



# Leaks-based journalism and media scandals: From official sources to the networked Fourth Estate?

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## Abstract

This article offers a comparative study of three media scandals arising from two types of leaks: official ones (the Monedero Case and the Pujol Case) and those originating from citizens (the Falciani List). Official leaks are carried out by elites and respond to private/partisan interests. Citizens' leaks come from anonymous individuals who deliver huge databases to the media for journalistic treatment. Our objective is to analyse the coverage received by both types of leaks in the Spanish press. The results show the use of official leaks as a political weapon in Polarized Pluralism media systems. Scandals based on citizens' leaks, which refer to transnational problems with greater ramifications, receive less attention. We discuss the extent to which the polarization of conventional political communication has increased and the future of new formats of information based on citizens' digital participation in an emerging Networked Fourth Estate.

## Keywords

Catalonia, digital media scandals, Falciani, leaks, Podemos

## Introduction

In 2008, Hervé Falciani, a computer programmer at the Swiss-based HSBC bank, revealed a list of clients who kept many non-transparent accounts open and were allegedly involved in crimes such as money laundering and tax evasion. For years, Falciani

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passed information to the Finance Ministries of those clients' countries. The media scandal arose in February 2015, when *Le Monde* received the data. Faced with the difficulty of working on the material unilaterally, the French newspaper shared the leak with the International Consortium of Investigative Journalists (ICIJ). This transnational consortium brings together investigative journalists from 65 countries to work collaboratively on global issues. The ICIJ divided the documentation by country, so that its collaborators could work with their own standards. In Spain, the ICIJ's associated newspaper was *El Confidencial*. Of the more than 100,000 HSBC customers, 2694 were Spanish of which 659 were identified as tax evaders. They accumulated more than 1800 million non-transparent euros. In May 2017, court cases related to the Falciani List remained ongoing. Seven members of senior management and former senior management employees of the Santander Bank, as well as three employees from the BNP, were indicted for their involvement in tax evasion linked to HSBC. Regarded as a media agenda topic, the Falciani List denounced financial globalization as being incapable of – or lacking the will to – control and monitor monetary flows and investments, thus favouring transnational corruption.

Shortly before the Falciani's list leak to *Le Monde*, the Spanish newspaper *El Plural*<sup>1</sup> revealed that Juan Carlos Monedero, co-founder of Podemos,<sup>2</sup> was paid 425,000 Euro for consultancy work in Ecuador, Venezuela, Bolivia and Nicaragua. Monedero was involved in an administrative fault, whereby he declared this income in his tax return through a company of which he held sole proprietorship, rather than through the IRPF (as part of Spain's Personal Income Tax Law). Based on this information, referring to the management of Monedero's private assets when he was not a holder of political office, other media and political parties accused him of involvement in offences such as undeclared cash payments and falsifying parts of his curriculum. Podemos was also accused of being illegally funded and of maintaining links with Chavism.

The Monedero Case involved a double challenge. First, it questioned the public ethics of Podemos – characterized by an anti-corruption discourse, tinged with anti-elitist populism. Second, it situated Podemos at the extreme left and questioned the party discourse in terms of democratic regeneration and their ideological transversality (Centro de investigaciones sociológicas (CIS), 2015).

The complaints filed against Monedero were dismissed by the courts. It was not proven that the Ministry of Finance had made the leak, but the Association of Taxation Technicians told *El País*<sup>3</sup> that the Minister had been filtering data for some time, which was stretching the bounds of legality.

Both cases illustrate two models of journalism based on leaks. The first model corresponds to leaks by citizens, distant from any power structures, and linked to the hacker culture and data analysis. These types of leaks, and their relation with media systems, have not yet been explored in depth by academic literature. Some of the first approximations in this field are related, on an international level, to the analysis of frameworks and media coverage of WikiLeaks cables (Handley and Ismail, 2012; Handley and Rutigliano, 2012; Imre et al., 2016) and Edward Snowden leaks (Kuehn, 2017; Wahl-Jorgensen et al., 2017). In the Spanish case, initial empirical work has recently appeared on leaks boxes and their links with new collaborative press experiences (Sampedro, 2017).

The second model relates to official leaks, through which sources linked to power unveil information to undermine the symbolic power of electoral opponents (Thompson, 2000). Faced with these types of leaks, the media end up using the discursive framework of the sources as if it were its own (Alonso-Muñoz and Casero-Ripollés, 2016).

