(Un)ethical practices: intimacy and Internet in the media coverage of the Ashley Madison

hack

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Abstract

In the summer of 2015, the "cheating website" known as Ashley Madison came under scrutiny, as a group calling itself the Impact Team revealed users' private information. This case study explores the controversy's Canadian media coverage and sheds light on the main discourses about intimacy and the Internet that were made visible during this event. It interrogates how cheaters, hackers, and the company are represented. At varying degrees, the mainstream press condemns the cheaters, the hackers and the company for their behavior. The article also addresses the ways intimate practices are politicized and commercialized in the digital context, including a discussion of the emphasis on "privacy." To conclude the article, I discuss the transparency and privacy issues implicated in digital intimacies and the power-knowledge (im)balance implied by hackers' online anonymity.

Keywords

Introduction

One of the initial fears about the Internet was its ability to facilitate new intimacies, notably in the form of cyber affairs (Nancy Baym 2010). Since then, online options for individuals seeking an affair have proliferated. This fear may seem exaggerated because dating involved objects and technologies before. However, with the Internet's arrival, we have gone from personal advertisements in newspapers and dating agencies' filing cabinets to algorithms, geo-locative functions, applications for mobile phones and bots, which now mediate the dating website users' experiences (Ben Light 2016). Ashley Madison is a website that promotes and promises "discreet encounters." In the summer of 2015, a group that called itself "The Impact Team" leaked the website members' personal details, including names, addresses, credit card information, and sexual fantasies. The employees at Ashley Madison received a message when they turned on their computer that asked for the website to be shut down. The Impact Team condemned adultery and the way the company treated its users' private information. Their stated goal was to stop users' exploitation: "We did it to stop the next 60 million [users being exploited]. Avid Life Media is like a drug dealer abusing addicts." (Joseph Cox 2015 in Light 2016)

The Ashley Madison hack raises ethical issues regarding the participation of technologies in intimacy's commercialization and heteronormativity. The company's business model is based on exploiting flaws in dominant notions of coupledom. The website's rationale relies on monogamy – if it was not the case, there would be no need for a "secret" space for affairs. The dominant definition of intimacy is that of a relationship that is located in a private sphere and is based on openness and communication between two self-directed individuals (Anthony Giddens 1992; Eva Illouz 2006). The emphasis on communication in the couple appears somewhat contradictory with the notion of privacy, a notion that surfaces in public discussion of intimacy.

Privacy refers to the "right to be beyond the gaze of others" (Saul Levmore and Martha Nussbaum 2010, 10) and is conceived as an individualistic space. Privacy is important to the way the website works (it portrays infidelity as a secret) as well as in the media discourses that define intimacy as belonging to the private sphere.

This article examines the controversy's media coverage. It reveals how public discourses on intimacy and the Internet intertwine in the Canadian mainstream media sphere. Both sex and crime are privileged subjects of sensationalist media representation, which cultivate intense affect and anxieties about online security and relationships (Suzanne Leonard 2014). The availability of online affairs and news cycles' requirements would encourage the search for titillating content. The result would be the normalization and sensationalization of sexual scandal (Leonard 2014). In the case of Ashley Madison, the media offered a widespread coverage of the hack in an often sensationalist tone (e.g., article titles like this one: "Inside Ashley Madison: Calls from crying spouses, fake profiles and the hack that changed everything" [Claire Brownell 2015]). This reveals anxieties about digital intimacies, hacking and business practices. What issues pertaining to digital intimacies are raised in the Ashley Madison hack's media coverage? What attitudes on cheating, hacking, privacy, and corporate ethics does it reveal?

After receiving the Impact Team's demand, Avid Life Media (the company that owns Ashley Madison) refused to comply and the hackers leaked the information. Shortly after, the company admitted that they had been hacked and issued a statement that blamed the hackers: "We were recently made aware of an attempt by an unauthorized party to gain access to our systems. We apologize for this unprovoked and criminal intrusion into our customers' information. We have always had the confidentiality of our customers' information foremost in our minds…" (Avid Life Media 2015a) In the same statement, Avid Life Media also stated that

they secured the site and worked with law enforcement agencies to find those behind the hack. This statement acted as a "script" (Janice M. Irvine 2008); it gave a strong direction to media discourses, taking them away from their client's morality and their own unethical business practices. Instead, it brought the focus on the hackers' act. This script encourages the event's dramatization and demonizes the hackers (who become defined as criminals).

When I began this analysis, I expected the mainstream discourses about the hack to focus on infidelity and on the Internet for creating cheating opportunities. With a bigger corpus and through a systematic analysis, I did not find that there was an emphasis on cheating or a strong wish to police intimate practices. Instead, I found that the mainstream press reiterated a belief in the private sphere as an individualistic space in which intimate practices can be contained. If this principle is put into question or intersects with potential threats coming from "the digital," that is when it draws media's attention. More precisely, media discourses condemn the hackers for the "pain" and the "misery" that followed the leak. It is hacking, more than cheating, that raises public disapprobation.

