

WhatsApp Government: on technology, legitimacy and the performance of roles

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Mobile instant messaging is widely used in governing circles today. This paper considers the implications for political legitimacy, examining how far the technology encourages those in authority to act consistently with the obligations that come with their roles. It looks at several recent political scandals in which office-holders are alleged to have transgressed public norms with their use of instant messaging. It goes on to argue the concerns raised are well grounded, as the affordances of the technology point to personalised, informal and untransparent modes of rule. As the final section argues, that figures in public authority embrace the technology despite the scandals it can yield tells us something important about their political priorities, in particular their willingness to prize output over procedural legitimacy.

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The exercise of public authority has always been shaped by the technologies available to its holders. From the printing press to the telegraph, radio to email, new inventions have left their mark on how decisions are taken and by whom. More than just passive media, they affect where power lies and how it is used. This pattern continues in the age of the smartphone, apparently indispensable to the professional lives of today's officials and politicians. 'You need one these days', British Prime Minister Boris Johnson noted during the Covid-19 pandemic, 'I need to be in touch with people' (Parkinson 2021). A flavour of his communications would emerge when a former advisor leaked his messages, including one describing the health secretary as 'totally fucking hopeless' (BBC News, 2021).

Despite extensive scholarship on the politics of communication, relatively little has been written on how these new technologies affect the business of government, in particular how they become tangled in questions of legitimacy. We have become familiar with public diplomacy and presidential twitter-feeds, and with the instant commentary of lobby journalists, but less studied is the place of mobile devices in how office-holders coordinate with each other, and what follows for the norms by which institutions are rationalised.

In the following I examine one particular technology – mobile instant messaging of the kind offered by WhatsApp – as it gets adopted in deliberation and decision-making. I begin by locating the topic in the wider study of technology and politics, suggesting we pay greater attention to how far technology encourages authorities to act consistently with the rules and responsibilities their legitimacy depends on. I then look more specifically at what mobile instant messaging implies as it gets drawn into professional use. I highlight the ostensible tensions with procedural legitimacy, first as these have been revealed in a number of scandals, and second as they are bound

up more generally in the affordances the technology carries. As I argue, this communication technology is put to a spectrum of uses, some of them fairly innocuous, but others in tension with the obligations that come with high office. In the final section I step back to consider the bigger questions of how new technology relates to long-term tendencies in the exercise of authority.

As the article aims to show, the measure of a technology's political impact is not just to be sought in behavioural change. Mobile instant messaging in government in many ways consolidates patterns that are familiar. The informality and irregularity it enables are not new, though they are reinforced by a technology that makes them permanently available and more easily engaged. Ultimately more important is how the technology renders these practices *legible*. Because the trails of communication produced are hard to control, there is heightened potential for a mismatch between practices and norms to be exposed. From the willingness of officials to use the technology in spite of the reputational risks, we learn something important about the extent of their attraction to the informal methods it supports. More precisely, we learn the extent of their disposition to prize output legitimacy, centred on the capacity to get things done, over procedural legitimacy, the willingness to be bound by rules and norms.

Technology and the exercise of authority

New technologies have political consequences. Historians tell us that the introduction of the telegraph in the nineteenth century was an important influence on government and colonial administration. Amongst the tendencies it fostered were the centralisation of power and decreasing autonomy for diplomats, combined with the acceleration of decision-making (Nickles 2009, p.49). These tendencies prompted reactions against them. Wily diplomats could carve out new space for discretion, capitalising for instance on the mix-ups that could arise or be concocted from the typical brevity and garbled quality of the exchange. Here was a technological innovation that shaped who exercised power and how, with identifiable effects at key moments.

In the contemporary period, the impact of new communication technology has started to draw attention. Under the heading of ‘digital diplomacy’, IR scholars have looked at what the combined effect may be of the internet, social media and portable devices for the exercise of authority by institutional officials. Often the focus has been on how decisions are communicated to a wider audience, i.e. on public diplomacy (Holmes 2015). But there is also burgeoning interest in how decisions are taken – the processes by which authoritative decisions and supporting texts are produced. Studies have looked at how processes of negotiation are influenced by the technological medium they are conducted through (Adler-Nissen & Drieschova 2019), and how the adoption of mobile communication technologies by diplomats influences their day-to-day lives and the networks they form (Adler-Nissen & Eggeling 2022; Hedling & Bremberg). A central question for these studies is how far new technologies refashion existing behaviour.

Generally underexamined is how these mediums touch on legitimacy. One of the important facts about the uptake of technology by public authorities is that the actors involved are not just acting on their own behalf. They are charged with acting for a good beyond their own interests. They have what moral and political philosophers call ‘role obligations’, i.e. ones that flow from the institutional position they hold (Hardimon 1994, p.334). The allocation of such responsibilities is the basis not just of an institution’s smooth functioning but of the ‘office accountability’ that allows those who represent it to be held to standards of probity by peers and the wider public. Institutions rely on an institutional ethics of office (Ceva and Jiménez 2022, p.4). Accordingly, technology’s significance cannot adequately be approached in terms of its functional convenience to those involved. It must be approached at least partly in terms of the performance of role obligations – how the technology interacts with the formal rules and identities ascribed to those involved and that, in the aggregate, are the basis on which institutional arrangements are legitimised.

Role obligations range from the specific and codified to the general and tacit – from the particular terms of a job description to broader ideas of appropriate conduct. Falling into their scope are such matters as who should be involved in decision-making, how decisions should be

taken, what criteria should inform them, and how visible to scrutiny they should be. Such expectations are normative in character – they concern how authority should be wielded if it is to be rightful. Considerable powers may be granted on their basis. While role obligations are never entirely fixed, and may be contested at the margins, nor are they indeterminate – some practices will be more markedly at odds with them than others (Hardimon 1994, pp.336-7; Ceva and Jiménez 2022, p.5).