In this article, we focus on the importance that both types of leaks are receiving in the Spanish press. Our empirical study was divided into two parts. First, following a design similar to that adopted by R. Entman (2004) in his work on the Korean Airlines and Iran Air tragedies, we conduct a comparative analysis of the Falciani List and the Monedero Case to contrast coverage of similar events that happen in parallel, but receive very different media treatments.

In the second part, we analyse the presence of the Pujol Case in Spanish and Catalan press in the lead-up to the Catalan elections of September 2015. The Pujol Case is another official leak used as a political weapon against the parties supporting Catalan Independence. It has proven to be the biggest political scandal in Catalonia in terms of the sums of money defrauded and of the high-profile leaders and institutions involved. The information and accusatory evidence against Jordi Pujol and the rest of his family were known as far back as 2005 but not made public until 2014, coinciding with the highest levels of visibility for Catalan independence.

Between 2012 and 2013, various high-ranking officials of the *Partido Popular* (PP) tried to persuade Victoria Álvarez – ex-partner of Jordi Pujol’s son – to reveal information about the family’s monetary affairs. The leaking of a private conversation between Alicia Sánchez-Camacho – President of the Catalan PP – and Victoria Álvarez led to the accusation of Jordi Pujol and his progeny. Undeclared bank accounts holding more than 30 million Euros were investigated in 13 countries. The judicial investigations pointed to alleged offences such as money laundering, economic malfeasance and bribery.

Among multiple corruption cases in Spain, both at national<sup>4</sup> and regional levels,<sup>5</sup> we consider the Pujol Case especially relevant to complement the Monedero Case because both are related to parties that have questioned the institutional system inherited from the Spanish Transition – known as the 1978 regime (Iglesias, 2015). Podemos calls into question the bipartisan structure and have a critical stance towards economic adjustments imposed by the European Union (EU) Troika. Pujol is founder of pro-independence party, which is currently posing a threat to the territorial integrity of the Spanish State.

As shown in this article, the study of the three cases highlights the role of political scandals in polarized media systems. It also reveals the limitations imposed on citizen leaks, making it difficult to configure a networked Fourth Estate (Benkler, 2011; Sampedro, 2014).

## Media systems, media scandals and public spheres

The relationship established between the media and the political system is a central theme in political communication. The literature addresses the interdependencies between both systems (Hallin and Mancini, 2004; Kempen, 2007; Mancini, 2013) and the media forms of representing political activity and discourses (Mazzoleni, 1987; Strömbäck, 2008). In their seminal study, Hallin and Mancini (2004) differentiate between three models: Polarized Pluralist, Democratic Corporatist and Liberal. They incorporate the Spanish media system into a Polarized Pluralist model.

Hallin and Mancini (2004) differentiate between internal and external pluralism. Internal pluralism refers to the openness of the media expressing different viewpoints on the same issue. External pluralism brings up the existence of different media with highly differentiated political positions. The Polarized Pluralist systems are characterized by both a deficit of internal pluralism and marked external pluralism, which give rise to an important ‘political parallelism’ (Hallin and Mancini, 2004; Seymour-Ure, 1974). The concept of political parallelism refers to the process of aligning the media system with the political party system.

In recent years, new research has critically and methodologically supplemented the work of Hallin and Mancini (Büchel et al., 2016; Downey and Stanyer, 2010). These authors reaffirm that the traditional media system in Spain – mainly in the written press<sup>6</sup> – presents a wide degree of political parallelism (Büchel et al., 2016; Kempen, 2007; Van Dalen et al., 2012; Vliedenthart and Mena, 2014).

Some reasons for this political parallelism are historic. The Polarized Pluralist systems are typical in countries with a short democratic tradition, and a late development of both press freedom and the communications industry. The State plays an important regulatory and subsidiary role. Consequently, some reasons for the political parallelism in the Spanish media are due to the communicative policies of the almost 40 years of Francoist dictatorship (Vliedenthart and Mena, 2014).

Other reasons are due to more recent factors. The precariousness of journalists’ work conditions and lack of financial resources to conduct long-term investigative journalism increase their dependence on official sources (Chalaby, 2004). This compromises – when it does not prevent – journalists from playing their sociopolitical role as watchdogs of power (Bennett et al., 2007). The background of economic downturn in Spain has affected the media independence and their critical capacity. In the words of Van Dalen (2012) ‘[compared with] journalists in northern Europe, Spanish journalists adhere less to the Anglo-American watchdog model, both in ideals (roles) as in practice (content)’ (p. 918).