I collected over seventy articles from different Canadian newspapers: Toronto Sun, Toronto Star, National Post and Financial Post, The Globe and Mail, CBC news, Huffington Post Canada, La Presse, Journal de Montréal and Radio-Canada. They are well-established newspapers with a considerable readership. Journalists and press agencies wrote most articles that included a few editorials and opinion and testimony pieces. Other articles included quotes from Avid Life Media and its representatives, the police, lawyers, experts on relationships, on sexuality or on Internet, (mostly former) clients, and the hackers. A great deal of the media's attention was devoted to describing the company and the clients's reactions, as well as to devising the hackers' goals and uncovering those responsible for the hack. More specific topics included: privacy in the digital

era and the risk for scams, lawsuits filed against Avid Life Media for this privacy breach (by

clients who claim they have used the paid delete option[1] but still found their information leaked),

the government email addresses found among the leaked information (and those of some famous

people), and fake female profiles. The selected articles give a good sense of the problematic

discourses on intimacy, privacy, and the Internet that circulate in mainstream media.

I analyzed these articles and paid attention to the topics covered and the language used to

describe the company, its customers and the hackers. I targeted recurring characterizations or

patterns that became evident through repetition across the corpus. In the Ashley Madison case,

there were discussions about (un)ethical behaviours related to intimate practices (e.g., cheating,

lying), business practices (e.g., using bots), and hacking (e.g., disclosing private information).

The word "ethic" is defined as "rules of behaviour based on ideas about what is morally good and

bad," "a system of moral values" or "a guiding philosophy" (Merriam-Webster 2016). This

article's first section focuses on adultery and digital intimacy's reception and how it

(re)formulates dominant notions of heteronormative coupledom. The second section details the

company's "fraudulent" business practices and the ways intimacy's commercialization reaches

new frontiers with the Internet. The third sections attends to the ways the media portrayed the

hackers as criminals and as the "cause" of the difficulties that Ashley Madison's clients

experienced. I bring these observations together in a final discussion on secrecy, anonymity,

commercialization and the digital.

Marriage, monogamy and technology

The attack on the Ashley Madison website and its users as well as the critiques of their unethical

practices take part in the proliferation of discourses about how to live a personal life, identified

by Ken Plummer (2003) in his work on intimate citizenship. Ashley Madison encourages infidelity; its image is based on unsatisfied monogamous couples where one of the partners finds excitement in an (imagined, virtual or physical) affair.[2] In this sense, the website appears as a site for exploring non-monogamies and hacking appears as a tool that enforces monogamy as the norm. But in fact, the website offers a "secret" space for affairs and therefore depends on the expected fidelity in monogamous couples to work. Their business logic makes sense only in a heteronormative framework, in which fidelity is expected in a committed, opposite-sex relationship. For Lauren Berlant and Michael Warner (1998), heteronormativity refers to a series of hierarchically organized practices around heterosexuality, in which structural dimensions of sexuality and gender, cultural representations and subjectivities are intertwined. For them, the division between the public and the private and the confinement of intimacy to the private sphere are structural to this order. Earlier, I defined intimacy's dominant notion as a relationship that is based on communication between two self-directed individuals (Giddens 1992; Illouz 2006). Inside the couple's private space, this emphasis on communication translates into "entitlement to a certain kind of knowledge— the provision of which equates to dominant ideals of commitment, care and trust." (Gregg 2013, 301) This ideal intimacy was broken when the hack revealed a place for secrets and affairs.

Newspapers report that the hackers referred to customers as "cheating dirtbags who deserve no discretion" (Leah Schnurr 2015). A columnist clearly states that the cheating spouses are the only ones responsible for broken families and their public humiliation (Rita Smith 2015). But generally, the media's condemnation of Ashley Madison's clients for what is happening to them is more ambiguous. Short citations from customers include a mix of them doing a mea culpa, a defense that seems based on "attenuating circumstances" and an insinuation that what is

happening is unfair. Clients confess, express regret for their "mistake" and then bring up the image of the perfect family that would be destroyed by the revelation. One article tells a man's story whose marriage was almost over when he subscribed, and yet, he worries about the consequences the leak could have, even though he is getting a divorce. He fears losing his job (because his colleagues are religious) and implies that his kids would then live in poverty, which to him, seems like an unfair punishment for cheating (Robert MacPherson 2015). Another man, referred to as the "Mississauga man"[3] was married for 20 years and "looked, but never cheated":

> He works in the city and has a young child. He was clearly shocked and looked panicked while talking about the impact the release of his name has had on his life. The hacked information from his profile suggested he likes to give and receive oral sex, "light kinky fun," "erotic tickling" and "role playing." He denied he wrote any of these things. He insisted he joined for titillating chat, and nothing more. (Jenny Yuen 2015)