Empirical studies often overlook these normative aspects. Take for example a recent study of the use of WhatsApp in diplomatic circles at the UN Human Rights Council in Geneva (Cornut, Manor & Blumenthal 2022).¹ The authors provide a thoughtful analysis of some rich empirical data, demonstrating some of the ways in which instant messaging has been woven into day-to-day diplomatic practice. But the focus is very much on functionality – how, and how far, the technology makes life smoother for those involved. We are told that ‘digital technologies have helped diplomats become more adaptable to the unforeseen events common to diplomacy.’ They help officials consolidate interpersonal ties of trust that lubricate their day-to-day business. WhatsApp ‘helps diplomats do their job quicker’, while a ‘core function of WhatsApp groups is coordinating action to promote shared interests or initiating collective action on specific policy items’. We are told how, in the perspective of their interlocutors, ‘communication on WhatsApp is less official, less burdened by protocol, and more personal’, how ‘the ease with which you can start and delete conversations is great’. As an insight into the behaviour and views of those in authority, this is an illuminating study. But neglected is what the technology implies for office-holders’ fulfilment of their duties – for the performance of role obligations. Examining this is one task of a political theory of digital technology, a research agenda still largely to emerge (cf. Berg et al. 2022).

How then can we get a handle on the normative expectations in play? While positions of public authority tend to have certain role obligations specific to them alone, others apply more

¹ See also an early (2016) media analysis of WhatsApp diplomacy: Borger, Rankin and Lyons 2016.

widely, being constitutive of legitimate authority more generally. A familiar organising distinction in the study of legitimacy is that between the legitimacy of good results and that of good methods. The first, consequentialist standard is commonly described as output legitimacy (Scharpf 1999). It tends to be associated with both political representatives and technocrats, judged by reference to the results they achieve. We shall return to it later in the article. The second standard concerns how decision-making is conducted. It can be termed procedural legitimacy, centred on adherence to rules and norms. As it is the focus of the next two sections, a few more words are needed.

A foundational idea of modern political thought is that authority depends for its legitimacy on the regularisation of its methods of rule. In his landmark account of the making of the modern state, Gianfranco Poggi summarises the transformation of early-modern political power as a process of three parallel tendencies, each both empirical and normative (Poggi 1990, 18ff., 33ff., 75ff.). One was the ‘depersonalisation’ of power, which involved abstraction from individual identities, opinions and interpersonal ties to establish a framework that could shape and constrain them. Emblematic was the pursuit of a separation between the persons who ruled and the offices of rule. The second was the ‘formalisation’ of power, whereby its exercise came to be standardised through laws, rules and procedures. Office-holders were to be constrained in what they could do, with the aim of making their actions more predictable and accountable. The third was the ‘integration’ of power into a greater social whole, encouraging responsiveness to public concerns and the recognition of dissent. This would become the basis of democratisation and the emergence of institutions of representation.²

These procedural elements form a cluster that remains central to legitimacy in modern societies, both as judged in the world and as theorised.³ Authority is held to standards that on the one hand are about favourable results (outputs, as above), and on the other hand about concordance with the demands of an institutionalised process – interactions that are depersonalised, formalised,

² ‘Input legitimacy’ is one way this idea is expressed today: Scharpf 1999.

³ On the distinction between philosophical and sociological legitimacy, and the need for synthesis: Barker 2001.

and integrated into a wider public.⁴ The pursuit of the one is to be circumscribed by the other. These basic standards of legitimacy permit, of course, a great variety of interpretations. Contemporary scholars in democratic theory sometimes emphasise more the process side (proceduralism) or the outputs side (instrumentalism), or seek to reconcile them in a particular way (Peter 2017). That there are good intellectual reasons for recognising procedural norms is something these debates bring out. Arguably such norms are indispensable for protecting political liberty and regulating disagreement about the value of different outcomes (cf. Saffon and Urbinati 2013). But just as important for our purposes is that there are good *sociological* reasons to recognise these norms, in that they are an established reference-point for the evaluation of authority. Both in political theory and in the relatively untheorized context of public ethics, procedural standards matter.

Such normative expectations have often been honoured in the breach. Personality, discretion and secrecy are part of modern politics too. The abuse of power has always been present, and not just in isolated instances of ‘corruption’ but as a structural feature of the modern state in the shadow of capitalism and coercive might. Ethics in public life should be viewed with a cautious, even sceptical attitude. But still the point of departure when thinking about new technologies conducive to informality must be the possible tension with procedural ideals. Holders of modern authority carry role obligations that are not just about effectiveness in policy terms but the willingness to be bound by procedure.

Instant messaging in government: some scandalous revelations

⁴ That these standards can be separately analytically does not mean they should be politically: democrats have long argued that well-crafted procedures are needed precisely to debate the outputs worth having.

From gossip and briefing to the making of decisions, instant messaging is used extensively in government today. One reason we know this is because it periodically comes to public attention – typically in the form of a *scandal*, when practices transgressing certain widely held norms or values become publicly visible and the object of disapproval (Thompson 2000, p.13).⁵ The Covid-19 pandemic was the context of several. The suspension of face-to-face meetings meant that previously in-person interactions now found outlet in electronic form, just as authorities were facing some major decisions concerning the economy and public health. The period saw an intensification of practices already emerging. Scandals arose in a range of governing contexts, including national, subnational, and transnational authorities. This spread highlights not just the broad uptake of the technology but its capacity to spark a common set of concerns. Here we may note just a few examples, before identifying some themes that cut across them.

In national politics, controversies around instant messaging are many.⁶ Its use in government has been much discussed in the U.K. in the light of such leaks as that we began with. In the wake of revelations about the Johnson government, NGOs and media outlets severely criticised the inadequacy of official Westminster instructions that ministers desist from using WhatsApp for public business, plus the apparent existence of informal guidance asking ministers to delete what messages they send (Wheeler 2021; Siddique 2021). Such concerns were revived in spring 2023, when more than 100,000 messages involving the former Health Secretary Matt Hancock were leaked to *The Telegraph* newspaper. While critical reaction was aimed partly at the substance of pandemic policy-making, notably as it touched on lockdowns and testing targets, much of it concerned the irregular methods by which policy was made (*The Telegraph* 2023).