Technological innovations have provoked a significant crisis of content, identity and credibility in traditional journalism (Mancini, 2013). The recent transformations within the communications environment have been able to reinforce the classic function of journalism as a watchdog of power, and of the press as a counter-power. However, in the case of the traditional press, the fragmentation and segmentation of the public has resulted in greater polarization. Influenced – when not guided – by commercial logic, each media model tries to differentiate itself from competitors by targeting increasingly segmented audience niches (Mancini, 2013). This setting, which has led to the mediatisation of politics, frequently incorporates techniques of personalization, polarization, simplification, intensification and stereotyping, as well as creating a framework that represents politics as a strategic game (Strömbäck, 2008).

In this context, the media scandal appears as one of the main tools for undermining the ‘symbolic capital’ (Bourdieu, 1986) of political opponents, and serves as a communicative product readily consumed by audiences. These scandals have become common media events in today’s politics (Thompson, 2000). Traditionally, scandals were the result of a journalistic investigation that revealed corruption and abuses of power (Chalaby, 2004; Tumber and Waisbord, 2004). However, the notion of ‘media scandal’ (Burkhardt, 2006; Nyhan, 2014) has focused on the importance of the media, as well as the different sources involved, in the construction of a scandal. The transgression itself,

whether political or moral, is relegated to the background. The logics of mediatization, and the influence of the actors involved in the leaking process, are the determining factors for the scope of the scandal (Entman, 2012). In Polarized Pluralistic media systems, official sources have greater ability in controlling such scandals. Working routines in newsrooms, coupled with market demands and challenges of technological transformations, favour political parallelism. The result is a kind of journalism highly dependent on official sources which can turn the journalist into a mere spokesperson for politically programmed information often given out in doses (Protess et al., 1992).

This subordination of the media to the political system outlines certain central and peripheral public spheres. The central one, the institutionalized public sphere, is controlled by the mainstream media, elites and majoritarian public opinion dictated by surveys. The peripheral spheres are less hierarchically controlled and offer greater possibilities for implementing deliberative processes. Hence, 'the greater the degree of openness of the central public sphere and greater receptivity to the peripheral ones, the greater the degree of democratic quality and social dynamism' (Sampedro and Resina, 2010: 151).

The development of the Internet has affected the relationship between the central and the peripheral public spheres; 'networked public sphere' (Benkler, 2011) or 'networked Fourth Estate' (Benkler, 2011; Sampedro, 2014) are expressions pointing out that sweeping change is taking place at three levels: the roles of social actors in the construction of our information agenda, the links between the political and media system and finally comprehension and participation in democracy (Mancini, 2013). The crisis of journalistic identity and credibility fosters analysis on the consequences of these changes for the profession and democratic quality. The current polarizing trend generates a greater dependence on official leaks and promotes a public sphere characterized by '*tension*' (Gil Calvo, 2007). However, new journalistic models have emerged and they explore new relationships with social actors; collaboratively they play the role of power watchdogs. Citizen-based mega leaks relate to these latter models.

## Citizen-based mega leaks and collaborative journalism

The notion of the 'networked Fourth Estate' (Benkler, 2011; Sampedro, 2014) condenses the new journalism that explores the potential synergies between newsroom routines and the roles that digitally empowered citizens can perform in the public sphere. WikiLeaks appears as a paradigm when trying out 'free-code journalism with an unthinkable radicalism and breadth of scale' (Sampedro, 2014: 200). This new type of journalism is based upon the principles of hacker ethics (Himanen, 2001; Wark, 2006), which advocates openness, and the free circulation of knowledge and information, understood as the common good. WikiLeaks demonstrated the need to renew traditional journalism on three fundamental pillars (Sampedro, 2014: 200–203):

- 'The code, communication channels and official information should be considered as resources for the public good'.
- 'Collaboration is essential in the exercise of reporting journalism'.
- 'The problems that affect networked societies have a transnational scope (...) and the journalistic approach required, obligatorily, is the post-national one'.

These principles state the need to guarantee access to codes and channels to any individual whatsoever and on an equal footing. The free code prevents tools from being monopolized or used to support vested interests (monitoring, Big Data, etc.). At the same time, the maxim put forward by Assange (2013) is raised: ‘privacy for the weak and transparency for the powerful’, meaning that official data as a public asset is necessary for the exercise of conscientious citizenship.