This panicked reaction is common among clients who talked to the press. According to the psychologists, sexologists, and marriage counsellors interrogated by the press, panick is also typical of those who do not come forward to the press, especially those with a traditional family that is unaware of their online activities. The specialists paraphrase the clients who come into their office or call them to talk about their unknowing wives and wondering if they should tell them to limit the damages in case they find out. These men fear humiliation resulting from the leak, having their "private world on public display." (Sarah Boesveld 2015) Some companies offered clients to check whether or not their data was leaked. For example, Trustify, a company that offers to "find the truth about anyone or anything," received calls and emails like this one: "I'm just a guy here with a wife that I really do love. I regret what I did, and I have two beautiful kids that will get sucked into this, too. It's just horrible." (Tu Thanh Ha 2015)

Most clients who came forward and talked to the press were not "adulterers" and did not have a wife and kids. The newspapers never forget to mention this, as a kind of supplementary proof that people are being wrongfully attacked. For example, Eliot Shore, the plaintiff who started the lawsuit in Ontario, is "an Ottawa widower who joined the dating service 'for a short time in search of companionship'." (Sadaf Ahsan 2015) Another article differentiates "good" and "bad" clients, and the journalist contrasts two examples collected from her research:

> What I found is that people on this website are humans, and like all humans, they have a range of motivations. There was the guy who loved his wheelchair-bound wife, who signed him up. Then there's the jerk who sent me naked photos even after he found out I was a journalist: 'What's a nice journalist like you doing on a site like this …' he wrote in a private message to me. (Holly Moore 2015)

In all the excerpts, the clients' descriptions, excuses and quotes reproduce a hierarchy of acceptable intimacies. The male clients never presented their participation on the website as something that has a positive impact on their relationship. The only female testimony[4] comes from a woman who subscribed after the leak and claims that it saved her marriage. She argues that it showed her husband how dissatisfied she was at home. She explains:

> I had no real intentions other than to be a spectator. But after a day or two, I received winks, photos and messages. I replied to two men […] On the weekend, my spouse asked me why I had opened the AM account and what I wanted to get from meeting Guy Two. My honest answer was that I was seeking an emotional connection. He didn't expect that, and we spent the rest of the night talking about what I felt were our issues. […] Whenever I asked for help around the house, he did nothing. I had to fix things on my own, from the kitchen faucet to the toilets, in addition to helping the children and

doing my paid work. I was literally too busy for one person. […] Sometimes in our conversations he would speak in angry and mean tones. He used belittling language. Several times I told him to stop. I did not like how he was talking to me. […] My husband and I have decided to work on fixing what is broken and renewing the emotional connection that once did exist between us. (D. G. Der 2015)

This woman's story reveals traditional gender dynamics and an understanding of intimacy based on emotional connection and communication. Despite her excursion on the site, her testimony, with its happy ending, strongly values marriage.

Heteronormativity, including traditional gender relations, is important to the ways the cheating website works. Nathan Rambukkana (2015) identifies adultery as the form of non-monogamous intimacy that is the most contained within a heteronormative understanding of intimacy. Ashley Madison is based on the expected behaviour standards in a committed relationship. If it were not for monogamy and traditional gender roles, their business logic would not make sense. Indeed, Light (2016) notes that a normative ethic of intimate relationship arrangements is present in the ways the site positions itself. The emphasis on "secrets" excludes people who have affairs with their partner's consent as well as singles, and the data on bots and subscriptions shows how it focuses on opposite-sex encounters. The company does not acknowledge that its business model relies on heteronormativity, although it benefits from exploiting and enabling flaws in dominant notions of heteronormative coupledom. Instead, it focuses the debates on "privacy" in an individualist way that denies larger social structures' roles.

On the site, about only fifteen per cent of all profiles are marked female, including bots. A writer at Gizmodo, a technology blog that is part of the Gawker media network, ran the Ashley Madison profiles through scripts that identified anomalous patterns and discovered the use of

bots and phony accounts by the company (Annabelle Newitz 2015a in Toronto Sun 2015). The bots and the fake profiles are identified as women and are "configured to entice straight male users." (Light 2016) The gender imbalance implies that an overwhelming majority of men using Ashley Madison were not having (physical) affairs. Because online sexualized behaviours may register as "unfaithful" or "unacceptable" to many people, the intent to cheat would be enough to deeply disturb spouses. In a sense, the media began to address an important question: What counts as cheating? As an article from *The Globe and Mail* puts it:

> The fact that so many husbands tried and failed to see action on Ashley Madison adds another layer of pathetic to this whole sordid tale. Will wives leave them for opening Ashley Madison accounts to write mail, chat and spend money for women who aren't there? Does it matter that many of these husbands probably never landed a fleshandblood mistress? (Zosia Bielski 2015)