⁵ The scandals that interest us correspond to Thompson's category of *power* scandals.

⁶ Amongst those I shall not explore is a US scandal involving the Trump administration's informal diplomacy towards Ukraine (Sanger 2019); a Dutch scandal involving the Dutch Health Minister (*Dutch News* 2022); and an Austrian scandal involving the then-Chancellor Sebastian Kurz (Karnitschnig 2022).

At the subnational level, instant messaging has generated scandals in municipal government.⁷ The pandemic was again one catalyst. On 24th March 2020, Madrid's mayor José Luis Martínez-Almeida was seeking the consent of city representatives to contracts for medical supplies. In the name of urgency, a WhatsApp group was created and a hurried exchange completed sometime after 1am. While the relevant parties gave their consent, they later complained they had been unable to properly scrutinise the deal – to make checks on who owned the companies involved, whether the sums were appropriate, and whether alternative offers had been considered (Moraga 2022; Romero 2022). One councillor was de facto excluded from the discussion because he was not checking his phone. It would soon transpire that the deliberation was wholly inadequate: the deal involved a relative of the mayor, the supplies were overpriced, and exorbitant commissions were charged, leading the contract to be denounced as a 'scam' at the city's expense. An anti-corruption case would later be brought to court (EuroNews 2022).

Then there is the transnational sphere, where national and subnational institutions interact with international and supranational ones. Brussels, centre of EU decision-making, is the site of some particularly consequential decisions. Its policies carry high stakes, given their geographical scope and economic significance, while they can also be hard to reverse given the weakness of electoral mechanisms. Concerns about text-message governance in Brussels have been voiced for some time,⁸ but with the pandemic they gained new urgency. A particularly tense phase came in early 2021, as the European Commission was drawing criticism on its vaccine procurement,⁹ prompting the Commission President Ursula von der Leyen to embrace text-message diplomacy as a way to accelerate the crisis response. In April 2021, the *New York Times* reported that the

⁷ On some recent US cases: Dil 2022.

⁸ What the President of the European Council was sending to EU heads of state during negotiations was the subject of an unsuccessful access request in 2018: European Ombudsman (2020).

⁹ Vaccine scarcity in the EU was contrasted negatively with Britain and the US, leaving the Commission's efforts to avoid 'vaccine nationalism' – i.e. moves by EU member-states to unilaterally agree vaccine deals with third countries – under strain. The Commission was also criticised for its attempts to alleviate the situation, notably a threat to close the border between Ireland and Northern Ireland to protect vaccine flow to the EU: Hyde 2021.

EU's vaccine deal with Pfizer had been negotiated by a series of messages and calls between von der Leyen and the company's chief executive. 'That personal diplomacy played a big role in a deal', said the newspaper (*New York Times* 2021). This suggestion of one-to-one negotiation on a high-profile matter raised several eyebrows and prompted calls, notably from the European Ombudsman, for the messages to be made public (European Ombudsman 2022a). The Commission's failure to do this, on the grounds it kept no records (European Commission 2022), led the Ombudsman to conclude that this was a case of maladministration (European Ombudsman 2022b).¹⁰

Considering these cases together, the first thing to note is the dissatisfaction that greeted revelations of message-based decision-making. That they were all *scandals* supports the idea that issues of legitimacy are, and are widely perceived to be, at stake in these governing methods. Whether in the views expressed in the media, by NGOs or by watchdogs, a sense of transgression is unmistakeable, both regarding the use of instant messaging to take decisions and (as a second-order transgression (Thompson 2000, p.198)) regarding efforts to conceal the details later. Inquiring into the legitimacy of WhatsApp government is not, in other words, just an academic exercise responsive to the norms of the detached observer ('philosophical legitimacy') but one rooted in the norms of actors in the field ('sociological legitimacy'¹¹).

Admittedly, some caution is needed – two caveats are worth mentioning. First, the thing considered scandalous was rarely just the technology itself. When WhatsApp and the like hits the news, it tends to be in part as a medium revealing something ostensibly unrelated to the technology – the incompetence of officials, the misguidedness of their policies, or the disdain they display for those they govern. In the case of Hancock's messages, much reporting emphasised e.g. his dismissive attitude towards the concerns of teaching unions; from the editorial perspective of *The*

¹⁰ The case developed further in January 2023, when the *New York Times* initiated a case against the European Commission in the European Court of Justice in an effort to get the messages disclosed: [Bauer-Babef 2023](#).

¹¹ I am interested here in sociological legitimacy construed not simply as public attitudes in general but those grounded in beliefs about appropriate conduct.

Telegraph meanwhile, the key concern was the perceived overzealousness with which ministers pursued lockdowns. Scandals, in other words, are rarely about one thing only: often the technology is treated as giving us a window onto the world of policy-making, and it is the world as much as the window that critics object to. This distinction should not be overplayed though: as I shall argue, very often the medium *is* at the centre of things, because it is felt to be encouraging actors to behave in a certain way. These are scandals *of* messaging, not just ones mediated *by* it.

A second caveat concerns ‘scandalous for whom?’ There is, to be sure, a touch of insider gossip about such cases. They prompt criticism from professional observers, but how far they spark discontent in the wider public is less clear.¹² To the extent they do, part of this is probably the disenchantment that comes with the de-mystification of power – the sense that, in the banality of their instant messaging, public figures are ‘just like us’. One should also keep in mind that every scandal potentially changes the norms to which future practices are held. Some things can only be shocking once: in this sense, scandals can erode the conditions for future scandals. But again, these points should not be overplayed. All scandals are of uneven public concern, since the norms and values transgressed matter more to some than others; crucial is that the discontent is in some measure shared (Thompson 2000, p.16). That these cases are given high visibility in a click-conscious media environment suggests their wider resonance. And while scandals can normalise behaviour and make it less shocking, that need not mean it becomes viewed as acceptable, simply as unsurprising. Moreover, insofar as scandals give visibility to the norms said to be transgressed, they can have the reverse effect of reinforcing rather than diluting them (Thompson 2000, pp.234ff.).