The collaboration between social actors (citizens – journalists) and the media itself (different newsrooms) is advocated. In ‘free-code journalism’ (Sampedro, 2014), competition transmutes into co-operation. This co-operation provides greater independence, thus ensuring an effective oversight of public authorities. Furthermore, it offers global analysis and responses to the main political, environmental, economic and social problems that have gradually become transnational.

As early as 1971, Daniel Ellsberg fostered the emergence of a new culture of transparency and media collaboration by filtering out 7000 documents revealing the American government’s lies about the Vietnam War. The consequent pressures upon *The New York Times* – the newspaper to which Ellsberg’s cables were sent – stopped their publication. Seventeen newspapers then joined together to continue publishing the cables, which made it the first example of collaboration between communication companies. WikiLeaks, the Falciani List, *the Panama Papers*, or the experiences of ‘social accountability’<sup>7</sup> in Latin America (Peruzzotti, 2006) – among others – recovered this idea and adapted it to contemporary tools and demands. All of them rely on the new roles acquired by civil society, which has come to be appreciated as a new operative of control and supervision of power.

In Spain, one can find platforms that work by offering spaces for collaboration between citizens and the media. For example, the Xnet leak box – linked to the X Party – or Fíltrala.org – which is part of the Associated Whistleblowing Press. A recent case in Spain has been the *Papeles de la Castellana*, a leak consisting of 38,598 documents that revealed operations aimed at avoiding tax payments in Spain.<sup>8</sup> The documents were analysed jointly by three digital media: *eldiario.es*, *La Marea* and *Diagonal*. These initiatives explore a new terrain that will radically alter the paradigms hitherto dominant in journalism, but nonetheless they have a limited impact (Sampedro, 2017).

## Hypotheses and methodology

Bearing in mind the complexity of the media systems within the new digital context, in addition to new experiences working to build a networked Fourth Estate, our objectives in this article are:

- To carry out a comparative analysis between impact and penetration, both obtained by official leaks and citizen-based leaks in the Spanish traditional press.
- To analyse the repercussions of citizen-based leaks in the central public sphere, represented in this study by our media samples.
- To analyse the role of political scandal in the Spanish press against political approaches questioning the institutional model inherited from the Spanish Transition.

Our study is based on the following hypotheses:

H1: Official leaks obtained greater coverage in the major media, hence demonstrating the political parallelism in the Spanish media system.

H2: Citizen-based mega leaks, at their onset, neither reach public visibility nor have an institutional impact that would correspond to the magnitude of the revelations.

H3: Polarized Pluralism media systems can become antagonistic, especially when the pillars of the institutional regime into which they are inserted are questioned. In the Spanish case, this antagonism could generate distinctive territorialized public spheres because of the coverage of the Catalan independence process.

To address the objectives, we divided the analysis into two parts. First, we carried out a comparative content analysis (Entman, 1993) on the Falciani List and the Monedero Case in the Spanish press. The media samples were selected based on ideological heterogeneity and audience share (AIMC, 2015). *El Mundo* and *ABC* corresponds to a conservative right-wing position; *El Confidencial* to the centre-right; *El País* to the centre, while *El Periódico* is a Catalan left-wing publication. We codified the front pages (28 in each newspaper) and the opinion pieces including editorials, columns and vignettes (*El País*: 409, *El Mundo*: 361, *ABC*: 509, *El Confidencial*: 195 and *El Periódico*: 533) for February 2015 when both scandals became public. The final pieces analysed were identified through a semantic index to detect news stories on each case using these key words: Falciani, HSBC, Falciani List, Switzerland/Monedero, Podemos' Number Three, Financing of Venezuela, Illegal financing of Podemos.

We also conducted a frame analysis based on the hermeneutic approach (Matthes and Kohring, 2008). With this qualitative counterpoint we analysed the context in which our keywords appear to identify how our media sample 'select some aspects of a perceived reality and make them more salient in a communicating text' (Entman, 1993: 52). The results show the percentage of front pages and opinion pieces that each media devoted to each type of leaks, as well as the frames used in their coverage.