To answer these types of questions, journalists turn to psychologists, sexologists, and marriage counsellors to comment on the state of marriage. Their advice goes in different directions, and they often advise people to talk and find out the underlying problems in their relationship. Cheating or the intention to cheat is presented as a symptom of an underlying problem that needs to be solved, such as a lack of effort in a relationship or a series of unresolved disagreements (Ethan Lou 2015). This was also the case in the woman's testimony mentioned above (Der 2015). This discourse is concomitant with intimacy's dominant notion: knowing is a marker of intimacy, and going further into this logic, knowing more by talking more, is believed to solve problems. Because lovers "must know everything there is to know about one another," having secrets is a warning sign of relationship distress (Laura Kipnis 2003, 162). There is a gap

between intimacy's ideal, which entails transparency to achieve commitment and trust, and the actual practices of keeping "secrets."

A psychology professor draws attention to our common assumptions about coupledom, saying it is pretty naive to assume that one's partner is not attracted to other people. She explains that most people do not explicitly negotiate monogamy or specific boundaries with the things they do online in their relationships. Therefore, there is a new realm of exchange that extends the possibilities for violating an implicit agreement. The journalist concludes: "The way we blindly navigate long-term monogamous relationships is dysfunctional. And an unfailing, lifelong attraction to one person may be as much of a mirage as the armies of mistresses waiting on Ashley Madison." (Bielski 2015) In this instance, the professor nuances common sense ideas about monogamy. These discussions create an interesting opening in mainstream discourses about intimacy, but they fail to address important questions that are related to the hack and to the dominant understanding of intimacy. In their discussions of monogamy, the negotiations they encourage remain at the inter-individual level and fail to address structural dimensions like gender.

In the media, cheating poses a potential threat to the monogamous couple and it is dealt with through confession—the "cheaters" reveal their secret and admit that they are Ashley Madison members, which exposes them to others' judgement. Fidelity and infidelity are reduced to "private choices," a notion that is intertwined with the idea of the autonomous individual. This is somehow contradictory with the notion of intimacy as knowing everything, challenging intimacy's general understanding. The media addressed two different ways in which people deal with this contradiction. First, there is the perception of privacy as an autonomous space allowing secrets and therefore cheating—a perception that reproduces heteronormativity, more specifically

traditional gender relations and monogamy as a system. When clients are afraid to reveal their unfaithful practices and be subjected to others' judgement, they express their wish to remain beyond the gaze of others and choose with whom to share certain information (Levmore and Nussbaum 2010). Second, there is the recognition of the partners' autonomy when specialists invite them to openly discuss what practices would be acceptable for them. Although this point of view still locates the diversity of intimate practices in an inter-individual private sphere, they try to conciliate the notions of intimacy as disclosure and privacy. However, in most newspapers, the discussions of privacy come with a reiteration of the company's individualistic discourses, which serve infidelity and private enterprise rather than fostering a discussion on intimacy in which other dimensions and alternatives could be addressed (such as polyamorous users).

Privacy, speculative devices and unethical economies

The Ashley Madison website is predicated on privacy, or in their own terms, "secrecy," a form of seclusion of information (Levmore and Nussbaum 2010). In a capitalist economy, companies like Ashley Madison rely on and encourage a notion of privacy on which they base their system of profit making, where one has to pay to participate in digital intimacies and then pay to quit. In this sense, privacy is privatized and has to be bought. The hackers claim that part of the reason for the theft is the company's fraudulent promise to fully delete users' information when they pay a nineteen-dollar fee. The newspaper articles also focus on the fact that the clients claim that their information was not erased after they paid the fee, as promised by the company (e.g., Robin Levinson-King 2015a). A technology expert says: "Ashley Madison actually charges you to remove your information when you remove your account […] That's a big clue about how they feel about your personal information." (Bree Fowler 2015) A number of complaints were filed by

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customers who deleted their account but who still found their information amongst the millions that were released in the hack, which gives weight to the hackers' claim. Avid Life Media still denies keeping customer information (Levinson King 2015a; Fowler 2015; Daniel Tencer 2015). Class-action lawsuits were also filed against Avid Life Media, based on privacy being violated after the promise of anonymity and confidentiality (Ahsan 2015). The newspaper articles often relay the lawyers' arguments that question the industry standards, the security measures taken by the company to protect their clients' information, and the precautions they do (or do not) take. This is especially relevant given the site's nature and its promise for secrecy.