What then can we say about the kinds of concern raised in these cases? I suggest the following three themes, interpreting these cases in awareness of the normative considerations with which we concluded the last section.

¹² Arguably the heyday of the political scandal was when public discourse was shaped by a few media outlets: in the fragmented public sphere of the social media age, few scandals will have general reach.

First, one sees concerns to do with excessively *personalised modes of rule*. Reports of ‘personal diplomacy’ between the Commission President and the Pfizer CEO are emblematic. The suggestion is that messages provided an enabling context for one-to-one negotiation in which personal discretion became the deciding factor. While the details remain unclear, the efforts of the European Court of Auditors to find out more about what it terms this ‘pre-negotiation’ phase in the vaccine procurement suggest it was largely shaped by the spontaneous initiatives of the individuals involved.¹³ Certainly, such interactions may be followed by others more impersonal in nature. The outcome of this pre-negotiation still had to be approved. But insofar as such communications shape opinions, foster sympathies, coordinate initial positions and build asymmetries of knowledge, they would seem an important influence on the decisions taken. They build a personal rapport that would otherwise not exist. A theme of personalised power also emerges in the British and Madrid cases, whether in the form of allegations of corruption or intimidation, or a general sense of the importance of personal networks and the chumminess shown by key figures.¹⁴ Insofar as these individuals already know each other well, the technology expresses ties already formed, but it also brings the personalised aspect to the fore.

Second, one sees concerns to do with the *detachment of office-holders from formal procedures*. In the EU case, the suggestion is that Von der Leyen acted in relative isolation from the supporting officials at the Commission who would normally be expected to shape the line taken. The European Court of Auditors observes that the bureaucratic procedures of the Commission were not followed. Contrary to agreed policy and past practice, negotiating teams were excluded from the preparation of the contract (European Court of Auditors 2022, p.29). Nor does scientific advice seem to have been taken: a planned meeting intended to allow EU and national scientific

¹³ ‘We asked the Commission to provide us with information on the preliminary negotiations for this agreement (scientific experts consulted and advice received, timing of the talks, records of the discussions, and details of the agreed terms and conditions). However, none was forthcoming.’ (European Court of Auditors 2022, p.29).

¹⁴ See e.g. the messages exchanged between Health Secretary Hancock and the Editor of the London newspaper the *Evening Standard* George Osborne when discussing media coverage of government policy.

advisors to inform the EU's vaccine strategy never occurred (European Court of Auditors 2022, p.29). Informality of practice is also foregrounded in the Madrid case, with concerns about the deal highlighting that it was struck in the night without all relevant parties. Again, decision-making detached from formal procedures is clearly something that can occur in the absence of instant messaging – it is a staple of emergency government more generally – but the suspicion is that such technology makes it easier.

Third, one may highlight concerns to do with the *non-integration of decision-making with the wider public*. In all of these cases, the suggestion is that instant messaging produced decisions that were hard for outsiders to scrutinise, evaluate and contest. Practices were opaque and untransparent. Not only was participation in the decision-making highly restrictive, but the capacity to review it retrospectively remains weak.¹⁵ In both the Madrid and the Brussels cases, critics argue this lack of transparency led either directly to bad (even corrupt) agreements, or that there is simply no way to judge them. The use of message-based diplomacy meant that members of the European Parliament (MEPs), for instance, were unable to examine the substance of the vaccine contracts. Just as the Ombudsman called for the communications in question to be made public, a number of MEPs would subsequently bring a legal case against the Commission in a bid to force it to disclose the contracts (Nielsen 2022).¹⁶

The standard response of public officials and representatives when challenged on their use of instant messaging is to say that nothing of importance is decided this way. Replying to the Ombudsman in summer 2022, the Commission stated: 'due to their short-lived and ephemeral nature, text and instant messages in general do not contain important information relating to

¹⁵ See e.g. the court case brought in Britain by citizen advocacy groups ('The Good Law Project' and 'The Citizens') citing transparency concerns: Hall 2022.

¹⁶ The suggestion is that the Commission over-paid for the vaccine, due to the company's lobbying of von der Leyen: Wilson 2022. The motivation of the MEPs is ambiguous: as a mostly right-wing group with anti-vaxx connections, their objections to the deal seem general rather than specific to the manner in which it was agreed. An investigation initiated in October 2022 by the European Public Prosecutor's Office may reveal more about the validity of their concerns.

policies, activities and decisions of the Commission, nor are they in the possession of the institution.’ (European Commission 2022). Similar things were said in the British context. In the face of concerns about scrutiny and accountability, the technology is said to be marginal to the business of government.

Quite possibly this is often the case. One can imagine a spectrum of uses to which messaging is put: if the making of decisions forms one pole, the other could be characterised as ‘harmless chitchat’, with a range of practices in the grey area in between (information-sharing, deliberation, opinion-formation, cultivation of contacts, etc). What these scandals suggest however is that not everything falls at the more innocuous end of the spectrum: that sometimes major decisions *are* prepared and taken this way. Such cases may still be the exception, but they demonstrate where things can go. And while transgressions may be the acts of individual officials, it is their authority as an interrelated group of agents that suffers (Ceva and Jiménez 2022, p.6).

This brief overview of some high-profile scandals suggests issues of procedural legitimacy are, and are widely recognised to be, at stake in the political adoption of instant messaging technology. Furthermore, it suggests the concerns raised can be mapped onto Poggi’s categories to do with the (de)personalisation, (in)formalisation and (dis)integration of power. Consideration of scandals can take us only so far though. Such cases offer a glimpse of how policy is made, but nothing like a full picture. Leaks are selective (we still know little about the contents of von der Leyen’s messages), and those publicising them tend to have their own agenda (e.g. vindicating their opposition to particular policies, as with *The Telegraph’s* anti-lockdown position). Furthermore, only a few cases come to light and acquire the status of scandals – there are many dogs that do not bark. While scandals can tell us something about what goes on and why it may be problematic, it is important to step back from particular cases to think about the more general tendencies in play. The next section examines more systematically the implications of mobile instant messaging technology as they bear on public authority.