In the second part, we analysed the Pujol Case. As this was a leak that was gradually revealed in a programmed manner by official sources, it complements the media treatment given to the Monedero Case. To carry out our analysis, we studied two Madrid newspapers – *ABC*, with its editorial arm aligned to the right, and *El País* placed in the centre – and another two from Barcelona – *El Periódico*, left-leaning and *La Vanguardia*, positioned at the centre-right of the political spectrum. Front pages (30 on each media) and opinion pieces (*ABC*: 527; *El País*: 389; *El Periódico*: 553; *La Vanguardia*: 675) were codified in the lead-up to the Catalan elections in September 2015. Key words used in this case were as follows: Pujol, *Convergencia*, Artur Mas, Independence, Secessionists, Separatists, Sovereignists, Catalonia and Corruption. Through these key words we analysed the discursive connection between Pujol Case and Catalan independence in media agendas. The sampling selection for this part of the analysis was aimed at establishing to what degree the polarization and parallelism of the media and political systems in Spain generated two territorially differentiated public spheres: the Spanish State public sphere and the Catalan public sphere.

## Findings

### *A comparative content analysis: Front pages and opinion pieces devoted to the Falciani List and the Monedero Case*

In the first part of the study, we analyse the percentages of front pages and opinion pieces that each newspaper dedicated to the Falciani List and to the Monedero Case. The percentages of front pages reflect the visibility conferred to them. Opinion pieces show the degree of penetration and impact on political debate.

In February 2015, the Falciani List appeared in only 4.4% of the front page in four of the newspapers analysed, namely *El País*, *El Mundo*, *ABC* and *El Periódico*. Only *El Confidencial*, a digital newspaper associated with ICIJ and entrusted with investigating the Falciani List in Spain, dedicated a significant 42.8% of its front page stories to the HSBC scandal.

The Monedero Case was given more front page space in February 2015. *El Mundo* was the newspaper that assigned the greatest number of front pages to the matter, one in three (35.7%). *El Confidencial* was particularly critical with Monedero (28.6%) and gave it almost the same visibility as the Falciani List, its very own leak. *El País* and *ABC* devoted 14.3% of their front pages to the Monedero scandal. The only newspaper that did not pursue the media agendas was *El Periódico*. It offered a sole front page the day after *El Mundo* made its revelations.

**Table 1.** Percentages of front page and opinion pieces devoted to Monedero Case and Falciani List. February 2015<sup>a</sup>.

	Front page		Opinion	
	Monedero	Falciani	Monedero	Falciani
El País	14.3 (4)	10.7 (3)	3 (12)	2 (8)
El Mundo	35.7 (10)	0	8.6 (31)	2.8 (10)
ABC	14.3 (4)	3.6 (1)	7.9 (40)	0.8 (4)
El Confidencial	28.6 (8)	42.8 (12)	6.2 (12)	3.1 (6)
El Periódico	3.6 (1)	3.6 (1)	1.5 (8)	0.6 (3)
Total	19.3 (27)	12.1 (17)	5.4 (103)	1.9 (31)

<sup>a</sup>Number of pieces are in parenthesis.

The percentage of opinion pieces on the Monedero Case was highest of all the newspapers analysed. *El Mundo* appeared as the main instigator of the scandal, assigning 8.6% to this matter in its opinion section. No media in the sample dedicated a prominent percentage of opinion pieces to the Falciani List. Even *El Confidencial*, that directly examined the leak, only assigned 3.1% of its opinion pieces to the HSBC scandal, the highest percentage devoted to the Falciani List.

Table 1 reflects the scant media interest in the Falciani List with only a limited treatment on front pages and in opinion pieces. These results confirm our first two hypotheses. Official leaks are still predominant in the Spanish press. The results indicate how the



traditional press has aligned itself with majoritarian party positions and continue to offer greater coverage to official leaks than to the leaks of *mediactive* citizens (Gillmor, 2010). The latter did not receive an impact and visibility commensurate with the seriousness of the data revealed.

### Frame analysis

In this second part, we expose main discursive frames located on each case studied.

Monedero Case is framed from four angles:

- Podemos is a radical left party closely linked with the Venezuelan regime (VENEZUELA): The party was financed by and subordinated to Communist-Chavist Regimes.
- Podemos members are ‘old politics’. They are part of the corrupt elites too (OLD): So-called ‘New’ politics and leaders show the same misconducts and wrongdoing as traditional (‘old’) parties.
- Ministry of Finance leaks are a serious privacy transgression and a partisan use of the public institution (MINISTRY): Government violates the individual rights of privacy of its political adversaries.
- The Monedero Case has fragmented Podemos (FRAGMENTATION): The scandal provokes internal tensions and factionalizes the party.