In the *Financial Post*, former Avid Life Media employees describe the company's business practices using words like "sleazy" and "blatantly manipulative"; they also confirm the use of computer algorithms to generate "flirtatious" responses (Brownell 2015). The hack helped to shed light on how commercial interests in digital intimacies rely on in-app economies (Light 2016). For Avid Life Media, a way to generate income is to force users to purchase credits, which allow them to interact in a certain way (e.g., video chat). The website also charges its clients for many options that are set by default, like the automatic purchase of new credits once they run out (Brownell 2015).

Light (2016) defines speculative devices as "those things that are set in place based on a conjecture of an outcome," like the bots. When customers create their account, they have to agree to the terms and conditions, where Ashley Madison mentions these bots (strategically called "our profiles"). The site presents itseld in a way that is somewhat misleading to its users: "The welcome page and terms and conditions are contradictory in nature but ultimately a user is led to believe they are entering a site full of human encounters." (Light, 2016) The company claims that their "profiles" only interact with guest users and not with members, but the hack revealed that

bots also interact with members. Based on Newitz's (2015b) research, Light (2016) points out that the bots and the fake profiles are to engage users in paying for other website elements: "Evidence from the hack reveals that when the bots were present in the space they generated interactions that generated income [...] when the bots were turned off income on the site dropped, and when they were turned back on, income levels increased."

Although the mainstream newspapers do not go as far as Light's (2016) scholarly article, they seek help from technology and security consultants and draw attention to the problems that are caused by profit-driven companies. According to them, as soon as a controversy like this one stops making headlines, companies stop prioritising the security changes and processes. They do not address the ways the company generates income in detail, but they do note the lack of proof that Ashley Madison changed its security protocols (Paola Lorrigio 2015). Indeed, companies have no interest in changing their practices as long as they are profitable. In this case, the commercialization of intimacy operates through hidden mechanisms that entice customers into subscribing to the site and then into buying more elements, but also through their discourses about privacy and "free choice."

An editorial in the *National Post* criticizes the company's recycling of the affair to boost its publicity:

> Maybe closing down Ashley Madison would not have helped keep the user data from reaching the wild. What we know is that Avid made the choice to brazen it out and keep the brand going. Now that the data are out, Avid is using the opportunity to pose as the vanguard of a privacy crusade, while continuing to sell, sell, sell. This is much ickier than attacking matrimony with shopworn, freelove messages and images of the alluring

fornicators that You! Too! Can Meet! Today! If You Act Now! (National Post View

2015)

The free publicity gained in the controversy is part of a commercial production of

discourses around adultery, including the proliferation of websites, devices to track one's partner,

self-help on the subject, that come to add themselves to the more traditional private investigators

and personal advertisements.

Adultery discourse has been infected with the 'shrewd intentionality' of business

(Horkeimer & Adorno 2002, 98); in being mediated by popular commercial forms, this

public discourse becomes conditioned to work more smoothly with the exigencies of

capitalism. As Zare (2001) identifies, one of these exigencies is the focus on neoliberal

individualism, and therefore one place that we can look for such an ideological

underpinning is in the vaunting, within pro-adultery discourse, of autonomous spaces of

intimacy. (Rambukkana 2015, 54)

During the 2015 hack, the adultery discourse is notably revealed with the emphasis on

privacy in the company's discourse. Levmore and Nussbaum (2010) define autonomy as the set

of private choices individuals make. This principle is part of the company's rhetoric and is

widespread in the newspapers. For example, when the members are qualified as "freethinking

people" or when the company condemns the hackers by saying that their members' private lives

are none of the hackers' business. In the company's discourses and in the media, the autonomous

spaces for intimacy that are found through the website are de-politicized and predicated on

consumerism. "Privacy" and personal choices work in the advantage of the fortunate (those with

some time and money to spend) and to the company's advantage. Clients buy an autonomous

space not only with money but also in exchange for confidential information. Therefore, they

take a risk and compromise their privacy that is assumed to be dear to them.

The appropriation of information and the disclosure of "secrets" pose a threat to privacy, and this causes everyone a great degree of anxiety, as it draws a lot of media attention, virulent responses, and it engages institutions like the law and the police. In the digital context, people are generally anxious that their private, intimate choices and practices will not stay private. By putting the blame on different actors and valuing "privacy" without contextualizing this notion, the controversy's media coverage reinforces the norms of intimacy and the idea that private, individual choices are independent from social and economic structures.

