extremists do not differ between journalists critical of Western policies and ‘US agents’, the latter being particularly targeted. Extremist organizations in many cases pay special attention to foreigners, to them synonymous with *Americans* and their policies in the Middle East and beyond. Thus, for example, visiting a country such as Afghanistan may put friends and colleagues with whom I work at risk. In their world, the threats – indeed a source generating chilling effects – may take the form of death threats from terrorists, threats to entire *media houses*, or the threat of arrest from government officials, central and local. Extremists and terrorists in Afghanistan have explicitly targeted media institutions and groups of journalists, resulting in record numbers being killed during recent years.¹⁴ They have their own system of surveillance enabling them to target special individuals, not least by using ‘insiders’ both in the military and elsewhere.

Journalists in countries such as Afghanistan may have to navigate between threats from the state and threats from multiple extremist groups, the latter in particular often branding freedom of expression a ‘Western value’, as also happened during the ‘cartoon controversy’ (Kunelius et al., 2007; Eide et al., 2008). Quite a few reporters facing such circumstances leave the country or choose another profession (for example joining government circles), if possible. The ultimate ‘goal’ of the chilling effect is thus achieved. According to local sources, a couple of hundred journalists leave Afghanistan each year to avoid persecution, bleak prospects or death threats.

14 <https://rsf.org/en/journalists-killed>

The case of investigative journalism

The ways in which Snowden's revelations were treated, varied widely. In the U.K. and elsewhere *The Guardian* (being a global news institution) stood firm in their contribution to the revelations, while an editor for another liberal-leaning media group, Chris Blackhurst, issued a statement in *The Independent* declaring his trust in the surveillance authorities. He revealed that the media group, to which the newspaper belongs, had received advice from the government not to publish news on the global surveillance revelations, as it would hurt national security (Blackhurst, 2013). The then editor-in-chief of *The Guardian* Alan Rusbridger stated (see Eide & Kunelius, 2018) that he had a hard time understanding this as a journalist – since relations to the state are so fundamental to journalists.

In the *Washington Post*, a newspaper that stood alongside *The Guardian* in its news coverage of the NSA revelations, the leadership thought differently. An editorial signed by the editorial collective of the newspaper appealed for a stop to the “damaging revelations or the dissemination of information to adversaries”. The main argument against going public with documentation of mass surveillance was in many cases national security, framed by the ongoing ‘war on terror’. While this national security argument is used against openness in many countries, in yet other ones restrictive laws, including blasphemy regulations, may add an additional chill to the work of journalists.

In the ‘Hong Kong process’ (when three reporters secretly met with Edward Snowden for the first time)¹⁵, there were moments when Greenwald was so impatient that he thought he would publish without *The Guardian* on board (Greenwald, 2014). While the media house checked all legal routes and made the decision to let its New York newsroom publish, Greenwald and his colleagues waited together with a 29-year-old whistleblower who was at great risk of being found out by U.S. intelligence and deported to his home country to receive a lifetime prison sentence. The strain caused by the reporters’ sense of responsibility to their unique source and the resistance they anticipated following publication,

15 The reporters were documentary filmmaker Laura Poitras, Glenn Greenwald (connected to *The Guardian*), and Ewan MacAskill from *The Guardian*.

may indeed be seen as part of a *chilling effect*. However, it did not deter them or the newspaper from publishing.

Many editors seem to disregard the journalistic principle of the *people's right to know* when it comes to national security and surveillance (Kunelius et al., 2017). Of course, this is a contested issue, and no doubt, there exists information, which is not always fit to publish, for example when peoples' lives are at stake. On the other hand, the magnitude of this global mass surveillance calls for journalistic vigilance, since it does not at all discriminate between legitimate targets and surveillance of millions of people's legitimate activities, their writing, their research and their right to privacy. Attitudes such as these editorial statements are blatant signs of the weak autonomy of the journalistic field in relation to the political field (Bourdieu, 2005; Champagne, 2005; Hallin, 2005), and another indication that editors are often closer to the political elite than to grassroots people, and thus more prone to pressure. Consequently, it leaves a narrower space for investigative journalism on sensitive issues – which is what investigative journalism is oftentimes about.

This narrowing space might be one of several driving forces behind the emergence of new, investigative media institutions, such as the one born in the aftermath of the Snowden affair, named *The Intercept*. The three main journalist personalities behind this wholly net-based medium are Laura Poitras, Glenn Greenwald and Jeremy Scahill, who is from the U.S.-based progressive newspaper *The Nation*, and is also responsible for two huge volumes based on much investigative work (Scahill, 2008; 2014). *The Intercept* is financed by E-bay owner Pierre Omidyar, which means a business model dependent on one of the “rogue members of the plutocracy” (Boyd-Barrett, 2005), and in a sense more vulnerable than an institution Scahill had previously worked for, the crowdfunded *Democracy Now*.

In Norway, many newspapers of different leanings actually recognized Edward Snowden as a whistleblower. Norway's largest print newspaper, the liberal-conservative *Aftenposten*, published an editorial even supportive of his nomination for the Nobel Peace Prize. This rather unique situation of reduced *chilling effects* may have emerged due to Norway's experience with an earlier surveillance commission, as well as an open debate on the EU's data retention directive, and a few well-known cases

in which specific media had intruded on celebrities' privacy (see Eide & Lånkan, 2016).

Conclusion: The future of investigative journalism and free speech

In the near future, most journalists may still depend on mainstream media for the publication of their investigative stories. Nevertheless, the emergence of 'new' channels, such as the two publications mentioned above, and groups of freelancers offering their stories to fringe media willing to take the risk, reveal a changing landscape, in which new actors may be able to play a greater role. They may enjoy more freedom to publish controversial investigative stories, but simultaneously they will be living with more economic vulnerability and less political and other (editorial) protection against surveillance, threats and harassment. Related professions, such as writers and artists, also fear the future and as shown above, some resort to self-censorship to protect themselves.

Future investigative journalism and free speech in an era of global digital surveillance will depend on several relationships. One is the relationship between the journalistic field and the state (or multi-state institutions, such as surveillance networks). Whether the journalistic field is able to exercise its autonomy from the political field, in the face of dwindling resources and more pressure, is a delicate question. The role of editors, as in the examples of *The Independent* and *The Washington Post* editorial collective, may serve as an illustrative example of weak autonomy (see also Eide & Kunelius, 2018). In the latter case, a conflict *within* the journalistic field became apparent, when editors positioned themselves against their own journalists, referring to the question of *national security*. Furthermore, the issue of journalists' relationships to sensitive sources in general and whistleblowers in particular, is significant. Potential whistleblowers may feel discouraged from contacting the media considering the lack of protection and reluctance of the media to support openness and transparency in a given society. If the mentality of "who are we to question the authorities?" gains even more momentum, investigative journalism is bound to meet with more constraints in the years to come.

The Snowden revelations and the journalism surrounding them may have worked in different ways. Snowden's fate in (permanent?) exile, but with the status of prominent intellectual (digital) speaker around the world, may encourage both doubt and courage among future whistleblowers. Journalists and related professionals facing harassment and harsh control mechanisms, as well as editorial hesitance, may, in order to protect themselves, be tempted to find less sensitive areas of (creative) work. On the other hand, journalistic determination, as in the case of the supportive Snowden coverage in Norway where most newspapers endorsed him as a whistleblower, or indeed in cases of transnational co-operation such as the Panama Papers, may point towards a more promising future.

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