**Table 2.** Media frames distribution (%). Monedero Case<sup>a</sup>.

	VENEZUELA	OLD	MINISTRY	FRAGMENTATION
El País	25 (3)	50 (6)	25 (3)	0
El Mundo	29 (9)	64.5 (20)	6.5 (2)	0
ABC	60 (24)	35 (14)	0	5 (2)
El Confidencial	33.3 (4)	66.6 (8)	0	0
El Periódico	12.5 (1)	62.5 (5)	25 (2)	0
Total	39.8 (41)	51.5 (53)	6.8 (7)	1.9 (2)

<sup>a</sup>Number of pieces are in parenthesis.

More than half of the pieces analysed Monedero and Podemos frames as ‘old politics’. It is the main frame used by every media except *ABC*. *ABC* devotes more pieces to Podemos links with Venezuela and to spreading suspicions of alleged illegal funding. *El Mundo* and *ABC* use Monedero’s administrative offence to question the ethics of the entire party. They equate Monedero’s violation to other PP and PSOE corruption cases, and the transnational tax evasion uncovered by Falciani. *El País*, *El Confidencial* and *El Periódico* link Monedero to the corrupt elite, but without discrediting Podemos as a whole. His ethical trespass is questioned, but it is presented as much less important case than those that affect other parties.

The frame that links Podemos with ‘old politics’ together with the frame that relates it to the Chavez regime represents almost 90% of the total pieces analysed. About 11%

criticize the source of the leaks and the partisan use of public institutions. This frame is used mainly by *El País* and *El Periódico*. Finally, *ABC* poses the fragmentation of Podemos as a result of the Monedero Case (1%).

With regard to the Falciani case, there are four main frames:

- Institutions are ineffective in controlling tax evasion and citizens comply with fiscal fraud (INST. TAX INEFFICIENCY).
- Institutions are efficient in fighting tax evasion and Falciani is discredited (INST. TAX EFFICIENCY).
- Media experience limited independence when covering the Falciani List due to their economic ties with HSBC and the tax evaders who are also media shareholders (MEDIA DEPENDENCE).
- Media enjoy independence to cover the Falciani List and its political and economic implications (MEDIA INDEPENDENCE).

The Falciani List frames show a higher degree of polarization depending on the ideological position of the media. *El País* and *El Periódico* criticize in their pieces the lack of institutional control of tax evasion, both due to their inability and unwillingness. The frames also question the lack of morality and the high degree of acceptance shown by citizens towards tax evasion.

Moreover *El Mundo* and *ABC* take on the Minister Cristóbal Montoro's discourse and minimize the impact of the Falciani revelations alleging that the Spanish Ministry of Finance is investigating more important cases. Falciani's knowledge about tax evasion is questioned and he is presented as an offender for leaking confidential information. We find a permissive frame with a certain hint of corruption, considering it inevitable. *El Mundo* and *ABC* assume a marked elitist position, contending that the citizenship would like to appear on the Falciani List since if they do not appear it would equate to being insignificant.

Only *El Confidencial* exhibits a higher degree of internal pluralism. The two frames described up until now are found in its articles. There is also a third frame, which questions the role taken on by *El País* and *ABC* when covering the Falciani List due to their links with HSBC and some of the names on the list.

The final frame appears only in *ABC*. This frame alleges that the journalistic work of this media is independent and 'courageous', since on a front page in its digital version the Botín family are depicted as tax evaders. However, this news item disappeared from the front page in the paper version published on the same day.

Tables 2 and 3 show that the traditional Spanish press assume the discursive framework of the official sources. Although there are differences between the centre-left media and the right-wing media, all of which contributed to the media scandal concerning the Monedero Case recurring mainly to the frames that link Podemos to the Venezuelan regime and corruption in other Spanish political parties. The Falciani List frames show more significant differences according to the ideological position of the media. *El País* and *El Periódico* confer importance to the leak and criticize the passiveness of the institutions and the citizenship. *ABC* and *El Mundo* discredit Falciani and defend the way the Ministry of Finance managed the situation. *El Confidencial* used both frames in its pieces