Hackers: "moral judges" and "criminals"

Did the hackers perform a public service by revealing Ashley Madison's fraudulent business practices, such as using bots and promising but then failing to delete the customers' information? In the media, the answer seems to be no. It is hacking, not cheating, which receives the highest degree of public disapprobation. The company, the police and journalists often condemn hackers for their revelation of cheaters, for broken marriages and shattered families, rather than condemning the act of cheating. A columnist draws attention to this bias: "In fact, the persons responsible are cheating spouses. Selfish, irresponsible, duplicitous, lying, cheating spouses. […] [My partner] didn't need Ashley Madison to help him shatter our home." (Smith 2015)

Many articles, along with statements from the company and law enforcement agencies, condemn the hackers as criminals and criticize their "moralizing" politics of exposure. The company, the police and the media therefore frame the hackers in a way that undermines their

credibility. They reproduce the script found in the company's statements, such as this one:

> This event is not an act of hacktivism, it is an act of criminality. It is an illegal action
> against the individual members of Ashley Madison, as well as any freethinking people
> who choose to engage in fully lawful online activities. The criminal, or criminals,
> involved in this act have appointed themselves as the moral judge, juror, and executioner,
> seeing fit to impose a personal notion of virtue on all of society. We will not sit idly by
> and allow these thieves to force their personal ideology on citizens around the world.
> (Avid Life Media 2015b and e.g. in Alexandre Boutilier 2015 and CBC News 2015)

This statement and many newspaper articles present the hack as a criminal attack on individual members (for stealing their private information) rather than an attack on the company, which it also is. They present members as "freethinking people" whose freedom is limited by moral judges. They use the expressions "personal notion of virtue" and "personal ideology" to cast the hackers as divergent from the citizen collective, yet the values they refer to (e.g., fidelity, trust) are also dominant social values, values that are concomitant with intimacy as disclosure and monogamy. Another article despises the "puritanical" goal of the Impact Team: "As critics have noted, this hack is different from the typical cyber attack. It wasn't exposing government secrets, like Wikileaks. It didn't steal credit card data for profit, like the 2013 Target cyberattack. Instead, the whole purpose of this exercise was the somewhat puritanical goal of shaming 'cheating dirt bags'." (Boesvell 2015) The great number of articles suggesting that the hackers had no right to insert themselves in other people's business, reveals a strong defense for privacy and a strict boundary between the public and the private.

A lot of harm is attributed to the hackers and the ripple effects of the hack: shredding reputations, destroying marriages, scams and extortion attempts, even two suicides were related

to the event (those of a police chief and a pastor). Newspaper readers are reminded that "Ashley Madison and its customers are the victims here." (Joe Warmington 2015)

> The hackers shredded reputations and destroyed marriages; police in Toronto link the leak to two suicides. For what? The hack served no public interest. Infidelity isn't against the law, though breaking into someone's servers is. […] Typically, it's about stealing credit card numbers. The Ashley Madison situation goes further: exposing intimate personal interactions. The hackers say they wanted to reveal duplicitous business practices and a client base involved in morally objectionable behaviour. Neither was their judgment to make. (The Globe and Mail 2015)

Bringing attention to fraudulent business practices (like not deleting the users' information) is presented as not serving public interest. Once again, fidelity is viewed as a strictly private topic, something to be negotiated within a relationship, which overlooks, for instance, the existence of norms outside of the law.

The newspaper articles do not specify their understanding of hacking and hacktivism. Their definition seems to oscillate between a criminal practice and some sort of vigilance that would be legitimate when it serves public interest. In this case, public interest would be narrowly defined and mainly related to politics and the government (e.g., Wikileaks). Framing the hackers as criminals is very rarely contradicted, except by some techology specialists who say, for example, that it is "cyber vigilantism" (Levinson King 2015b). In its general definition, hacktivism focuses on the political nature of the end to which technological means should be put (Paul A. Taylor 2005). As Gabriella Coleman (2011, 511) explains, although the political interventions orchestrated by hackers "have grown in visibility in the previous two decades, commentators tend to lack an adequate terminology by which to grasp their source and their significance." Coming

from a cultural studies and feminist point of view, hacking's political nature is related to heteronormativity and commercialization and this is harder for journalists to see. Hacking in the public interest would make sense in the journalists' eyes. But contrary to politics or the government, intimacy is not as easily recognized as a topic of public interest. What disturbed many journalists who covered the hack was the fact that Ashley Madison and Avid Life Media are a private organization and that their services relate to individuals' private lives.

Governments, law enforcement agencies and corporations have more power and resources than hackers, which gives them an advantage in defining the scripts that circulate the most. According to Coleman (2012, 108), framing hackers as criminals started in the 1980s, as they became a threat to law enforcement: "Hackers' expert command of technology, their ability to so easily dupe humans in their quest for information, and especially their ability to watch the watchers made them an especially subversive force to law enforcement." Proprietary ownership is the dominant socio-cultural form and understanding of technologies: "It constitutes a dominant public which includes the private consumption of ICTs, rising inequality, social and digital exclusion" (Steven Corbett 2014). This grants a lot of power to corporations to define what people consider as correct and valuable views of reality. This conjuncture works in the company's favour. Avid Life Media's point of view is reproduced in the news when the police, the law and individuals' private choices are constantly at the forefront. For example, the police divide hackers into two different types: the criminal hackers and the white hat hackers, who would be "ethical hackers" and are interested in using their skills for good rather than harm. In the newspapers, the police called to the white hat hackers to help them find the Ashley Madison hackers.