What WhatsApp affords

Existing research identifies the following as key aspects of mobile messaging (Schrock 2015; Ying Tang & Khe Foon Hew; Mascheroni and Vincent 2016). In the language of technology studies, they can be referred to as ‘affordances’ – i.e. the possibilities for action implied by an object’s structure (classically: Gibson 2014; cf. Evans et al 2017; Hutchby 2001).¹⁷ Artifacts permit certain actions more easily than others, without dictating the uses they are put to. Identifying these at a general level allows us then to consider the political implications.¹⁸

- *portability*: typically found on smartphones, instant messaging is a communication technology the user may keep on their person. It is designed to be mobile, for use in different settings. It can be activated with ease, often with just a finger or two.
- *availability*: the technology encourages its users to be always ‘always on’. Interactions can be initiated at any moment, and features such as push notifications, presence-awareness indicators and message-read displays serve to sustain them. While individuals can disable these, the technology makes availability the default condition and invites users to expect it in others. Interactions tend to be spontaneous therefore, without a set beginning and end, and rely on quick responses to maintain them. Unlike e.g. email, where messages can be flagged for later, messaging’s emphasis on availability means an exchange not continuously sustained is liable to be displaced by another. Users must compete for the attention of their interlocutors.

¹⁷ Many of Gibson’s initial examples concerned animals’ capacity to draw on their environment to meet practical ends, e.g. to satisfy such needs as hunger, desire, comfort, shelter and survival (Gibson 2014, pp.119ff). Much of the political scholarship adopting the concept of affordance has accordingly looked at how technology helps or hinders agents in pursuing their goals – coordinating action, managing change, etc. But it is important to avoid too functionalist a reading: the concept has ample potential to illuminate the normative as well as pragmatic implications of a technology.

¹⁸ My list of affordances is selective – others one might highlight include instant messaging’s low cost, i.e. *affordability*.

- *brevity*: relative to most forms of face-to-face or electronic communication, instant messages are short. In addition to the need to keep the interaction flowing, character limits may demand succinct formulations. Exchanges as a whole tend to occur in ‘frequent short bursts rather than longer immersive interactions’ (Shrock 2015). For the same reasons the interaction arising may lack features that require longer elaboration, notably detail, nuance and complexity.
- *discretionary inclusion*: mobile instant messaging, unlike forerunners such as SMS, allows the formation of groups for multilateral exchanges. Contacts can smoothly be added to groups or removed, giving membership an elastic character. The discretion to include is heightened for those who initiate the group and thus determine the circle from which requests to include others arise. Not only may they have greater control over the boundaries of participation but greater awareness of who is included.
- *multimodality*: the technology allows a variety of content to be shared with ease, from text to emoticons, photos to videos. This versatility allows different registers and moods to be combined.
- *disposability and traceability*: individuals using the software can delete their messages and seek the agreement of their interlocutors to delete the chat as a whole. In this sense the technology offers a disposable form of communication, and with it the impression of control. Print-outs are cumbersome. However, it remains the case that the artifacts produced can linger, whether in the form of saved messages, forwarded messages, misdirected messages, or screenshots. Information can be shared beyond the circle of direct participants. The interactions the technology enables are thus potentially traceable – or at least, no user can be certain they are not.

If these are some of the key affordances of mobile instant messaging, what follows for the political context we are interested in? In some ways not much. As the concept of affordance is meant to underline, technology can be used in different ways. Users of instant messaging can disable

notifications, or leave their phone at home. They can try to maintain a boundary between private and professional roles by using different phones for different activities. They can restrict their interactions to a carefully chosen set of close contacts, or delegate their communications to assistants. The field of possibilities is wide.

But as the concept of affordance is also intended to underline, the field of possibilities is structured. Some patterns of usage are more likely than others. That instant messaging tends to be in the hands of large private companies whose intentions and security arrangements may be unreliable is clearly part of the problem – one can expect little alignment between corporate goals and public values. But ownership is arguably not the key point here: whoever the owner may be, the technology's structure is politically consequential. Its affordances point to outcomes that challenge role obligations, in particular the idea that modern institutional power comes with expectations of its depersonalisation, formalisation, and societal integration.

Taking depersonalisation first, this can be said to rely on a series of separations: between the office and the person, between institutional authority and personal command, and – underpinning these – between those times / spaces where an individual must act in a public capacity and those where they can switch to another role. The design of instant messaging technology encourages the unmaking of these separations. *Portability* and *availability* invite spontaneous interactions unsupported by a timetable. Those initiating the exchange must reckon with the possibility that they are intruding on someone's private time and must adapt their interventions accordingly.¹⁹ *Availability* implies that participants may be simultaneously engaged in another activity – e.g. a parallel conversation – or caught at a private moment. This is a medium conducive to multi-tasking and a state of distraction, hence also to a less guarded manner.²⁰

¹⁹ On a wider pattern of temporal de-structuring associated with digital technology: Kitchen 2023, p.42.

²⁰ My focus here is on what the technology implies for the interactions it mediates, but clearly its adoption also has implications for those it does not: a physical meeting in which many participants are simultaneously on their phones

Multimodality and the possibility to intersperse text with images and emoticons furthers encourages a personal tone, as does the promise of *disposability*.

In a political context, there are often rituals associated with in-person encounters intended to reinforce the separation of offices and persons. Habits of dress, room arrangements and so on are intended to lend gravitas to the situation.²¹ Not only are they expected to set the tone but to shape the self-understanding of participants as representatives of a wider interest (a social group, an institution, the public good). While some rituals can be replicated in mediatised communication, many will of necessity be omitted. Those who engage each other through such a medium are deprived of the contextual cues intended elsewhere to depersonalise their encounter. To the extent that WhatsApp is used for just gossip and chitchat, arguably this matters little. But to the extent it is drawn into the making of decisions, or directly shapes their preparation, it becomes a meaningful influence on the exercise of authority.