**Table 3.** Media frames distribution (%). Falciani List<sup>a</sup>.

	INST. TAX INEFFICIENCY	INST. TAX EFFICIENCY	MEDIA DEPENDENCE	MEDIA INDEPENDENCE
El País	100 (8)	0	0	0
El Mundo	10 (1)	90 (9)	0	0
ABC	0	75 (3)	0	25 (1)
El Confidencial	33.3 (2)	33.3 (2)	33.3 (2)	0
El Periódico	100 (3)	0	0	0
Total	45.2 (14)	45.2 (14)	6.4 (2)	3.2 (1)

<sup>a</sup>Number of pieces are in parenthesis.

and criticizes the limitations on the press to give coverage of citizen leaks. Nonetheless, no media recognizes the ability of *mediactive* audiences to intervene and take initiatives in communicative processes to act as watchdogs of power.

### *The Pujol Case as a media scandal*

To complete our study, we carried out an analysis of the media treatment of the Pujol Case. In the period selected for the study – September 2015, coinciding with the holding of the Catalan elections – none of these newspapers published news about the Pujol family on their front pages. However, topics relating to Independence, Catalonia, Artur Mas<sup>9</sup> or the Catalan elections did appear as front page headlines.

Although Pujol was not mentioned on any front page, the analysis shows a clear division between the Spanish national press (*El País* and *ABC*) and the Catalan counterparts (*La Vanguardia* and *El Periódico*). *El País* and *ABC* stood out by incorporating on their front pages such polarizing terms as ‘secessionists’, ‘sovereignists’ or ‘separatists’. The Catalan media tended to assign their front pages to other themes related to the elections and to local issues; they moved away from a polarized coverage.

Almost half of the opinion pieces in *El País* and *ABC* dealt with Catalonia. The Pujol Case generated 5.1% of the total opinion pieces in *El País*, while there was 3.8% coverage in *ABC*. Their editorial columns expressed a total rejection of independence and of the parties supporting that cause; they set up a discourse whereby the notion of independence was equated with corruption. At the same time, a concerted effort was made to personify the question of Catalan Independence by focusing on Artur Mas. His name appears in more than 90% of the opinion pieces about Catalonia in *ABC*.

*La Vanguardia* also devoted almost half the opinion pieces to the Catalan issue. However, Jordi Pujol only appeared in 0.4% of the pieces. The newspaper editorial line was against independence but recognized the need for consensus and supported a moderate central position. Opinion pages revealed greater internal pluralism than the other newspapers examined.

*El Periódico* also declared itself contrary to Catalan independence in its editorials. But as a rule, it never attacked pro-independence leaders or parties. Jordi Pujol appeared

**Table 4.** Catalan independence and the Pujol Case. Total opinion piece percentages. September 2015<sup>a</sup>.

	INDEPENDENCE	PUJOL CASE
El País	42.1 (164)	5.1 (20)
ABC	52.7 (278)	3.8 (20)
El Periódico	26.6 (147)	2.3 (13)
La Vanguardia	44.9 (303)	0.4 (3)
SPS <sup>b</sup>	47.4 (442)	4.45 (40)
CPS <sup>c</sup>	35.75 (450)	1.35 (16)

<sup>a</sup>Number of pieces are in parenthesis.

<sup>b</sup>Spanish Public Sphere (El País + ABC).

<sup>c</sup>Catalan Public Sphere (El Periódico + La Vanguardia).

in 2.3% of the opinion columns but he was treated in a positive manner. As for the issues of the Catalan elections and the independence process, the newspaper gave the corruption of the Pujol family the least relevance.

Table 4 shows that Catalonia and the independence process had extensive impact in the media agendas. The Pujol scandal – aired by high-ranking PP leaders at critical moments for Catalonia – continued to be present in the media one and a half years after it reached the public sphere. It was given a differentiated treatment in the Spanish and Catalan press. The Spanish newspapers tended to polarize the debate, personalizing it with constant references to Artur Mas; furthermore, they used the Pujol Case to link pro-independence sentiment with corruption. The Catalan press analysed, while being opposed to independence, maintains moderation and does not cover the Pujol scandal in a way that undermines sovereign postures. This dynamic proves the existence of two territorialized public spheres. The Spanish public sphere poses the debate in terms of political antagonism, whereas in the Catalan sphere independence is questioned on a basis favourable to greater dialogue.