If we follow the line of thought of those who delegitimize the hack, the leak would create a shame spiral for the clients over the Internet and in their communities, with perhaps dramatic consequences. The police, who speak to the press about the crime's seriousness, released this type of message:

> Scam artists, extortionists and "unconfirmed reports" of possible suicides have emerged in the aftermath of the Ashley Madison hack, Toronto police said Monday. "This isn't fun and games anymore," Acting Staff Supt. Bryce Evans told a morning news conference. "We're talking about families. We're talking about their children… It's going to have impacts on their lives." (Jake Edmiston 2015)

This message evokes consequences like extortion as well as impacts on families and children. It is a moral judgment and implies that the harm comes from the hack only, and not from the clients who subscribed to the website. It exaggerates the hackers' responsibility in the hack's consequences.

According to Daniel Solove (2007), the Internet is quickly becoming a powerful norm-enforcement tool, and Internet shaming serves to enforce norms. He compares Internet shaming's effects to a "digital scarlet letter," and warns us about disproportionate punishments: "Often the punishments don't fit the crime, and people's lives can be ruined for relatively minor transgressions" (Solove 2007, 95). Is talking about "shaming" an exaggeration of the criticism addressed to the company, the clients, and the hackers? The term shaming may not be the best. It seems to be easy to use it rhetorically to position oneself as the victim. But there is definitely a lot of "blame" circulating in the newspapers. Throughout the articles, blaming the clients reveals the mainstream view on infidelity. More importantly, blaming the hackers is pervasive and reveals how privacy is such an important cultural notion. What are considered minor and major

transgressions in this case: Infidelity? Some articles present infidelity as a major transgression deserving punishment, but most present the consequences on cheaters' lives as undeserved. Revealing the members' information? It appears to be an important transgression, since a lot of the coverage is dedicated to criticizing the hackers for their "irresponsible" behaviour. Business practices? Most articles mention the possibility of fraudulent business practices and mention the lawsuits, but few journalists delve into the topic and take a stance on good or bad business practices, which makes it seem like it is not that big a transgression.

Discussion

Intimacy's transparency ideal excludes the possibility of keeping secrets between monogamous partners. The digital therefore appears as a threat to this ideal, because it is revealed as a hiding space for private affairs and discovering others' secrets. The Ashley Madison hack's media coverage does not question heteronormative intimacy. Instead, it represents clients as having "excuses" to be on the site. Journalists ask for experts' advice, who question what counts as cheating but do not question communication and knowledge's centrality. However limited their discourse may be, the psychologists and sexologists who were interviewed encourage openness and communication between partners, and therefore honesty and consent in redefining "cheating." The media make privacy and autonomy the notions that are central to their disapprobation of the hack. Privacy is revealed as a main cultural value that can come to contradict the desire for communication and complete knowledge of the other. Taking this notion as the basis of their argument, the media portray the disclosure of cheating practices achieved by the hack as a "puritanical" and moralizing gesture (done against the cheaters' consent). In their view, hacking appears as a tool that enforces monogamy as the norm. As discussed in this article,

this is an oversimplification. These discourses in privacy's favour play against the hackers and in the company's advantage, in a way that they can pursue their commercial practices based on autonomous individuals and spaces.

My detailed analysis of the hack's media coverage raises new questions regarding digital intimacies. The place of secrets for the endurance of dominant notions of intimacy contradict the emphasis on communication and the "right" to know also found in public discourses. In the digital era, "secrets" seem harder and harder to keep. According to Gregg (2013), a major tenet of contemporary intimacy is revealed by adultery-spying technological devices (or "spouse-busting" applications), one that rejects "privacy" or autonomous spaces. While companies like Ashley Madison continue to offer services that encourage the pursuit of secret intimacies on Internet, others offer surveillance services (in the spyware form) for people who suspect their partner's fidelity, and others offer services to find out if you have been spied upon. These technologies are made to spy on someone else, to get to know what they are trying to conceal or simply to be reassured about the fact that there is nothing to be concealed. In Ashley Madison's case, newspapers sometimes mention companies like Trustify, which connects users with private investigators to provide comprehensive reviews about what personal details have been made available in the hack (Moore 2015).