Turning to the formalisation of rule, this conventionally entails structuring decision-making with rules of procedure – identifying, for instance, how the agenda is to be set, who is to be involved, and how dissent is to be heard and managed. A standard rule for example is that executive officials should be in the presence of civil servants when discussing government matters (Parkinson 2021). Such pairings are intended to encourage conduct consistent with role obligations. Instant messaging, by contrast, affords communication that escapes such checks.²² When exchange takes the form of a group chat, participation may be shaped less by formal arrangements than by the preferences of those who set up the group. *Discretionary inclusion* is made easy. Networks that straddle institutional boundaries can be established, and quickly reactivated after periods of latency. Awkward individuals can be excluded, and trusted advisors

is likely to be different in character from one where they give undivided attention – the quality of deliberation may be weaker, and the chairperson may have more power to steer discussion.

²¹ On how the ceremony of face-to-face summits primes participants to think of the public good: Naylor 2020 p.587.

²² On informality see Cornut et al. 2022. The point is also underscored in this overview of WhatsApp usage in government: Institute for Government 2022.

or favoured reporters brought in. Leaders can detach themselves from the supporting officials who might regulate their actions and build collective responsibility.

This is a technology well suited to creating shadow networks of influence, in a way that may not always be noticed. Those who might be stopped at the door in a physical setting can be ‘in the room’ in a virtual one, while absences that would be notable in-person may be more easily overlooked. The boundaries of exclusion and inclusion are more porous when it is about a string of phone numbers and avatars rather than one-to-one communication, the physical congregation of bodies, or videoconferencing technologies in which faces are visible.²³ Institutional checks on the office-holder become harder to enforce, something likely to matter especially when there are decisions to be taken. Instant messaging allows hierarchies to be bypassed.²⁴ Its interactions elude the control and oversight of formal structures. Indeed, its adoption may be born of frustration with existing channels and the desire to avoid them.

Finally, as concerns the integration of power into the wider society, this requires mechanisms of accountability. It requires the capacity for those not directly involved to scrutinise decision-making and connect it to wider currents of opinion and interest, possibly so as to influence it, certainly so as to evaluate it. By contrast, government by messaging raises obvious questions of transparency. That messages can be *disposable* means that an overview of how decisions are taken and on what basis will be hard for observers to achieve. To be sure, rules could be developed for saving and disclosing messages, as the European Ombudsman has called on the Commission to do. One must be careful not to present as a design feature of the technology what is a feature of a particular kind of usage. But in the absence of controls underpinned by sanctions, the

²³ Note also the possibility of errors: information can more easily be given mistakenly to the wrong person when their face is invisible.

²⁴ Cf. Cornut et al p.14: ‘Debating resolutions online helps diplomats bypass the traditional procedures—that is, negotiating in a formal negotiation session—and use technology instead to reach the same results.’
‘Debating resolutions online helps diplomats bypass the traditional procedures—that is, negotiating in a formal negotiation session—and use technology instead to reach the same results.’

predictable effect of the technology is indeed to make decision-making more detached from the wider public.

Insulating decision-making from the public is sometimes said to aid deliberation (Chambers 2004). Secrecy can be used to allow participants to speak frankly and without fear of reprisals. In diplomacy or high-level policy discussion the attraction is clear. But the legitimacy of secrecy is conditional. It may be defensible when officials are strictly accountable to the constituencies they represent – e.g. when electoral mechanisms are strong, and when there can be second-order debate about *what* is to be done secretly (Thompson 1999). It is less so when these supporting mechanisms are weak, with the risk that it becomes a blank cheque for those in power. Coupled with the preceding points about informalisation, the secrecy of this technology looks one to be wary of.

Note also that the more deliberation occurs by instant messaging, the more its quality may suffer. If we characterise deliberation as the weighing of competing opinions and the willingness to be guided by the better argument, instant messaging seems a medium ill-suited to it. *Brevity* means interactions that are unlikely to go deep into the nuances of an issue. *Portability* and *availability* mean exchanges likely to be conducted on a handheld device, possibly with divided attention, and where there is pressure on participants to respond quickly. This is also a technology ill-suited to the expression of dissent and disagreement – partly for its informal mood, and partly because *discretionary inclusion* means those likely to disagree can be screened out as the group is formed. Certainly, there may be ways in which to lessen such problems, conceivably even to put the technology to the service of deliberation (e.g. by taking advantage of *multimodality* to share information more easily). But ensuring that such standards are routinely met – and are seen to be met – is something the technology's structure seems destined to frustrate. Even where it could theoretically be an aid to deliberation, the public lacks ways to enforce this and verify it.

We may summarise as follows. Recourse to mobile instant messaging encourages *personalised exchanges* that proceed independently of the mechanisms intended to depersonalise the exercise of authority – things such as timetables, public records, meeting minutes, and other

rituals intended to shape and document how participants behave. The technology assists leaders as they seek to *escape the hold of formal procedures*. They can detach themselves from institutions and intermediaries. Decision-making processes that might otherwise be collective in nature (e.g. with the use of negotiating teams) can proceed at the initiative of a few individuals. While this may still be followed by a more structured process, it is likely to set the terms for the latter in ways that are hard to revise later. Also, the technology *inhibits the integration of authority into a wider public*. It is difficult for non-participants to systematically observe, and the sensitivity of deliberation to wider concerns may suffer. Processes are accelerated, and while dissenting voices can emerge later in the process, they can be screened out in critical phases. In each of these ways, the use of instant messaging interferes with norms of authority centred on the depersonalisation, formalisation, and integration of power.

The place of technology in the de-institutionalisation of power

WhatsApp government would seem to pose some clear challenges to ideals of procedural legitimacy. It points office-holders towards conduct at odds with their role obligations. For none of this is the technology a necessary condition. There have, of course, long been concerns that key political decisions are taken informally – that the important conversations are had in the hallways, where no public record is taken. The affordances of electronic modes of communication in some ways reproduce the affordances of the corridor. But the new technology makes informality ever easier and more available, and it can disguise what is happening even to those involved. It contributes to what others observe as a more general blurring of the public-private divide (Habermas 2022, p.165; cf. Patberg 2023). In these senses its adoption seems genuinely consequential for how the business of government is conducted.