## Conclusions

These three cases of leak-based journalism confirm how the Spanish traditional press gave greater coverage to official sources than to the leaks generated by citizens. The media scandals produced by official leaks denote an electoral interest and are common when leading up to parliamentary elections. However, the Falciani List did not attain media resonance or an institutional impact commensurate with the seriousness of the revelations. If we consider the number of people involved and the economic loss sustained through fraud, leaks emerging from a *mediactive* citizenship and new models of collaborative journalism had insufficient influence within the central public sphere.

Our analysis shows that the Spanish public sphere progressed from a model of ‘institutional elitism’ – where elites manage information but nonetheless concede some space to questioning – to a model of ‘pure elitism’ (Mann, 1993) where the media system is subordinated to the political and economic powers (Sampedro, 2000). The media acts as

spokesperson of the elites and serves to criminalize those who may question them. This occurs even in democratic systems whenever the basic structures of the economic or political systems are challenged.

The Spanish political Transition was founded on the ideological left-right antagonism (PSOE–PP) and the territorial dispute (centre–periphery). Podemos aimed to capitalize on a new populist up-down cleavage and Catalanian nationalists replace federalism by independence. Both dynamics merged and questioned an institutional framework inherited from the Transition, which was fiercely defended by traditional press. Pure elitism gave rise to the antagonistic polarization of public opinion (Sampedro and Seoane, 2008) and new (digital) media expressed the cleavages of ‘new’ politics.

In contrast to the traditional press, the Falciani List and its treatment in the media by ICIJ respond to a hybrid model that brings together conventional journalism and the networked Fourth Estate. Traditional news routines for scandals are maintained: exclusivity, a certain degree of confidentiality and revelation by phases. However, a new collaborative work ethos emerges among media companies, as well as between citizens and the media system.

Citizen mega leaks found greater space in the digital public sphere than in the traditional press. A recent study showed that in Spanish digital media, the Falciani List obtained news coverage even greater than that of the Monedero Case (Sampedro, 2017). The newness of the digital environment – and its business models – has still not enabled a highly political–factional instrumentalization of agendas to take place, compared with the longer established media. The latter are a basic reference for public opinion and are traditionally linked to the viewpoints and interests of elites.

Although the impact of the digital media is still limited, the crisis of conventional journalism opens up new scenarios for the media and for our democracies. The model of ‘free-code journalism’ (Sampedro, 2014) may provide an opportunity for the press to regain avenues of autonomy with respect to economic and political power. Digital leaks, instigated by anonymous citizens, favour a collaborative setting that brings together a *mediactive* citizenship with a socially engaged media. The synergies between both actors could bring journalism back to its fundamental watchdog of power role. This is an open process. But there is no guarantee that in the near future the digital media will not present a high degree of political parallelism too.

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## Notes

1. El Plural, 18 January 2015: <http://www.elplural.com/2015/01/18/monedero-factura-425-150euros-en-dos-meses-con-una-empresa-de-la-que-es-unico-propietario-y-que-no-tiene-ni-trabajadores-ni-estructura> (accessed 25 November 2016).
2. Podemos is a Spanish political party founded in 2013. It came into being as the institutional representation of a specific segment of the population, who participated and/or supported the grassroots movement known as *Movimiento de los Indignados* in March 2011.

3. *El País*, 10 February 2015: [http://politica.elpais.com/politica/2015/02/10/actualidad/1423601041\\_530272.html](http://politica.elpais.com/politica/2015/02/10/actualidad/1423601041_530272.html) (accessed 1 December 2016).
4. Among others: *Gürtel Case*, *Púnica Case*, illegal funding of Partido Popular, 'black' cards.
5. Among others: Andalucía's fake Ere's, Auditorium Case in Murcia, *Canal Isabel II Case* in Madrid.
6. In relation to television, there are signs of greater internal pluralism and less political pluralism (Humanes et al., 2013; Kempen, 2007). Both analyses took place before Spain's political fragmentation in recent years. There is a need to determine if the same levels of internal pluralism still exist.
7. *Social accountability*, the term with which Peruzzotti defines the roles taken on by different civil society organizations (NGOs, social movements, etc.) involved in the supervision and vigilance of public authorities.
8. List of people involved in the tax amnesty revealed by *Los Papeles de la Castellana*: [http://www.eldiario.es/papeles-castellana/lista-amnistia\\_0\\_524598623.html](http://www.eldiario.es/papeles-castellana/lista-amnistia_0_524598623.html)
9. Artur Mas was the President of the government of Catalonia (*Generalitat de Catalunya*) during the period in which sampling took place for subsequent analysis.

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