On one hand, trust and disclosure's interdependence would profit companies that build marketing strategies based on a complete knowledge of the other. On the other hand, the strong defense for privacy in the public sphere profits companies like Avid Life Media and those who offer "counter-surveillance" services. In the digital era, intimacy is transformed by a commercial logic grounded in neoliberal culture. The notion of "privacy" is discursively manipulated in a way that is guided by profit making. Citizens' privacy is subjected to commercial interests (even

those who pretend to care about privacy by offering counter-surveillance services). In the hack's aftermath, the company released new advertisements, which do not put forth "secrecy." Ashley Madison's image excluded people who have affairs with their partner's consent as well as singles, but in the aftermath of the hack, they began to try to change this image to include consensual non-monogamy and singles (along infidelity for monogamous couples) in a series of new video advertisements produced in 2016. It presents itself as polyamory-friendly in one of those videos that shows an unhappy couple that finds new sparks by trying a threesome (Kirstie McCrum 2016). They seem to be getting away from secrecy and entering a new logic of intimacy that is built on honesty and trust (these are not new to intimacy's dominant notions even though non-monogamy might be). This shift in discourse seems to answer to a commercial desire to rebrand itself after the hack and to tap into a new market (Rambukkana and Maude Gauthier 2017).

There is a strange resonance between secrecy's persistence in intimate practices and the anonymity at the heart of hackers' power-knowledge, who are experts at hiding (cloaking) their identities. In a newspaper article, the author of a book on public shaming explains: "'The thing is, these hackers aren't that different from regular people on Twitter. There seems to be a weird view that collateral damage is OK, when you're fighting a big fight' he added." (Nick Patch 2015) The hackers would have a tendency to self-nominate responsibility to be the arbiter and the prosecutor for strict ideals of gender, for example, and anonymity can indeed serve reactionary purposes. A small number of people, with above average technical competence, ride beyond the accountabilities and regulatory frameworks that apply to ordinary people in order to advance their political agenda. For example, we can think of controversies like the GamerGate and Wikipedia's "gender gap." In GamerGate's case, some people coordinated their actions to harass

women online and send threats to prominent female figures in the gaming industry. In the case of Wikipedia's "misogynist info politics" (Bryce Peake 2015), some users mobilized their expert knowledge of the rules to exclude feminist points of view and replace expertise about the subject with expertise about policies. In these cases as well as in Ashley Madison's, "hacktivism" can take different connotations, and consequently, divisions between good and bad interventions quickly arise (like the differences between hacktivism and criminal acts or white hat and criminal hackers).

Does The Impact Team share something with these conservative uses of the Web? A conservative use would aim to maintain or go back to a previous state of affairs whereas a progressive use would aim to improve people's quality of life (e.g., by changing social, political or economic structures) (Merriam-Webster 2017). One reason behind the hack was to show the flaws in heteronormative intimacy and how a website enabled them. By inviting a public debate about intimacy in the digital era, especially regarding questions of honesty/consent and commercialization's pervasiveness, the hack meant to bring change on the fronts of social and economic conditions and can therefore be read as a progressive gesture. I can see how the hackers' disapproval of non-monogamy (in the form of cheating) could be seen as retrograde—but then again, the issue is raised regarding only one form of non-monogamy (infidelity) and we do not know their opinion on other types of non-monogamies like polyamory. It is interesting to point out that the media coverage does not acknowledge that subtle difference in their condemnation of the hackers. The hackers' denunciation of cheating cannot be separated from the "abusive" commercialization of intimacy made by the company and their discourse's inconsistencies (e.g., they present themselves as pro-feminist and in favour of open relationships, but their data shows otherwise). For these reasons, the fact that hackers care so much about other

people's sexual practices seems like a relevant gesture that brings this topic into the mainstream public sphere. Indeed, apart from the mainstream media coverage, we can find feminist blogs that address these issues in more nuanced terms (such as Feminist Current).

What does this controversy reveal about broader changes in attitudes about monogamy and non-monogamy in society? Studying this hack uncovered surprising assumptions about the right to privacy on the Internet. This focus on the private results in a refusal to question monogamy or heteronormativity as a system. In mainstream media's coverage of the hack, the specificity of cheating as only one form of non-mnogamy remains largely unadressed, even though the emphasis on the individual and the private creates an openness towards non-monogamous practices as long as they remain individualized. The idea that non-monogamy would be an individual or a couple's choice conceals the ways monogamy and fidelity are reinforced in society, something we can see in the law (in the definition of marriage) as well as in clients' attitudes (who are ashamed, afraid to lose their job, etc.). Ashley Madison's new commercial showing a potential threesome points to a possible change in social discourses about monogamy and non-monogamies. The visibility of the company, especially since the hack, may contribute to questionning non-monogamies in general (and not only cheating).

Notes

1. Paid delete option: Clients could pay a nineteen dollar fee to have their information completely erased after they quit the website.
2. See, for example, the analysis of its CEO media appearances in Rambukkana (2015) or advertisements like the video "I'm looking for someone other than my wife."
3. Mississauga is a city in Ontario, Canada.

4. This testimony seems to be the only one that was published in a mainstream newspaper. The woman was on the site to experiment with a form of cheating. There is another article from a female reporter who was on the site for work (Moore). There are testimonials from other women in newspapers from other countries, but my analysis is limited to Canada.

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