Let us, however, adopt a cautious line on just how transformative this technology is in terms of the inclinations of those who make policy. One can assume that it appeals in part because

it facilitates things which are already attractive, compounding tendencies already established. In many ways the story is one of behavioural continuity: the de-institutionalisation of power has a history older than digital technology, in international politics especially (White 2022, 2019; Westerwinter, Abbott, and Biersteker 2021). If this is so, what significance is to be attached to the technology? Should it not then be seen as largely epiphenomenal, no more than the latest way of doing what has long been done and could be done without it?

Such a conclusion would overlook something crucial. For even if instant messaging merely makes it easier for those in authority to do what they are already inclined to do, it leaves a distinctive mark in one respect: it makes these patterns of behaviour more *legible*. Its informality comes with a twist. Whatever the apparent disposability of instant messages, they are more detectable than the non-electronic forms of interaction on which informal coordination would otherwise rely. Messages can be deleted, giving a sense of control in the moment, but no-one can be certain that they have not meanwhile been copied or shared by their interlocutor(s). There is, as we have seen, ample potential for leaks – WhatsApp government can go badly wrong.

This fact makes the embrace of the technology for professional purposes more puzzling than it might initially seem. On the one hand, it is intuitively attractive for the affordances we have outlined. Portability, availability, brevity, discretionary inclusion, multimodality and disposability: these add up to something convenient, especially but not only in the context of pandemic restrictions on face-to-face interactions. Moreover, the technology may be socially and psychologically rewarding. Discretionary inclusion means scope for secrecy, and as sociologists have long observed, secrecy is in part about identity and control (Costas and Grey 2014; Simmel 1906/1950²⁵). To be part of an ‘inner circle’ is to have access and prestige, the chance to feel superior to those on the outside. Portability and availability fosters a level of intimacy that may

²⁵ As Simmel (1906/1950, p.332) once put it: ‘Among children, pride and bragging are often based on a child’s being able to say to the other: “I know something that you don’t know” – and to such a degree, that this sentence is uttered as a formal means of boasting and of subordinating the others, even where it is made up and actually refers to no secret.’

be conducive to bonding and trust. One can assume the technology is adopted partly for the feelings of exclusiveness, importance and mutual regard it can generate.

Yet the legibility of these communications makes the adoption of such communication double-edged. It comes with evident risks, particularly when used not just for chitchat but the preparation and making of decisions.²⁶ For when such practices come to public attention – when newspapers can run stories on an official’s ‘personal diplomacy’ – they cause discontent and reputational damage. Frictions arise for the very reason that this conduct is at odds with the procedural expectations associated with public authority. Furthermore, these are foreseeable frictions, as actors tend to be aware of the risks involved in messaging (Eggeling and Versloot 2022, p.12). Note that von der Leyen had been caught in an earlier scandal in Germany to do with the transparency of her mobile-phone use while defence minister in Berlin (Boffey 2022). She can hardly have been unaware of the pitfalls of instant messaging, whatever its immediate appeal. How to use such technology appropriately tends to be one of the first things new officials receive guidance on.²⁷ Certainly, that there is a spectrum of uses ranging from the legitimate to the illegitimate means that actors may sometimes slip from the one to the other inadvertently. Habits formed in a private setting may simply spill over into public business. There are also the grey areas of inappropriate conduct where no sense of transgression may be felt. But that WhatsApp government is never far from scandal is established and known. To use it to prepare and take major decisions is to go well beyond innocent usage, and well beyond what is needed to form a circle of insiders. Powerful shared motivation seems needed. While the adoption of this technology is at one level to be understood as a matter of access and convenience, on another it is about its adoption *in spite of the inconvenience* it may bring.²⁸

²⁶ On security risks: Walker, Sabbagh and Crerar 2022.

²⁷ See e.g. the guidance issued to UK officials since 2014: <https://www.gov.uk/government/publications/social-media-guidance-for-civil-servants/social-media-guidance-for-civil-servants>

²⁸ One risk there is not the space to discuss here is blackmail: Campbell 2021.

It may be tempting then to see the technology's adoption as objectively determined. The acceleration of socio-economic change in general, and the appearance of crises requiring rapid responses, may seem more than enough explanation for the adoption of governing methods that can speed things up. Instant messaging allows rulers to circumvent slow procedures and reach decisions more quickly. This intuitive interpretation surely has something to it. And yet, it is not clear that this way of governing – fast decision-making in general, and by instant messaging in particular – is an effective response to the pressure of events (Scheuerman 2004).²⁹ Not only can it breed public suspicion and weaken the authority of decision-makers in the longer term. It can also lead to dubious decisions in the moment, as our scandals underline. It is at least possible that public health in the EU would have been better served by the Commission taking a little longer over its vaccine procurement, keeping the negotiating teams involved throughout. It is at least possible that, when the next crisis comes, the Commission's authority would be stronger if it had not invited the critique and legal proceedings of newspapers and watchdogs. Accelerated, crisis-prone systems can be governed in various ways, and it is not clear that quickest is best.

If the technology is embraced in spite of the drawbacks, I suggest the explanation lies elsewhere – in how policy-makers regard their own basis of legitimacy. Informal methods appeal because the actors involved are focused on getting 'results'. Instant messaging does not necessarily make life easier for decision-makers (on the contrary, it can deliver scandals), nor does it necessarily help to make turbulent systems easier to govern (it can produce questionable decisions that make matters worse), but what it does facilitate is a quick intervention. It makes it easier for officials to coordinate and act. This, I suggest, is likely to be attractive whenever output legitimacy is the overriding concern – where actors feel the need to show tangible results.

Output legitimacy has always been central to transnational institutions. In settings such as the EU, it is the standard observers like to emphasise (Scharpf 1999) and practitioners themselves

²⁹ This is the message of critical scholarship on emergency government, which closely resembles, and sometimes overlaps with, the methods under consideration here.

invoke.³⁰ It corresponds to the centrality of technocracy, but also to how elected politicians tend to rationalise their actions. An instrumentalist, problem-solving outlook is central to public authority in this context. Over time, however, it has also become central to authority in the national context. The weakening of parties, and of organised ideological politics in general, has meant that decision-makers define themselves less by normative commitments than by their capacity to get things done (Bickerton and Invernizzi Accetti 2021, p.12). Aware that significant portions of their electorate are drawn to technocratic, populist, or ‘techno-populist’ styles of politics that seek to pursue the public good in an unmediated way, they too can become impatient with procedure and keen to demonstrate their problem-solving capacity (Caramani 2017).

Output legitimacy is of course typically associated with the production of *desirable* outputs – with policy-making that is in some sense successful. Popular consent in the long run would seem to depend on this. But what the legitimacy claim depends on in the first instance is ‘results’ – decisions that officials can point to as likely to herald desirable outcomes, if not immediately then in the future.

The significance of the technology is thus twofold. On the one hand it consolidates existing trends to do with the de-institutionalisation of power. It allows agents to do more easily what they are already inclined to do – coordinate informally in the service of problem-solving and networking, in ways that pose problems for accountability. Its affordances reinforce these patterns. On the other hand, the technology should be seen as giving insight into the outlook of policy-makers. For the very reason that it heightens the risks involved, it lays bare the extent to which they are attached to irregular ways of governing in the name of getting results. If instant messages can help to secure a deal, concerns about the method may not count for much. The technology shows the extent to which officials prize output over procedural legitimacy.

³⁰ See the discourse on a ‘Europe of results’ that emerged in Commission circles in the mid-2000s after the failure of the 2004 constitutional treaty: Teasdale 2012.

This has implications for how regulators respond. Critical discussion of government-by-text has tended to focus on the need for better regulation of the technology. The European Ombudsman made various recommendations to this effect in view of the Commission's evasiveness: that instant messages be recognised as EU documents, kept as records, and be available for inspection when requests for public access are made.³¹ These concerns about transparency are well taken, highlighting the challenges faced by the wider public in scrutinising who does what and how (Hillebrandt 2021). Stronger rules on the use of communications technology exist in some jurisdictions,³² as well as in particular fields such as financial regulation,³³ suggesting their application to public authority is technically feasible where there is the political will. We may well see more of them in future.

But such moves are nonetheless limited. They neglect the wider context in which the technology is deemed attractive – how its affordances tie in with the appeal of unscripted and irregular modes of rule. Transparency rules seem unlikely to be enough, however justified they may be. Make one technology transparent and others will be adopted to the extent they afford the same thing. Require everything to be recorded and the important material – the stuff that reveals the technology's use in decision-making – will be no less hard to sift from the sheer volume of banal interaction. Regulations can also prohibit too much: not all forms of instant messaging are a problem that needs to be solved.

Positive change would instead have to involve changing the wider conditions that make inappropriate uses of the technology attractive, rebalancing in particular the standards of legitimacy to which actors are held. Such considerations are beyond the scope of this article, but would most likely proceed in at least two dimensions. On the one hand, it would mean reducing

³¹ See the recommendations of 13th July 2022: European Ombudsman 2022c.

³² On regulations introduced in the US: Austermuhle 2022.

³³ See the MiFID II regulations of the European Securities and Markets Authority, esp. p.49 ('Answer 5') on 'the recording of telephone conversations or electronic communications': European Securities and Markets Authority 2021.

the emphasis on outputs alone. Probably this would entail weakening the hold of technocratic institutions that especially depend for their legitimacy on the capacity to get things done, and that provide a template of rule that political authorities are prone to imitate. Revived in their place would have to be a model of government in which processes of participation and wider scrutiny are valued. On the other hand, it would mean bolstering the procedures intended to constrain those in office. Strengthening constitutional mechanisms, and ensuring leaders are better tied to democratic institutions that can punish them for their procedural transgressions, would be amongst the relevant approaches (White 2023). For it seems clear that government by messaging will not be checked by arbitrary or politically motivated leaks. Only forms of politics that leave less discretionary power in the hands of individuals look likely to address the fundamentals.

Conclusion

When investigating the political significance of technological change, there is a tendency to make existing practice the benchmark – to examine patterns of behaviour relative to how things looked before. This tends to be coupled with a pragmatist focus on how innovations make it easier for actors to pursue their preferences. While there is something to be learnt from this approach, it can blind us to much of what is at issue. The concerns of the political scientist need to be paired with those of the theorist. Assessing the significance of a new technology requires that it be held not just against existing practice but the ideas and norms meant to regulate that practice – against role obligations, that is.

A number of high-profile scandals reveal how mobile instant messaging is used to make policy in irregular ways, and how this prompts public condemnation when revealed. Issues of legitimacy are seen to be at stake. Such concerns are well grounded, I have argued, as the technology fosters practices at odds with the procedural norms of modern institutions. Not only is this troubling but it is instructive. Even if the technology merely enables actors to do what they

want to do anyway, by making their transgressions more legible it highlights the risks they are willing to take in the service of getting things done. Sometimes the political significance of a new technology lies less in behavioural change than in continuity – in the way it consolidates certain patterns of behaviour under conditions that make them more hazardous.

Instant messaging will not be around indefinitely – its political adopters will switch to other platforms, and in due course to other modes of communication. As the pressures posed by Covid-19 recede, the temptations of informality may weaken a little, at least until the next emergency. Nor should we regard the norms of procedural legitimacy as static, especially in an age of technological change. Changing practices may be generative of new standards, or may simply outstrip the effort to hold them to norms. The time may come when populations are indifferent to how they are ruled, or have relaxed their procedural expectations to the extent that authorities can do as they wish. But we are not at that moment yet. We are still in a world where procedural norms matter, and the study of technology needs to keep them in view.

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